



Wetherill Park Waste Transfer Station

*State Significant
Development
Modification Assessment
(SSD 7267 MOD 2)*

April 2019

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Cover photo

The Wetherill Park Waste Transfer Station

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
Consent	Development Consent
Council	Fairfield City Council
Construction	The demolition of building or works, carrying out works, including earthworks, including earthworks, erection of building and other infrastructure covered by this consent
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
FEBQ	Fire Engineering Brief Questionnaire
LEP	Local Environmental Plan
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
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
Sensitive receiver	Residence, education institution, health care facility, religious facility and child care facility
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
tpa	Tonnes per annum
Waste	As defined in the <i>Protection of the Environment Operations Act 1997</i>
WTS	Waste Transfer Station



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1. Introduction

This report provides an assessment of an application to modify a State significant development consent (SSD 7267) for the Wetherill Park Waste Transfer Station (WTS) which is located in the Fairfield local government area (LGA). The modification application seeks approval for:

- staged construction activities
- staged increase in the approved limit of general solid waste (putrescible) (putrescible waste)
- upgrade of the fire safety systems
- construction of a temporary perimeter access road
- amendment to plant and equipment location
- removal of four heavy vehicle spaces and workshop
- amendment of daily limit condition
- amendment to condition requiring weekly wash down of tipping area and surge pit
- relocation of a stop sign line at the weighbridge to prevent queuing on Davis Road.

The application was lodged on 31 October 2018 by SUEZ Recycling & Recovery Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.1 Background

SUEZ Recycling & Recovery Pty Ltd (the Applicant) operates a WTS on 20 Davis Road, Wetherill Park in the Fairfield LGA (see **Figure 1**). The site comprises of 2.05 hectares (ha) of industrial zoned (IN1 General Industrial) and is legally referred to as Lot 402 in DP 603454. The site is located in the Wetherill Park industrial estate at the end of Davis Road on a cul-de-sac.

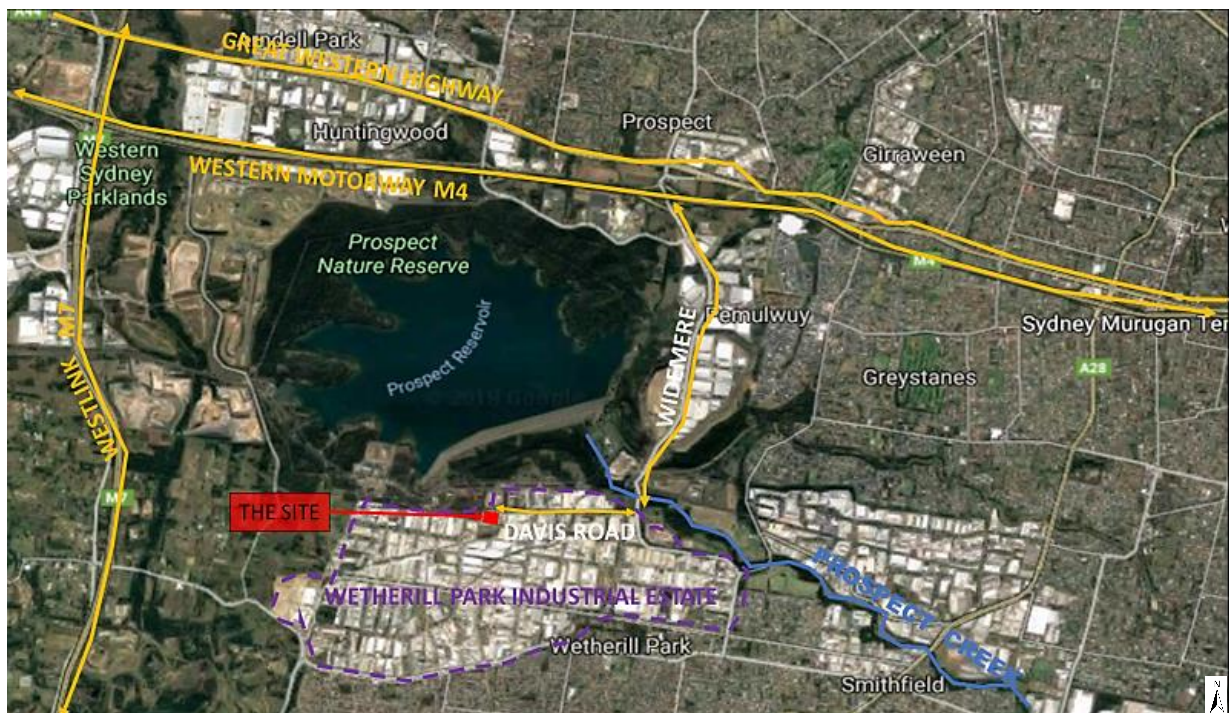


Figure 1 | Site Location

On 11 September 2017, development consent was granted to increase the processing capacity of the existing WTS from 100,000 tonnes per annum (tpa) to 230,000 tpa of waste by increasing the throughput of putrescible waste from 10,000 tpa to 130,000 tpa. The Applicant's justification for increasing the processing capacity of the WTS was due to the closure of the Applicant's Eastern Creek landfill on 31 August 2017 and with no additional landfill capacity proposed and/or in development within Sydney, further pressure would be placed on Sydney's putrescible landfill network.

The Applicant is a multinational corporation which operates over 100 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 WTS provides a consolidation point for unsorted waste collected from residential and commercial premises and from the public in the region.

The site consists of the main transfer building which is an industrial concrete building with an awning attached to the western facade. Combined, the main transfer building and the awning have a total floor area of 3,500 square metres (m²). The building and hardstand areas have a site coverage of approximately 65 %. The remainder of the site is landscaped with trees, grasses and bushes. The northern portion of the site is constrained by a 30.28 m wide TransGrid electrical easement and transmission line tower (see **Figure 2**).

