Girraween Waste Recycling & Transfer Facility

State Significant Development Assessment SSD-9766

June 2020

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Title: Girraween Waste Recycling and Transfer Facility

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Cover image: Girraween WRTF (source: Benedict Recycling Pty Ltd)

Glossary

Abbreviation	Definition
Applicant	Benedict Recycling
BCA	Building Code of Australia
CIV	Capital Investment Value
Council	Cumberland Council
Crown Lands	Crown Lands, DPIE
DA	Development Application
DAWE	Department of Agriculture, Water and the Environment (formerly DoEE)
Department	Department of Planning, Industry and Environment
Demolition	The removal of buildings, sheds and other structures on the site
Development	The development as described in the EIS and RTS for the construction and operation of a waste and recycling transfer facility
DPI	Department of Primary Industries, DPIE
DPIE	Department of Planning, Industry and Environment
DRG	Division of Resources & Geoscience, DPIE
EES	Environment, Energy and Science Group
EIS	Environmental Impact Statement titled Girraween Waste Recycling and Transfer Facility 224-232 Toongabbie Road Girraween prepared by EMM Pty Ltd dated 6 November 2019
EPA	Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	Environment Protection and Biodiversity Conservation Act 1999
EPI	Environmental Planning Instrument
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW

LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
POEO Act	Protection of the Environment Operations Act 1997
RTS	Response to Submissions titled Response to Submissions – Girraween Waste Recycling and Transfer Facility 224-232 Toongabbie Road Girraween prepared by EMM Pty Ltd dated 25 March 2020
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
WARR Strategy	Waste Avoidance and Resource Recovery Strategy
WRTF	Waste Recycling and Transfer Facility

Executive Summary

Benedict Recycling Pty Ltd (the Applicant) has lodged a Development Application (DA) and accompanying Environmental Impact Statement (EIS) seeking consent for the construction and operation of a Waste Recycling and Transfer Facility (WRTF) at 224-232 Toongabbie Road, Girraween in the Cumberland local government area (LGA).

The site is located 30 kilometres (km) west of the Sydney CBD and covers approximately 9,000 square metres (m^2) of IN1 General Industrial zoned land.

Current Proposal

The Applicant is seeking consent for the construction and operation of a WRTF with an annual handling capacity of up to 220,000 tonnes per annum (tpa) of general solid waste (non-putrescible) including construction and demolition (C&D) waste, commercial and industrial (C&I) waste, uncontaminated soils, vegetation, excavated natural materials (ENM) and metals. The proposed development (the development) would receive and sort waste for dispatch to appropriately licenced recycling or landfill facilities. The development has a capital investment value of $4,557,871 and is expected to generate 10 construction jobs and 10 operational jobs.

Statutory Context

The development is classified as State significant development (SSD) under Part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act) because it involves construction and operation of a resource recovery or recycling facility that meets the criteria in Clause 23(3) of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011. Consequently, the Minister for Planning and Public Spaces is the consent authority for the proposed development under section 4.5(1) of the EP&A Act.

Engagement

The Department of Planning, Industry and Environment (the Department) exhibited the EIS for the development from Wednesday 20 November 2019 until Wednesday 18 December 2019. A total of 10 submissions were received including eight from government agencies and two from the general public. Of the ten submissions received, one objected to the development.

Key concerns raised related to the traffic and noise impacts on residential receivers within the locality. In particular, Cumberland City Council (Council) did not support the proposed widening of Toongabbie Road to facilitate a right-turn only lane into the site as it would cause a loss of off-street parking. The Applicant submitted a Response to Submissions (RTS) on 8 April 2020 to address and clarify matters raised in the submissions, which included removal of the road widening and right-turn lane from the proposal to satisfy Council's concerns.

Assessment

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 identified the key issues for assessment are traffic management.

The Department noted the increased vehicle movements associated with the development would not result in a change to the existing level of service (LOS) for key intersections. The Applicant

demonstrated access to the site would allow vehicles to enter and exit the site in a forward direction and internal vehicle movements could be carried out safely.

The Applicant has included mitigation measures to manage potential traffic impacts and the Department has recommended a number of conditions to ensure traffic impacts are minimised, including the preparation of an Operational Traffic Management Plan to prevent vehicle queuing and requiring vehicles to travel along the nominated routes. Council and Transport for NSW were satisfied with the proposed measures. The Department is satisfied the site can operate in a safe and efficient manner without significant impacts to the local road network.

