STATE SIGNIFICANT DEVELOPMENT ASSESSMENT:
Increase the Putrescible Waste Capacity
Wetherill Park Waste Transfer Station
SSD 7267

Environmental Assessment Report
Section 89H of the
Environmental Planning and Assessment Act 1979

August 2017

Cover photo: Wetherill Park Waste Transfer Facility

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ABBREVIATIONS AND DEFINITIONS

AHD	Australian Height Datum
Applicant	SUEZ Recycling & Recovery Pty Ltd
AS	Australian Standard
BCA	Building Code of Australia
CEMP	Construction Environmental Management Plan
CIV	Capital Investment Value
Commission	Planning Assessment Commission
Construction	The demolition of buildings or works, carrying out of works, including earthworks, erection of buildings and other infrastructure covered by this consent
Council	Fairfield City Council
DA	Development Application
Demolition	The removal of buildings, sheds and other structures on the site
Department	Department of Planning and Environment
Development	The development as described in the EIS and RTS for the expansion of the Wetherill Park Resource Recovery Facility
DPI	Department of Primary Industries
EIS	Environmental Impact Statement titled *Increasing Capacity for Putrescible Waste at Wetherill Park Resource Recovery Facility* prepared by Golder Associates dated March 2016
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2000*
EPA	Environment Protection Authority
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
FRNSW	Fire and Rescue NSW
General solid waste (putrescible)	As defined in Part 3 Schedule 1 of the POEO Act
General solid waste (non-putrescible)	As defined in Part 3 Schedule 1 of the POEO Act
Minister	Minister for Planning (or delegate)
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
RRF	Resource Recovery Facility
RTS	Response to Submissions titled: *Increase Capacity for General Waste at Wetherill Park Resource Recovery Facility* prepared by Golder Associates dated 11 October 2016 and *Further Response to Submissions* titled *Increase Capacity for Putrescible Waste at Wetherill Park Resource Recovery Facility* prepared by the SITA Australia Pty Ltd dated 8 December 2016
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment, or nominee
SEPP	*State Environmental Planning Policy*
Sensitive receiver	Residence, education institution, health care facility, religious facility and child care facility
SRD SEPP	*State Environmental Planning Policy (State and Regional Development) 2011*
SSD	State significant development
tpa	Tonnes per annum
WARR	Waste Avoidance and Resource Recovery Strategy
Waste	As defined in the *Protection of the Environment Operations Act 1997*
WTS	Waste Transfer Station

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EXECUTIVE SUMMARY

SUEZ Recycling & Recovery Pty Ltd (the Applicant) is a multinational corporation which operates over one hundred waste facilities across Australia. The Applicant has been operating a 24 hour, seven day a week Waste Transfer Station (WTS) at Wetherill Park in Western Sydney since 1989, which is one of 10 transfer stations operated by the Applicant in the Sydney Metropolitan area. The Applicant also operates four resource recovery facilities and three landfills in this area, including Eastern Creek and Lucas Heights landfills.

The Applicant's Eastern Creek landfill currently processes 550,000 tonnes per annum (tpa) of general solid waste (putrescible) but it has almost reached capacity and is expected to close shortly (except for the small vehicle drop off area). The Applicant proposes to divert 130,000 tpa of the waste that would have otherwise been sent to the landfill to the Wetherill Park WTS. From there, the majority of the general solid waste (putrescible) would be transported to the Lucas Heights Landfill, with the remainder going to another WTS at Seven Hills.

The Applicant has lodged a Development Application (DA) and accompanying Environmental Impact Statement (EIS) seeking consent to increase the overall capacity of the Wetherill Park WTS from 100,000 tpa to 230,000 tpa, by increasing the throughput of general solid waste (putrescible) currently handled at the facility from 10,000 tpa to 140,000 tpa.

The site is located at 20 Davis Road, Wetherill Park in the Fairfield local government area (LGA) and is approximately 30 kilometres (km) west of the Sydney CBD and covers approximately 2 hectares (ha) of industrial zoned land. The WTS is located within the Wetherill Park Industrial Park so industrial receivers are located immediately adjacent to the site. The nearest sensitive residential receivers are located 1.5 km away in Horsley Park.

To facilitate the increase in processing capacity, the application includes some physical development on site including construction of hardstand areas for additional truck and trailer parking, construction of additional stormwater infrastructure connected to the existing system, installation of a roller door in the main transfer building, construction of a workshop and construction of an additional exit from the main transfer building to improve internal traffic flow.

The development has a capital investment value of $3,279,506 and is expected to generate 12 construction jobs and 16 operational jobs.

The development proposal is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves the operation of a waste or resource transfer station that handles more than 100,000 tpa of waste in the metropolitan area of the Sydney Region. As such, it meets the criteria in Clause 23(2) of Schedule 1 in *State Environmental Planning Policy* (*State and Regional Development*) *2011* (SRD SEPP). Consequently, the Minister for Planning is the consent authority for the proposed development.

The Planning Assessment Commission will determine the SSD application in accordance with the Minister for Planning's delegation, as the Applicant made reportable political donations.

The Department of Planning and Environment (the Department) exhibited the EIS for the development from 28 April 2016 until 30 May 2016. A total of ten submissions were received including eight from government agencies and two from the general public. Both public submissions objected to the application on the grounds of odour impacts to the surrounding area. Other issues raised in the submissions included air quality, noise impacts and impacts to the road network.

The Applicant submitted a Response to Submissions (RTS) in October 2016 to address the issues raised in submissions. Further information relating to fire safety, flooding, waste management and odour was submitted in December 2016 to address additional submissions made by Fairfield City Council, Fire and Rescue NSW and the Environment Protection Authority (EPA).

On 14 July 2017, the Applicant formally requested the development application be amended to reflect two changes to the proposal. Firstly, to allow construction to occur in parallel to continued operations at

the facility at existing tonnage capacity (a site shut down period had originally been contemplated) and secondly, to remove the proposed small vehicle drop-off area component of the development as it was proposed too close to an existing transmission tower and did not therefore comply with TransGrid's requirements. The Acting Director Industry Assessments agreed that the development application was able to be amended in the manner proposed in accordance with clause 55 of the *Environmental Planning & Assessment Regulation 2000*.

The Applicant has provided a supplementary assessment of potential environmental impacts and demonstrated how the facility would continue to operate effectively taking into account these amendments to the development.

The Department's assessment of the amended application has fully considered all relevant matters under Section 79C of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has identified the key issues for assessment are odour, site access and traffic and flooding.

The Department's assessment has concluded the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent. Consequently, the Department considers the development is in the public interest.

Following from its assessment of the proposal, the Department of Planning and Environment considers that the proposal is approvable subject to any conditions of consent. This report is hereby presented to the Planning Assessment Commission for determination.

1. BACKGROUND

1.1. The Department's Assessment

This report details the Department of Planning and Environment's (the Department) assessment of the State significant development application (SSD 7267) for the Wetherill Park Waste Transfer Station (WTS). The development involves an increase in the operational capacity of general solid waste (putrescible) at the WTS from 10,000 tonnes per annum (tpa) to 140,000 tpa as well as the construction of ancillary infrastructure to facilitate the upgrade. The Department's assessment considers all documentation and plans submitted by SUEZ Recycling & Recovery Pty Ltd also known as SUEZ (the Applicant), including the Environmental Impact Statement (EIS), Response to Submissions (RTS), submissions received from government authorities, stakeholders and the public and the request to amend the development application and supporting documentation. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the proposed development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation. The Department's assessment of the WTS has concluded the development is in the public interest and the proposal is approvable subject to any conditions of consent.

1.2. Development Background

The Applicant is seeking development consent to increase the operational capacity of its WTS from 100,000 tpa to 230,000 tpa, by increasing the throughput of general solid waste (putrescible) handled at the facility from 10,000 tpa to 140,000 tpa. The WTS is located at 20 Davis Rd, Wetherill Park (the site) in the Fairfield LGA (see **Figure 1**). The proposal also includes construction of hardstand areas for additional truck and trailer parking; construction of additional stormwater infrastructure connected to the existing system; installation of a roller door in the main transfer building; construction of a workshop and construction of an additional exit from the main transfer building to improve internal traffic flow.

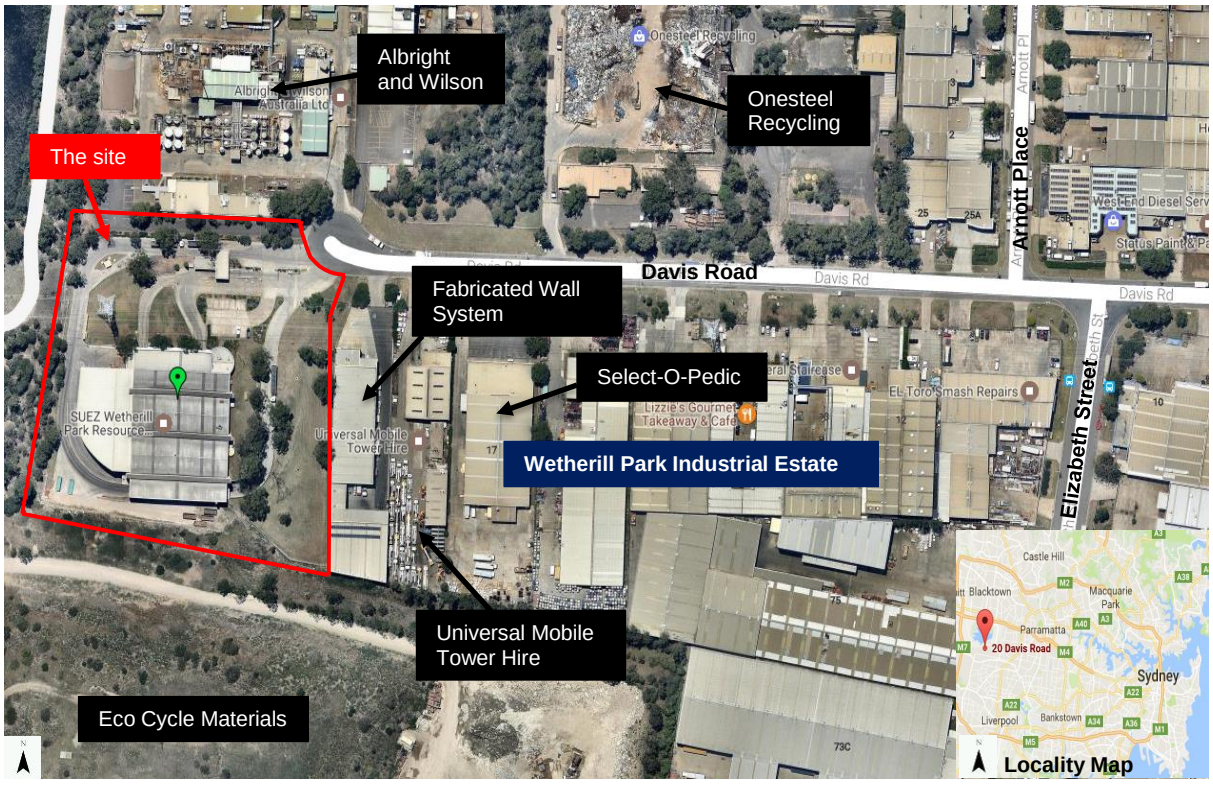

***Figure 1**: Site Location*

The Applicant is a multinational corporation which operates over one hundred waste facilities across Australia. The Applicant has been operating the WTS at the site since 1989. The WTS is one of 10

transfer stations operated by the Applicant in the Sydney Metropolitan area. The Applicant also operates four resource recovery facilities and three landfills (see **Figure 2**) within the Sydney Metropolitan area. The WTS is located between the Applicant's Eastern Creek and Kemps Creek landfill sites. The WTS provides a consolidation point for unsorted waste collected from residential or commercial premises and from the public in the region.

***Figure 2**: The Applicant's Network of Waste Facilities*

The Applicant's Eastern Creek landfill (the landfill) will close towards the end of August 2017, as the landfill has reached its capacity. The landfill receives up to 550,000 tpa of general solid waste (both putrescible and non-putrescible). Due to the closure of the landfill, the Applicant proposes to divert 130,000 tpa of general solid waste (putrescible) to the WTS as well as the Seven Hills WTS. Any waste that cannot be recycled will be transported from the WTS to the Lucas Heights landfill for disposal with some general solid waste (putrescible) to be transferred to other sites within the Applicant's network (such as Kemps Creek and Spring Farm). The domestic small vehicle drop-off area will remain open at the landfill.

1.3. Site Description

The site comprises 2.05 hectares (ha) of industrial zoned land at 20 Davis Road, Wetherill Park. The site is legally described as Lot 402 in DP 603454. The site is located in the Wetherill Park industrial area at the end of Davis Road on a cul-de-sac.

Currently, the WTS operates 24 hours a day, seven days a week and receives 90,000 tpa of general solid waste (non-putrescible); 10,000 tpa of general solid waste (putrescible); and up to 10 m^3 of asbestos waste weekly. All waste received at the site is from domestic drop-off and commercial waste deliveries. All waste is unloaded in the waste transfer building (see **Figure 3**), where recyclable waste is separated, sorted and then transported off-site for recycling or reprocessing. The remaining waste that cannot be recycled is transferred to the Applicant's Eastern Creek or Lucas Heights landfill or transferred to other licenced facilities within Applicant's network.