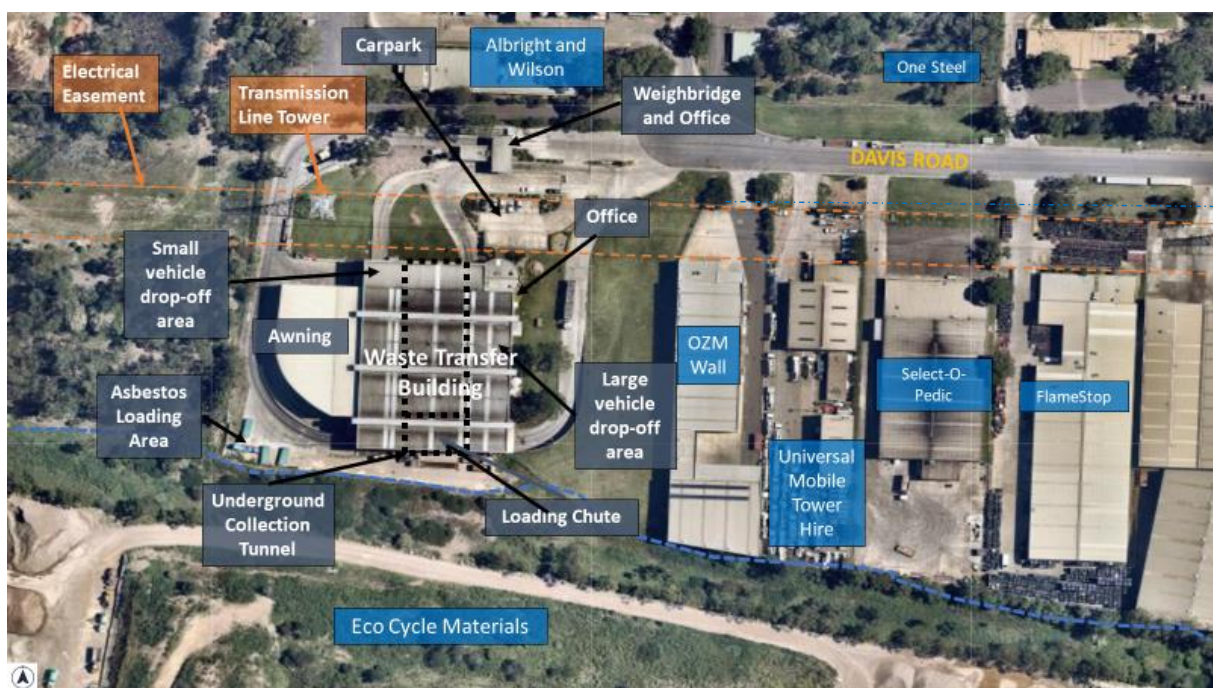


Figure 2 | The Subject Site

The WTS presently operates 24 hours a day, seven days a week and receives 90,000 tpa of general solid waste (non-putrescible) (non-putrescible waste), 10,000 tpa of putrescible waste and up to 10 m³ of asbestos waste weekly.

All waste is unloaded in the waste transfer building (see **Figure 2**), 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 Lucas Heights landfill or transferred to other licenced facilities within Applicant's network.

The WTS is bounded to the north and east by industrial uses, including: a phosphate and surfactant supplier and a pre-fabricated wall and column manufacturer. A former landfill is located to the south of the site, bushland is located to the west and is zoned as 'Western Sydney Parklands'. 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.

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.

1.2 Approval History

On 11 September 2017, the then Planning Assessment Commission (now the Independent Planning Commission), as delegate for the Minister for Planning, granted development consent (SSD 7267) to increase processing capacity of the existing WTS and undertake site upgrade works. The development consent permits the following:

- 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 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
- the construction of an additional exit from the main transfer building to improve internal traffic flow

On 9 February 2018, the development was modified (SSD 7267 MOD 1) under section 4.55(1A) of the EP&A Act to amend the installation requirements of the meteorological station.

The site has historically operated under a number of Council consents which are still required to be surrendered prior to commencement of expanded operations including:

- DA 483A/89 was granted on 22 November 1989 and permitted the construction and operation of a general solid waste (non-putrescible) transfer station
- DA 2192/2003 was granted on 23 March 2004 and permitted 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
- DA 816/2005 and DA 758/2005 was granted on 28 October 2005 and 10 November 2005 and permitted the extension of an awning for the purposes of recycling cardboard and paper
- DA 1557/06 was granted on 27 September 2007 and 23 December 2009 and permitted 10 m³ of asbestos and 10,000 tpa general solid waste (putrescible) to be accepted and stored temporarily at the waste transfer station
- DA 1028.1/2010 was granted on 2 December 2010 and permitted the retailing of compost waste. The Applicant does not conduct this activity at the WTS.



2. Proposed Modification

2.1 Proposed Modification

The Applicant has lodged a modification application under section 4.55 (1A) of the EP&A Act to modify the development. The modification is described in full in the Applicant's Environmental Assessment (EA) included in **Appendix B** of this report and is illustrated in **Figure 3** to **Figure 5** and summarised in **Table 1** below.

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

- a staged increase within the approved allowable limit of putrescible waste received and processed at the WMF
- staged construction activities including the installation of upgraded fire safety system
- amendment to approved site plans
- operational waste management efficiencies
- amendment to site access and heavy vehicle manoeuvrability.

Table 1 | Summary of Proposed Modifications

Activity	Approved	Proposed
Construction	Construction prior to the commencement of expanded operations: <ul style="list-style-type: none">• installation of additional pavement and hardstand areas• installation of upgraded stormwater system• construction of additional exit from the main transfer building to improve internal traffic flow• installation of the roller shutter within existing waste transfer building• construction of a workshop• installation of fire safety system• allocation of 12 on-site parking spaces for heavy vehicles.	Construction to occur over two stages. <ul style="list-style-type: none">○ Stage 1 construction:<ul style="list-style-type: none">○ installation of the upgraded fire safety system including retractable fire compliant litter prevention curtain, extended sprinkler system, pump room and water storage tank○ construction of additional hardstand area for fire safety infrastructure○ construction of temporary perimeter road○ installation of upgraded stormwater system○ replacement of the existing cardboard and packaging baler○ allocation of eight on-site parking spaces for heavy vehicles.○ Stage 2 construction:<ul style="list-style-type: none">○ construction of the remaining ring road○ removal of concrete panel (alternative heavy vehicle exit from the WTS) and installation of the roller shutter within existing waste transfer building to improve internal traffic flow○ installation of additional pavement and hardstand areas and line marking of truck parking