Summary

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

Contents

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 9766) for the Girraween Waste Recycling and Transfer Facility (WRTF). The proposed development (the development) involves construction and operation of a WRTF with the capacity to accept and process up to 220,000 tonnes per annum (tpa) of non-putrescible general solid waste (GSW) from mixed sources.

The Department's assessment considers all documentation submitted by Benedict Recycling Pty Ltd (the Applicant), including the Environmental Impact Statement (EIS) and Response to Submissions (RtS), and submissions received from government authorities, stakeholders and the public. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

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

1.2 Development Background

The Applicant is seeking development consent to construct and operate a WRTF with a capacity to accept up to 220,000 tpa of GSW (non-putrescible) at Girraween in the Cumberland Local Government Area (LGA) (see **Figure 1**).

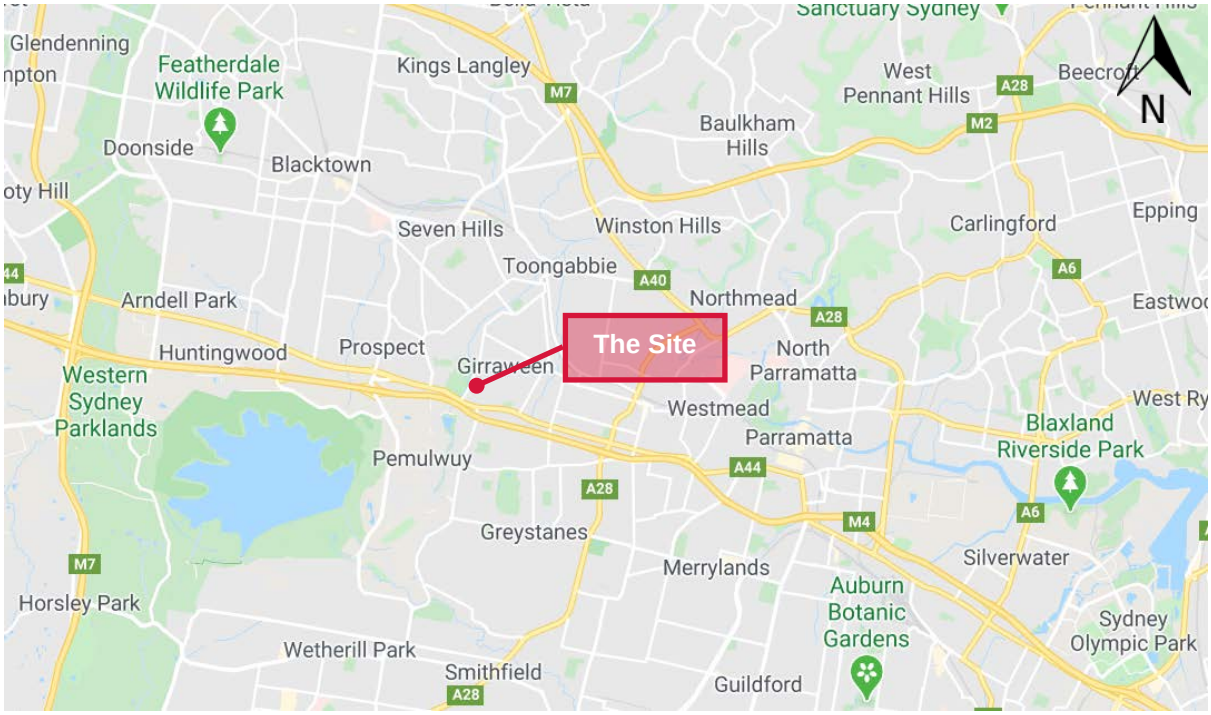

Figure 1 | Regional Context Map

The development would accept GSW (non-putrescible) from industries and the general public, including construction and demolition (C&D) waste, selected commercial and industrial (C&I) waste, uncontaminated soils, vegetation and timber, excavated natural materials (ENM), metals, rail ballast and spoil. It is not proposed to accept waste materials that are classified as special, liquid, hazardous, restricted solid waste or putrescible general solid waste as defined by the *NSW Environment Protection Authority (EPA) Waste Classification Guidelines 2014 – Part 1: Classification of Waste* (EPA 2014 guidelines).