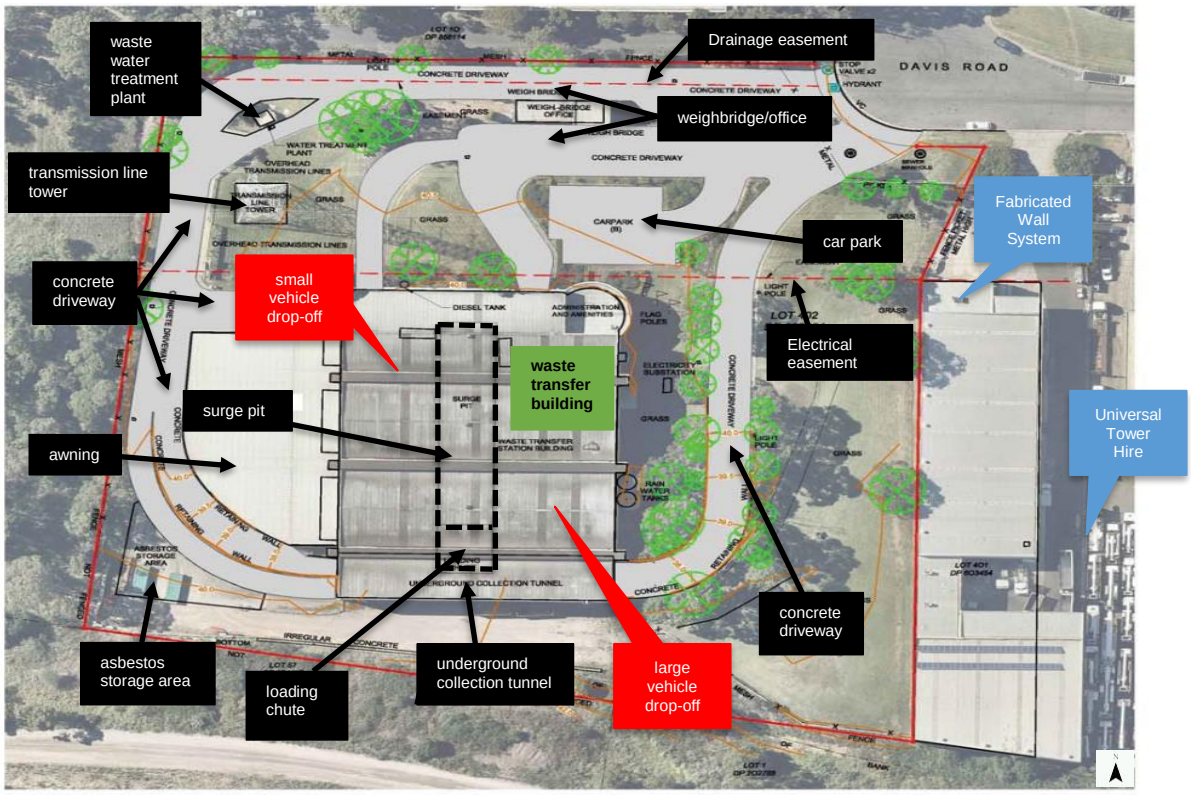

Figure 3: *Layout of Existing Site*

The main transfer building is an industrial concrete building at a height of approximately 8.5 metres (m) with a floor area of 3,500 square metres (m^2), together with an existing awning attached to the west of the main building which is some 50 m long and 30 m wide. Under this is a waste surge pit, underground collection tunnel, workshop and administration facilities. A two-storey office block is attached to the WTS building facing Davis Road.

The existing infrastructure on the site includes the main waste transfer building, access roads, weighbridge area, administration and amenities area, car parking area and asbestos storage area. An existing site layout is provided in **Figure 3.** The building and hardstand areas have site coverage of approximately 65%. The remainder of the site is landscaped with trees, grasses and bushes.

The site has a 5 m wide drainage easement along the length of the northern boundary. The exit driveway runs parallel to this easement roadway providing access to the exit weighbridge. The northern portion of the site also contains a 30.28 m wide TransGrid electrical easement. A transmission line tower is located on the north-western side of the site (see **Figure 3**).

Surface water runoff from sealed surfaces is directed to a number of stormwater pits which are fitted with a strainer to remove litter and gross pollutants. The stormwater pits drain to a 5,000 litre (L) holding tank which drains via a pipe into the stormwater discharge point on Davis Road.

Wastewater and leachate generated from the waste inside the WTS is pumped to the wastewater treatment plant which is located in the north-west corner of the site. Two 5,000 L holding tanks are located next to the wastewater treatment plant to hold any excess wastewater while the plant is in operation. The treated water is discharged to sewer under a trade waste agreement (TWA) with Sydney Water (Consent No. 7976). Currently, the site produces approximately 700 L of wastewater per day.

Fairfield City Council (Council) has identified the site as being partly within a 'Medium Flood Risk Precinct', partly within a 'Low Flood Risk Precinct' and partly not affected by local overland flooding. The site ranges from approximately RL39 m Australian Height Datum (AHD) at the site entrance to RL42 m AHD near the south-western corner of the site. The underground truck loading bay floor level is approximately RL35 m AHD.

1.4 Surrounding Land Uses

The site is located within the Wetherill Park Industrial Park on land zoned IN1 General Industrial. The land to the north, east and south of the site contain industrial and commercial businesses. Fabricated Wall System, Universal Mobile Tower Hire and Select-O-Pedic (a bed manufacturer) are located immediately to the east of the site. Albright & Wilson (Australia) Limited is located 50 m to the north and EcoCycle Materials Pty Ltd operates a RRF on a former landfill 100 m to the south of the site. Australian Aluminium Pty Ltd is located 270 m to the east and OneSteel Recycling Pty Ltd is located 300 m to the south-east of the site. Bushland is located to the west and north-east.

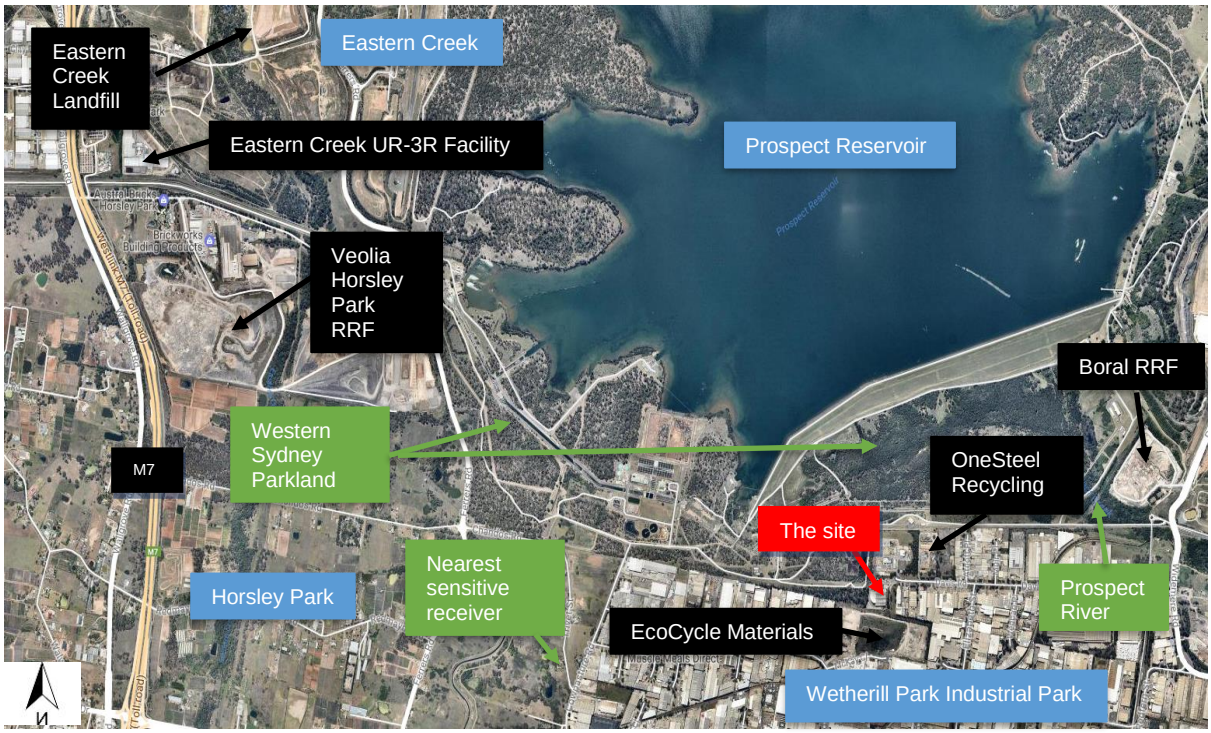

Figure 4: *Site Location and Surrounding Use*

The nearest sensitive receiver is a residential dwelling on Trivet Street, Horsley Park which is located approximately 1.5 km to the west of the site (see **Figure 4**).

The site is located in the Georges River catchment and the nearest waterbody is an unnamed creek approximately 420 m south of the site. The unnamed creek is a tributary of Prospect Creek which is located 1.1 km to the north-east of the site. Prospect Reservoir is located 800 m to the north-east and north of the site (see **Figure 4**).

1.5 Surrounding Road Network

The main arterial roads in the area are Victoria Street, Prospect Highway, Cumberland Highway and Horsley Drive, the latter of which provides access to the M7 and M4.

1.6 Other Approvals

The site currently operates under a number of Council consents, a summary of which is as follows:

- On 22 November 1989, Council approved the construction and operation of a general solid waste (non-putrescible) transfer station through DA 483A/89.
- On 23 March 2004, Council approved the establishment of a timber stockpile for the recycling of timber and timber by-products and the construction of a partially enclosed awning. Council also approved the WTS to operate 24 hours, 7 days a week.
- Council further approved DA 816/2005 and DA 758/2005 on 28 October 2005 and 10 November 2005 to permit the extension of an awning for the purposes of recycling cardboard and paper.
- On 27 September 2007 and 23 December 2009, Council approved DA 1557/06 to permit 10 m^3 of asbestos and 10,000 tpa general solid waste (putrescible) to be accepted and stored temporarily at the waste transfer station.
- The retailing of compost waste was approved by Council under DA 1028.1/2010 on 2 December 2010 (The Applicant does not wish to continue retailing compost).

2. PROPOSED DEVELOPMENT

2.1. Description of the Development

The Applicant proposes to increase the operational capacity of the WTS on 20 Davis Road, Wetherill Park. The proposed development is described in the Applicant's Environmental Impact Statement (EIS) (**Appendix D**), shown in **Figure 5** and **Figure 6** and summarised in **Table 1**.

Table 1: *Summary of the proposed development*

Aspect	Description
Development Summary	**Increase the operational capacity of the WTS from 100,000 tpa to 230,000 tpa by increasing the throughput of general solid waste (putrescible) from 10,000 tpa to 140,000 tpa. The WTS will retain its capacity to accept 90,000 tpa of general solid waste (non-putrescible) and 10 m^3 of asbestos waste weekly.**
Site area and development footprint	• the site is approximately 2.05 ha in area; and • no changes are proposed to the existing footprint of the main transfer building.
Construction	Construction works include (construction activities would occur in parallel with existing operations): • the construction of hardstand areas including entry and exit ramps and additional truck and trailer parking; • the construction of additional stormwater infrastructure to supplement the existing system; • the installation of a roller door in the main transfer building; • the construction of a new workshop; and • the construction of an additional exit from the main transfer building to improve internal traffic flow.
Operation	Operations are to occur over two stages. 1) Prior to the completion of construction works: • 90,000 tpa of general solid waste (non-putrescible); • 10,000 tpa of general solid waste (putrescible); and • 10 m^3 of asbestos waste weekly. 2) Expanded operations (once required works completed): • 90,000 tpa of general solid waste (non-putrescible); • 140,000 tpa of general solid waste (putrescible) and; • 10 m^3 of asbestos waste weekly.
Capital Investment Value (CIV)	• $3,279,506.
Employment	• 16 full-time operational jobs; and • 12 construction jobs.
Processes	• enclosed mechanical separation; • screening; and • sorting.
Processing Equipment	• paper compacter; • dozer; • three excavators; • two front end loaders; • bobcat; and • forklift.
Transport	• 248 vehicle movements per day (vpd); • 12 truck and trailer parking spaces; and • 21 car parking spaces for staff and visitors.
Construction hours	• 7 am to 6 pm Monday to Friday; • 8 am to 1 pm (Saturday); and • no construction activities to occur on Sundays and Public Holidays.
Construction time	• approximately 20 weeks.
Operating hours	• no change in operating hours, the WTS to continue operating 24 hours a day, seven days a week.

2.2. Amended Application

The application has been formally amended by the Applicant to reflect two changes to the development:

1. Permit construction to occur in parallel to continued operations at existing processing capacity

The original application envisaged complete site closure whilst the facility is upgraded to handle the additional processing capacity proposed. The Applicant now proposes to undertake these upgrade works in parallel with continued operations at existing processing capacity and without shutting down the facility.

2. Removal of the proposed small vehicle drop off area and access road

Originally, a small vehicle drop off area and driveway was proposed within the existing recycling area. The Applicant has been advised by TransGrid that the development of the driveway cannot be supported as it is located within 5 m of a TransGrid stanchion and is therefore contrary to its technical guidelines which requires a 20 m setback to be provided (see **Sections 4.2** and **4.3**). As a result, the Applicant has excised this aspect of the development and plans to retain the small vehicle drop off area within the WTS building at this facility as well as the one present on its site at Eastern Creek.

The Applicant has provided a supplementary assessment of potential environmental impacts and demonstrated how the facility would continue to operate effectively, taking into account these amendments to the development. This additional information from the Applicant, together with revised site plans, are provided in **Appendix G** and shown in **Figures 5** and **6**. The Department, in consultation with the EPA and Council, has accepted these amendments to the application and has taken them into account in its assessment in **Section 5**.

