



Ingleburn Resource Recovery Facility

State Significant Development Assessment SSD-8593

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Glossary

Abbreviation	Definition
Amended Application	Amended Application titled <i>State Significant Development Application Resource Recovery Facility (SSD8593)</i> – Amendment Application under Cl.55 of the Environmental Planning and Assessment Regulation, 2000 and dated 23 April 2021
Applicant	Bulk Recovery Solutions Pty Ltd
AS	Australian Standard
ACL	Asbestos containing liquid
BCA	Building Code of Australia
BC Act	<i>Biodiversity Conservation Act 2016</i>
CIV	Capital Investment Value
Construction	The demolition of buildings or works, carrying out of works, including earthworks, erection of buildings and other infrastructure covered by this consent
Consent	Development Consent
Council	Campbelltown City Council
Department	Department of Planning, Industry and Environment
Development	The Development as described in the EIS, RTS and addendum RTS as amended by the Amended Application and supplementary information for the increase in processing capacity of the Ingleburn Resource Recovery Facility
EESG	Environment, Energy and Science Group
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development

Abbreviation	Definition
FRNSW	Fire and Rescue NSW
General solid waste (non-putrescible)	As defined in the <i>Protection of the Environment Operations Act 1997</i>
Liquid Waste	As defined in the <i>Protection of the Environment Operations Act 1997</i>
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
OEMP	Operational Environmental Management Plan
Restricted solid waste	As defined in the <i>Protection of the Environment Operations Act 1997</i>
RMS	Roads and Maritime Services, TfNSW
RRF	Resource Recovery Facility
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW
TIA	Traffic Impact Assessment
tpa	Tonnes per annum
Waste	As defined in the <i>Protection of the Environment Operations Act 1997</i>

Executive Summary

Introduction

Bulk Recovery Solutions Pty Ltd (the Applicant) proposes to increase throughput capacity of liquid waste at its existing resource recovery facility (RRF) in Ingleburn in the Campbelltown local government area. This report details the Department of Planning, Industry and Environment's (the Department) assessment of the State significant development application (SSD 8593) for the Ingleburn Resource Recovery Facility.

The Development

The original development application sought approval for the processing of 125,000 tonnes per annum (tpa) of liquid waste, including asbestos containing liquid (ACL) waste and 100,000 tpa of a range of solid wastes, including construction and demolition wastes and hazardous soils.

Following the ongoing concerns of both the Environment Protection Authority (EPA) and the Department, the Applicant amended its application to comprise the processing of 125,000 tpa of liquid waste only, with no ACL waste. The application also includes a new weighbridge, upgrade of the stormwater management system and use of a previously unapproved three-story office.

The proposed development (the development) has a capital investment value of approximately \$1.8 million and would generate eight additional ongoing jobs during operation.

Statutory Context

The development is classified as a State Significant Development (SSD) in accordance with section 4.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is defined as a waste facility that treats, stores or disposes more than 1,000 tpa of industrial liquid waste. This meets the criteria in Clause 23(6) of Schedule 1 in the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Consequently, the Minister for Planning and Public Spaces (the Minister) is the consent authority for the development under section 4.5(a) of the EP&A Act.

Engagement

The Department exhibited the Environmental Impact Statement (EIS) for the development from 12 June 2019 until 10 July 2019. The Department received a total of 12 submissions from private businesses and community members (including a petition with 43 signatures) during the exhibition period, and from six government agencies. Of the 12 public submissions, 10 objected to the development.

Key concerns raised related to site suitability, water and waste management, the treatment of ACL, and traffic and access impacts. The EPA raised concerns about waste management, air quality, site access and vehicle manoeuvrability.

The Applicant provided three Response to Submissions (RTS) reports in 2020 and additional information, including an amended application, in December 2020 and early 2021. The Applicant undertook further detailed noise and traffic studies to assess the potential impacts of the amended application.

Following reviews of the RTS reports, relevant government agencies recommended conditions for the development.

Assessment

The Department's assessment of the application has considered all relevant matters under Section 4.15 of the EP&A Act, including the objects of the Act and the principles of ecologically sustainable development. The Department identified traffic and access as the key issue for assessment.

Traffic and Access

The development would generate approximately three vehicles per hour (vph) or 39 vehicles per day (vpd) spread evenly throughout the day between 7:00 am and 10:00 pm.

The TIA, which looked at the performance of several intersections near the site, found the development would not change the level of service (LoS) at key intersections.

The Department considers the development would not impact significantly on the operation of major intersections or the efficiency and effectiveness of the local road network. However, to ensure residual risks are managed, the Department included a condition requiring the Applicant to prepare an Operational Traffic Management Plan.

The Department acknowledges that Council raised concerns over access and onsite manoeuvring, however, the proposed capacity of the site has been reduced since Council's concerns were raised, which has reduced the proposed on-site traffic, thereby helping to ensure large heavy vehicles can safely manoeuvre on-site with minimal traffic conflicts. In addition, the Applicant identified that traffic would be managed by a booking allocation system and that during peak operational periods only four heavy vehicles would be onsite at any one time, which is less than the maximum of six that can be comfortably accommodated..

The Department's assessment concludes the potential traffic and queuing impacts associated with the development would be acceptable and can be managed by the Applicant and the recommended conditions.

Summary

The Department has worked closely with the Applicant over the course of the application process to ensure sufficient information was provided, which led to an amended application being submitted in April 2021. Following review of the amended application, the Department's assessment concluded the impacts of the development can be mitigated and managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent.

Traffic from the development would be adequately managed via scheduling and would not impact on the performance of the local and regional road network. In addition, the recommended conditions would ensure the RRF is appropriately managed to minimise residual risks to the environment over the long term. Rigorous monitoring, auditing and reporting requirements would ensure that any impacts are identified early and managed should they occur.

Consequently, the Department considers the development is in the public interest and is recommended for approval, subject to conditions.

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1 Introduction

1.1 The Department's Assessment

This report details the Department of Planning, Industry and Environment's (the Department) assessment of the State significant development (SSD 8593) for the Ingleburn Resource Recovery Facility (RRF) in the Campbelltown local government area (LGA), see **Figure 1**.

The proposed development (the development) involves the expansion and continued operation of an existing RRF, increasing the throughput capacity of liquid waste from 11,000 tonnes per annum (tpa) to 125,000 tpa. The capacity of the existing solid waste component of the facility would be unaffected by the development and the acceptance and processing of up to 19,000 tpa of solid waste would continue in accordance with Council's DA 948/2015/DA-I/B.

The Department has considered all documents submitted by Bulk Recovery Solutions Pty Ltd (the Applicant), including the Environmental Impact Statement (EIS) and various Response to Submissions reports (RTS), and considered all submissions on the development.

The Department's assessment of the application to expand the Ingleburn Resource Recovery Facility has concluded the development is in the public interest and should be approved, subject to conditions.

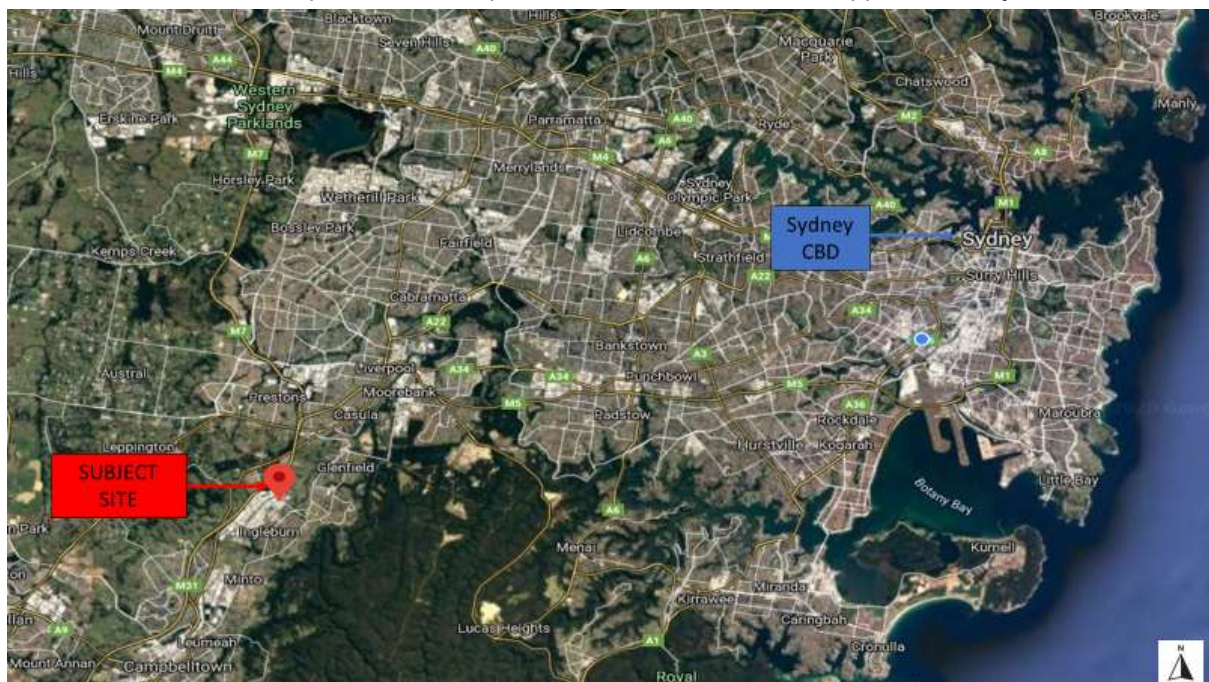


Figure 1 | Regional Context Map

1.2 Development Background

The Applicant is a family owned business which has been operating an RRF at 16 Kerr Road, Ingleburn (the site) since 2011. The site currently has development approval (DA) from Campbelltown City Council (Council) to process up to 30,000 tpa of general solid waste (non-putrescible), restricted waste and liquid waste and store up to 5,000 tonnes (t) of waste at any one time (DA No. 948/2015/DA-I). The existing operations also have approval to produce up to 50,000 tpa of concrete and 30,000 tpa of concrete masonry products through an onsite concrete batching plant (DA No. 336/2006/DA-DE).