The WRTF would screen and sort accepted waste materials into the appropriate waste streams and produce segregated recycled materials for processing off-site at the Applicant's other recycling facilities. Non-recyclable waste would be removed from the facility for disposal at an appropriately licensed landfill suitable to accept the waste.

The development includes the demolition of the existing buildings; construction of waste processing sheds and ancillary site infrastructure; installation of weighbridges, rainwater capture tanks and fire safety systems. The development is proposed to be operational 24 hours per day, 7 days a week.

The Applicant is a subsidiary of Benedict Industries Pty Ltd (Benedict Industries), a NSW-based group of companies operating in the production and supply of quarried materials, construction aggregates and recycled products across NSW, including for local and large-scale major infrastructure projects. The Applicant currently operates recycling facilities at Belrose, Bowral, Chipping Norton, Newcastle and Wollongong, with additional development facilities planned in Smeaton Grange, Penrith and Canberra.

1.3 Site Description

The development is located at 224 – 232 Toongabbie Road, Girraween (the site) and is legally described as Lot 678 in Deposited Plan (DP) 9157 (see **Figure 2**). The site is rectangular in shape with a total of 9,000 square metres (m^2) of IN1 General Industrial zoned land, under the *Holroyd Local Environmental Plan (LEP) 2013*.

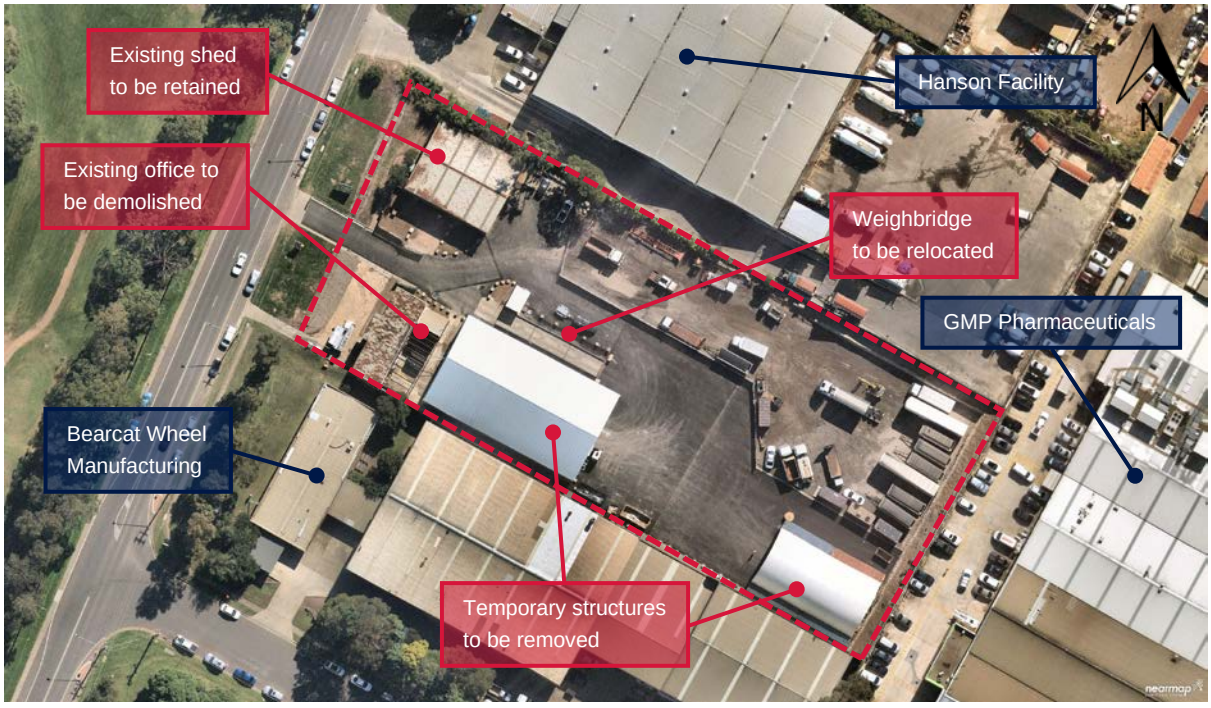

Figure 2 | Existing site

The site was acquired by the Applicant in November 2018 and previously operated as an approved scrap metal recycling facility under development consent (DA 2003/615/01) from the former Holroyd City Council (now Cumberland City Council)

The site currently consists of a levelled and compacted area (6,250 m^2) currently being used for vehicle storage, a 320 m^2 shed and partially-demolished two-storey brick and cement office building, both located near the front portion of the site, an existing awning structure (behind the office building), a weighbridge and co-existing office (front of the site), and a front landscaped area with two entry and exit driveways off Toongabbie Road.