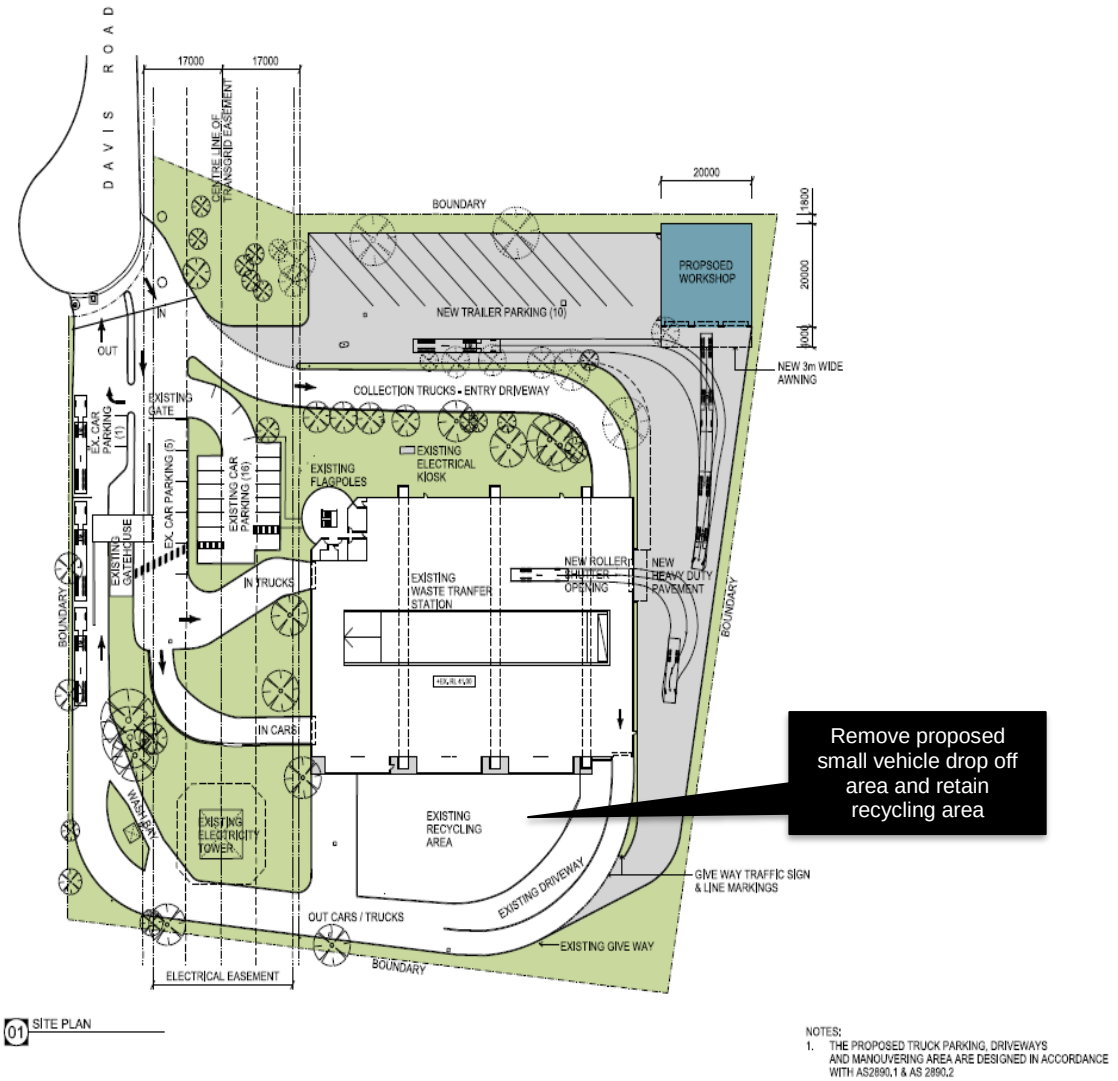

Figure 5: *Site Layout (as amended)*

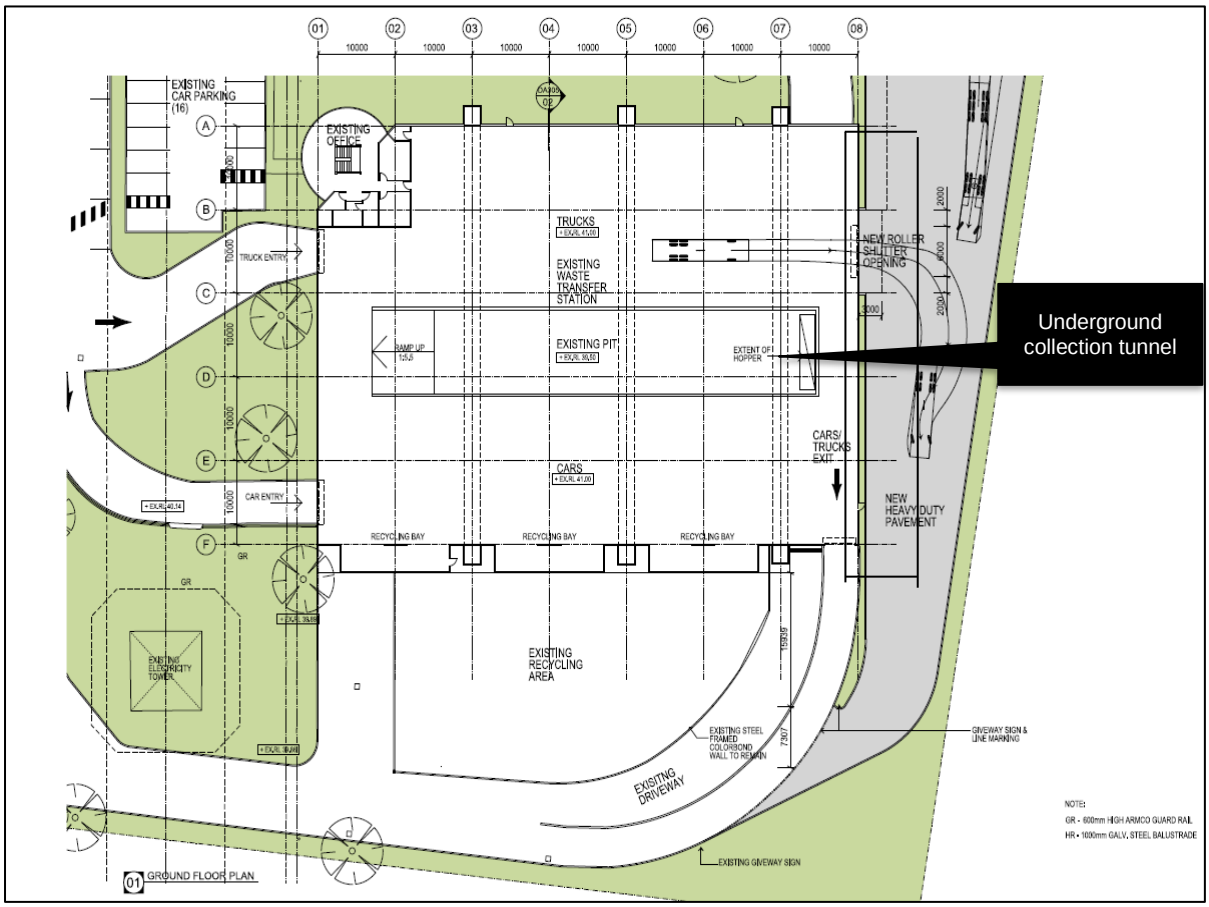

Figure 6: *Proposed Ground Floor Layout (as amended)*

2.3 Waste Transfer Process

All waste operations would remain mainly the same at the WTS as takes place currently. Waste received at the WTS would generally include food waste, paper, cardboard, plastics materials and glass. Once at the site, vehicles are weighed on the incoming weighbridge. All waste loads are screened with an overhead CCTV camera installed at the weighbridge. Small and heavy vehicles enter the WTS building on different sides of the surge pit (see **Figures 5** and **6**). Vehicles are directed to the appropriate waste unloading area within the WTS building.

The Applicant would continue to remove recyclable materials from the waste loads manually or with machinery (i.e. bob cat, forklift and/or excavator) as currently takes place. A cardboard compactor located in the recycling area is used to compact and bale cardboard to be further processed off-site. Recyclable waste is stored in skip bins until transported off-site by contractors. Unrecyclable waste is pushed via a front-end loader into the surge pit through a waste pit (loading chute), into transfer trucks parked on the lower loading level (see **Figures 7** to **9**). Once full, the waste in the transfer trucks is compacted by an excavator and is weighed at the weighbridge when leaving the site. **Table 2** summarises waste operations and waste types and quantities to be handled at the facility.

An additional exit roller door and new heavy duty pavement is to be installed at the eastern side of the WTS which would streamline traffic on site and ensure safety of drivers by minimising interactions between small and heavy vehicles. The proposed new door at the rear of the WTS would predominately be used by heavy vehicles, while the small vehicles would exit using the existing opening west of the WTS building.

Figure 7: *Inside the Waste Transfer Station Building*

Figure 8: *The Surge Pit*

Figure 9: *The Waste Pit and Underground Collection Tunnel*

All recyclable waste received is transported off-site for further recycling or processing. Non-recyclable waste such as the general solid waste (putrescible) is transferred to the Applicant's Eastern Creek or Lucas Heights landfill or transferred to other licenced facilities within the Applicant's network.

The EPL held by the Applicant does not permit waste to be stored for more than 24 hours at the site. A maximum of 10 m^3 per week of asbestos waste is currently permitted to be accepted or stored outside the WTS building in two purpose built enclosed bins before being transferred to a licensed landfill for disposal. The Applicant is not seeking to increase the quantities of asbestos waste accepted at the site.

Table 2: W*aste Operations and Incoming Waste Types*

Area	Waste Type	Waste Classification	Quantity
Transfer Station Building	Municipal waste, being waste consisting of: • household domestic waste is set aside for kerb side collection, or delivered by the householder directly to the waste facility; • other types of domestic waste (e.g. domestic clean-up); and • local council generated waste (such as waste from street sweeping, litter bins, and parks)	General solid waste (putrescible)	140,000 tpa removed within 24 hours of it being received
Transfer Station Building	Commercial and industrial waste, including: • office and packaging waste (including paper, plastics, glass, metal, and timber) that is not mixed with any other type of waste; • non-chemical waste generated from manufacturing and services (including metal, timber, paper, ceramics, plastics, thermosets, and composites); and • building and demolition waste	General solid waste (non-putrescible)	90,000 tpa • small household quantities (included in the volume above); • tyres: maximum 5 per household; and • storage and recycling of cardboard and paper max 1500 tonnes per month (as per DA 816-2005). • maximum of 10 m^3 per week (as per DA 1557/06)
Small Vehicle Drop Off	Small household quantities of: • waste oil, mineral oil and paints; • metals; • paper and cardboard; • gas bottles; • batteries; • mattresses; • tyres; • e-waste; • plastic; and • construction and demolition (inert bricks, concrete)	General solid waste (non-putrescible), Special waste, and Hazardous waste	
Asbestos Storage	Asbestos	Special waste	

2.4 Waste Transfer Management Measures

The WTS is enclosed with the exception of the entrances, exits and the waste chute. A dust suppression system and a sprinkler system is installed in the roof of the WTS (see **Figure 10**). The sprinkler system is located above the waste loading pit to prevent dust emissions from the loading of waste. The sprinkler

system switches on whenever waste is being loaded into the pit. An automated odour suppression system is also located in the roof over the waste surge pit.

Leachate generated from the WTS is directed to a 1,000 L above ground tank where it is then pumped to a wastewater treatment plant located in the north-western portion of the site. Two 5,000 L holding tanks are located next to the wastewater treatment plant where the tanks hold additional leachate while the plant is in operation. The wastewater treatment system also separates solids and adjusts the pH. Treated leachate is then disposed to sewer under a TWA with Sydney Water (see **Section 1.3**).

Figure 10: *Dust Suppression System in the WTS*

2.4 Project Need and Justification

The Applicant has identified that within the Sydney Region, general solid waste (putrescible) landfill capacity is limited to its Lucas Heights and Eastern Creek landfills (located within Sydney) and the Woodlawn Waste Management Centre operated by Veolia Environmental Services (Australia) Pty Ltd (located to the south-west of Sydney). With the closure of the Applicant's Eastern Creek landfill on 31 August 2017 and no additional landfill capacity proposed and/or in development within Sydney, further pressure will be placed on Sydney's putrescible landfill network.

The Applicant has also identified population growth within the Sydney Region is also likely to result in an increased demand for processing of general solid waste (putrescible).

The Applicant states the proposal to increase the capacity of the WTS, has the following benefits:

- the WTS is located in a strategic location and the site is located within 5 km of the Eastern Creek landfill (where the waste would be diverted from);
- the WTS is a purpose-built facility and does not need to be retro-fitted to increase throughput;
- the WTS facility has the infrastructure to process the increased capacity subject to some additional elements being provided;
- the development would contribute to local employment including 16 full-time jobs and 12 construction jobs; and
- the WTS would contribute to the achievement of the targets for increased recycling and landfill diversion in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21*.

3. STRATEGIC AND STATUTORY CONTEXT

3.1. 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 development would contribute toward 'Creating Jobs' by providing 12 new construction jobs and an additional 16 operational jobs in the Fairfield LGA. The development also represents a $3,279,506 capital investment in an industrial development that would generate a considerable number of jobs in western Sydney.

The development is also consistent with the goals, directions and actions outlined in *A Plan for Growing Sydney* as it would:

- assist in transformation of western Sydney by providing growth and investment in an identified industrial precinct, with high levels of accessibility to the regional road network (Direction 1.4);
- provide additional employment opportunities with close proximity to existing residential developments in western Sydney (Direction 1.4);
- provide a high-quality development which would stimulate economic activity and create new jobs within the Wetherill Park industrial area (Direction 1.7); and
- provide recycling facilities for household, municipal and commercial and industrial waste and reduce the likelihood of illegal dumping of household waste, as this facility is approximately 5 km from the Eastern Creek facility (Direction 4.3).

NSW 2021 and the Waste Avoidance and Resource Recovery Strategy

Reducing waste and keeping materials circulating within the economy are priorities for the NSW Government as set out in *NSW 2021*. To meet this important challenge, the Government prepares a new state-wide *Waste Avoidance and Resource Recovery Strategy* every five years.