The Applicant wishes to expand its operations to meet the growing requirement for waste disposal in NSW and to meet demand within its existing customer base.

1.3 Site Description

The site is located approximately 40 kilometres (km) south west of the Sydney central business district. Comprising 1.2 hectares (ha) of IN1 General industrial zoned land, the site is legally described as Lot 16 in DP 717203. The site is located at the end of Kerr Road, a cul-de-sac and access is provided via a double driveway off Kerr Road (see **Figure 2**).

The site consists of a freestanding 11.8 metre (m) high three-story concrete main building with a floor space area of approximately 4,300 m², as well as two large awnings attached to the north eastern and south eastern sides of the building. The site also contains a security office, weighbridge, eight staff and visitor car parking spaces, wheel wash, three concrete block external storage bays for solid waste, and stormwater management infrastructure, including four water storage tanks.

Within the main building there is a maintenance and plant room and a three-storey office space which is currently unapproved. A concrete batching plant, C&D waste processing plant, drilling mud processing equipment and liquid waste operations are all located under the awnings.

The site is fully sealed with concrete hardstand with the exception of a small vegetated garden located on the northern side of the site. A fence surrounds the site along all boundaries. A 77 m long and 6 m high concrete noise wall is located on the south eastern boundary of the site (see **Figure 3**).

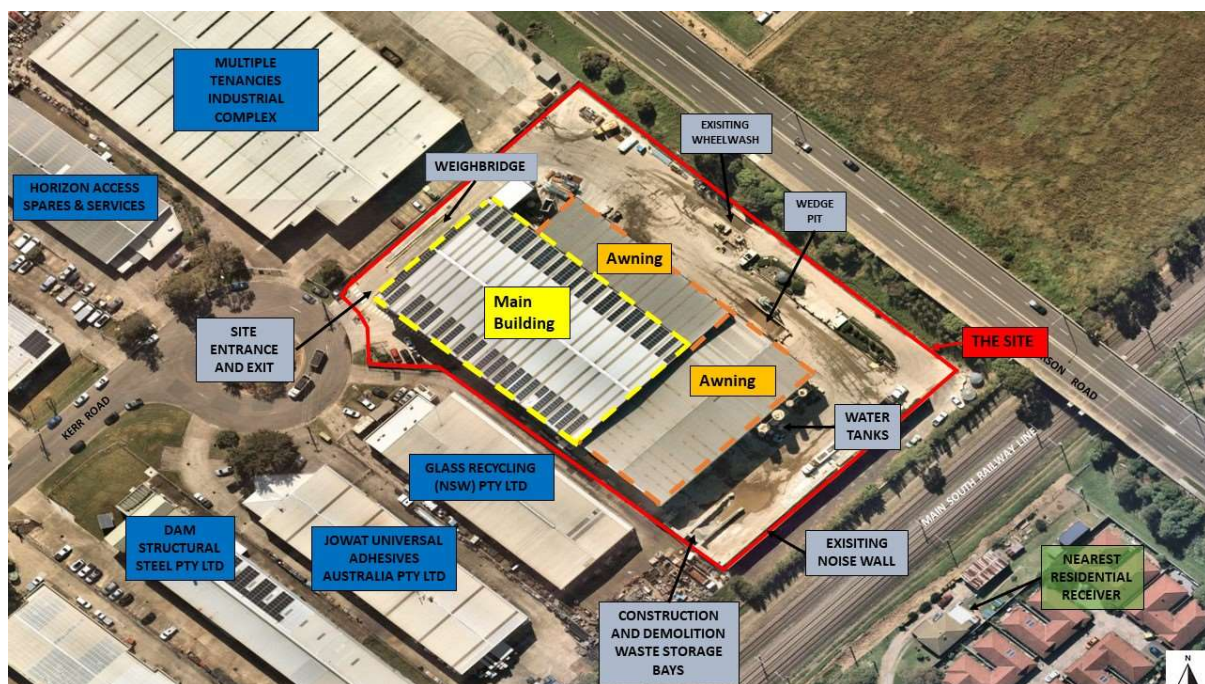


Figure 2 | The Site and Surrounding Land uses

There are five easements over the site, including a 2 m wide gas pipeline easement on the south east and south west site boundaries, a 30 m wide stormwater drainage easement on the south east and north-east site boundaries, a 10 m wide stormwater drainage easement on the north west site boundary, and a 2.5 m wide water supply easement on the north west site boundary.

The site is located in the Georges River Catchment and the nearest waterbody is Bunbury Curan Creek which is approximately 160 m to west. Bunbury Curan Creek is a tributary of the Georges River.

1.4 Surrounding Land Uses

The site is located in the Ingleburn Industrial Estate (see **Figure 3**) within the Campbelltown LGA. The site is immediately adjoined by industrial and commercial businesses (to the south east, west and north west) which contain warehouses with multiple tenancies, including waste recycling facilities, vehicle repairs and industrial retail outlets. Henderson Road is located immediately to the north of the site and the Main South Railway connecting Campbelltown and Liverpool is situated immediately to the east. Approximately 480 m to the south of the industrial estate is the Ingleburn Memorial Park. Ingleburn Train Station is located 860 m south east of the site, with the retail centre of Ingleburn immediately east of the train station.

The nearest residential receivers are located in Ingleburn, approximately 46 m east of the site across the Main South Railway line. A small cluster of residential houses are located 375 m to the south west on Aero Road within the Ingleburn Industrial Estate, with a childcare centre on the corner of Aero Road and Stanley Road 378 m south west of the site. The Macquarie Fields residential area is located 450 m to the north east and the Macquarie Links residential area is located 770 m to the north.

1.5 Surrounding Road Network

Access to and from the site is via the Hume Highway through Aero Road, Lancaster Street, Henderson Road, Williamson Road and Brooks Road which is located to the north west and west of the site (see **Figure 3**). All of these roads are identified as approved B-double routes by the Roads and Maritime Services (RMS).

1.6 Other Development Approvals

The existing RRF and concrete batching plant operate under five Council consents, which are summarised in Table 1. These consents would be unaffected by the development and the site would continue to operate as approved, except for the processing of liquid waste, under all consents.

Table 1 | Summary of Council Consents

DA No.	DA Description	Date Approved
336/2006/DA-DE approved under Order No.10257 of 2006	Construction of a concrete batching plant and factory housing concrete masonry plant. Process up to 30,000 tpa of concrete masonry and 50,000 tpa of concrete batching	9 March 2007
1113/2013/DA-DE (Amendment 1)	Use of premises for the storage, reprocessing and distribution of demolition materials, to process up to 15,000 tpa of waste including concrete, bricks, steel, glass and VENM	3 June 2014
948/2015/DA-I	Use of site as a resource recovery facility. Permit up to 30,000 tpa of concrete washout and processing of 3,000 tpa of solid material with storage of 1,500 t.	23 March 2015
948/2015/DA-I/B (Amendment 1)	Approval to accept up to 30,000 tpa of approved materials, storage up to 5,000 t of approved materials; and 24 hour operation of the mud plant and forklift.	24 January 2017
801/2020/DA-O	Construction of an industrial steel awning	30 November 2020



Figure 3 | The Site and Local Context

2 Project

2.1 Amendments to the Development

The DA originally sought to construct and operate a RRF with the capacity to process up to 225,000 tpa of liquid and solid waste. The application also included storage of up to 30,000 t of waste at any one time, an increase in waste types to be accepted onsite, extended hours of operation for concrete batching and an upgrade of concrete batching equipment.

Following exhibition and review of various RTS reports, the Department, the EPA and Council raised numerous concerns regarding the site's ability to manage the quantities and types of waste proposed. Consequently, the Applicant requested an amendment to remove most components from the application, leaving only those elements relating to liquid waste and ancillary activities, as described in **Table 2**.

Key elements changed since the EIS was publicly exhibited include:

- removal of the acceptance, storage and processing of solid waste including the storage of waste within an easement to drain water
- removal of the acceptance and processing of asbestos containing liquids (ACL)
- revision of onsite storage limits to 5,100 t at any one time (liquid and related waste only)
- removal of the upgrade of the concrete batching facility and amendment to its operating hours
- removal of the extension to the noise wall.

The Applicant formalised the above changes in April 2021 by requesting to amend the development under Clause 55 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and providing supplementary information to support the amended application. The Department considered the application to be consistent with the requirements of Clause 55 of the EP&A Regulation and accepted the amended application.