1.4 Surrounding Land Uses

The site is situated in an industrial area within the suburb of Girraween, which is located approximately 40 kilometres (km) west of the Sydney city centre. Surrounding land uses are predominantly industrial in nature, with a Bearcat Wheel Manufacturing facility located to the south, Hanson facility (construction materials supplier) to the north, and GMP Pharmaceuticals adjoining to the east (see **Figure 2**).

To the west of the site, on the other side of Toongabbie Road, is the recreational Fox Hills Golf Course. The nearest sensitive residential receiver is a property located approximately 400 metres (m) south of the site, near the Great Western Highway. Major arterial roads include the Great Western Highway (400 m north), M4 Motorway (500 m north), Cumberland Highway (2.5 km west) and M7 Motorway (7.5 km west) (see **Figure 3**).

Figure 3 | Local Context Map

1.5 Other Development Approvals

On 20 September 2005, the site was approved by the then Holroyd City Council (DA 2003/615/01) for the operation of a scrap metal recycling facility with an annual processing capacity of 30,000 tpa. Historical environmental issues at the site, including the storage of large amounts of unauthorised waste on the eastern portion, and inadequate waste storage practices resulted in the NSW Environment Protection Authority (EPA) issuing seven penalty notices and six clean up notices to the previous landowners between 2011 and 2018 in accordance with Section 91 of the *Protection of the Environment Operations Act 1997* (POEO Act). When the Applicant gained ownership of the site in 2018, it undertook the required clean-up works to satisfy the existing clean-up notices, which included the removal of all unauthorised waste stockpiles, and the levelling of the operational area of the site.

No other development approvals have been identified for the site.

2 Project

2.1 Description of the Development

The major components of the development are summarised in **Table 1**, shown in **Figure 4** and described in full in the Environmental Impact Statement (EIS) and Response to Submissions (RTS) report included in **Appendix B**.

Table 1 | Main Components of the Development

Aspect	Description
Development Summary	**Construction and operation of a WRTF with the capacity to receive and process up to 220,000 tpa of GSW (non-putrescible).**
Site area	• Approximately 9,000 m^2
Demolition	• Existing driveway • Existing office building • Existing weighbridge and associated weighbridge office
Earthworks, civil works and services extension	• Widening (to 7 m) of existing in-bound driveway on southern side of the site frontage • New out-bound driveway (7 m width) on the northern side of the site frontage • Preparation for new car parking area at the front of the site • Sealed working surfaces
Construction (see Figure 4)	• New car parking area comprising 13 car and two motorcycle spaces • Main waste acceptance and storage shed, and associated waste sorting bays (Shed A and Shed B) • Office and amenity facility within existing building at front of the site • Hand unloading shed (Shed C)
Plant and equipment	• Two x front-end loaders (FEL) • Two x excavators • Yard sweeper • Screening and sorting plant
Ancillary Infrastructure (see Figure 4)	• Installation of three new and relocation of one above-ground weighbridges • Installation of outbound wheel wash bay • Installation of below ground 230 m^3 on-site stormwater detention (OSD) tank • Installation of above ground 133 kilo litre (kl) OSD tank • Installation of fire suppression system within main shed

Aspect	Description
Traffic	At full operating capacity, the site would generate up to 390 vehicle movements (two-way vehicle movements) per day comprising of 312 waste delivery vehicles (light and heavy vehicles), 46 heavy vehicles (dispatching products and waste) and 32 light vehicles (staff and visitors).
Landscaping	700 m^2 landscaping provided to street frontage
Construction timeframe	• Demolition – 2 weeks • Earthworks – 2 weeks • Construction – 20 weeks
Hours of operation	**Waste Delivery Acceptance** • 24 hours a day, 7 days a week **Processing** • Monday to Friday, 7 am to 10 pm • Saturday, 7 am to 5 pm * No processing on Public Holidays **Materials Dispatch** • Monday to Friday, 24 hours a day • Saturday, 6 am to 5 pm • Sunday, 8 am to 5 pm
Capital investment value	$4,557,871
Employment	10 full-time equivalent construction jobs, and 10 operational jobs

2.2 Physical layout and design

The proposed layout and design of the development is provided in **Figure 4**. The development consists of three new buildings - main shed (Shed A and Shed B), hand unloading shed (Shed C) and office/amenity building - and four weighbridges (two in-bound and two out-bound).