The *Waste Avoidance and Resource Recovery Strategy* for 2014-2021 (the strategy) sets a waste recovery target for commercial and industrial waste of 70%, up from a recovery performance of 52% in 2010-11, and for construction and demolition waste of 80%, up from recovery performance of 75% in 2010-2011. The expanded facility would continue to contribute to the State's recovery performance in both commercial and industrial sectors.

A Plan for Growing Sydney

A Plan for Growing Sydney (the Plan) aims to ensure Sydneysiders have greater access to great outdoor spaces, greater housing choice, living closer to work and world class job opportunities. The Greater Sydney Commission is tasked with implementing the plan in partnership with State and local governments. The plan includes specific directions for creating jobs closer to home for Sydney residents, improving transport connections, delivering housing supply and well-planned neighbourhoods, providing networks of green and open spaces and protecting Sydney's unique natural environments.

The Department has considered the development in the context of the Plan and notes it would create and retain jobs for residents in the Fairfield LGA. Wetherill Park is also identified as a major employment and urban services area.

Draft South West District Plan, 2016

To implement the broad aims of the *Plan for Growing Sydney* the Minister has directed the preparation of Districts Plans for six geographical districts across Sydney. District Plans are currently being prepared, with the draft South West District Plan released in November 2016 for public consultation. The draft South West District Plan provides a link between the broad aims of a *Plan for Growing Sydney* and local environmental plans. It sets key priorities and actions for delivering productive, liveable and sustainable communities. The draft South West plan includes job and housing targets, strategies for improved housing choice and affordability and protection and enhancement of natural resources.

The Department considers the development is consistent with the priorities of improving productivity within the District by delivering jobs closer to home. The development would provide an additional 12

new construction jobs and 16 operational jobs within the District. The proposed development would assist in meeting Action 14 of the draft South West District plan as it improves environmental performance through increased waste reuse and recycling.

3.2 State Significant Development

The development is State significant development pursuant to section 89C of the *Environmental Planning Assessment Act, 1979* (EP&A Act) as it involves the operation of a waste or resource transfer station that handles more than 100,000 tpa of waste in the metropolitan area of the Sydney Region which meets the criteria in Clause 23(2) of Schedule 1 in *State Environmental Planning Policy* (*State and Regional Development*) *2011*. Consequently, the Minister for Planning is the consent authority for the proposed development.

3.3 Permissibility

The site is zoned General Industrial IN1 under the *Fairfield Local Environmental Plan 2013* (**LEP**). Development for the purposes of waste or resource management facilities is permissible with consent in the IN1 zone under the LEP.

3.4 Consent Authority

On 14 September 2011, the Minister delegated the functions to determine SSD applications to the Planning Assessment Commission (the Commission) where reportable political donation applications have been made under section 147 of the EP&A Act.

Under the Ministerial Delegation, the Commission must determine the SSD application as the Applicant made reportable political donations.

3.5 Other Approvals

Under Section 89K of the EP&A Act, other approvals may be required and must be approved in a manner that is consistent with any Part 4 consent for the SSD under the EP&A Act.

The facility is presently operating with an EPL under the *Protection of the Environment Operations Act 1997*. The Applicant will need to apply for a variation to the existing EPL should the development be approved.

3.6 Considerations under Section 79C of the EP&A Act

Section 79C of the EP&A Act sets out matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is set out in **Section 5** and **Appendix B**. In summary, the Department is satisfied the proposed development is consistent with the requirements of Section 79C of the EP&A Act.

3.7 Environmental Planning Instruments

Under Section 79C of the EP&A Act, the consent authority, when determining a development application, must take into consideration the provisions of any environmental planning instrument (EPI) and draft EPI (that has been subject to public consultation and notified under the EP&A Act) that apply to the development.

The Department has considered the development against the relevant provisions of several key environmental planning instruments including:

- *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP);*
- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP);*
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33);*
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55); and*
- *Fairfield Local Environmental Plan 2013*

Development Control Plans (DCPs) do not apply to SSD under Clause 11 of the SRD SEPP. However, the Department has considered the relevant provisions of the *Fairfield Citywide DCP* 2013 in its assessment of the development in **Section 5** of this report.

Detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix C**. The Department is satisfied the development generally complies with the relevant provisions of these EPI's.

3.8 Public Exhibition and Notification

Under Section 89F(1) of the EP&A Act, the Secretary is required to make the development application and any accompanying information of an SSD application publicly available for at least 30 days. The application was on public exhibition from 28 April 2016 until 30 May 2016. Details of the exhibition process and notifications are provided in **Section 4.1**.

3.9 Amendment to the development application

Following discussions with the Department, the Applicant advised in writing on 14 July 2017, it would formally amend the development application to reflect the changes to the proposal as set out in **Section 2.2**. The Department agreed the development application was able to be amended in the manner proposed in accordance with Clause 55 of the EP&A Regulation.

3.10 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the development is consistent with the relevant objects of the EP&A Act. These objects are detailed in Section 5 of the Act. The objects of relevance to the merit assessment of this application include:

(*a*) *to encourage:*
- *(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- *(ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- *(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats;*
- *(vii) ecologically sustainable development, and*

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

The Department has fully considered the objects of the EP&A Act, including the encouragement of Ecologically Sustainable Development (ESD), in its assessment of the application (see **Table 3**).

Table 3: *Objects of the EP&A Act and Relevance to the Development*

Object	Consideration
5(a)(i)	The proposal utilises the existing waste management infrastructure on-site and thereby reduces the need to develop waste management infrastructure at other facilities or at a new site. The proposal would promote economic welfare for the local community through the provision of 16 operational jobs and 12 construction jobs.
5(a)(ii)	The proposal would allow the orderly and economic use of suitably zoned land for the purpose of increasing the capacity of existing waste management facility.
5(a)(vi)	The Department's assessment in **Section 5** of this report demonstrates that with the implementation of recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure acceptable level of environmental performance.
5(a)(vii)	The proposal is consistent with the principles of ESD as the proposal utilises existing waste management infrastructure on industrial zoned land.
5(b)	The Department has assessed the development in consultation with and giving due consideration to the technical expertise and comments provided by Council and other Government authorities. This is consistent with the object of sharing the responsibility for environmental planning between different levels of Government
5(c)	The Department provided the public the opportunity to comment on the proposal and considered all issues raised in public submissions during its assessment of the application.

3.11 Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

(a) the precautionary principle;

(b) inter-generational equity;
(c) conservation of biological diversity and ecological integrity; and
(d) improved valuation, pricing and incentive mechanisms.

The potential environmental impacts of the development have been assessed and, where potential impacts have been identified, mitigation measures and environmental safeguards have been recommended.

The development is located within an industrial area and is not anticipated to have any adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, and their habitats. As such, the Department considers the development would not adversely impact on the environment and is consistent with the objectives of the EP&A Act and the principles of ESD.

3.12 *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

Under the *EPBC Act*, assessment and approval is required from the Commonwealth Government if a development is likely to impact on a matter of national environmental significance (MNES), as it is considered to be a 'controlled action'. The EIS for the development included a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters, and is therefore not a 'controlled action'. As such, the Applicant determined a referral to the Commonwealth Government was not required.

4. CONSULTATION AND SUBMISSIONS

4.1. Consultation

The Applicant, as required by the Secretary's Environmental Assessment Requirements (SEARs), undertook consultation with relevant local and State authorities as well as the community and affected landowners. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

4.1.1. Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout the preparation of the EIS including:

- consultation with neighbouring properties including a letter drop which included a feedback form to adjacent industrial properties in November and December 2015; and
- stakeholder consultation including phone and email contact and meetings to discuss the development with relevant government agencies.

4.1.2. Consultation by the Department

The Department undertook consultation with relevant public authorities through preparation of the Secretary's environmental assessment requirements (SEARs). After accepting the DA and EIS for the application, the Department:

- made it publicly available from **Thursday 28 April 2016** until **Monday 30 May 2016**:
  - on the Department's website;
  - at the Department's Information Centre (Bridge Street, Sydney); and
  - at Fairfield City Council (86 Avoca Road, Wakeley),
- notified landowners in the vicinity of the site about the exhibition period by letter;
- notified relevant State government authorities and Fairfield City Council by letter; and
- advertised the exhibition in the Fairfield Champion.

A total of ten submissions were received on the proposed development during the exhibition period, including eight from public authorities, and two from the general public. Of the ten submissions received, two objected to the development and one objected to the small vehicle drop-off area. A summary of the issues raised in the submissions is provided below, with a copy of each submission included in **Appendix E**.

4.2. Submissions

4.2.1. Public Authorities

Council raised no objection to the proposed development, however requested further information in relation to the following:

- stormwater management and requested a flood impact assessment (FIA) be undertaken;
- queuing of vehicles at the weighbridge;
- environmental management including spill management and odour and dust management;
- methods to minimise the on-site storage of general solid waste (putrescible);
- details on the offensiveness of the development as per SEPP 33;
- further details on the proposed workshop;
- Section 94A Development Contribution payment; and
- recommended a number of conditions of consent in relation building control and compliance.

The **EPA** raised no objection to the proposed development, however the EPA did raise a number of issues relating to odour and noise impacts including the following:

- the odour emissions had not been calculated using the worst case scenario (such as all accepted at the site is general solid waste (putrescible); the surge pit is full; there are stockpiles adjacent to the pit; and the highest odour emission is used) and requested further information about the potential worst case scenario;
- the projected odour emissions did not include stockpiled waste and requested further information on how the applicant would manage operations on-site to stay below a maximum odour emission rate of 709 OU/s at the same time as achieving the separation in waste streams;
- requested further details in relation to the cleaning processes for surge pit and floor;
- requested further details on the management of accumulated dust;
- identified contingencies for an on-site "waste backlog" had not been detailed; and
- the noise assessment may not have accounted for reversing alarms.

Fire and Rescue NSW (**FRNSW**) raised no objection to the proposed development, however did identify the existing fire hydrant system is aging, and noted that during testing conducted by FRNSW the system failed. FRNWS recommended the site's fire hydrant system be fully upgraded to comply with all current requirements of the Australian Standards for fire hydrant installations. Further FRNSW recommended the sprinkler system should be extended to cover the entire proposed surge pit and new load out chutes.

Sydney Water raised no objection to the application and advised that due to the proposal being in close proximity to Sydney Water assets recommended conditions in relation to the requirement for the Applicant to obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994*.

Roads and Maritime Services (RMS) raised no issues or objections to the proposed development.

The **Office of Environment and Heritage** (OEH) raised no issues or objections to the proposed development.

Department of Primary Industries (DPI) raised no issues or objections to the proposed development.

TransGrid objected to the small vehicle drop-off area including the proposed driveway as it is located within 5 m from a TransGrid's structure (stanchion) which is not permissible as per TransGrid's *Easement Guidelines for Third Party Development*. TransGrid advised the driveway will not be approved when located within 20 m of any part of this structure.

4.2.2. General Public

Two submissions were received from the general public, both objecting to the proposed development on the grounds of odour impacts to the surrounding area. Other issues raised in the submissions included air quality, noise impacts and impacts to the road network.

4.3. Response to Submissions

On 18 October 2016, the Applicant provided a Response to Submissions (RTS) on the issues raised during the exhibition of the development (see **Appendix F**).

The RTS contained a Flood Impact Assessment and an updated Air Quality Impact Assessment). In addition, the RTS included the following information:

- details on waste management including waste stockpile management, cleaning processes for the surge pit and contingencies for waste backlogs;
- details on leachate and stormwater management;
- provided details on traffic and access issues;
- provided clarification on noise management;
- provided details on hazard and risk management; and
- provided revised management and mitigation measures.

The RTS was made publicly available on the Department's website and was provided to EPA, Council and FRNSW. A summary of the agencies and Council responses is provided below:

Council were satisfied with the flood impact assessment and its compliance with the DCP, however requested the driveways at the rear of the premises not be used as evacuation routes during times of flooding. Council also requested further information from the Applicant in relation to spill management, bunding for the proposed workshop, the 'first flush' detention tank, and the methods for managing waste deliveries to prevent wastes being stored onsite for more than 24 hours.

FRNSW were satisfied with the RTS and the Applicant's undertaking to upgrade both the fire hydrant and sprinkler systems, FRNSW requested a review of the water containment systems located within the WTS be undertaken by the Applicant to ensure any increases to contaminated fire water remains adequately contained to the site.

The **EPA** were satisfied with the RTS, however requested further information on the management measures the Applicant was going to take to manage odour from waste trucks parked at the site.

On 10 December 2016, the Applicant provided a "*Further Response to Submissions"* on issues raised by Council, the EPA, TransGrid and FRNSW. The RTS contained further information in relation to waste management, odour and fire safety. The RTS was made publicly available on the Department's website and was provided to Council, EPA and FRNSW for further comment.

Council were satisfied with the RTS and provided additional consent conditions in relation to spill management and dangerous goods storage.

FRNSW were satisfied with the response and provided additional conditions of consent.

The **EPA** issued General Terms of Approval (GTA) for the proposed development.

Following discussions with the Department and the Applicant, **TransGrid** advised that a further, more detailed technical assessment would need to be carried out to demonstrate that having the proposed small car drop off area and sections of driveway so close to the transmission tower within the TransGrid easement would not present an increased risk to public safety or its infrastructure. In light of this, the Applicant advised the Department it would amend the application in this manner and progress these elements of the development separately at a later date through a future modification to the consent if granted (see **Section 2.2**).

The Department has considered the issues raised in submissions, the RTS and the supplementary concerns raised, in its assessment of the development.

5. ASSESSMENT

The Department has considered the EIS, the issues raised in the submissions, the Applicant's RTS and supplementary information in its assessment of the development. The Department considers the key assessment issues are:

- odour;
- traffic and site access arrangements; and
- flooding.

A number of other issues have also been considered. These issues are considered to be minor and are addressed in **Table 6** under **Section 5.4**.

5.1. Odour

The increase in general solid waste (putrescible) at the site has the potential to cause offensive odours in the surrounding area if not managed appropriately.