The amended development is described below and forms the basis of the assessment in this report. Apart from the liquid waste related component, the existing facility would continue to operate as approved by Council under the Development Consents listed in **Table 1**.

2.2 Description of the Amended Development

The main components of the development, as amended, are summarised in **Table 2**, shown in **Figure 4**, and described in full in the EIS, RTS, RTS addendum and supplementary information included in **Appendix A**. The facility would also continue to process up to 19,000 tpa of solid waste in accordance with DA 948/2015/DA-I/B (Amendment 1) and produce up to 50,000 tpa of concrete under 336/2006/DA-DE approved under Order No.10257 of 2006.

Table 2 | Main Components of the Project

Aspect	Description
Development summary	<ul style="list-style-type: none">• Expansion of an existing resource recovery facility to process up to 125,000 tpa of liquid waste and store up to 5,100 t of liquid and related waste at any one time.
Site area	<ul style="list-style-type: none">• 1.22 ha

Aspect	Description
Construction	<ul style="list-style-type: none"> • Installation of an additional weighbridge and weighbridge office • Installation of liquid waste processing tanks and equipment • Installation of a 120 Kilolitre (KI) settling tank • Installation of waste bunkers
Waste streams (input)	<ul style="list-style-type: none"> • Drill mud and non-destructive drill mud • Groundwater including surface active agents, waste mineral oils, polymerised wastes, dyes, pigments and paints and stormwater • Firewater (N140) • Sewage sludge including sewer grit screenings (liquid) • Oily waters (J120) • Industrial wastewater • Leachate and grit screenings • Concrete slurry
Outputs	<ul style="list-style-type: none"> • 15,500 tpa of water to be sent to sewer under a trade waste agreement • 90,000 tpa of water to be reused in processing • 4,500 tpa of filter cake from drill mud processing to be classified and reused in landscaping or as engineered fill • Oil to be sent for further refining and beneficial reuse • Waste to be landfilled
Traffic	<ul style="list-style-type: none"> • Construction: up to two heavy vehicles per day • Operation: 39 heavy vehicle trips per day and 15 light vehicle trips per day.
Equipment	<p>The equipment required to be installed for liquid waste processing includes:</p> <ul style="list-style-type: none"> • 5 augers • 9 storage tanks • 4 balance tanks • 3 receival tanks • 3 rotary screens • 1 police filter press • 1 screw press • 1 collection hood • 1 dust collector • 1 carbon filter • 3 neutralisation pits • 2 settling tanks • 1 oil water separator • 1 rejection tanks • 1 reaction tank • 1 DAF • 1 secondary press <p>Existing equipment including the mud plant and filter press for continued use in liquid waste processing:</p> <ul style="list-style-type: none"> • 2 augers • 2 screens • 4 tanks

Aspect	Description
	<ul style="list-style-type: none"> • 3 filter presses • 5 pits
Construction timeframe	<ul style="list-style-type: none"> • Three months
Hours of operation	<ul style="list-style-type: none"> • 24 hours 7 days a week (liquid waste processing) • Waste deliveries 7 am to 10 pm 7 days a week • Emergency deliveries (up to 1 per hour) 10 pm to 7 am
Capital investment value	<ul style="list-style-type: none"> • Approximately \$1.8 million
Employment	<ul style="list-style-type: none"> • Up to 15 construction jobs and 8 additional operational jobs

2.3 Physical layout and design

The proposed site layout (see **Figure 4**) was revised to address feedback from community members and agencies. The development no longer includes solid waste processing or ACL processing, however some existing operational components approved under the Council consents listed in **Table 1** would continue to operate. These include the concrete batching plant and production of concrete blocks, processing of up to 19,000 tonnes of solid waste and storage of solid waste within the drainage easement. Other existing site components remaining unaltered by the development include the site entrance, landscaping, noise wall, water storage tanks and existing weighbridge.

2.4 Process Description

The development would primarily treat three types of liquid waste products, which are described below. The waste from the different treatment processes would not be mixed due to contamination risks. The specific liquid waste treatment process would be determined by the waste type.

Oily Water

The oily water process includes treatment of oily waters (J120), waste oil / hydrocarbons, industrial wastewater, leachate, firewater and groundwater (including surface active agents, waste mineral oils, polymerised wastes, dyes, pigments and paints). The oily water process generally consists of the following steps (see **Figure 5**):

- vacuum trucks arrive via the weighbridge where details are recorded and waste sampled (if waste not already classified) to ensure the waste is sent to the correct plant
- the vacuum truck discharges through a filter into a holding tank
- the holding tank acts as a buffer tank as well as a recirculation tank for the whole plant. Liquid waste comes back to this point if it does not meet discharge or re-use requirements
- waste is then pumped to a pre-conditioning tank where a chemical dosing system adds the required chemicals for pH adjustment or to aid the separation of solids
- the water component of the waste is piped to the Dissolved Air Flotation device (DAF) which is used to further separate solids from the liquid wastes by introducing air to assist in the floatation of solids
- the DAF breaks the waste down to three main components: clean treated water (to be polished), sludge and floated effluent
- the sludge and floated effluent component from the pre-conditioning tanks and the DAF process is then mixed with additives to form a spadable product which is tested then sent to a suitably licensed facility
- the water component from the DAF is sent to an oily water separator which separates oil from the waste. The oil is sold for further processing into products such as engine oil
- finally, clean processed water is held in storage tanks where it is tested to determine if it can be beneficially reused or sent to Sydney Water as Trade Waste. If not, the water is polished through a police press and then tested again before reuse or disposal.

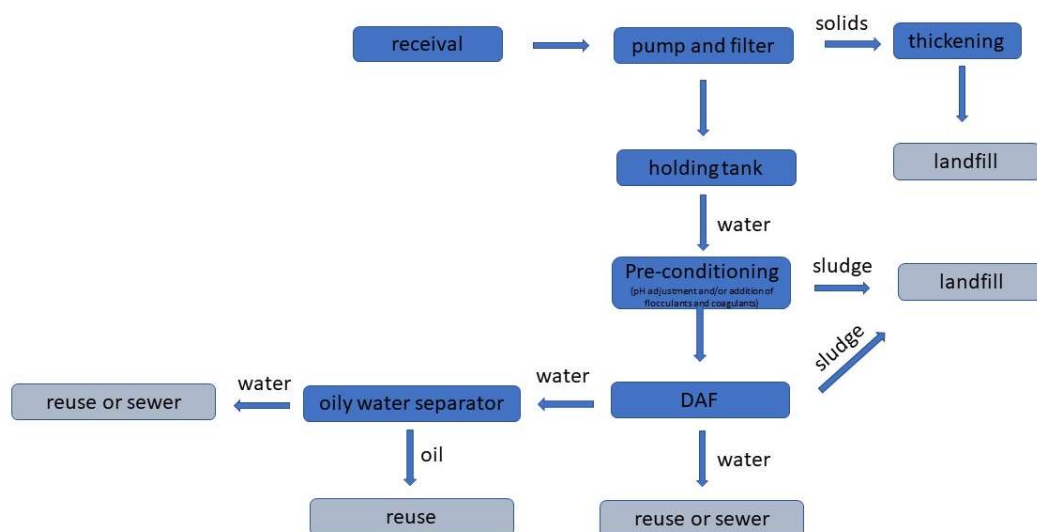


Figure 5 | Oily Water Process Flow Diagram

Sewer Waste

The majority of sewer waste (non-putrescible solids in water) would be from Sydney Water. The treatment process primarily involves screening of the suspended solids through a multi-level screen to separate solids and liquids. A carbon filter system would be used for the filtering and cleaning of air during filling and emptying of the tanks. The sewer waste process generally consists of the following steps:

- vacuum trucks arrive via the weighbridge where details are recorded
- the truck drives to the sewer pump out area where it reverses in and connects via a flexible hose
- the solid waste (both > 8mm and <8mm) is separated from the liquid wastes via augers
- the heavier waste (typically rags, rocks and sticks) are sent to landfill while the smaller fraction, typically sand, is reused if testing deems it is suitable
- the liquid component of the sewer waste is stored and released to sewer once tested
- lastly, trucks are cleaned, and the washout water is treated to separate solids and liquids via a trommel, augers and screens. Solid waste from this process is tested and used as above.

Drill Mud

Drill mud and concrete slurry would pass through a number of processes to remove the coarse and fine sediments from the water. The drill mud/concrete slurry process generally consists of the following steps:

- vacuum trucks arrive via the weighbridge where details are recorded
- the drill mud/concrete slurry is then passed through screens to separate debris and large solids
- coagulants/flocculants are added to the liquid waste to separate coarse sediments
- the sludge is passed through a screw filter press
- treated water, is reused onsite or discharged via an additional secondary press to the sewer system

Filter cakes (compacted fines) would be produced from the screw press and, where suitable, this recovered material would be mixed and blended onsite for reuse and resold, for example as engineering fill and for landscaping supplies. However, if the material is not suitable for reuse, it would be disposed to landfill at an appropriately licensed facility.

2.5 Applicant's Need and Justification for the Development

The Applicant proposes to expand the liquid waste processing capacity of the existing waste facility to meet market demand for its services. The Applicant maintains the existing waste limits mean it is currently unable to accept some deliveries and existing customers wish to significantly increase their deliveries. The proposed increase in liquid waste processing would ensure greater quantities of liquid waste are appropriately dealt with and would safeguard ongoing employment at the facility through future growth and ongoing success of BRS.