The main shed would be located towards the eastern boundary of the site, and has a total area of approximately 2,610 m^2, separated into three specific operational areas – receival, sorting and storage/dispatch. The southern portion of the main shed features the 798 m^2 main waste receival area (Shed B) and contains the truck waste tipping and inspection area. The north-eastern and eastern portion of the main shed features the 1,588 m^2 product storage shed (Shed A) where waste materials would be screened and sorted prior to being transferred to stockpile bays in the northern area of Shed A for storage and final dispatch.

The 720 m^2 hand unloading shed (Shed C), located towards the central portion of the site near the southern boundary, features the waste unloading area for small vehicles. Waste from Shed C would be transferred to Shed A for sorting and storage.

The 150 m^2 office/amenities building would be located towards the front of the site in the retained northern building and adjoins the two new out-bound weighbridges. Two new in-bound weighbridges would also be installed between the southern site boundary and Shed C.

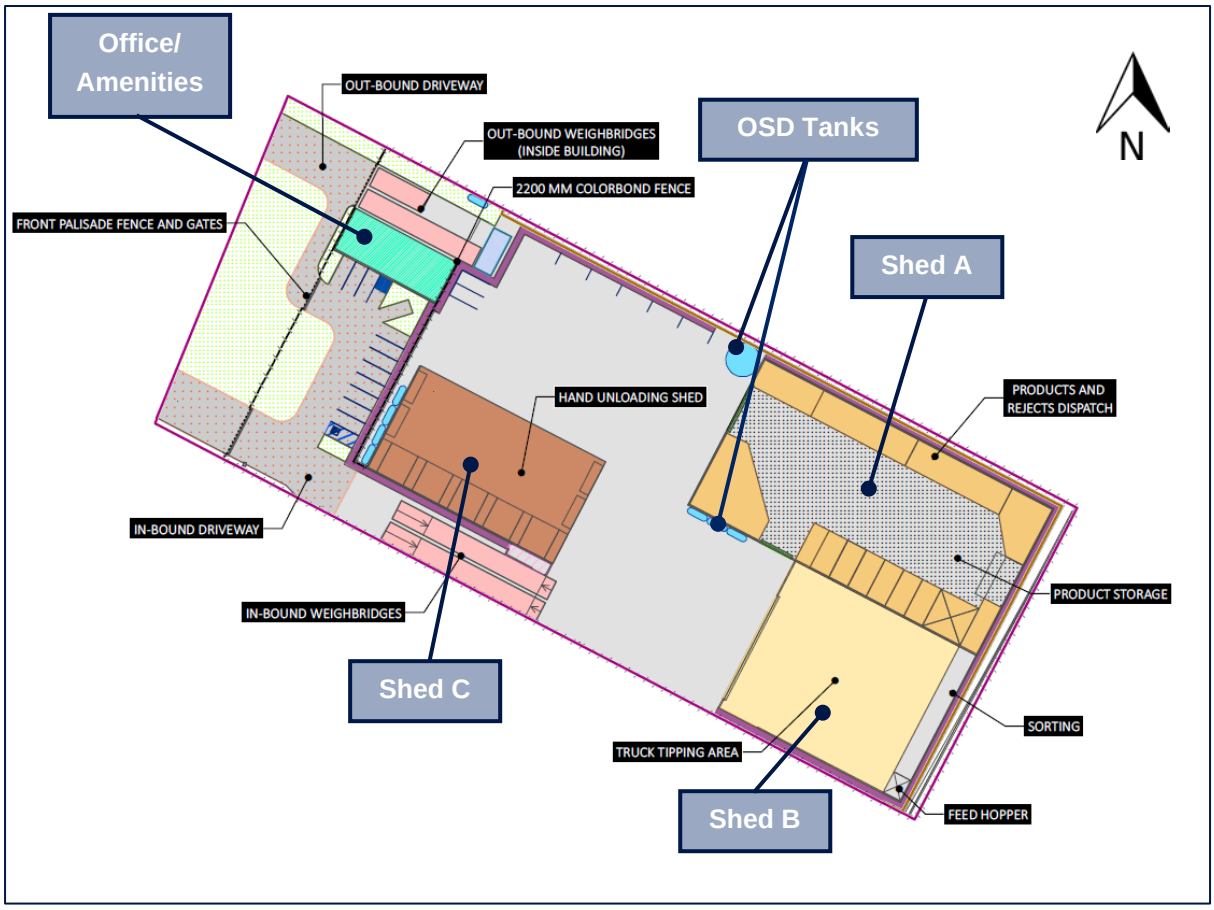

Figure 4 | Site Layout Plan

The Applicant was able to demonstrate how the layout and design of the development would enable it to meet the EPA's *Minimum Standards for Managing Construction and Demolition Waste in NSW* (the Standards). The Standards aim to ensure facilities handling C&D waste implement appropriate processes and procedures to minimise potential risk to human health and improve quality of recycling products. The Applicant's procedures to address these are set out in **Table 2**.

Table 2 | NSW EPA C&D Waste Management Minimum Standards and the Applicant's proposed procedures to address these

Standard	Summary of Applicant's Procedures
Standard 1: Inspection requirements	• As described in Section 2.3, incoming vehicles would be inspected for potential contaminants at the weighbridge. • An inspection of the incoming waste would also be carried out after it is tipped but before it is added to the appropriate stockpile. • If asbestos or other contaminants are found during inspection the entire load would be rejected. The rejected load would be recorded. • Staff training would form part of the Operational Environmental Management Plan (OEMP).

Standard	Summary of Applicant's Procedures
Standard 2: Sorting requirements	• As described in Section 2.3, conforming waste arriving at the facility would be separated into dedicated material storage bays for each waste type.