Odour is a source of concern for residents in this area of Western Sydney due to the relatively high number of waste and composting facilities in Eastern Creek, Erskine Park and Kemps Creek (see **Figure 2** and **Figure 4**). Two of the public submissions received were concerned about existing and potential future odour emissions in the area.

The Department acknowledges the history of odour complaints in the Western Sydney area and that odour was a key concern to the local community, which was raised in both public submissions received. In 2012, following community complaints about odour in Eastern Creek, Erskine Park and Kemps Creek, the EPA commissioned the Western Sydney Regional Odour Assessment (report prepared by The Odour Unit, 2013). The assessment found there were three waste facilities identified to be emitting odours detectable at significant levels beyond the site boundaries. These included the Global Renewables Facility at Eastern Creek, Waste Assets Management Corporation Landfill at Eastern Creek and SITA SAWT Facility at Kemps Creek. The Department notes that the WTS site has not been identified as a source of odour in the region.

To determine the potential odour impacts that would be generated from operating the expanded facility, the Applicant commissioned Pacific Environment Limited to carry out an air quality impact assessment (AQIA). This included dispersion modelling using CALPUFF to predict off-site odour levels undertaken in accordance with the *Approved Methods of Modelling and Assessment of Air Pollutants in NSW* (the Approved Methods) (EPA, 2016*)* and A*ssessment and Management of Odour from Stationary Sources in NSW* (EPA, 2006).

The AQIA modelled the existing and potential odour impacts of the development at individual receivers which were restricted to industrial and commercial properties immediately adjacent to the site (see **Figure 11** and **Figure 12**). The AQIA did not consider residential and other potentially sensitive receivers such as schools and hospitals as these receivers, the closest of which are located some 1.5 km to the west of the site, are far enough away so as not to be affected by odour impacts.

During the course of the Department's assessment, the EPA advised in its submission that whilst the odour modelling had adequately predicted odour emission rates for routine operations, further modelling was required to reflect a potential worst case scenario including waste being stockpiled within the surge pit, fugitive odour being emitted from the truck and trailer parking area, a full surge pit and an assumption that only general solid waste (putrescible) was being handled at all times. Both the EPA and Council were also concerned with the methods used to minimise the onsite storage of general solid waste (putrescible) and that the Applicant had not adequately described the cleaning process for the surge pit and floor. Council was also concerned the Applicant had not identified any contingencies for the backlog of waste.

To address these concerns, the odour dispersion model was re-run based on two conservative scenarios agreed to with the EPA and the results compared against the most stringent criterion in the Approved Methods for urban areas of 2 Odour Units (OU) (see **Table 4**). The Applicant stated the revised AQIA presents a worst case assessment of the potential odour impact to cater for fluctuations in operations and is intended to represent the cumulative worst case scenario. In particular, the additional modelling assumed all waste is general solid waste (putrescible); the surge pit is full; there are stockpiles adjacent to the pit; and the highest odour emission from six putrescible landfills was adopted for the emission rate for general solid waste (putrescible) used in the model.

Table 4: *Assumptions for the Existing, Proposed and Worst Case Scenarios*

Assumptions	Existing Operations	Proposed Future Operation	Future Operations the EPA scenario	Future Operations worst case scenario
Operating hours	24 hours a day; 7 days a week	24 hours a day; 7 days a week	24 hours a day; 7 days a week	24 hours a day; 7 days a week

Assumptions	Existing Operations	Proposed Future Operation	Future Operations the EPA scenario	Future Operations worst case scenario
Annual Total Waste Allowable Waste Tonnage (tpa total waste)	100,000	230,000	230,000	230,000
Percentage General Solid Waste (Putrescible) (%)	10	61	100	100
Density of waste (t m^3)	0.7	0.7	0.7	0.7
Pit Depth (m)	1.5	1.5	1.5	1.5
Maximum Time Waste Resides on Time (hr)	24	24	24	24
Annual Volume (m^3)	142,857	328,571	328,571	328,571
Daily Volume (m^3)	391	900	1,148	1,215
Waste is Transferred to Waste Trucks: Daily Maximum Volume in Pit (m^3)	200	450	574	607
Area of Waste in Pit (m^2)	130	300	383	405
Additional Stockpiles (m^2)	-	-	18	18
Total Odour Emission (OU. m^3/s)	47	667	1398	1478

The results show:

- when the WTS is operating under proposed normal operating conditions with no air control devices and with 61% of the waste being general solid waste (putrescible), the WTS would not exceed the applicable criteria at any industrial receiver locations (see **Figure 12**); and
- under the two worst case scenarios and with no air control devices, industrial receiver R2 (a fabricated wall design manufacturer), industrial receiver R3 (Universal Mobile Tower Hire) immediately to the east of the site and EcoCycle Materials immediately to the south of the site (not identified as a sensitive receiver by the Applicant) are the most affected industrial receivers (see **Figures 13** and **14**) with an exceedance of the odour criterion predicted.

The Department notes the exceedances predicted at industrial receivers R1 and R2 would only take place in a worst case scenario and outside of general working hours (between 5 pm to 6 am) due to temperature inversions that occur in the evening during times when these premises are not likely to be operating. It is also important to note the conservative nature of the modelling did not incorporate existing and future mitigation and management strategies for odour suppression used by the Applicant at the site (including those listed below) and did not take account of attenuation effects of building walls, such as the wall separating the WTS from the adjacent industrial receiver R2. The modelling also assumed the WTS is an open facility and worst case conditions occur every hour which is also highly unlikely to occur in reality.

The Department and the EPA were generally satisfied that the AQIA has been modelled sufficiently conservatively and the predicted odour emissions represented a worst case scenario. The EPA was also concerned the modelling did not include the fugitive emissions from the truck and trailer parking area. In response, the Applicant agreed the trucks are not airtight, but stated the trailers are cleaned fortnightly by a specialist contractor. In addition, the trucks have covers which reduces the area exposed. Operationally, the trucks would not be on-site for most of the day and would only be parked overnight, with the majority of the time being on-site not overlapping with work hours for the adjacent commercial and industrial properties.

The Applicant has proposed the following odour controls to minimise potential off-site odour impacts and to address the specific issues raised by the EPA and Council:

- continued use of the existing dust and odour suppression system;
- waste would not be left at the site for more than 24 hours at a time;
- traffic management procedures would be implemented to coordinate the delivery schedule and avoid a queue of incoming or outgoing trucks;
- maintaining an odour complaint logbook and in the event of a complaint immediately investigate any unusual odour sources (including spill or leakage in the traffic areas within the site boundary and take appropriate actions to eliminate them);
- reviewing the operational practices and management plans regularly; and
- training of relevant staff regarding waste handling and transfer.

Figure 11: *Predicted Odour Concentrations for Existing Site*

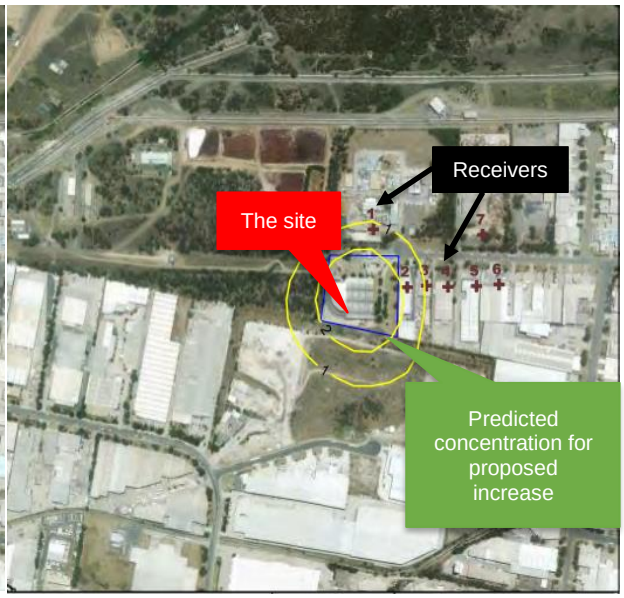

Figure 12: *Predicted Odour Concentrations for Proposed Increase*

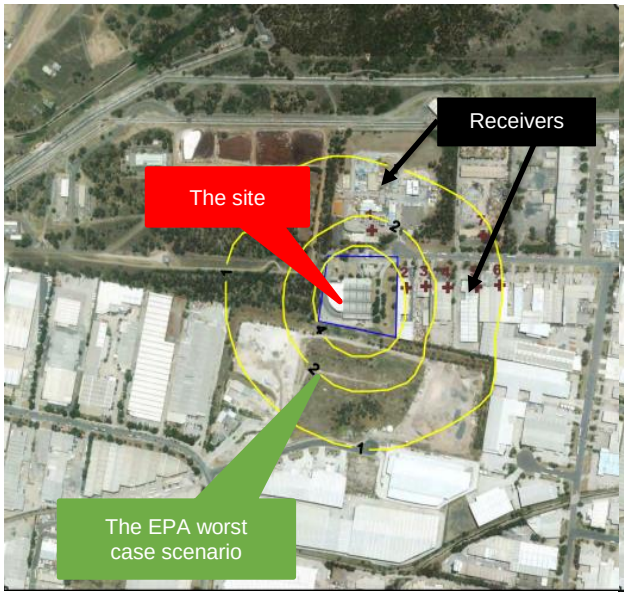

Figure 13: *Predicted Odour Concentrations for Future Operations under EPA Scenario*

Figure 14: *Predicted Odour Concentrations Under Worst Case Operating Scenario*

The EPA had no further comments in relation to the fugitive emissions from the truck and trailer parking and recommended conditions of consent to manage the storage of general solid waste (putrescible) and minimise potential odour impacts from the site. The Department has considered the EPA's comments and has incorporated its recommendations into a number of condition of consent which require the Applicant to:

- operate deodorising sprays over vehicle entry and exists;
- apply a sealant to the concrete working floor in the receival hall to prevent absorption of leachate into the tipping floor;
- develop an odour management plan, which shows the location, frequency and duration of odour monitoring, details key performance indicators and measures to be implemented to meet the odour criteria;
- conduct an odour audit to validate the predictions in the AQIA and assess the effectiveness of the proposed odour controls;
- conduct a weekly wash-down of any tipping area;
- conduct weekly cleaning of the surge pit; conduct an annual wash down and six monthly brush down of interior walls;
- ensure no general solid waste (putrescible) is stored on the premises for more than 24 hours; and

- not exceed a daily throughput of 575 m^3 or 402.5 t of general solid waste (putrescible) without prior approval from the EPA and the Secretary of the Department.

The Department acknowledges the odour issue in the Western Sydney region as raised by local residents. However, it is important to note that the existing Wetherill Park WTS site does not presently contribute to this odour and there is sufficient buffer distance between the proposal and nearest sensitive receivers (1.5km). It is noted that the EPA criteria for urban areas would be met at the nearest industrial receivers to the WTS site during normal operating conditions with a slight exceedance predicted only under a worst case operating scenario and outside of day time hours.

The Department and the EPA have reviewed the AQIA and RTS and are satisfied that odour impacts can be adequately managed through the odour controls put forward by the applicant and the imposition of a series of recommended conditions of consent. These include requirements to continue to use dust and odour suppression systems, applying sealant to the concrete working floor to prevent leachate absorption and to carry out an odour audit to validate the predictions in the AQIA.

The Department's assessment concludes that with odour controls and recommended conditions in place, the odour impacts from the expanded facility are unlikely to be significant and are able to be satisfactorily managed.

5.2. Traffic and Access

The expansion of the WTS would generate additional traffic movements to and from the site including an increase in heavy vehicles that currently haul waste to Eastern Creek landfill.

Increased construction and operational traffic has the potential to have an impact on the safety, capacity and efficiency of the surrounding road network. The EIS included a Traffic Impact Assessment (TIA) prepared by PeopleTrans Consultants, which assessed the potential traffic impact of the proposed development on the surrounding road network.

To understand the makeup of vehicles utilising the existing site, the Department initially sought clarification from the Applicant regarding their definition of a heavy vehicle and whether all vehicles entering and exiting the site were captured in the tube counts that had been carried out to support the TIA. The Applicant subsequently confirmed that all vehicles entering and exiting the site were captured in the tube counts for the "existing" scenario. The Applicant further confirmed for the tube count data and for the visual count, a vehicle was considered a heavy vehicle if it was 10 m long (with a queuing space of 13 m). As such, some waste trucks entering and exiting the site may not have been captured in this count as a "heavy vehicle" even though by weight they would have exceeded 4.5 tonnes. For the future scenario, the Applicant confirmed that all additional vehicles entering the site (due to the additional waste input proposed) were assumed to be heavy vehicles for the purposes of the traffic modelling.

Once this point of clarification had been provided by the Applicant, the Department was satisfied with the methodology used, in particular that a conservative future assessment of the traffic impact of the development has been carried out such that the actual impacts should be as predicted. In terms of traffic generation, this includes assumptions that the maximum hourly flow for the PM peak matches the AM peak, the peak hours coincide with the road network peak hours and that for intersection performance, all additional vehicles hauling waste to the site would be heavy vehicles when in fact many are lighter vehicle types, including delivery vans, utility vehicles and cars.

The application does not propose to change the vehicle types that access the site nor alter vehicle haulage routes, access or egress arrangements onto Davis Road. Similarly, the footprint of the main transfer buildings and infrastructure, including the existing weighbridge would remain as currently exists (other than moving the weighbridge stop line to prevent queuing on Davis Road as discussed below).

5.2.1 Construction Traffic Generation

The type and size of vehicles to be used during the 5 month construction period would match those that presently frequent the site. Once the proposal was amended to allow parallel construction activities to occur whilst the facility continues to operate at its current capacity (as described in **Section 2.2**), the Department sought further information from the Applicant regarding the likely traffic volumes that would be generated as a result of these works.