Activity	Approved	Proposed
Operation	Waste Processing	
	<ul style="list-style-type: none"> Expanded operations waste throughput: <ul style="list-style-type: none"> 90,000 tpa of general solid waste (non-putrescible) 140,000 tpa of general solid waste (putrescible) 10 m³ of asbestos waste weekly. 	<ul style="list-style-type: none"> Stage 1 operations (to occur after Stage 1 construction complete): <ul style="list-style-type: none"> increase in throughput from 10,000 tpa to 70,000 tpa of putrescible waste general solid waste (non-putrescible) and asbestos waste remains unchanged Stage 2 expanded operations (to occur after Stage 2 construction complete): <ul style="list-style-type: none"> increase in throughput from 70,000 tpa to 140,000 tpa of putrescible waste non-putrescible waste and asbestos waste remains unchanged.
	Waste Management	
	<ul style="list-style-type: none"> must not exceed 575 m³ or 402.5 tonnes of putrescible waste in any 24-hour period. conduct weekly washdown of any tipping area and surge pit contaminated with putrescible waste. 	<ul style="list-style-type: none"> must not exceed 575 m³ or 402.5 tonnes of putrescible waste at any given time unless otherwise approved by the Planning Secretary in consultation with the EPA conduct weekly washdown of any tipping area contaminated with putrescible waste replacement and installation of a new cardboard and packaging baler.
	Traffic Management	
	<ul style="list-style-type: none"> stop sign line to be relocated 3 m to the west of the weighbridge to prevent queuing 	<ul style="list-style-type: none"> stop sign line to be relocated 7 m to the west of the weighbridge to prevent queuing.