Standard 3: No mixing of waste	• The facility has been designed so that unprocessed (incoming) and processed (inspected and sorted) waste are in separate areas of the facility. A FEL is used to move processed waste to the appropriate storage bay.
Standard 4: Storage requirements	• The development provides separate, dedicated storage areas for incoming waste. • Storage bays and bins would be clearly labelled with their waste type. • Non-conforming waste would be removed within one business day to a facility lawfully permitted to accept that waste type. • All waste stockpiled or stored on site would be within a shed.
Standard 5: Transport requirements	• Waste would not be transported from the facility unless it has been inspected, sorted and stored in accordance with the standards.

2.3 Process Description

The development involves the receival, sorting and dispatch of recyclable wastes from industries and the general public for further processing off-site. The development would consist of three main operational processes being waste receivals, processing and materials dispatch. All processes would occur within an enclosed shed. The development proposes to accept waste during night-time hours; however, no processing would occur during this time. The site will have a maximum of 1,760 tonnes of waste at any one time. The waste recycling process is described below. Activities occur at the corresponding eight locations (Areas 1-8) shown in **Figure 5**. The flowchart in **Figure 6** depicts the proposed operational flow of the WRTF

Waste Arrival and Acceptance

Vehicles carrying waste delivery loads would enter the site via the southern in-bound entrance and proceed to the incoming weighbridge (Area 1) for weighing and inspection. Loads identified during the inspection as containing non-compliant waste would be rejected and removed from the site.

Acceptable waste types are classified GSW (non-putrescible), in accordance with the EPA 2014 guidelines, and would consist of the following:

- Mixed waste (recyclable) – building and demolition waste, soils, excavated materials and construction spoils
- Mixed waste (non-recyclable) – mixture of general solid waste
- Masonry waste – building waste not associated with demolition activities
- Vegetation waste – garden waste, wood waste and non-putrescible vegetative waste
- Timber and wood waste – treated and untreated wood associated with manufacturing of timbers and timber products, building and demolition waste
- Metals – from building and demolition waste

- Cardboard
- Excavated natural materials

Pre-segregated waste would be unloaded, spread, turned over and inspected next to the storage bays in Shed A (Area 2).