The Applicant confirmed that construction traffic would vary depending on the methodology adopted and different contractor's resource availability at the time but was able to outline the following likely work practices:

- as the majority of the works is around construction of the driveway and hardstand area external to the transfer station, most of the work is associated with levelling ground, installing stormwater infrastructure and laying concrete;
- typically, there may be a crew of around six labourers during stages of high intensive labour (such as laying the concrete reinforcement) but during other work phases such as bulk earthworks, there would be less labourers required;
- equipment such as excavator(s), grader(s) and roller(s) would be brought to site at the start of construction; and
- extra traffic would mainly be associated with material delivery (e.g. of subbase and concrete) – there may be three to four delivery trucks going to and from the site doing around 15 trips a day.

The Applicant has committed to the preparation of a Construction Traffic Management Plan (CTMP) as a subset of a broader Construction Environmental Management Plan (CEMP) for the construction phase. This CTMP would identify vehicle movements to and from the site, internal access, interactions with the general public, parking and access requirements for personnel, safety signage and training for personnel in traffic management in accordance with relevant RMS and Council requirements and guidelines relating to road safety and network efficiency.

The Department accepts that the exact nature of construction works is yet to be determined and that the measures to manage this process would be detailed in the CTMP. The Department is satisfied that even though construction would now occur prior to the facility accepting vehicles associated with the increased tonnage, the traffic generated by these construction works would be negligible and can be easily accommodated within the surrounding road network. Further, sufficient site area at the eastern boundary of the site exists to park construction vehicles and equipment to avoid conflict with operational traffic.

Operational Traffic Generation

Estimates of peak hour and daily traffic volumes resulting from the development are set out in **Table 5**.

Table 5: *Traffic Generation*

Period	Existing Traffic Movements			Future Traffic Movements		
	In	Out	Total	In	Out	Total
AM Peak Hour	23	23	46	35	35	70 (+24)
PM Peak Hour	23	23	46	35	35	70 (+24)
Daily	191	191	382	310	310	620 (+238)

The existing facility currently generates 46 traffic movements during each of the AM and PM peak hour periods with 382 daily movements. The expanded operation is predicted to generate 620 vehicle movements over the course of a typical workday, an overall increase of 238. Similarly, it is also noted that there would be 70 vehicle movements post expansion during each of the same peak hour periods. The Department is satisfied that this corresponding increase of 24 vehicle movements (which equates to just 1 additional vehicle movement every 2.5 minutes) is not considered to be particularly significant in this case.

This increase in vehicle movements is comprised of heavy vehicle traffic that would otherwise have hauled general solid general solid waste (putrescible) to Eastern Creek landfill. During the assessment of the application, the Department identified that this 62% increase in vehicle movements did not match the proportion of additional waste that this WTS would be handling once it receives waste from Eastern Creek (i.e. 130% increase). The Applicant clarified that the reason for this is that average truck loads leaving the site would be higher than used currently as larger capacity trucks are required to haul bigger waste loads. In particular, up to 10 tonne waste trucks would drop waste at the site and 20 or 24 tonne semi-trailers would haul non-recyclable waste to Lucas Heights RRP.

Access to the site is gained via Davis Road through the Wetherill Park Industrial Estate. The Applicant has identified traffic routes to and from the site (**Figure 15**). Waste is currently hauled to the site by public and commercial vehicles via a number of different routes, being Prospect Highway/Widemere Road Elizabeth Street/Victoria Street. After handling and sorting on-site, waste material would be

transported to Lucas Heights RRP via Davis Road, Elizabeth Street, Victoria Street, Horsley Drive and the motorway network (M5/M7) with the exception of recyclable waste that would be sold to independent contractors.

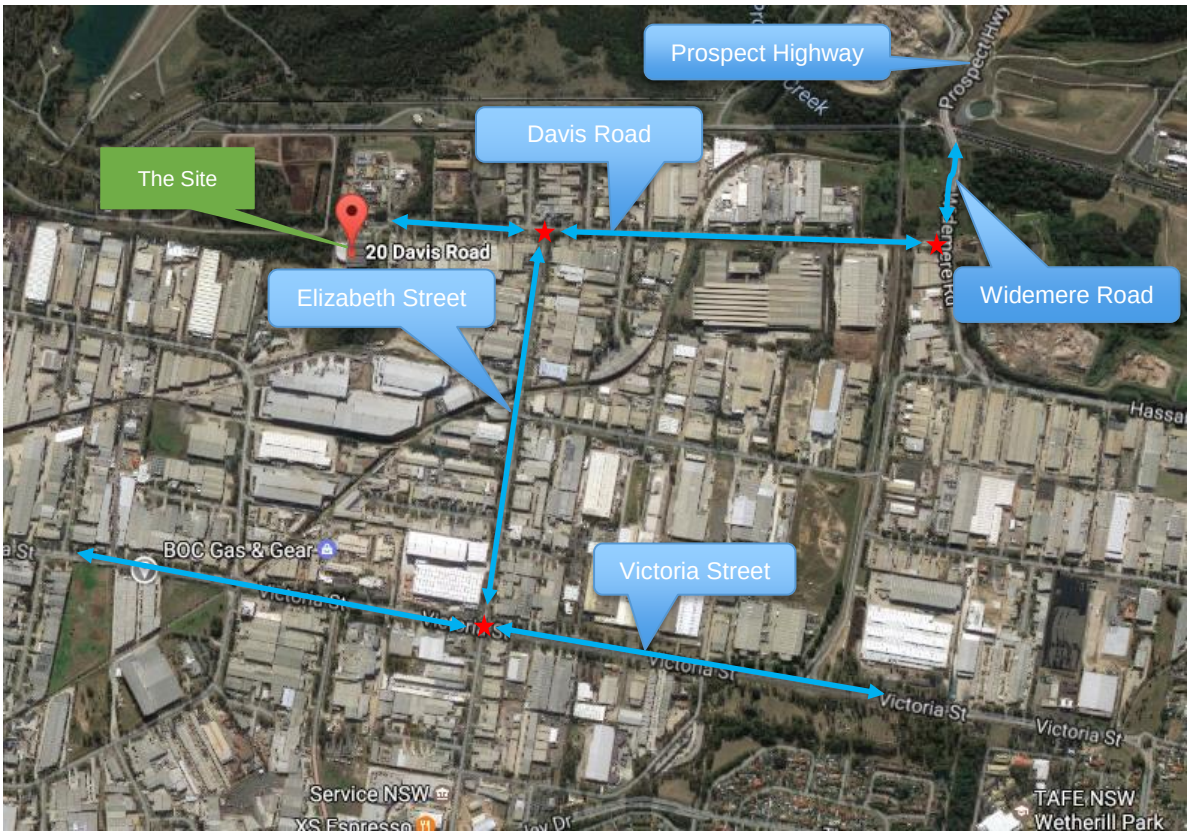

Figure 15: *Direction of Traffic Flow*

To analyse the performance of intersections before and after the expansion, SIDRA modelling was undertaken. The results found that the key intersections in the industrial estate that would be used by the Applicant (denoted by the red stars in **Figure 15**) are performing to a high standard already (Level of Service A or B) except for the Elizabeth Street/Victoria Street intersection which is near or at capacity from certain directions (LOS D to E with a LOS F from one direction).

The proposal does not result in a change to overall LOS at any of the intersections albeit there would be some negligible increases in degree of saturation (+0.1), average delay (+1 second) and queuing length (+1 m). As such, the Department is satisfied the performance of these intersections would not be adversely affected by the expansion and that no road infrastructure or other upgrades are needed in this case.

Overall, the Department is satisfied that whilst the proposal would increase heavy vehicle movements to and from the Wetherill Park site, there would be a corresponding reduction in heavy vehicle traffic associated with the Applicant's Eastern Creek landfill site once the expanded facility begins taking this waste. The Department has assessed the impact that this additional traffic would have on the safety, function or efficiency of the road network surrounding the application site and found it to be negligible. It is also noted that neither RMS nor Council raised any issues in relation to construction or operational traffic volumes generated by the development and the ability of the road network to accommodate them.

Whilst these traffic impacts are considered acceptable, there would nonetheless be a relatively large increase in heavy vehicles accessing the local road network surrounding the site due to the increase in general solid waste (putrescible) throughput at the site. From an amenity perspective, this is unlikely to pose a problem since the waste haulage route follows main arterial routes and industrial estate roads, and adequate additional car parking would be provided on site in accordance with Council parking standards to ensure that vehicles associated with the development does not utilise public or residential streets or public parking facilities.

Nevertheless, some controls are recommended to effectively manage this additional traffic. The Department has incorporated conditions requiring the Applicant to prepare a Driver Code of Conduct to minimise traffic impacts on the local and regional road network, conflicts with other road users and to ensure truck drivers use specified routes. A Traffic Management Plan (TMP) is also required to be prepared as a subcomponent of a wider Operational Environmental Management Plan (OEMP) for the site, which includes the measures that are to be implemented to ensure road safety and efficiency and achieving a series of other related operating conditions also required in the development consent.

Site Access Arrangements

The site is located in the Wetherill Park Industrial Estate at the end of Davis Road with access provided directly off an existing cul-de-sac. Council raised no issues regarding the capability of this access to accommodate additional vehicle movements generated by the proposal.

However, concern was raised by Council around heavy vehicles queuing on Davis Road whilst waiting to enter the weighbridge and recommended that two queuing lanes be provided.

The TIA identified the existing entry weighbridge requires vehicles to queue behind a specific point to allow for the exit of vehicles from the existing car park to Davis Road. The distance from this point to Davis Road is approximately 23 m, equivalent to up to 4 small vehicles or 1 heavy vehicle (see **Figure 16**).

Figure 16: *Site Entrance and Weighbridge*

The Applicant responded in the RTS by stating that rather than providing two queuing lanes, it would increase the distance from the specific holding point (i.e. an existing stop line) and Davis Road by 3 m (a 1.5 m increase from the distance referred to in the EIS), thereby increasing the length of the weighbridge entry queuing area to 26 m. This, in turn, would allow up to 2 heavy vehicles to wait in this area based on the size of trucks that would come to the site (a single 10 tonne truck is 12 m in length).

In terms of wait time, the weighbridge has an average service rate of around 60 vehicles per hour (vph). The TIA calculates the number of vehicles arriving at the site as increasing from 23 vph to a maximum 57 vph during the AM and PM peak, which is within the processing capacity of the weighbridge. If any of these trucks need to briefly wait to access the weighbridge, the slight relocation of the holding point means that two vehicles are able to queue in this area of the site at any one time.

Based on the above assessment, the Department is satisfied that the Applicant is able to manage additional heavy vehicle movements and delivery times wholly within the site as there is sufficient space for heavy vehicles to queue without causing congestion on Davis Road. It is further noted that the

Applicant has also proposed to add further parking spaces on site to ensure there is no parking demand for this type of vehicle on surrounding streets in the area.

To ensure congestion and queuing is managed in the manner outlined above, the Department has recommended conditions requiring the weighbridge stop line to be relocated 3 m to the west, parking to be provided on-site in accordance with relevant Council requirements and that measures to be implemented to restrict queuing or parking of vehicles on David Road are set out in the TMP (and the Driver's Code of Conduct). With these conditions in place, the Department is confident the site access and weighbridge would function efficiently once the site receives additional waste tonnage.

In summary, the Department's considers the extra construction and operational traffic that would be generated by the proposal is able to be accommodated within the local road network surrounding the site. It is also noted that there would be a corresponding decrease in heavy traffic hauling waste to the Applicant's Eastern Creek landfill site once this closes down. Finally, potential queuing and congestion impacts on Davis Road are minimal and able to be easily managed.

Conditions have been recommended to supplement the management and mitigation measures put forward by the Applicant. With these measures in place, the Department concludes that the proposal would not have a detrimental impact on the safety, capacity and efficiency of the surrounding road network.

5.3. Flooding

The Applicant is proposing construction within the floodplain, including new entry and exit ramps and a new workshop, which would comprise 410 m^3 of additional hardstand and changes in final site topography (as shown by the green and pink hatching in **Figure 17**). This has the potential to reduce floodplain storage, thereby changing flooding behaviour on site and increasing flood effects outside the site.

The site is located within the upper reaches of the Georges River catchment. The nearest waterbody is an unnamed creek some 420 m to the south of the site. The unnamed creek is a tributary of Prospect Creek, which is located approximately 1.15 km to the north-east of the site. The site levels range from RL 39 m AHD at the site entry to nearly RL 42 m AHD in the south-western corner of the site. The floor levels of the main transfer station building are at approximately RL 41 m AHD. The underground truck loading bay floor levels are set at approximately RL 35 m AHD.

The Section 149 Certificate for the land, together with Council flood mapping, has identified the site as being partly within the medium and low flood risk precincts. In its original submission, Council requested a Flood Impact Assessment (FIA) be carried out, which was subsequently undertaken by the Applicant and formed part of the RTS.

The FIA was prepared by Golder and Associates Pty Ltd to assess the change in flooding from the existing conditions (base case) to the proposed conditions once the expansion has taken place (proposed case). The FIA was undertaken in accordance with the *NSW Floodplain Development Manual* (2005) which specifies new developments must be assessed in response to 1:100 Annual Exceedance Probability (AEP) rainfall events and Probable Maximum Flood (PMF) events. The flooding implications of the proposed development were also assessed against the relevant provisions of the Fairfield City Wide DCP (2013) (DCP).

The Department has reviewed the FIA and provides the following summary (based on the 1:100 AEP flooding event):

- the natural flooding or drainage pattern of the floodplain would not be altered due to the relatively small area of physical development and resultant small net change in floodplain area;
- the highest predicted water depth for the base case and proposed case is greater than 1 m to the south of the existing building and at the eastern and western driveways;
- the proposed development would cause some relatively small increases and decreases in flood extent on certain short sections of concreted driveways (see **Figure 17**);
- in terms of scour, there would be a small change in the range of flood velocities across the site, and these would pose a low risk (+ 0.3 m/s); and
- the areas of the site categorised as medium and high hazard zones are restricted to the driveways in the southern portion of the site.