3 Strategic context

3.1 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 as it would assist in ensuring more waste is re-used and recycled to support the development of a circular economy (Objective 35).

3.2 Western Sydney District Plan

The Western Sydney District Plan recognises the management of waste would present both an environmental challenge and an economic opportunity. Planning Priority W19 for reducing carbon emissions and managing energy, water and waste efficiently states one of the opportunities is renewing and replacing inefficient infrastructure including waste management facilities.

The development supports this priority by providing modern infrastructure to promote the reuse of liquid waste. Better management of waste would help reduce impacts on the environment.

Planning Priority W10 seeks to maximise freight and logistics opportunities and planning and management of industrial and urban services land, highlighting the safeguarding of industrial and urban services land to facilitate industries of the future, including environmental services such as waste management and recycling facilities. The development is aligned with this priority as it proposes to use industrial land for a waste management facility.

4 Statutory Context

4.1 State significance

The proposal is State significant development pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is a liquid waste facility that stores and processes aqueous and non-aqueous liquid industrial waste with a proposed capacity of more than 1,000 tpa which meets the criteria in Clause 23(6)(b) of Schedule 1 in the State Environmental Planning Policy (State and Regional development) 2011 (SRD SEPP).

4.2 Permissibility

The site is zoned IN1 General Industrial under the Campbelltown Local Environment Plan 2015. Pursuant to Clause 121 of the State Environmental Planning Policy (Infrastructure) 2007, development for the purposes of a resource recovery facility is permissible in the IN1 zone, being a prescribed zone under Clause 120. Therefore, the Minister or a delegate may determine the carrying out of the development.

4.3 Consent Authority

The Minister is the consent authority for the development under section 4.5 of the EP&A Act. On 26 April 2021, the Minister delegated the functions to determine SSD applications to the Director, Industry Assessments where:

- the relevant local council has not made an objection and
- there are fewer than 15 unique public submissions in the nature of objections and
- a political disclosure statement has not been made.

Of the 18 submissions received, 10 objected to the proposed development. Council did not object to the development. No reportable political donations were made by the Applicant in the last two years and no reportable political donations were made by any persons who lodged a submission.

4.4 Other approvals

Section 4.42 of the EP&A Act requires further approvals to be obtained, considered or determined in a manner that is consistent with any Part 4 approval for SSD projects under the EP&A Act. In the case of the development, an existing EPL No. 20797 will need to be varied by the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997*.

4.5 Considerations under Section 4.15 of the EP&A Act

Section 4.15 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 6 and **Appendix B**. In summary, the Department is satisfied the proposed development is consistent with the requirements of section 4.15 of the EP&A Act.

4.6 Environmental Planning Instruments

Under section 4.15 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 proposed development. The Department has considered the development against the relevant provisions of several key EPIs 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 the draft SEPP 55.
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (SREP 20)
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment 1999 (GMREP)
- Campbelltown Local Environmental Plan 2015 (CLEP).

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 Campbelltown (Sustainable City) DCP 2015 in its assessment of the development in Section 6 of this report.

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

4.7 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the development application and any accompanying information of an SSD application are required to be publicly exhibited for at least 28 days. The application was on public exhibition from 12 June 2019 until 10 July 2019. Details of the exhibition process and notifications are provided in Section 5.

4.8 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 1.3 of the EP&A Act. 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 | Considerations Against the Objects of the EP&A Act

Object	Consideration
1.3(a)	The development would promote social and economic welfare and a better environment through the proper management of liquid wastes and diverting reusable wastes away from landfill thereby preserving space for less recyclable materials, extending the life of the landfill operations by reducing the pressure for new landfill sites to be developed.

Object	Consideration
1.3(b)	The Department has considered the encouragement of ESD in its assessment of the proposal. This assessment integrates all socio-economic and environmental considerations and seeks to avoid potentially serious or irreversible environmental damage based on appraisal of risk weighted consequences. The Department is satisfied that the proposal can be carried out in a manner that is consistent with the principles of ESD.
1.3(c)	The development is a permissible use which would promote the orderly and economic development of land and would provide eight additional operational employment opportunities.
1.3(e)	The Department's assessment in Section 6 of this report demonstrates that with the implementation of the recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure the environment is protected.
1.3(h)	The development would be constructed to meet the requirements of the Building Code of Australia. The Department has recommended conditions to ensure that the existing office meets the requirements of relevant legislation and guidelines.
1.3(i)	The Department has assessed the development in consultation with, and giving due consideration to, the technical expertise and comments provided by other Government authorities. This is consistent with the object of sharing the responsibility for environmental planning between the different levels of government in the State
1.3(j)	The application was exhibited in accordance with Schedule 1 clause 9 of the EP&A Act to provide public involvement and participation in the environmental planning and assessment of this application.

4.9 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 that 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

(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 existing 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 that 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.

4.10 Biodiversity Development Assessment Report

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (the BC Act), SSD applications are to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the development is not likely to have any significant impact on biodiversity values.

However, the development does not need to consider the BC Act as it is subject to the transitional provisions of the BC Act. This is because a request for the Planning Secretary's Environmental Assessment Requirements (SEARs) was submitted prior to the commencement of the BC Act on 25 August 2017.

As the site is located within an established industrial area where no remnant vegetation exists, the Department considers the development would not result in any adverse biodiversity impacts, and did not request the Applicant to prepare a Biodiversity Assessment Report in accordance with the former Office of Environment and Heritage's *Framework for Biodiversity Assessment*.

4.11 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.

5 Engagement

5.1 Consultation

The Applicant, as required by the 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.

Consultation by the Applicant

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

- letters to key agencies and Council inviting input in July 2018.
- A letterbox drop of adjoining properties including both residential and industrial premises in July 2018.

Consultation by the Department

The Department undertook a range of consultation activities throughout the preparation of the SEARs including consultation with relevant public authorities.

After accepting the DA and EIS for the application, the Department:

- made it publicly available from **12 June 2019** until **10 July 2019**:
 - on the Department's website
 - at the Department's Information Centre (320 Pitt Street, Sydney)
 - at Campbelltown City Council offices
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified and invited comment from relevant State government authorities and Campbelltown Council by letter
- advertised the exhibition in The Chronicle and Camden Campbelltown Macarthur Advertiser.

5.2 Summary of Submissions

During the exhibition period for the EIS, the Department received 12 submissions from the public including one petition containing 43 signatures and advice from six government authorities including Council and EPA. Of the 12 public submissions, 10 objected to the development. A summary of the issues raised in submissions is provided below, with a copy of each submission included in **Appendix E**.

Key Issues - Government Agencies

Campbelltown City Council raised a number of matters to be resolved prior to determination of the application. These included: traffic, queuing and access to the site, waste management, flooding and stormwater management, easement restrictions and compliance with existing approved plans and the Building Code of Australia.

Environment Protection Authority raised a number of issues including waste management (including the original proposal to treat liquid containing asbestos), air quality, site access and vehicle manoeuvrability.

Fire and Rescue NSW (FRNSW) identified that the site was likely to present a 'special problem for firefighting' and Clause E1.10 of the National Construction Code (NCC) would apply. FRNSW based this consideration on its extensive experience with fighting fires at recycling facilities and an assessment of the nature, type and quantity of materials to be stored onsite. As such, FRNSW recommended that the Applicant address stockpile management, fire safety systems and containment of fire water through further consultation with FRNSW.

Sydney Water noted the existing infrastructure in the area has capacity to service the proposed development and the Applicant may need to update its consent to discharge trade wastewater from Sydney Water.

Department of Planning, Industry and Environment (Water) did not object to the development and had no comments.

Transport for NSW (TfNSW, including former RMS and Sydney Trains) did not object to the development and had no comments.

Key Issues – Public Submissions

The Department received 12 submissions from the public and organisations (one of which included a petition signed by 43 industrial and residential receivers), of which 10 objected to the project. Concerns raised in the submissions include:

- the suitability of the site in terms of size and location for a waste management facility
- the storage and processing of hazardous waste in close proximity to residential receivers
- traffic and queuing impacts on Kerr Road and local road network
- noise from operating equipment and heavy vehicles
- air quality including dust and odour emissions
- wastewater and stormwater impacts
- lack of community consultation
- fencing and site setback.

5.3 Response to Submissions and Supplementary Information

The Applicant submitted three draft RtS reports, one in January 2020, one in May 2020 and one in October 2020. The October RTS was accepted and placed on the Department's website. The draft RtS reports were provided to key agencies to consider whether they adequately addressed the issues raised. The comments provided by the key agencies are summarised below:

- **EPA** – raised residual concerns over water and waste management and the treatment of ACL
- **FRNSW** – raised no additional concerns.
- **Council** raised residual concerns over traffic management, particularly the potential for parking and queueing on the public road network, stockpiling within the easement to drain water and the unauthorised office.

Additional information was provided as an addendum RTS in January 2021 in response to the residual issues raised by the Department and agencies. However, the information still did not address the EPA

and the Department's concerns particularly in relation to the onsite management of solid waste or asbestos.