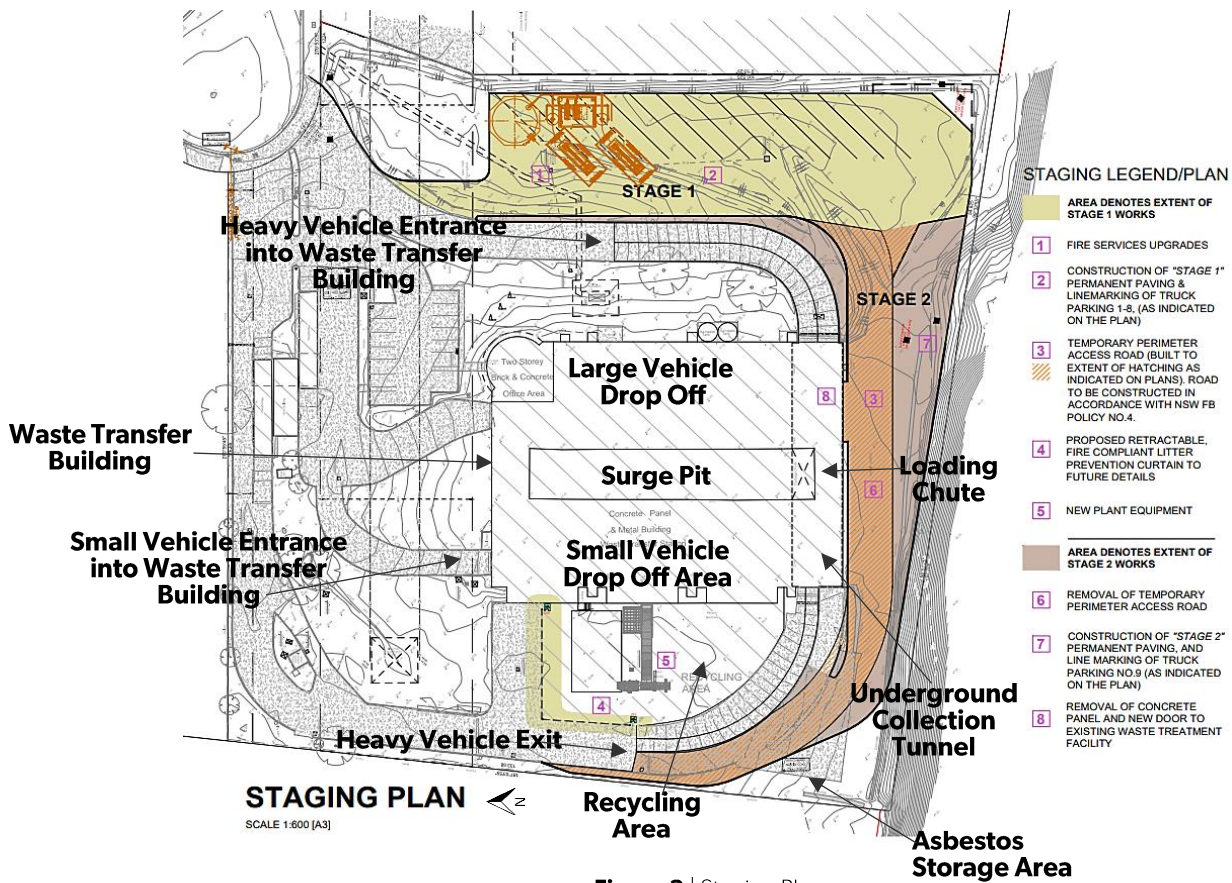


Figure 3 | Staging Plan

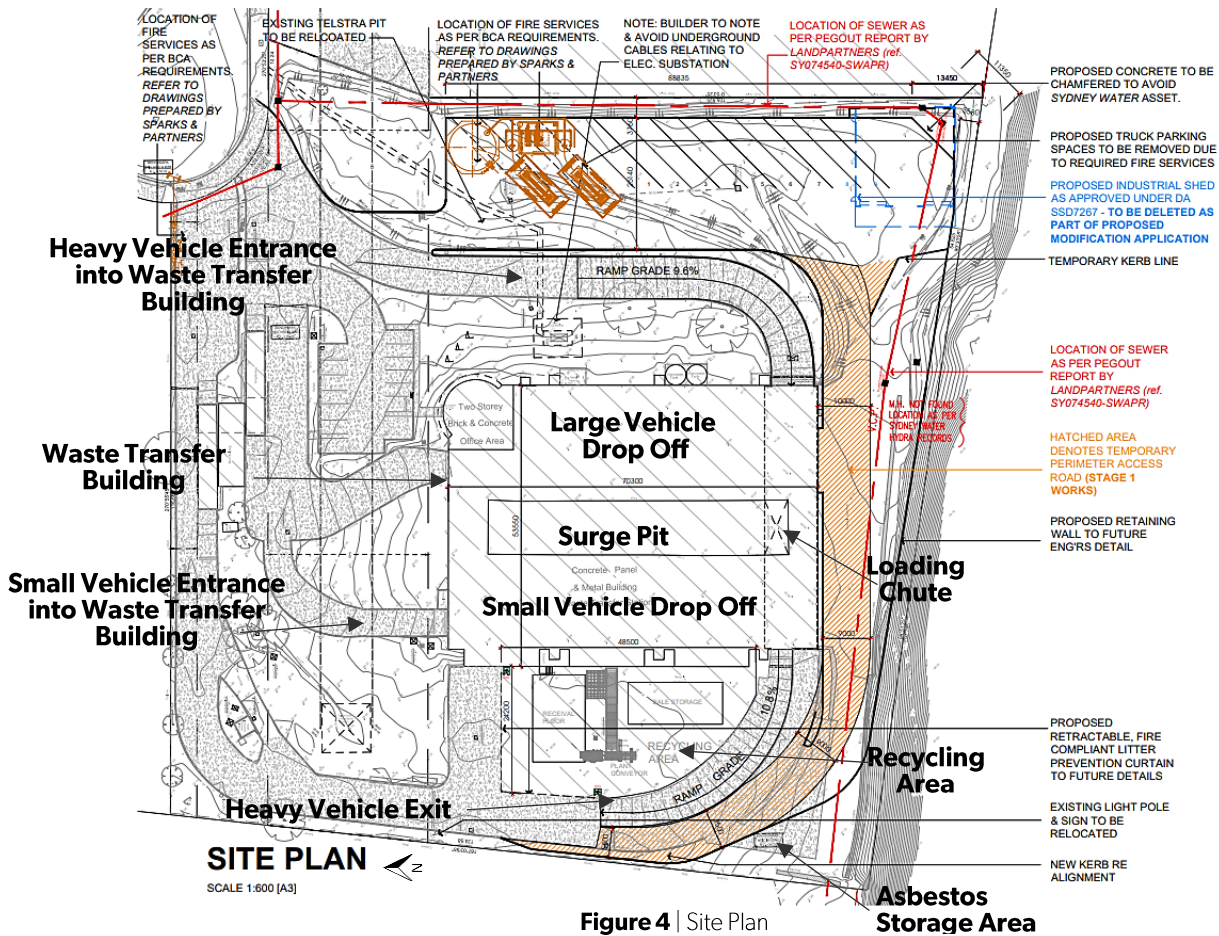


Figure 4 | Site Plan

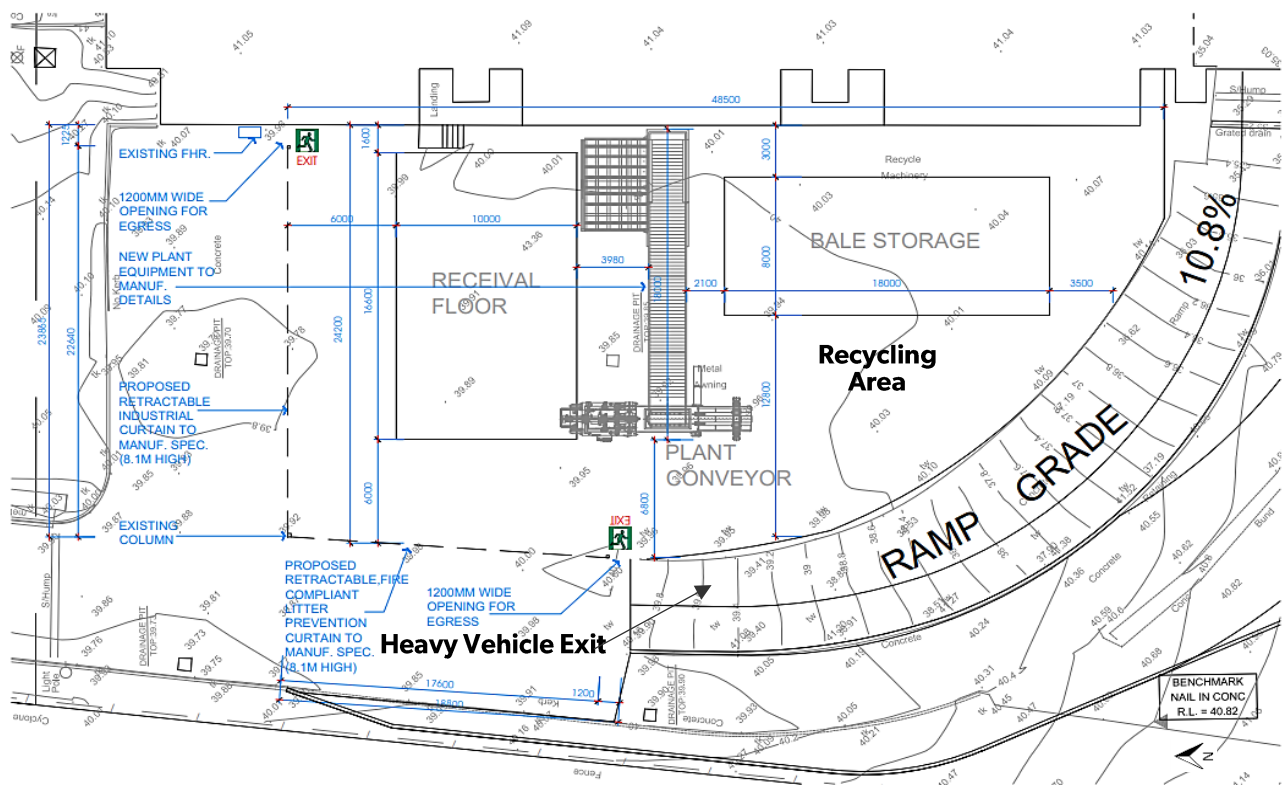


Figure 5 | Recycling Area Plan

2.1.1 Landslip

During a recent survey of the WMF, the Applicant identified a landslip from the southern side of the former landfill had encroached onto the Applicant's site. The landslip has prevented the Applicant from completing design works as it obstructs the turning path of heavy vehicles (see **Figure 6**). The Applicant has been in negotiations with the adjacent landowner since January 2018 to remediate a portion of the site impacted by the landslip.

In the interim, the Applicant has proposed to construct a temporary perimeter access road (see **Figure 3**) to gain access to the southern side of the WTS to ensure compliance with Fire and Rescue NSW's (FRNSW) Guidelines for Emergency Vehicle Access Policy Number 4, 2010 (Policy No. 4) and allow emergency vehicles access to the rear of the WTS if needed in the event of a fire.

Once the landslip issues have been resolved and as part of the Stage 2 construction, the Applicant has proposed to construct the permanent access road and install a roller door as approved in SSD 7267 (see **Figure 3** and **Figure 4**).

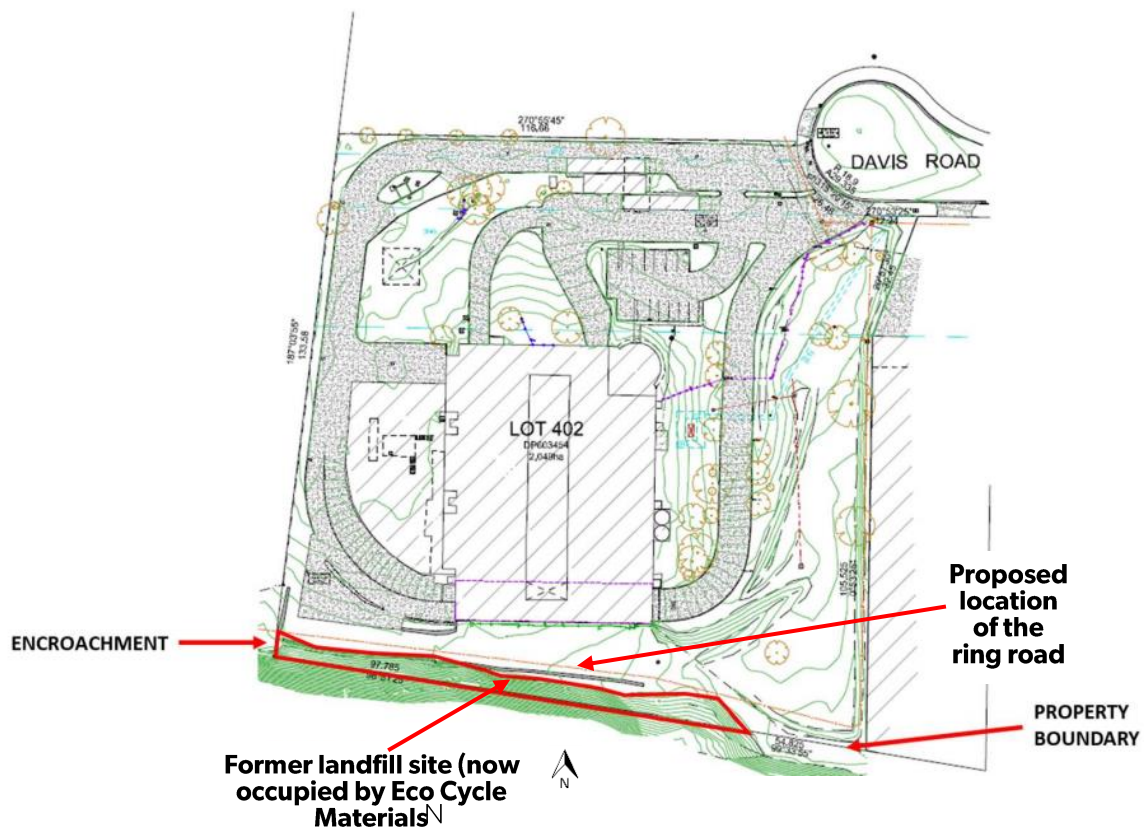


Figure 6 | Encroachment from the Former Landfill Site on the Southern Boundary of the WTS

2.1.2 Upgrade and Installation of the Fire Safety System