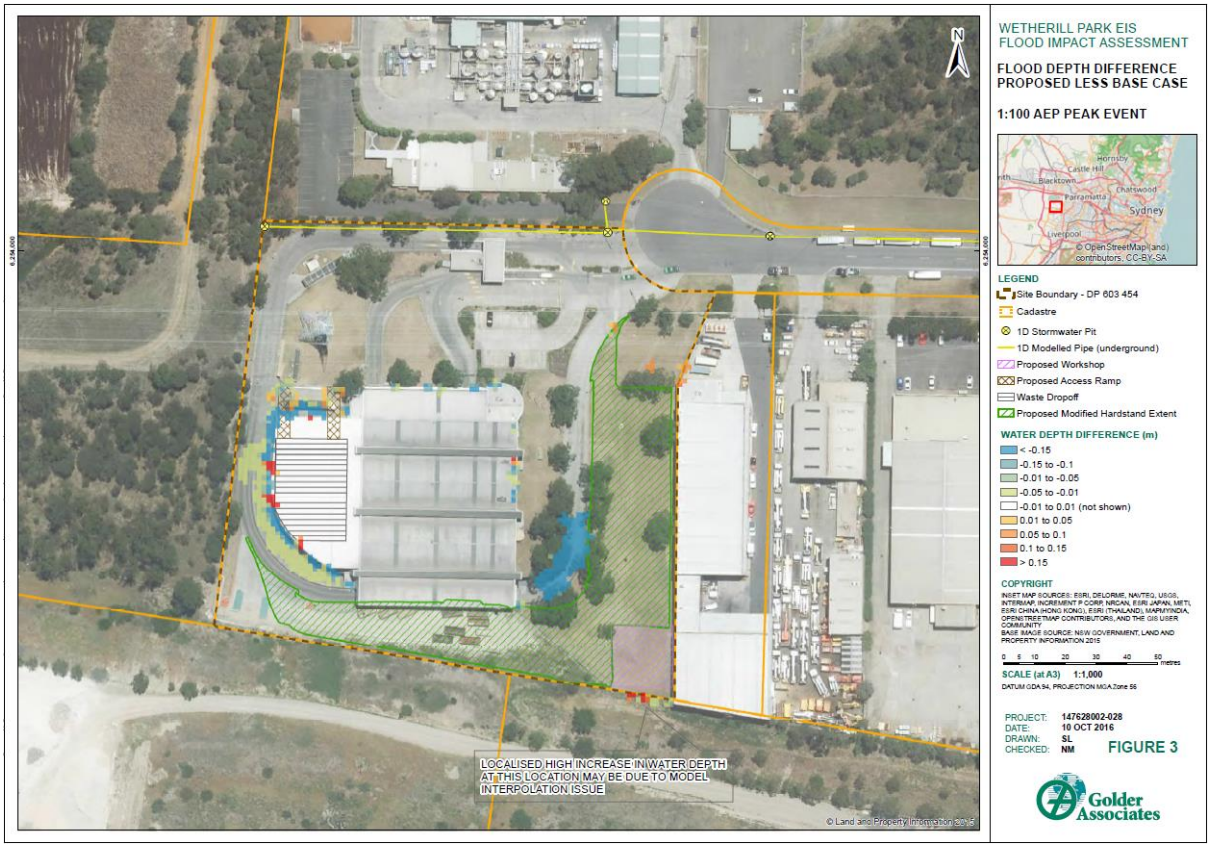

Figure 17: *Flood Depth Difference Proposed Less Base Case (1:100 AEP Peak Event)*

The FIA also found that the modelled 1:100 AEP flooding event is compliant with Council's DCP as the proposed development would not increase flood effects on any surrounding land. In particular, there would be no loss of flood storage and no change in flood levels or flood velocities on adjacent sites.

After reviewing the results of the FIA, Council's Catchment Branch was satisfied that the impact to flood levels would be kept within the Applicant's site and complies with the Flood Effects section of the DCP. However, it was noted that the driveways at the rear (south) of the site would continue to experience over 1 m depth of floodwater in the 100 year AEP flooding event, and these areas should be not be used as an evacuation route during times of flooding. The Department agrees with this recommendation and has incorporated a draft condition to this effect.

To supplement this, the Department also recommends a condition be imposed requiring the Applicant to prepare and implement a Flood Emergency Response Plan (FERP) for the site. This should include flood emergency responses (during both construction and operational phases), flood warning times and notification procedures, location and protocols to be followed at assembly points, evacuation routes and refuges and awareness training procedures for employees and contractors alike.

Both the Department and Council are satisfied with the findings of the FIA which indicates that there would be minimal change in flooding effects on site as a result of the proposed development and that there would be no change in flooding regimes on any adjoining land. It is also noted that flooding impacts would be less than predicted now the small vehicle drop off area has been excised from the proposal.

The Department has included Council's recommended condition requiring the sections of driveway at the rear (south) of the site not to be used as an evacuation route and an additional condition requiring a FERP be prepared and implemented. With these conditions in place, the Department's assessment concludes that potential flooding events would be effectively and safely managed.

5.4. Other Issues

The Department's assessment of other issues is provided in **Table 6**.

Table 6: *Assessment of Other Issues*

Consideration	Recommended Conditions
Noise and Vibration	
• The expanded WTS has the potential to generate additional noise during construction and operation which could impact on existing amenity, including sensitive receivers in Horsley Park and industrial receivers in Wetherill Park Industrial Area. • A Noise Impact Assessment (NIA) was prepared by Pacific Environment Limited in accordance with relevant NSW Guidelines including the *Industrial Noise Policy* (INP), the *Interim Construction Noise Guidelines* (ICNG) and the *Road Noise Policy* (RNP). • The site currently operates 24 hours a day, 7 days a week and the Applicant proposes to continue operating on the same basis. The Applicant has committed to construction activities occurring within standard construction hours being Monday to Friday 7 am to 6 pm and Saturday from 8 am to 1 pm. • The nearest residential receiver is 1.5 km to the west of the site in Horsley Park. The nearest industrial receiver is immediately to the east of the WTS. • The NIA used the most stringent operational noise criteria and identified during the construction and operation of the expanded facility, the WTS would have a negligible vibration impact and that noise emissions would be well below the predicted Project Specific Noise Level (PSNL) of 35 dB(A) $L_{Aeq,\ 15min}$ at all receivers for all periods (i.e. day, evening and night). This is the most stringent PSNL that is able to be adopted in in NSW. • Overall road traffic noise would increase by 1.8 dB near the site which does not exceed the traffic noise generation criterion of < 2 dB (and noting that such an increase is not perceptible to the human ear). • Given the limited noise impacts as a result of the development, the Applicant has not proposed any additional mitigation measures but would continue to implement existing management measures on site; these include regular maintenance and servicing of plant and equipment and using trucks that meet applicable emissions standards (and are quieter as a result). • However, the EPA did identify broadband reversing alarms at industrial premises has the potential to cause significant annoyance at low levels and significant distances, particularly from a 24-hour operation. As such, the EPA suggested broadband reversing alarms should replace reversing beepers at the premises. • The Applicant indicated reversing beepers had been considered in the NIA and a conservative noise level had been assumed (i.e. confirm the results outlined above remain valid). The Applicant also confirmed that broadband reversing alarms were installed on all Applicant's vehicles, but could not guarantee all customers would have broadband reversing alarms (and noting that many small vehicles do not have such alarms). • The EPA had no further response relating to noise but recommended a condition requiring only broadband reversing alarms be used outside the transfer building. The Department agrees with this in principle and has included a condition of consent which requires the Applicant to ensure all its vehicles are fitted with broadband reversing alarms. • The Department considers the development would not result in any additional noise impacts and the 24 hours a day 7 day a week operating hours would not affect the amenity of the nearest residential or industrial receivers. However, the Department has recommended operational noise criteria for the development which are based on the Applicant's predictions. The EPA did not recommend any noise limits. • The Department is satisfied that the facility would be able to operate within these stringent noise limits due to the large distance between the site and sensitive receivers. Further, the Applicant's NIA was based on a worst case scenario, the predicted noise levels are considered conservative and noise impacts at residential receivers is unlikely. • The Department's assessment concludes the proposed development would result in minimal additional noise impacts which would not adversely affect the amenity of the nearest residential receivers even during night time hours.	Require the Applicant to: • ensure only vehicles with broadband reversing alarms be used outside the transfer building; • ensure all construction activities occur between 7 am to 6 pm Monday to Friday and 8 am to 1 pm on Saturdays; and • comply with established noise and vibration criteria.
Hazards and Risk	
<u>*Fire Prevention*</u> • The increase in general solid waste (putrescible) could place increased burden on the current fire hydrant and sprinkler system at the site. • FRNSW identified the existing fire hydrant system at the site is aged and has previously failed during pressure testing. FRNSW requested that due to the increase in the volume of waste to be transferred through the facility, the protracted nature of the fire incidents associated with waste facilities and increased demands that would	Require the Applicant to: • ensure any proposed bunding is designed, constructed and maintained in accordance with AS

Consideration	Recommended Conditions
be placed upon the fire hydrant system, it should be fully upgraded to ensure compliance with the requirements of AS 2419.1-2005. • FRNSW also stated the existing sprinkler system is required to be extended so coverage of the entire surge pit and new load out chutes are feasible. • The Applicant agreed to upgrade its fire hydrant and sprinkler systems as per these specifications and in accordance with relevant Australian Standards (AS) and to install and operate stormwater isolation valves to ensure chemical spills and firewater are contained on site. The Department has recommended conditions to ensure these fire prevention works are implemented. • The Department is satisfied that once these conditions have been implemented, the fire prevention measures at the facility would be significantly improved to those currently in place and are sufficient to cater for the expanded operation. *Hazards and Risk* • A Hazards and Risk Assessment was included in the EIS which identified refuelling of plant equipment, explosion from small storage of dangerous goods, asbestos, potentially contaminated run-off, fires (equipment) and acoustic and air quality impacts (odour) as the greatest source of risk for off-site impacts. • Council requested further information in relation to the offensiveness of the development as per SEPP 33. • The Applicant identified in the SEPP 33 Risk Screening and Preliminary Hazard Analysis (PHA) the site stores small quantities of diesel fuel, LPG, unleaded petrol, batteries, sodium hydroxide, lubricants and chlorine. • The PHA confirmed the proposal does not represent a hazardous or an offensive industry as the development would not be a significant risk to human health, life or property or the biophysical environment as the volume of material classified as dangerous goods proposed to be stored on site are well below the SEPP 33 screening threshold. • Council had no further comments in relation to SEPP 33, however requested further information in relation to bunding and the storage of dangerous goods. • The Applicant in the RTS provided further information in relation to the storage of dangerous goods and bunding details. Council was satisfied with the response and recommended conditions requiring bunding to be constructed and maintained in accordance with relevant Australian Standards. • The Department considers the Applicant has adequately addressed the provisions of SEPP 33 and concluded the proposed development is not considered a potentially hazardous or offensive industry.	and the *Dangerous Goods Act 1975;* • ensure the fire hydrant system complies with all requirements of AS 2419.1-2005; and • ensure the sprinkler system covers the entire surge pit and new load out chutes and isolation valves are correctly installed and operated.
Water	
Wastewater • Wastewater is produced from the following site activities: moisture from incoming waste (leachate), facility wash down, dust suppression and wheel wash. • Operating the expanded facility is expected to increase site wastewater volumes due to additional waste processing capacity. Wastewater requires treatment and discharge to sewer. If not properly managed, wastewater can enter groundwater or surface water on and near the site. • All wastewater is currently directed to a 1,000 L above ground containment tank which is then pumped to an on-site wastewater treatment plant. Two 5,000 L holding tanks are located next to the wastewater treatment plant to hold any excess wastewater waiting to be treated whilst the plant is in operation. A sump and pump to a 60,000 L ground storage tank is required as a first flush system to minimise risk of material spillage on area of new pavements. • The Applicant has a Trade Waste Agreement (TWA) with Sydney Water which permits an average daily flow limit of 1 kL/day and a maximum daily overall limit of 2 kL. The TWA also restricts instantaneous flows to a maximum of 1.5 L/s. • The site presently generates some 700 L of wastewater each day. This volume would increase to 1,030 L or 1.03 kL/day once the expanded facility begins operating. This is within the maximum daily limit prescribed by Sydney Water in the existing TWA. • Wastewater would continue to be segregated from surface water and groundwater by upgrading the existing site water management system to account for the proposal and monitor wastewater discharge to sewer in accordance with the requirements of the TWA. • The Department has recommended a condition requiring the Applicant to maintain adequate storage, treatment and disposal capacity in accordance with TWA and that the first first flush detention tank be bunded in line with Council's recommendation.	Require the Applicant to: • maintain adequate storage, treatment and disposal capacity in accordance with TWA; • ensure the first flush system is bunded; • upgrade the surface water management system; • approved plans must be submitted to the Sydney Water "Tap In" service, to determine if the development would have any impacts on Sydney Water assets; • obtain a Section 73 Compliance Certificate under the *Sydney Water Act 1994* from Sydney Water; and

Consideration	Recommended Conditions

• With these measures in place, the Department concludes that wastewater from the expanded WTS would be adequately managed and monitored such that potential off-site impacts on surface water and groundwater resources would be minimised.
 	
Stormwater
• The development could increase peak water flows off the site due to the increase in impervious surface and/or reduce the quality of nearby surface water if stormwater is not properly managed.
• The EIS identified the new hardstand and new truck and trailer parking areas would result in an increase in impervious area and could introduce more potential pollutants. As such, the proposed development would necessitate the upgrading of the existing stormwater management system on site.
• A conceptual plan and description of this upgrade was included in the EIS. In summary, it would involve the installation of an additional stormwater conveyance system under the new hardstand area which would tie into existing pit 13. The upgraded system would consist of two new stormwater pits and pipework draining at a minimum grade of 0.5% with new pavement graded into these stormwater pits. The pavement would fall from the hardstand area through the truck and trailer parking towards Davis Road.
• Council requested the Applicant provide further information in relation to spill management and bunding for the proposed workshop to avoid contamination of stormwater. The Applicant submitted additional information which included an environmental management plan for the site which identifies how spills are managed and how bunding is regularly maintained on site. Council was satisfied with the Applicant's response and had no further comments.
• The Department is satisfied this proposed site infrastructure upgrade would ensure stormwater continues to be effectively managed at the site and clean water is conveyed to Davis Road for discharge into Prospect Creek. The Department has recommended conditions requiring the Applicant to install the new stormwater system to the required standard and in line with the design set out in the EIS.
• With these measures in place, the Department concludes that stormwater is able to be adequately managed and nearby Prospect Creek and other watercourses in the area would not be adversely impacted by the proposal.
 	