To address these concerns, the application was amended in April 2021 to remove the components relating to ACL, external waste storage and the processing of solid waste. Supplementary information was submitted to support the amended application, which resolved the EPA's residual issues. Council's traffic concerns were also alleviated by the reduction in heavy vehicles and the Applicant's commitment to not park heavy vehicles on the public road network. The supplementary information was made publicly available on the Department's website.

5.4 Application Timeframe

The Department notes the SSD 8593 application was submitted in May 2019 and has been ongoing for almost two years. Due to various issues and concerns raised by the Department, agencies, Council and the public around the potential environmental impacts of the original proposal, a substantial amount of additional information was required following exhibition of the EIS

As the development presented some challenging issues around site suitability and manoeuvrability, there was a need to secure accurate and robust information around how the operations would be managed. During 2019 and 2020, the Department undertook extensive discussions with the Applicant about the evidence required to support the Department's assessment. These negotiations resulted in the Applicant's ultimate decision to amend the application to reduce operations onsite and ultimately led to sufficient information being provided for the amended application in April 2021.

6 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 issue is Traffic and Access.

A number of other assessment issues have also been considered. These issues are considered to be minor and are assessed in **Table 4** under **Section 6.2**.

6.1 Traffic and Access

The development would generate additional heavy vehicle movements to and from the site which have the potential to impact on the safety, capacity and efficiency of the local road network and the site.

During exhibition of the original proposal, concerns about traffic impacts, particularly increased heavy vehicle movements, were raised in public submissions objecting to the development. The Applicant has since reduced the scale of its proposal, which has resulted in a reduction in the number of heavy vehicles generated by the development.

A revised Traffic Impact Assessment (TIA) was prepared by Intersect Traffic Pty Ltd, which assessed the potential traffic and transport impacts of the amended development. The TIA considered the cumulative impacts of the existing operations onsite, including the existing concrete batching plant and solid waste processing facility, in its assessment of the development's traffic impacts.

Existing Operations

Access to and from the site from the local road network is via Kerr Road, which is a local industrial cul-de-sac road within the Ingleburn industrial area. The site is situated at the end of Kerr Road with local vehicles using the cul-de-sac as a turning area.

The site is located approximately 1.2 km east of the Hume Highway. Access to and from the Hume Highway for origin / destinations to the north is via Brooks Road, Williamson Road, Henderson Road, Lancaster Street and Aero Road to Kerr Road. Alternatively, access to and from the Hume Highway for origins to the south is via Campbelltown Road, Williamson Road, Henderson Road, Lancaster Street and Aero Road to Kerr Road (see **Figure 3**).

Peak hour traffic volumes on the local road network vary between 2,486 vehicles per hour (vph) in the AM peak on larger roads and 328 vph in the AM peak on smaller roads closer to the development.

In comparison, the existing operation currently generates around 26 vehicles per day (vpd), including staff trips. The existing liquid and muddy waste processing component currently generates approximately three operational vpd, while the existing solid waste processing plant currently generates approximately four operational vpd.

No major intersection upgrades are currently planned or being undertaken by Council or TfNSW in the surrounding road network.

Proposed Operations – Modelled Impacts

The proposed operation would involve an increase in the volume of liquid waste being processed at the site from 11,000 tpa to 125,000 tpa. The proposed operational hours of the development (processing

of liquid waste) would be 24 hours; however the majority of liquid waste deliveries would occur between 7:00 am and 10:00 pm with limited deliveries (up to one per hour) occurring between 10:00 pm and 7:00 am only during emergencies, such as sewer blockage incidents. The proposed hours of operation and the occasional overnight truck movements have been formalised in the recommended consent.

The TIA stated the development (liquid waste delivery and removal only) would generate approximately three vph or 39 vpd between 7:00 am and 10:00 pm spread evenly throughout the day. When combined with the existing concrete batching plant and solid waste processing operations, the total daily vehicles would be 70 vpd, including staff trips. The development would add an additional 43 vpd, including employee movements, to the existing operations.

The TIA looked at the performance of several intersections near the site adopting a background traffic growth of 2% per annum for 10 years up to Year 2028 and found the development would not change the level of service (LoS) at key intersections including Brooks Road / Williamson Road, Williamson Road / Henderson Road roundabout, Henderson Road / Lancaster Street roundabout and Lancaster Street / Aero Road roundabout. The modelling found these intersections would maintain a good LoS (A to B) through to at least 2028.

TfNSW did not object to the proposal and did not provide comments. Council did not raise any issues regarding potential traffic impacts on the local road network but raised concerns regarding access (see Access and Parking section). Several public submissions raised concerns about the increase in heavy traffic in the surrounding area associated with the original proposal. However, as the Applicant is now seeking approval for the liquid waste processing component only, the predicted volume of heavy vehicle traffic has significantly decreased from that shown in the EIS.

The Department considers the development would not impact significantly on the operation of major intersections or the efficiency and effectiveness of the local road network. Key intersections would continue to operate satisfactorily at LoS A or B. To manage traffic from the site, the Department has included a condition requiring the Applicant to prepare an Operational Traffic Management Plan (OTMP) as part of the Operational Environmental Management Plan (OEMP), to include details of heavy vehicle routes and road safety and efficiency measures to minimise the potential impacts of the development on the local and regional road network.

Access and Parking

The development would maintain the existing driveway access off Kerr Road (see **Figure 6**). The driveway is approximately 10 m wide and provides a combined entry and exit for both light and heavy vehicles ranging from medium/heavy rigid vehicles to truck and dog vehicles.

An existing weighbridge is located immediately north of the driveway. The Applicant proposes to construct a second weighbridge next to the existing weighbridge, which would primarily be used by smaller trucks (i.e. medium rigid vehicles) to increase efficiency and, along with the booking system, minimise queuing off-site.

Based on the unloading and loading procedures for all waste materials, it is anticipated to take less than 30 minutes for any vehicle to enter, load/unload and exit the site. During peak operational periods, the average number of heavy vehicles onsite at any one time would be limited to four. Notwithstanding, heavy vehicles arriving at the site are expected to be evenly spread throughout the day.

The existing development currently uses a booking allocation system to manage the arrival of trucks to minimise queuing on and offsite. The Applicant confirmed the booking allocation system would continue to be used for the development, which has been formalised in the recommended conditions.

The site would have up to four queuing locations (see **Figure 6**) to accommodate the four different vehicle types including truck and dog vehicles, in case there are any delays in the processing of deliveries or pick-ups. The Applicant also noted that if delays are one hour or less, waiting vehicles can move to these queuing locations. If delays are longer than one hour, deliveries would be stopped or diverted to other facilities that can accept the waste. The TIA concluded the development is unlikely to result in any queuing off-site, provided the abovementioned queuing procedure and booking allocation system is implemented.