In consultation with FRNSW, it was identified that the fire safety system did not cover the existing recycling area, the underground tunnel and the office area and requested the Applicant upgrade the fire safety system across the whole site. FRNSW has required the Applicant to:

- install an automatic fire sprinkler system throughout the WTS
- install a dedicated 350,000 L sprinkler water tank to supply the sprinkler system
- install a fire hydrant system to ensure coverage across the whole site
- install a retractable, fire compliant litter prevention curtain to the recycling area
- construct a temporary perimeter access road as required for firefighting operations (in the interim prior to the installation of the ring road).

The upgrade of the fire safety system will require removing four of the twelve heavy vehicle parking spaces to provide adequate area for the temporary parking of FRNSW vehicles in the event of a fire at the WTS, removal of the workshop and construction of additional hard stand for parking and fire service infrastructure. The Applicant proposes to install the additional fire safety system in Stage 1 construction (see **Figure 3** and **Figure 5**).

2.2 Applicant's Justification for the Proposed Modification

The Applicant identified the landslip and the upgrade of the fire safety system has delayed construction activities at the WTS. A further two fires occurred in the surge pit at the WTS in January 2019 which has resulted in further delays with the roof of the WTS required to be replaced and the WTS being temporarily shut down. This has placed pressure on the Applicant's other network of waste management facilities, particularly with the closure of Eastern Creek landfill.