Firewater
• In the event of a fire, firewater must be contained on site to ensure the stormwater management system in Davis Road described above is not contaminated.
• To ensure the overall containment strategy for firewater at the site is effective FRNSW has recommended:
  ○ the shut of valve to the stormwater drains be automatically initiated upon either sprinkler activation and/or alternatively via activation of any manual call point installed within the site.
  ○ the stormwater valve functionality should include a fail-safe function on power failure which automatically closes the valve. The stormwater valve should remain in the closed position until, a manual over-ride function is initiated upon confirmation of stormwater isolation no longer being required, or once any contaminated water is removed for treatment, or has been neutralised to an environmentally safe level.
  ○ the location of the isolation valve and any associated controls should be clearly identified on the site's fire hydrant block plan, fire sprinkler block plan and the site plan located within the site's ERMP. This is to ensure the stormwater isolation valve location at the site can be easily identified by FRNSW.
• The Department has incorporated FRNSW's recommended conditions and is satisfied that with these controls in place, firewater would be wholly contained on site and the system would be readily available in the event of a fire outbreak.
	• install and operate the stormwater isolation valves in line with FRNSW requirements.

Dust	
• The development has the potential to generate dust during both construction and operation. • Dust generating activities during construction include earthworks, transport of material on-site, site grading and windblown dust generated from exposed areas and stockpiles. • The Applicant has identified that general solid waste (putrescible) has a low potential to generate dust as all waste unloaded at the site is within the transfer building. For these reasons, the Applicant did not include an assessment of dust in the EIS.	Require the Applicant to: • install and maintain a weather station; • install dust suppression sprays over vehicle entry and exists; • conduct an annual wash down and six

Consideration	Recommended Conditions
• The EPA noted the management of accumulated dust had not been sufficiently described in the EIS. The EPA were also concerned that increased waste throughput may result in an increase in dust generation. The EPA noted during inspections of the site a visible layer of dust was seen covering services, structures and walls. The EPA stated dust has been observed at other facilities that primarily deal with general solid waste (putrescible). • The Applicant pointed out that a dust suppression system is already installed at the site and is required to be switched on whenever waste is being loaded into the pit. • The Applicant also highlighted that the existing OEMP and Dust Management Plan (DMP) includes a series of measures to minimise and manage dust including regular sweeping and washing down and weekly cleaning of machinery and signage. To address the EPA's comments, the Applicant has committed to undertaking an annual wash down of the entire facility and a six-monthly brush down to further manage accumulated dust. • The EPA did not provide any further comments in relation to dust and recommended conditions requiring the Applicant to install and maintain a weather station, install dust suppression sprays over vehicle entry and exists, conduct an annual wash down and six monthly brush down of interior walls and services, operate a dust suppression system and within six months of operation develop an Air Quality Management Plan (AQMP). • The Department has included these recommendations in the conditions as well as the requirement for the management measures to be included in the AQMP. • The Department notes all loading and unloading of waste occurs within the transfer building and the Applicant would have appropriate management and mitigation measures in place during construction and operation of the site, therefore the development would have no impact on surrounding sensitive receivers, the nearest of which is some 1.5 km away. • The Department's assessment concludes the recommended conditions would provide for effective management of dust emissions from the site. Dust during construction would be managed through standard dust controls which would be implemented through the Construction Environmental Management Plan (CEMP).	monthly brush down of interior walls and services; and • prepare a AQMP for the site.
Parking	
• The Applicant has identified the WTS currently has a total of 11 full time staff on-site. The development would increase full time staff to 16. • The TIA identified 16 car spaces are present near the entrance of the site for staff and visitors. There are also an additional 5 spaces that are used to park vehicles as required. • Council's DCP requires 16 staff spaces and 5 visitor spaces (including one accessible parking space) be provided on site so the proposal is compliant. • Notwithstanding, an extra 12 truck and trailer parking spaces would be provided on site as part of the development. • Council's only comment on this issue was to request the single accessible parking space complies with AS 2890 (off-street parking for people with disabilities). • To ensure the adequate provision of parking in accordance with Council's DCP, the Department's recommended conditions of consent include a requirement to line mark and maintain 21 spaces in accordance with AS 2890. • The Department concludes the development would have sufficient parking for staff and visitors and sufficient parking for truck and trailers to avoid vehicles parking in the vicinity of the site on Davis Road.	Require the Applicant to: • line mark and maintain 21 car parking spaces and 12 truck and trailer parking spaces on site in accordance with Australian Standards (2009) AS-2890.1 and AS 2890.6; and • ensure accessible parking spaces comply with AS 2890.6:2009.
Developer Contributions	
• Council advises the imposition of a Section 94A levy in this case in accordance with the *Fairfield City Council Indirect Development Contributions Plan 2011* which is considered appropriate having regard to the long-term responsibility Council has to manage the local road network. • In accordance with this plan, the levy to be paid for the development would be 1% of the final estimated Capital Investment Value being $ 32,795.06.	Require the Applicant to: • pay $32,795.06 in contributions to Council prior to issue of any Construction Certificate.
Surrender of Development Consents	
• The site currently operates under seven Council consents for a WTS as discussed in **Section 1.5** of this report. • In accordance with clause 97 of the *EP&A Regulation 2000*, the Department's recommended consent conditions include a requirement to surrender all of those consents so the whole site falls under one consent.	Recommended conditions require the Applicant to: • surrender all previous Council consents.

6. CONCLUSION

The Department's assessment of the application has fully considered all relevant matters under Section 79C of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development.

With the imminent closure of the Eastern Creek landfill, the development would provide additional ongoing capacity for the receival of general solid (putrescible) waste to support Sydney's growing population. The proposed development is consistent with the key aim of the *Waste Avoidance and Resource Recovery Strategy 2014-21*, to divert more waste from landfill into resource recovery.

The Department's assessment has detailed that the proposed development would:

- meet the EPA's most stringent odour criterion at surrounding residential receivers at all times and at all industrial receivers during a normal operating scenario;
- not impact flood behaviour outside of the Applicant's site;
- not impact on the safety and efficiency of the surrounding road network; and
- meet operational noise criteria at the closest industrial receiver and residential receivers.

The Department acknowledges the history of odour complaints in the Western Sydney area and that odour was a key concern to the local community as raised in the two public submissions received. However, the EPA's Western Sydney Regional Odour Assessment (report prepared by The Odour Unit, 2013) found there were three waste facilities identified to be emitting odours detectable at significant levels beyond the site boundaries. These included the Global Renewables Facility at Eastern Creek, Waste Assets Management Corporation Landfill at Eastern Creek and SITA SAWT Facility at Kemps Creek. The Department notes that the WTS site has not been identified as a source of odour in the region.

Nonetheless, the Department has recommended a number of conditions to manage any potential impacts as a result of increasing the throughput of general solid waste (putrescible) at the site, including:

- a requirement to continue to use dust and odour suppression systems;
- applying sealant to the concrete working floor to prevent leachate absorption;
- a limit on the amount of waste received or processed on site in any 24-hour period;
- a requirement to undertake an odour audit and to prepare an OMP;
- a requirement to conduct weekly wash downs of any tipping area and surge pit contaminated with general solid waste (putrescible); and
- a requirement to install deodorisers at the entrance and exit of the WTS building.

The Department has also recommended conditions for the payment of development contributions and requirement to upgrade the sprinkler and fire hydrant system; upgrade the sites capacity to contain chemical spills and fire water; noise limits; and a condition prohibiting the queuing or parking of heavy vehicles on Davis Road.

The Department's assessment concludes the impacts of the development can be appropriately managed through implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

Following from its assessment of the proposal, the Department of Planning and Environment considers that the proposal is approvable subject to any conditions of consent. This report is hereby presented to the Planning Assessment Commission for determination.

APPENDIX A: DEVELOPMENT CONSENT

APPENDIX B: CONSIDERATIONS UNDER SECTION 79C

Section 79C of the EP&A Act requires the consent authority, when determining a development application, must take into consideration the following matters:

(a) the provisions of: (i) any environmental planning instrument, and (ii) any proposed instrument is or has been the subject of public consultation under this Act and has been notified to the consent authority (unless the Director-General has notified the consent authority the making of the proposed instrument has been deferred indefinitely or has not been approved), and (iii) any development control plan, and (iv) any planning agreement has been entered into under Section 93F, or any draft planning agreement a developer has offered to enter into under Section 93F, and (v) the regulations (to the extent they prescribe matters for the purposes of this paragraph), and (vi) any coastal zone management plan (within the meaning of the *Coastal Protection Act 1979*) apply to the land to which the development application relates,	Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) apply to the proposed development is provided in **Appendix C** of this report. The Applicant has not entered into any planning agreement under Section 93F. The Department has undertaken its assessment of the proposed development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report. The site is not located within a coastal zone and no coastal zone management plan applies to the development. The Department has considered the relevant provisions of the *Fairfield Citywide DCP* 2013 in its assessment of the development in **Section 5** of this report.
(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,	The Department has considered the likely impacts of the development in detail in **Section 5** of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
(c) the suitability of the site for the development,	The development is an expansion of an existing WTS located on industrial zoned land which is permissible with development consent.
(d) any submissions made in accordance with this Act or the regulations,	All matters raised in submissions have been summarised in **Section 4** of this report and given due consideration as part of the assessment of the proposed development in **Section 5** of this report.
(e) the public interest.	The development would contribute to the provision of local jobs by generating up to 12 jobs during construction and 16 jobs during operation. The proposal also has a considerable capital investment of $3,279,506 which would bring socio-economic benefits to the local area. The development would contribute to additional waste capacity to support an increase in population growth within the Sydney Region which is also likely to result in an increased demand for processing of general solid waste (putrescible) within the Sydney metropolitan area. The environmental impacts of the development would be appropriately managed via the recommended conditions. On balance, the Department considers the development is in the public interest.

APPENDIX C: CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy (State and Regional Development) 2011
The SRD SEPP identifies certain classes of development as SSD. In particular, development for the purpose of waste or resource transfer stations in metropolitan areas of the Sydney region that meets the criteria in Clause 23(2) of the SRD SEPP is classified as State significant development. The proposal satisfies the criteria in Clause 23(2) as it would handle more than 100,000 tpa of waste.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)
The Infrastructure SEPP (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

Clause 45 of the ISEPP applies to development in the vicinity of electricity easements and therefore must be referred to the relevant electricity supplier for comment prior to determination. The Department referred the application to TransGrid, who raised an objection to the small vehicle drop-off in the application. On 14 July 2017, the Applicant formally requested the development application be amended under clause 55 of the *EP&A Regulation* to excise the proposed small vehicle drop-off area and retain this existing service as is. The Acting Director Industry Assessments agreed the development application was able to be amended in the manner proposed. TransGrid raised no further objection to the application subject to the inclusion of standard conditions. These conditions have been included as recommended conditions of consent. The Department concludes that the notification requirements as set out in clause 45 of the ISEPP have been met.

The proposed development constitutes traffic generating development under Schedule 3 of the ISEPP and therefore was referred to the RMS for comment. RMS confirmed they have no objection to the development and did not provide any conditions. The development is considered to be consistent with the aims and objectives of the ISEPP, and the requirements of clause 104 of the ISEPP.

State Environmental Planning Policy 33 – Hazardous and Offensive Development (SEPP 33)
SEPP 33 outlines the items that a consent authority must consider to assess whether a development is hazardous or offensive.

The Applicant reviewed the development in accordance with SEPP 33 and advised the development would not store dangerous goods above the threshold limits specified in SEPP 33, therefore it would not be considered potentially hazardous or offensive development. The Department has concluded the development is not considered a potentially hazardous or offensive development as the Applicant has demonstrated that dangerous goods stored on the site is below the threshold limits specified in SEPP 33.

State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)
SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS considered site contamination and confirmed that a remedial action plan is not required. The Department has included specific conditions for managing any unexpected contaminated material during excavation and construction works.

Fairfield Local Environmental Plan 2013 (FLEP)
The FLEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Fairfield LGA. The FLEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The development is located on industrial zoned land and the area immediately surrounding the site is also located on industrial zoned area.

The Department has consulted with Fairfield City Council throughout the assessment process and has considered all relevant provisions of the FLEP and those matters raised by Council in its assessment of the development (see **Section 5** of this report). The Department concludes the development is consistent with the relevant provisions of FLEP.

Fairfield City Wide Development Control Plan Fairfield (DCP)

The DCP includes specific development controls for the Fairfield LGA. The relevant provisions for the development include Chapter 9 – Development in Industrial Areas and Chapter 11 – Flood Risk Management. The proposed built form, site layout and design features of the development are compatible with the character of existing development in the surrounding area and development is generally consistent with the relevant provisions of the Fairfield DCP. The impact of the development on flood levels would be kept within the site and therefore complies with the Flood Effects section (Schedule 6 of Chapter 11) of the DCP.

The Department has consulted with Fairfield City Council throughout the assessment process and has considered all relevant provisions of the DCP and those matters raised by Council in its assessment of the development (see **Section 5** of this report).

APPENDIX D: ENVIRONMENTAL IMPACT STATEMENT

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7267

APPENDIX E: SUBMISSIONS

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7267

APPENDIX F: RESPONSE TO SUBMISSIONS

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7267

APPENDIX G: AMENDED DEVELOPMENT APPLICATION

See link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7267