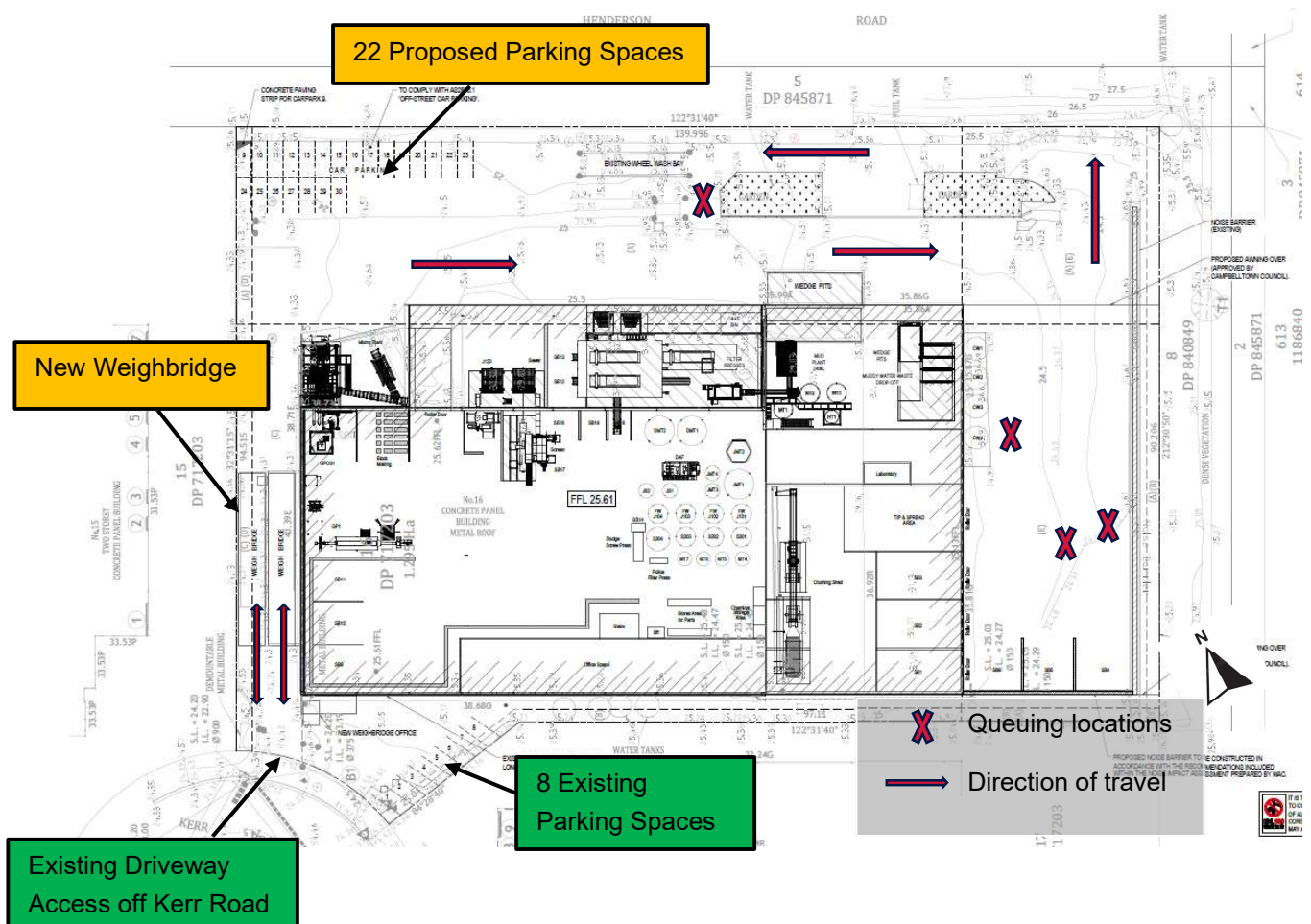


Figure 6 | Access and Onsite Parking

The site has a total of eight existing parking spaces located at the front of the site. The Applicant is proposing to add another 22 spaces, including 14 stacked spaces, in the north-west corner of the site, which would be reserved for staff members only. The Applicant confirmed the number of parking spaces proposed would be sufficient and would comply with Council's DCP requirements.

Council commented on the original proposal and raised several concerns around access and manoeuvring onsite. Council was particularly concerned about the potential for trucks parking on local streets, should they be turned away if the site cannot accommodate them. The Applicant highlighted that truck drivers would be informed to avoid parking on any local streets and to use dedicated truck parking and queuing locations. The booking allocation system would also ensure that drivers are given

a specific time they can access the site. Furthermore, the Applicant has committed to preparing and implementing a Driver Code of Conduct that would enable the Applicant to manage drivers coming to and travelling from the site by outlining procedures for drivers to use specified routes, minimise traffic during night-time hours and reduce road traffic noise. This requirement, along with a condition ensuring that no heavy vehicles park on the local road network, has been included in the recommended conditions.

Council also raised concerns around onsite manoeuvring for the largest vehicles, which resulted in the Applicant amending the plans to remove any potential traffic vehicle conflicts. An amended swept path analysis for the largest vehicle onsite was included in the RTS, which showed there would be minimal conflicts between heavy and light vehicles and other structures. Council did not raise any further issues.

The Department also raised concerns about heavy vehicle movements inside the building enclosure, noting that only one rigid vehicle (up to 12.5 m in length) could easily be accommodated in the building at a time. The Applicant confirmed it would restrict the types and numbers of heavy vehicles accessing the building, which has been formalised in the recommended consent.

The Department has considered the findings of the TIA and the advice received from Council. Given the reduced scale of the development, the Department considers the site access arrangements would be suitable in managing off-site queuing impacts and minimising off-site parking, provided the Applicant also continues to implement the booking allocation system and monitors how many trucks are onsite at any one time. In addition, the Applicant is required to implement a Driver Code of Conduct to ensure that heavy vehicles traveling to and from the site are appropriately managed.

Due to the reduced scale of the development, the Department is satisfied large heavy vehicles, such as truck and dogs can safely manoeuvre on-site with minimal traffic conflicts.

The Department recommends the following conditions be included in the recommended consent to ensure traffic impacts are appropriately managed:

- preparation of an OTMP to include details of the driver code of conduct, access and parking arrangements, queuing procedures and measures to ensure vehicle arrival times are appropriately staggered
- implementation of operating conditions, including a requirement that no more than four vehicles are located onsite at any one time and no queuing on the public road network
- ensuring no heavy vehicles park on the public network.

The Department's assessment concludes the potential traffic and queuing impacts associated with the development would be acceptable and can be managed by the Applicant.

Construction Traffic

The development is anticipated to generate up to 15 construction jobs and will take around three months to complete. The Applicant noted that some of the construction works would be undertaken by existing staff and approximately two heavy vehicles per day would be required throughout the construction period.

TfNSW and Council did not raise any issues relating to construction traffic. The Department is satisfied the construction works would be temporary in nature and are not likely to impact on the local road

network. The Department has not recommended any conditions to manage construction traffic and concludes that construction impacts would be minimal and can be managed by the Applicant.

Conclusion

The Department concludes the potential traffic impacts associated with the operation of the development would be minor and can be managed through adequate traffic management measures, which have been formalised in the recommended consent. This includes implementation of an operational traffic management plan, containing a driver code of conduct and continued use of the site booking allocation system to ensure off-site queuing impacts are minimised. The potential construction traffic impacts would be negligible and are temporary in nature. The Department's assessment concludes the potential construction and operational traffic impacts associated with the development are minimal and can be managed by the Applicant, subject to the recommended conditions.

6.2 Other Issues

The Department's assessment of other issues is provided in **Table 4**.

Table 4 | Assessment of Other Issues

Findings	Recommendations
Operational Air Quality and Odour	
<ul style="list-style-type: none"> During exhibition of the original application, Council and the EPA raised concerns about the potential dust and odour impacts associated with the processing and storage of solid and liquid waste. Several public submitters also objected to the development raising odour and dust impacts as key concerns. Following discussions between the Department and the Applicant, the Applicant subsequently revised the proposal to remove the solid waste processing and storage component from the application. The Applicant also proposed to store foundry sand onsite, which would have been a primary source of odour. However, this product was subsequently removed from the application as it is a type of solid waste. Notwithstanding, the development still has the potential to generate odour emissions associated with the processing of liquid waste. Modelling undertaken as part of the EIS demonstrated odour emissions for liquid waste processing would remain well under the assessment criteria of 2 odour units (OU). To minimise odour emissions, the Applicant proposes to implement the following measures: <ul style="list-style-type: none"> install charcoal filters within the DAF system; and liquid waste would be vacuumed pressurised to prevent the release of odour. The EPA continued to highlight some uncertainty about the odour risk, but noted the Applicant would mitigate some of this risk by ensuring liquid waste would be transported to site in vacuum sealed trucks and pumped into the external or internal storage tanks fitted with carbon filters. The EPA advised the Applicant's proposed emission points would need to be fitted with carbon filters and recommended preventative maintenance procedures be implemented at the site, including a carbon breakthrough management strategy. The Applicant has accepted these 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> install and operate equipment in line with best practice; ensure all fugitive emission points and the DAF system are fitted with carbon filters. prepare and implement an odour management plan ensure liquid waste is transported to the site in vacuum sealed trucks undertake an odour audit of the development.

Findings

Recommendations

recommendations and the Department has included them in the recommended consent along with the requirement for an Odour Management Plan.

- Council raised no concerns over air impacts.
- Given the reduced scope of the proposal, the Department considers the predicted air quality and odour impacts of the development would be acceptable. Any potential odour emissions would be vented through carbon filters and largely contained within the building enclosure, ensuring any odour releases would occur within the building. Notwithstanding, the predicted odour emissions are well below the assessment criteria of 2 OU and are unlikely to result in any significant off-site odour impacts.
- In addition to the EPA's recommendations, the Department has recommended the Applicant carry out an odour audit to confirm the prediction in the EIS and to review the design and management practices in the development against industry best practice for odour management. This has been included in the recommended consent.
- The Department's assessment concludes potential air quality impacts would be acceptable and can be adequately managed by the Applicant, subject to the implementation of recommended consent conditions.

Noise

- The development has the potential to emit unacceptable levels of noise during both construction and operation, which could impact on the amenity of the locality.

Construction

- The construction noise impact assessment indicated the construction noise management level of 52 dB(A) during standard construction hours would likely be exceeded by up to 8 dB(A) in the vicinity of Gordon Avenue and Redfern Street.
- To minimise and manage construction noise impacts, a range of standard measures was identified including but not limited to consultation with the noise-affected community, use of noise barriers where feasible and reasonable, and training personnel to minimise metal-on-metal impact noise and to operate plant in a quiet and efficient manner.
- The Department considers potential worst-case construction noise impacts would be acceptable and can be managed by the Applicant as construction noise levels are anticipated to be at least 10 dB(A) below the highly noise affected management level of 75 dB(A) and given the construction timeframe would only be 3 months. The application of standard work practices outlined in EPA's Interim Construction Noise Guidelines is considered sufficient to manage and minimise construction noise impacts, provided that all works are restricted to standard construction hours.

Operation

- The operation of the proposed development including solid and liquid waste processing was initially assessed in the Noise Impact Assessment (NIA) submitted as part of the original EIS. Predicted operational noise was assessed against intrusiveness noise levels and the sleep disturbance trigger levels established in general accordance with EPA's Noise Policy for Industry (NPfI). The NIA predicted compliance with relevant operational noise criteria.