To ease the pressure on the WTS, the Applicant has requested to stage construction activities and the throughput (within the approved allowable limit) of putrescible waste to be received at the WTS. The Applicant has proposed the following stages:

- Stage 1 construction (as described in **Table 1**)
- Stage 1 operations: following the completion of Stage 1 construction, increase the putrescible waste throughput from 10,000 tpa to 70,000 tpa
- Stage 2 construction (as described in **Table 1**)
- Stage 2 expanded operations: following the completion of Stage 2 construction increase the putrescible waste throughput from 70,000 tpa to 140,000 tpa.



3. Strategic Context

The Department has considered the following strategic documentation relevant to the assessment of the proposed modification application:

- NSW Waste Avoidance and Resource Recovery Strategy 2014-21
- A Metropolis of Three Cities- The Greater Sydney Region Plan
- Western City District Plan

3.1 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.

3.2 A Metropolis of Three Cities- the Greater Sydney Region Plan

The development is consistent with the directions and objectives outlined in A Metropolis of Three Cities, primarily as it would assist in ensuring more waste is reused and recycled to support the development of a circular economy (Objective 35).

3.3 Western City District Plan

The Greater Sydney Commission has released six district plans encompassing Greater Sydney, which will guide the delivery of A Metropolis of Three Cities. The proposed development is located in Western City District, which is identified as one of the growing districts in Greater Sydney. The proposed development would assist Actions 83 and 84 of the District Plan as it supports innovative solutions to reduce the waste volume through increased waste reuse and recycling.



4. Statutory Context

4.1 Scope of Modifications

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

- the primary function and purpose of the approved project would not change as a result of the modification
- the modification is of a scale that warrants the use of section 4.55(1A) of the EP&A Act
- any potential environmental impacts would be minimal and appropriately managed through the existing or modified conditions of approval.

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

4.2 Consent Authority

The Minister for Planning will be the consent authority under s. 4.5(a) of the EP&A Act unless the Independent Planning Commission is the consent authority under cl.8A(2) of the State Environmental Planning Policy (State and Regional) 2001 (SRP SEPP).

Minister's delegate as consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Industry Assessments, may determine the application under delegation as:

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

5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation does not apply to State significant development. Accordingly, the application was not advertised. However, adjoining landowners were notified, and the application was made publicly available on the Department's website on 1 November 2018, and was referred to the EPA, FRNSW, TransGrid, Roads and Maritime Services (RMS) and Fairfield City Council (Council) for comment.

5.2 Summary of Submissions

During the exhibition period, a total of the five submissions were received, all from government agencies and Council. Of the submissions received, none objected to the development. No public submissions were received.

Council did not object to the modification, however Council provided comments regarding the stormwater drainage system, removal of the heavy parking, the road grading for the temporary access road and removal of the workshop. Council also raised concerns regarding potential odour issues with the proposed amendment to the weekly washdown of the surge pit and the tipping area.

The **EPA** did not object the modification apart from the Applicant's initial proposal to remove the requirement to conduct a weekly wash down of any tipping area and the surge pit. The EPA requested the Applicant continue to conduct weekly washdown of the tipping area which the Applicant agreed to do. The EPA also requested further information on any potential noise impact of the new cardboard and packaging baler.

FRNSW did not object to the modification and noted that the Applicant had engaged a fire engineer who has prepared and submitted a Fire Engineering Brief Questionnaire (FEBQ) to FRNSW for review. FRNSW advised recommendations regarding the design of the fire safety systems and layout would be provided following a review of the FEBQ.

TransGrid did not object to the modification and recommended a condition in relation to access and maintenance of the easement.

RMS did not object to the modification and raised no comments.

5.3 Response to Submissions

The Applicant provided a response to submission (RTS) report on the issues raised during the notification of the proposed modification. The RTS was made publicly available on the Department's website and was provided to the submitters to consider whether it adequately addressed the issues raised. A summary of the responses is provided below:

Council was satisfied with the RTS and recommended conditions of consent.

FRNSW was satisfied with the RTS and noted it had given in principal support to the proposed fire safety system subject to FRNSW comments detailed within the FEBQ being adequately addressed.

The **EPA** was satisfied with the RTS and advised that if the Applicant proposes to increase the processing capacity of the WTS at any given time, further assessment of the potential odour impacts would be required.



6. Assessment

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

- EIS and RTS and subsequent modification application(s) for the original application
- existing conditions of consent (as modified)
- environmental assessment supporting the modification (**Appendix B**)
- submissions from the State government authorities and Council (**Appendix C**)
- relevant environmental planning instruments, policies and guidelines
- requirements of the EP&A Act, including the objects of the EP&A Act.

The Department's assessment of other issues is provided in **Table 2**.

Table 2 | Assessment of Issues

Findings	Recommended Condition
Odour	
<ul style="list-style-type: none">• The staged increase in putrescible waste received and processed at the WTS has the potential to impact on the amenity of the local community if appropriate odour management and mitigation measures are not in place.• The Applicant did not submit an Air Quality Impact Assessment (AQIA) for the modification application. However, a comprehensive AQIA was prepared by Pacific Environment Limited and was submitted as part of the original EIS. The AQIA assessed the potential worst-case scenario air quality impacts at any given time by increasing the putrescible waste intake at the WTS from 10,000 tpa to 140,000 tpa.• To ease the pressure on the WTS, the Applicant has requested to stage the throughput (within the approved allowable limit) of putrescible waste received at the WTS. The AQIA assessed the worst case odour impacts based on the WTS being at full capacity (up to 140,000 tpa).• Existing conditions require the Applicant to:<ul style="list-style-type: none">○ operate deodorising sprays over the 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○ prepare an air quality management plan (AQMP)○ conduct an odour audit to validate the predictions in the AQIA and assess the effectiveness of the proposed odour controls.• These conditions will be maintained in the modified approval.• The EPA raised no objection to the Applicant's proposal to stage the increase in putrescible waste received and processed at the WTS. The Department and the EPA are satisfied that no further assessment of the potential odour impacts is required.• The EPA agreed to the proposed amendment to the wording of Condition A8 from any 24 hour period to any given time, since the AQIA assessed the worst-case scenario odour impacts at any given time. The Department has recommended Condition A8 be amended so written approval from the Planning Secretary in consultation with the EPA is required.	<ul style="list-style-type: none">• No additional conditions recommended

Findings

Recommended Condition

- The EPA did not agree with the Applicant's proposal to remove Condition B9(a), however suggested the condition be amended to maintain a weekly wash-down regime for any tipping area contaminated with putrescible waste. The Department agrees with the EPA's recommended amendment to Condition B9(a).
- Condition B8, requires the Applicant to install odour mitigation and management measures and Condition B14 requires an odour management plan (OMP) be prepared prior to expanded operations.
- The Department recommends Condition B8 and B14 be amended to require the Applicant to install the proposed odour mitigation and management measures and prepare the AQMP prior to Stage 1 operations. This will ensure any potential odour impacts generated by the Stage 1 increase in putrescible waste received at the WTS is appropriately managed.
- The Department's assessment concludes that with odour controls and existing and recommended amended conditions in place, the odour impacts from the staged increase in putrescible waste at the WTS will be satisfactorily managed.

Fire Safety

- The modification seeks to upgrade and expand the fire safety system across the entire WTS to ensure that any potential fires at the site are adequately managed.
 - FRNSW considers waste management facilities to have higher risks than other industries due to combustible waste being processed and stockpiled which can cause significant challenges for firefighting intervention. In January 2019, two fires occurred at the WTS, which has resulted in the WTS being temporarily closed and placed increased demands upon FRNSW.
 - FRNSW has required the Applicant to upgrade the fire safety systems across the entire site, including:
 - the installation of a dedicated 350,000 L water tank and pump station for the sprinkler system
 - an automatic fire sprinkler system to be installed throughout the WTS
 - the installation of a fire hydrant system to ensure coverage across the whole site
 - a retractable, fire compliant litter prevention curtain to be installed the recycling area.
 - The Applicant will be required to remove the workshop from the original proposal to allow for the water tank and the pump station to be installed. The Applicant also proposes to construct a temporary perimeter access road (prior to the installation of the permanent ring road approved under the original application) to ensure that FRNSW can gain access to the rear of the site during Stage 1 operations.
 - FRNSW raised no issues with the modification and noted that the Applicant has engaged a fire engineer who has prepared and submitted a Fire Engineering Brief Questionnaire (FEBQ) to FRNSW for review. The FEBQ is developed by the fire engineer to outline the proposed fire safety design for the WTS. The FEBQ allows FRNSW to provide specific advice on the proposed engineered solution at the WTS.
 - FRNSW advised that recommendations regarding the design of the fire safety systems and layout would be provided after a review of the FEBQ.
 - The Applicant provided a copy of the updated FEBQ with the RTS report. FRNSW noted it had given in principal support to the proposed fire safety system subject to FRNSW comments detailed within the FEBQ being adequately addressed. The Applicant noted the FEBQ may be subject to further change as the Applicant continues to work with FRNSW.
 - The Applicant proposes to amend Condition B25 to ensure the additional fire safety infrastructure required by FRNSW are installed, implemented and
- Require the Applicant to:
- obtain an occupation certificate or a compliance certificate prior to Stage 1 operations for the additional fire safety system requirements and the temporary perimeter access road
 - ensure the fire safety system is installed at the WTS as required by FRNSW.

Findings	Recommended Condition
<p>maintained prior to Stage 1 operations or the acceptance of an increase in waste across the entire WTS.</p> <ul style="list-style-type: none"> The Department's assessment concludes the additional fire safety requirements will significantly improve the firefighting capacity of the WTS. 	
Site Maneuverability and Access	
<ul style="list-style-type: none"> The proposed amendment to the perimeter access road and site access arrangements could impact on heavy vehicle movements and access at the WTS if not appropriately managed. <p><u>Perimeter Access Road</u></p> <ul style="list-style-type: none"> The modification proposes to construct a temporary perimeter access road during Stage 1 construction and install the approved permanent ring road with an additional alternate exit from the WTS during Stage 2 construction. As described in Section 2.2 of this report, the Applicant is currently unable to construct the permanent ring road as the landslip from the neighboring property impacts the heavy vehicle turning path. FRNSW have requested a temporary road is constructed to ensure compliance with FRNSW Policy No. 4, until the landslip issues have been resolved. This will enable FRNSW vehicles to access the rear of the premises in the event of a fire. The Applicant provided swept path analysis for 19 m semi-trailers (the largest vehicles to have access to the site) and FRNSW vehicles which demonstrate vehicles up to 19 m (including FRNSW vehicles) can maneuver unhindered on both the temporary and permanent perimeter access roads. FRNSW supported the proposed temporary road. Council had concerns that the temporary perimeter road would not be able to accommodate the largest service vehicle which may be larger than what is required in FRNSW Policy No. 4. The Applicant reiterated the swept path analysis would allow for vehicles up to 19 m in length to access the perimeter road and access would be limited to FRNSW vehicles until the permanent ring road is constructed. Council requested the temporary perimeter access road be fully sealed and requested the temporary maximum roadway and ramp grades and rates of change comply with AS 2890.2-2002. The Applicant advised the temporary perimeter access road would be sealed. The Department is satisfied the Stage 1 perimeter road will be constructed to meet FRNSW's Policy No. 4. The Department is also satisfied the Applicant has demonstrated vehicles up to 19 m will be able to maneuver unhindered including FRNSW vehicles if required. The Department's assessment concludes the amendments to the construction of the temporary and permanent access road would not result in any site access impacts beyond what has already been assessed in the original application. <p><u>Site Access Arrangements</u></p> <ul style="list-style-type: none"> Condition B29(h) requires the Applicant to move the weighbridge stop line 3 m to the west. The modification seeks to relocate the weighbridge stop line from 3 m to the west to 7 m to the west. The Applicant identified the approved location would impede vehicle movement as it would be located on the driveway of the WTS. The Department acknowledges moving the stop line will not impede vehicle movement and ensure that two heavy vehicles will be accommodated wholly within the WTS, ensuring queuing on Davis Road is avoided. As such, the proposed amendment to Condition B29(h) would improve the sites access arrangements. The Department concludes amending the existing condition will ensure vehicle movement at the WTS is not impeded and there is sufficient queuing space. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> construct Stage 1 perimeter road in accordance with FRNSW requirements construct Stage 2 ring road and installation of exit and roller door as identified in the updated site plans relocate the stop sign at the weighbridge 7 m to the west ensure the temporary perimeter access road is sealed.
Asbestos Management	