Require the Applicant to:

- comply with operational noise limits
- ensure roller doors remain closed except during vehicles entering and exiting
- undertake construction during standard construction hours
- prepare a post-commissioning noise verification report including mitigation measures to be implemented should exceedances be identified

Findings

Recommendations

- During exhibition of the original application, several public submitters objected to the development citing noise pollution as a key concern.
- Concerns were also raised by the EPA and the Department regarding the adequacy of the NIA. Specifically, EPA requested additional information be provided to demonstrate the operational noise modelling is accurate and robust. Additionally, the Department requested that operational noise be assessed against the suburban amenity noise criteria instead of the criteria for urban areas.
- Following submission of the revised RTS, EPA raised no further concerns. The amended application included an updated NIA which demonstrated the removal of the solid waste component from the development further reduced predicted noise impacts.
- The NIA concluded the operation of the facility would comply with the noise criteria for the daytime, evening and night-time periods at all residential receivers. This was based on urban amenity noise levels from the NPfl.
- As the most-affected residential receivers are located in a low density residential area (R2 land zoning) adjacent to a local collector road, the Department considers a suburban amenity noise criterion would be more appropriate for the evening and night-time periods (i.e. 43dB(A) and 38 dB(A)).
- Considering the effect of the reduced development scope, the Department finds the predicted operational noise levels would meet the suburban amenity noise criteria, which have been formalised in the recommended consent.
- In addition to EPA's recommendation that roller doors remain closed except during vehicle entering and exiting, the Department has recommended the Applicant implement a Driver Code of Conduct to minimise traffic noise and undertake noise verification to demonstrate compliance with the recommended operational noise criteria and to identify additional noise control measures to be implemented to address any exceedances. This has been included in the recommended consent.
- The Department's assessment concludes that both operational and construction noise impacts can be managed appropriately subject to the implementation of the recommended conditions.

Water

- Stormwater at the existing facility is currently collected via roofed and paved areas. The paved areas are separated into dirty and clean water catchment hardstand areas.
- The clean water catchment comprises the parking and weighbridge areas. Runoff in this area is collected in a series of stormwater drainage pits and conveyed via subsurface pipes to an existing pit in the northern corner of the site.
- The dirty water catchment consists of the areas where the stormwater runoff is likely to become polluted with sediment, such as the northern and eastern areas of the site where waste is currently stored in accordance with the Council consent (DA 948/2015/DA-I/B (Amendment 1) and where trucks manoeuvre before travelling through the wheel wash. Runoff in this area is conveyed via first flush pits prior to transfer to water silo storage for use in site operations and dust suppression.

Require the Applicant to:

- install and operate the proposed stormwater management system
- prepare an erosion and sediment control plan
- ensure liquid waste by-products are not stored within the rear easement to drain water.

Findings

Recommendations

- The site is also burdened by two 30 m wide stormwater drainage easement on the south east and north east site boundaries, and a 10 m wide stormwater drainage easement on the north west site boundary.
- During exhibition of the original proposal, the Department, EPA and Council raised concerns about the potential water impacts, especially the lack of characterisation of water running off-site, proposed stockpiles within the easements and the size of the proposed harvesting tanks.
- The development has since been amended to remove all components except liquid waste processing. Under the amended application, management of stormwater in the external hardstand areas would not change, however, the existing stormwater management system would be upgraded to include a new 120 KI harvesting/settling tank which sufficient to capture the first 10 mm of rainwater.
- The EPA did not raise any further concerns, as outdoor waste storage is no longer proposed, and any wastewater associated with the liquid waste processing facility would be discharged to sewer or reused. However, a condition has been recommended to ensure liquid waste by-products are not stored outside within the Council approved storage bays within the drainage easement.
- The Department considers the proposed stormwater management system is appropriate for managing stormwater quality and volumes generated by the development particularly as the development would be primarily located under cover.
- The Department is satisfied the development would not result in stormwater pollution or offsite flood impacts given the liquid waste tank areas would be located inside the existing building and would be bunded to ensure any wastewater is captured and treated before being discharged as Trade Waste. The external hardstand areas, which would not be impacted by the proposal, would be managed as they are currently with the addition of the settling tank however, to ensure no waste is stored externally, the Department has recommended that liquid waste by-products are not stored in the north-eastern easement.
- The Department has included conditions requiring the Applicant to install and operate the proposed stormwater management system.
- The EIS also included an Erosion and Sediment Control Plan detailing the measures to be implemented during construction, such as installing clear visible barrier fencing.
- The Department is also satisfied the potential flood and stormwater impacts during construction can be managed through the implementation of sediment and erosion control measures and has recommended these requirements be included in the consent.
- The Department's assessment concludes the potential water impacts can be minimised and managed by the Applicant via the implementation of proposed stormwater management measures as well as consent conditions recommended by the Department.

Hazards and Risks

- | | |
|--|---|
| <ul style="list-style-type: none">• The Applicant provided a Preliminary Risk Screening Assessment of the proposed storage quantities and delivery frequencies of dangerous goods for use onsite in accordance with SEPP 33.• The Applicant initially proposed to treat ACL onsite, however concerns were raised by the EPA, SafeWork and the Department over the | <p>Require the Applicant to:</p> <ul style="list-style-type: none">• ensure quantities of dangerous goods are below SEPP 33 |
|--|---|

Findings	Recommendations
<p>treatment of asbestos. As such, the applicant amended the application to remove this component.</p> <ul style="list-style-type: none"> • The Department also considered the assessment was not in accordance with Applying SEPP 33, and requested further information to satisfy this requirement. • The Applicant's updated hazard assessment confirmed the development would be below the dangerous goods screening threshold and would not be deemed a potentially hazardous development. • The Department agrees with this assessment and recommends the following conditions be included in the recommended consent: <ul style="list-style-type: none"> ◦ quantities of dangerous goods stored within the development or transported to and from the development must not exceed the screening threshold quantities listed in the Department's Applying SEPP 33 ◦ the Applicant must store and handle all chemicals, fuels and oils used onsite in accordance with Australian standards and NSW EPA's <i>Storing and Handling of Liquids: Environmental Protection – Participants Handbook</i> if the chemicals are liquids. • The Department's assessment concludes the development would not be potentially hazardous, subject to implementation of conditions. 	<ul style="list-style-type: none"> • store and handle all chemicals, fuels and oils in accordance with Australian standards and EPA guidelines.
Fire Safety	
<ul style="list-style-type: none"> • Waste facilities generally present a "special problem of firefighting". FRNSW required the Applicant to address Clauses E1.10 and E2.3 of the National Construction Code (NCC) and recommended ongoing engagement with FRNSW to ensure their requirements would be met. • The Applicant indicated fire safety measures would be finalised as part of the detailed design process in accordance with BCA provisions and confirmed appropriate fire measures would be available. • Conditions of consent are recommended by the Department and FRNSW to ensure the final design of the development and onsite fire safety system complies with Volume One of the NCC to the satisfaction of FRNSW. • The Department has incorporated FRNSW's recommended conditions. The Department's assessment concludes that with this control in place, fire safety would be adequately addressed in the design of the facility. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> • ensure the design of development and the onsite safety systems is in accordance with the National Construction Code to the satisfaction of FRNSW.
Existing Structures	
<ul style="list-style-type: none"> • Following exhibition of the EIS, Council raised concerns over the unauthorised three-story office located within the main warehouse building. • The amended application is seeking approval to regularise the unauthorised structure. • As a construction certificate has not been issued for an 'unapproved' structure or building, a building information certificate (under Division 6.7 of the EP&A Act) from Council must be obtained to cover all aspects of construction and occupation. This would ensure the office building is structurally sound and complies with the Building Code of Australia or other building standards. • Council agrees with this approach. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> • obtain a building information certificate from Council for the existing structures.

Findings	Recommendations
<ul style="list-style-type: none">The Department has recommended a condition requiring the Applicant to obtain and provide a copy of a building information certificate for the existing structures to the Planning Secretary.	

7 Evaluation

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development.

The Department has considered the development on its merits, taking into consideration strategic plans that guide development in the area, the EPIs that apply to the development and the submissions received from Government agencies, Council and the public.

Following exhibition of the development and the Response to Submissions, due to continued concerns and issues raised by the Department, Council, public agencies and the general public, the Applicant revised the scope of the Application to include the processing of liquid waste only. The result of these changes was a measurable decrease in noise and air quality impacts predicted by the revised assessments which demonstrated the air and noise impacts satisfied the relevant criteria.

The residual key issue for the development is related to traffic and access and in particular, the capacity for the development to cater for additional heavy vehicles onsite. However, the Department is satisfied the Applicant has demonstrated in the amended application the site can cater for the expected traffic volumes. To further manage operational traffic impacts, the Department has recommended conditions of consent which required the Applicant to prepare and implement an Operational Traffic Management Plan including a Traffic Control Plan and Driver Code of Conduct.

The Department has also recommended a range of detailed conditions to address the residual impacts of the development. The conditions were developed in conjunction with government agencies and Council. The Applicant has reviewed and accepted the recommended conditions.

The Department's assessment concludes that the development would support the conversion of waste into reusable products via recycling. In economic terms, recycling reduces waste disposal costs for both government and industry and the development would provide 15 construction jobs and eight operational jobs.

The impacts of the development can be appropriately managed through implementation of the recommended conditions of consent. The Department considers the development is in the public interest, would provide a waste management facility to support growth in Western Sydney and the application should be approved, subject to conditions (included in **Appendix D**).