Findings	Recommended Condition
<ul style="list-style-type: none"> • The asbestos storage area may impact vehicle maneuverability on the proposed temporary access road and the permanent access ring road. • The Department noted the proposed temporary access road and the permanent access ring road would require part of the area allocated for the storage of asbestos waste located on the south-western corner of the site (see Figure 3 and Figure 4). • The Department was concerned there wouldn't be enough space for the Applicant to store the weekly limit of up to 10m³ of asbestos waste in the three to four skip bins the Applicant currently uses to store the asbestos waste and the asbestos storage area may impact vehicle maneuverability on the temporary and permanent access road. • The Applicant noted: <ul style="list-style-type: none"> ○ the ring road would not be used regularly by heavy vehicles as it is not a main thoroughfare ○ only two skip bins are required to store 10m³ of asbestos waste weekly. One skip bin can hold up to approximately 19 m³ of waste. ○ the skip bins would be stored in tandem not side by side therefore requiring less space ○ asbestos waste is only accepted at the site on weekends ensuring minimal access to the area ○ asbestos waste is transported off-site once a week. • The Department is satisfied the Applicant would be able to maintain the asbestos storage area in its current location and vehicles would be able to maneuver in the area without being hindered. The Applicant has proposed to reduce the number of skip bins stored in the area to two skip bins, which can store approximately 4 weeks of the sites permitted asbestos intake. • The Department has recommended a condition requiring the Applicant ensure the asbestos storage area is maintained so as to not impact vehicle maneuverability on the temporary access road and the permanent ring road. • The Department concludes the asbestos storage area can be maintained in its current location and won't be impacted by the temporary perimeter access road and the permanent access ring road. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> • maintain the asbestos storage area so it does not impact on the temporary access road and permanent ring road.
Heavy Vehicle Parking	
<ul style="list-style-type: none"> • The modification seeks to amend the site layout to remove four heavy vehicle spaces to accommodate the fire safety system. • The Applicant has advised that the upgrade of the fire safety system will require the installation of equipment including a 350,000 L water tank and a pump room on the heavy vehicle parking. The Applicant will maintain eight heavy vehicle parking spaces. • The Applicant sought twelve truck and trailer parking spaces in the original application to allow for heavy vehicles to park overnight at the site and to ensure heavy vehicles do not park on Davis Road. • Council was concerned the reduction in heavy vehicle parking spaces at the site would place pressure on the on-street parking availability on Davis Road and obstruct the flow of traffic at the WTS. Council requested the Applicant provide adequate parking spaces at the WTS. The Applicant stated the eight heavy vehicle parking spaces would be sufficient to manage heavy vehicles on site during expanded operations without obstructing the flow of traffic. Further, it would utilise its existing waste infrastructure network such as at the former Eastern Creek landfill to ensure that heavy vehicles are not parking on David Road. • The Applicant stated it would update its Operational Environmental Management Plan (OEMP) to ensure its heavy vehicles do not park on public 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> • reduce the heavy vehicle parking spaces from 12 to eight.

Findings

Recommended Condition

roads or park in a way that would obstruct the flow of traffic within the proposed development.

- The Department is satisfied that the Applicant can manage heavy vehicle parking adequately at the WTS with eight heavy vehicle parking spaces. Additionally, the Department agrees with the Applicant that it can utilise its network of existing waste management facilities including the former Eastern Creek Landfill to avoid using on-street parking on public roads.
- The Department recommends Condition A28 be modified to reduce the heavy vehicle parking spaces from twelve to eight. The Department considers the existing Condition B30 is applicable to ensure heavy vehicles do not park on public roads and are parked in a way that does not obstruct traffic movement at the site.
- The Department's assessment concludes a reduction in heavy vehicle parking at the WTS would not impact either the sites operation or traffic on Davis Road.

Noise

- The modification has the potential to generate additional noise during construction and operation (with the replacement of existing machinery including the cardboard and packaging baler) which could impact on existing amenity, including sensitive receivers in Horsley Park and industrial receivers in the Wetherill Park Industrial Area.
- The Applicant did not submit a Noise Impact Assessment (NIA) with the modification application, however a 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) and was submitted as part of the original EIS.
- 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 that 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) LAeq, 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 NSW.
- The Department is satisfied the facility would be able to operate within the specified 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 modification and the new plant would not be expected to create additional noise impacts.

No additional conditions recommended.



7. *Evaluation*

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

- the modification will result in minimal environmental impacts beyond the approved facility
- the amendment to site layout due to the landslip and upgrade of the fire safety system will not impact on the site access and maneuverability of heavy vehicles
- the staged increase of putrescible waste received and processed at the WTS would not contribute to an increase in odour impacts
- it is consistent with the strategic direction for waste management in NSW.

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



8. Recommendation

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

- **considers** the findings and recommendations of this report
- **Determines** that the application SSD 7267 MOD 2 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **modify** the consent SSD 7267
- **signs** the attached approval of the modification (**Attachment A**).

Recommended by:

Susan Fox

Senior Environmental Assessment Officer
Industry Assessments

Recommended by:

Kelly McNicol

Team Leader
Industry Assessments



9. *Determination*

The recommendation is: **Adopted by:**

Chris Ritchie

Director

Industry Assessments



Appendices

Appendix A – Notice of Modification

Appendix B – Environmental Assessment

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9593

Appendix C – Submissions

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9593

Appendix D – Response to Submissions Report

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9593

Appendix F – Consolidated Consent

http://www.majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9593