8 Recommendation

For the purpose of section 4.38 of the Environmental Planning and Assessment Act 1979, it is recommended that the Director, Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- considers the findings and recommendations of this report
- 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
- agrees with the key reasons for approval listed in the notice of decision
- grants consent for the application in respect of Ingleburn Resource Recovery Facility (SSD-8593) as amended, subject to the conditions in the attached development consent
- signs the attached development consent and recommended conditions of consent (see **Appendix D**)

Recommended by:

A handwritten signature in blue ink, appearing to read 'Sheelagh Laguna'.

14 May 2021

Sheelagh Laguna

Acting Team Leader

Industry Assessments

9 Determination

The recommendation is **Adopted** by:



26 May 2021

Chris Ritchie

Director

Industry Assessments

Appendices

Appendix A – List of referenced documents

The Department has relied upon the following key documents during its assessment of the development:

Environment Impact Statement

- Environmental Impact Statement for State Significant Development Proposed Expansion of Resource Recovery Facility 16 Kerr Road Ingleburn NSW 2565, prepared by KDC Pty Ltd dated May 2019

Response to Submissions

- Bulk Recovery Solutions 16 Kerr Road, Ingleburn State Significant Development 8593 Response to Submissions, prepared by BRS Management dated October 2020
- Bulk Recovery Solutions 16 Kerr Road, Ingleburn State Significant Development 8593 Addendum to Revised Response to Submissions, prepared by BRS Management dated January 2021

Amended Application

- Ingleburn Resource Recovery Facility (SSD-8593) Response to Request for Additional Information dated 19 February 2021

Submissions and Advice

- all submissions received from special interest groups and the public
- all advice received from Council and the relevant government authorities

Statutory documents

- relevant considerations under section 4.15 of the EP&A Act (see Appendix B); and
- relevant environmental planning instruments, policies and guidelines (see Appendix C).

All documents relied upon by the Department during its assessment of the development may be viewed at: <https://www.planningportal.nsw.gov.au/major-projects/project/10541>

Appendix B – Statutory Considerations

Considerations under Section 4.15 of the EP&A Act

Section 4.15 of the EP&A Act requires that the consent authority, when determining a development application, must take into consideration the following matters contained in **Table 5**:

Table 5 | Consideration of Matters from Section 4.15 of the EP&A Act

Matter	Consideration
<p>a) the provisions of:</p> <ul style="list-style-type: none"> (i) any environmental planning instrument (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved) (iii) any development control plan (iii) a) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph). 	<ul style="list-style-type: none"> • Detailed consideration of the provisions of all environmental planning instruments (including draft instruments subject to public consultation under this Act) that apply to the development is provided below. • The Applicant has not entered into any planning agreement under section 7.4. • The Department has undertaken its assessment of the development in accordance with all relevant matters as prescribed by the regulations, the findings of which are contained within this report.
<p>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</p>	<ul style="list-style-type: none"> • The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
<p>c) the suitability of the site for the development</p>	<ul style="list-style-type: none"> • The development is for a waste or resource management facility on land zoned IN1 which is a prescribed zone under cl 120 of the Infrastructure SEPP (ISEPP).
<p>d) any submissions made in accordance with this Act or the regulations</p>	<ul style="list-style-type: none"> • All matters raised in submissions have been summarised in Section 5 of this report and given due consideration as

Matter	Consideration
	part of the assessment of the development in Section 6 of this report.
e) the public interest	<ul style="list-style-type: none"> • The development would generate up to 5 construction jobs and 8 additional operational jobs. • The development would help to ensure waste can be recycled and recovered in an efficient and cost-effective manner. • 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.

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 handle more than 1,000 tonnes per year of other aqueous or non-aqueous liquid industrial waste.

The proposed development, which seeks to receive up to 125,000 tonnes of liquid wastes per year meets the criteria in Clause 23(6)(b) of Schedule 1 of the SRD SEPP and is classified as State significant development.

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The 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 certain types of infrastructure development, defining certain types of development as Traffic Generating development and providing for consultation during the development assessment.

The development constitutes traffic generating development in accordance with the ISEPP as it is development for the purpose of a waste or resource management facility in accordance with Schedule 3 to the ISEPP. Consequently, it requires referral to TfNSW (including former RMS) for comment and consideration of accessibility and traffic impacts.

State Environmental Planning Policy 33 – Hazardous and Offensive development (SEPP 33)

SEPP 33 outlines the items that a consent authority must consider assessing whether a development is hazardous or offensive. The Applicant reviewed the development in accordance with SEPP 33 and advised that the proposed development is not potentially hazardous or offensive.

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 included a Stage 2 Environmental Investigation. The Stage 2 Environmental Investigation, through a desktop study and soil and groundwater sampling, concluded

the site was not contaminated. Any unexpected contamination would be addressed through conditions for managing unexpected finds.

Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (SREP 20)

The Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (SREP 20) aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. The site is located within the area covered by SREP 20. The Department considers the development would not result in surface water or groundwater quality impacts and would be consistent with the aims and objectives of SREP 20.

Greater Metropolitan Regional Environmental Plan No.2—Georges River Catchment

The Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (GMREP), aims to protect the water quality of the Georges River and its tributaries and the environmental quality of the whole catchment through coordinated land use planning and development control. The site is located within the area covered by GMREP. The Department considers that the development is consistent with the aims and objectives of GMREP as it would have no impacts on water quality in the Georges River Catchment.

Campbelltown Local Environmental Plan (LEP) 2015

The Campbelltown LEP aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Campbelltown LGA. The Campbelltown LEP also aims to conserve and protect natural resources and foster economic, environmental and social well-being.

The development is located on IN1 General Industrial zoned land and the area immediately surrounding the site is utilised for industrial uses. The proposed development is consistent with the objectives of the IN1 zoning identified in the Campbelltown LEP.

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

Appendix C – Key Issues – Council and Community Views

The Department of Planning, Industry and Environment (the Department) exhibited the EIS for the development from **12 June 2019** until **10 July 2019**. During the exhibition period, the Department received 12 submissions from the public and advice from six public authorities. All public submissions received objected to the development.

Table 6 presents the key issues raised in the public submissions (as summarised in **Section 5.2**), and how the Department has considered each issue.

Table 6 | Department's response to issues raised in submissions from the public

Issue raised	Consideration
<i>Site suitability</i> <ul style="list-style-type: none"> • Zoning • Proximity to residential development 	<i>Assessment</i> <ul style="list-style-type: none"> • The development is permissible with development consent in the IN1 General Industrial zone, pursuant to State Environmental Planning Policy (Infrastructure) 2007 and is located within an existing industrial area. • The development would be fully enclosed within a building or covered by awnings. The Applicant was able to demonstrate the site can accommodate the proposed development. • The Department's assessment concluded the site is suitable for the development and is satisfied that, subject to the imposition of conditions of consent, the impacts of the development can be appropriately managed to avoid unacceptable impacts on residents.
<i>Traffic</i> <ul style="list-style-type: none"> • Increased traffic on local road network • Number of heavy vehicles on local road network 	<i>Assessment</i> <ul style="list-style-type: none"> • The Applicant provided a Traffic Impact Assessment that demonstrated there is sufficient capacity within the local road network to accommodate additional traffic caused by the development. • The Applicant identified designated haulage routes for heavy vehicles that do not travel through residential areas and demonstrated all onsite truck movements could be carried out safely. • The Department's assessment concluded that, subject to recommended conditions and the Applicant's mitigation measures, site access and manoeuvring arrangements are satisfactory, and traffic generated by the development can be accommodated on the local and regional road network without any significant impacts on safety or level of service. <i>Conditions</i> <ul style="list-style-type: none"> • A requirement for a traffic management plan to be prepared to ensure trucks follow specific haulage routes and manoeuvre safely onsite.

Issue raised	Consideration
<p><i>Air quality</i></p> <ul style="list-style-type: none"> • Dust • Odour 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • The proposed development would be mostly fully enclosed within a building with some processing occurring under awnings. • The Applicant demonstrated the predicted incremental concentrations for all pollutants, particularly odour would meet impact assessment criteria at all receptors for the enclosed facility. • The application was amended to remove the solid waste processing component which removed the potential for significant dust impacts during operation. • The Department's assessment concluded with appropriate measures in place, including conditions requiring the preparation and implementation of an Odour Management Plan and Odour Audit, the proposal would have minimal air quality impacts on surrounding receivers and meet all applicable NSW EPA impact assessment criteria. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • A requirement to prepare and implement an Odour Management Plan and undertake an Odour Audit to evaluate the performance of the development and determine compliance with key performance indicators. • A requirement to take all reasonable steps to minimise dust generated by the development during construction and operation.
<p><i>Noise</i></p> <ul style="list-style-type: none"> • Operating hours 	<p><i>Assessment</i></p> <ul style="list-style-type: none"> • Predicted operational noise was assessed against intrusiveness noise levels and the sleep disturbance trigger levels established in general accordance with EPA's Noise Policy for Industry. The noise impact assessment reported predicted compliance with relevant operational noise criteria. • Given the reduced scope of the proposal, the Department considers the predicted operational noise impacts associated with the development would be acceptable. <p><i>Conditions</i></p> <ul style="list-style-type: none"> • Undertake construction during standard hours. • Comply with noise limits. • Undertake a noise verification study.

Appendix D – Recommended Instrument of Consent

Available on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/10541>