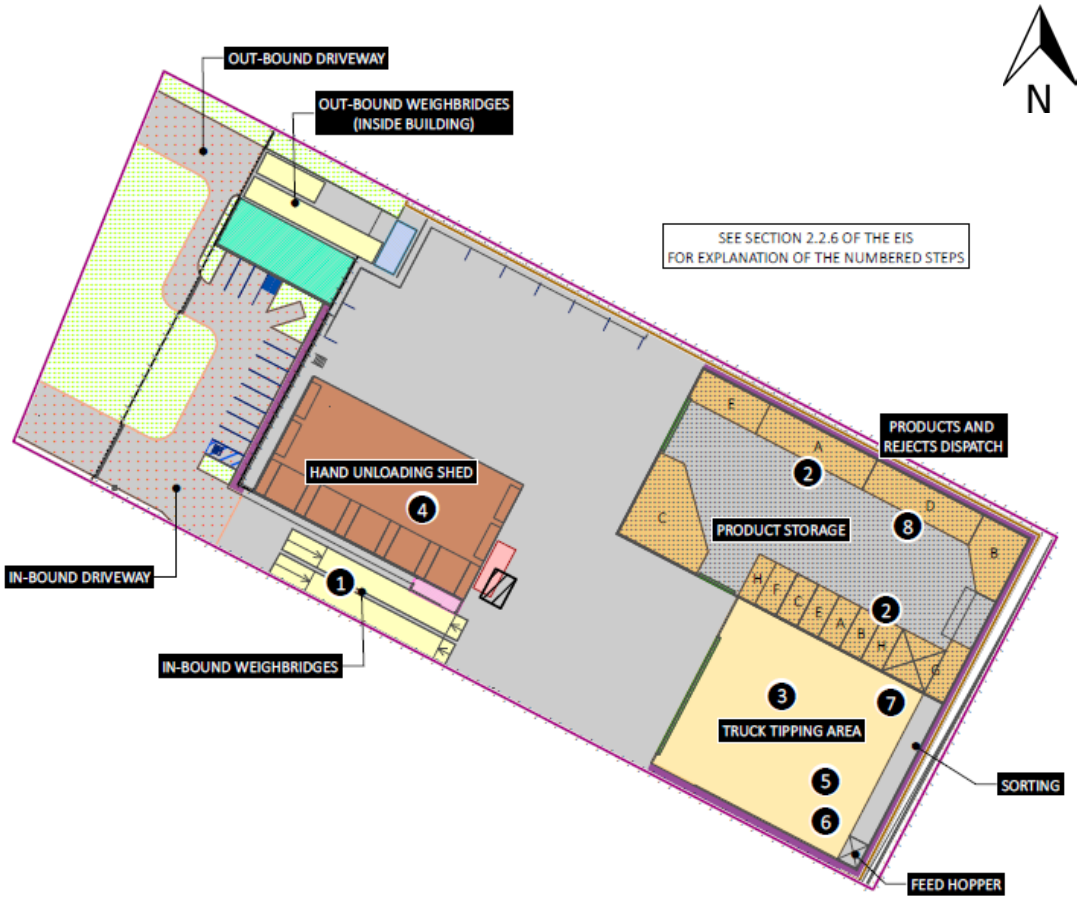

Figure 5 | Site Operational Plan

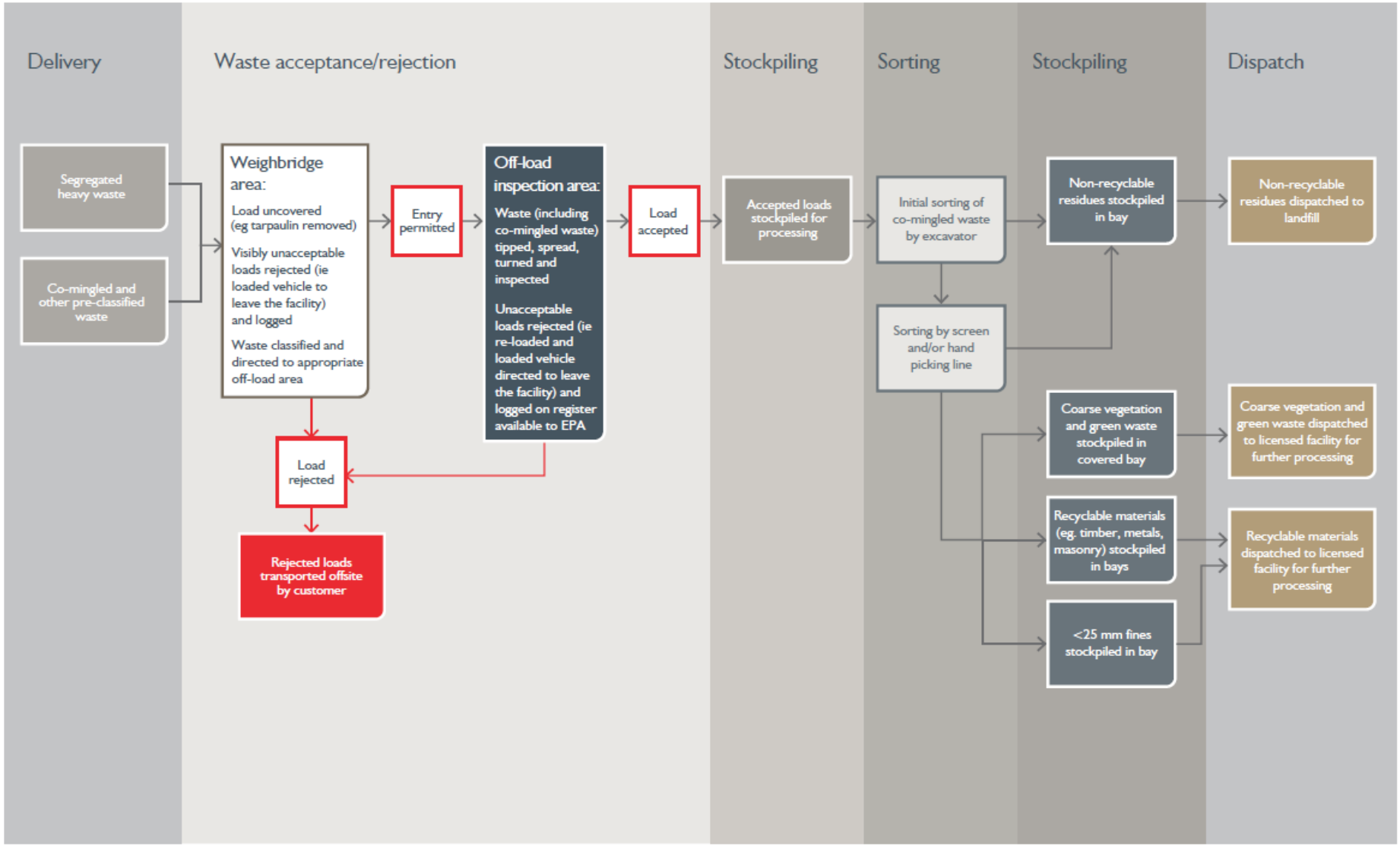

Figure 6 | Operational Flowchart

A breakdown of the predicted daily incoming waste streams is provided in **Table 3** below.

Table 3 | Incoming waste

Aspect	Waste Classification Types	Maximum tonnes (t) per day	Maximum stockpile volume (m^3)
Mixed waste (recyclable)	Building and demolition waste	370	280
Masonry waste	Building and demolition waste and associated materials from non-building and demolition activities	165	215
Vegetation waste	Garden waste, wood waste, non-putrescible vegetative waste	10	155
Timber waste	Building and demolition waste and wood waste	25	175
Mixed waste (non-recyclable)	Mixture of GSW (non-putrescible)	220	420
Metal	Building and demolition waste metal	20	50
Cardboard	Building and demolition waste, paper and carboard	5	25
Excavated materials	Excavated materials and soils (non-putrescible)	275	280
Non-conforming waste	Non-conforming waste	20	50
TOTAL		1,110	1,650

Overnight Arrivals

The development would operate on a 24-hour, 7 day per week basis however, the only activities to be undertaken during the periods 10 pm to 6 am on weekdays, 5 pm and 6 am on Saturdays and 5 pm and 8 am on Sundays is the delivery and dispatch of waste materials. Overnight receival is intended to accommodate C&D waste generated from large infrastructure projects undertaken in Western Sydney and would be on an occasional basis. All night-time deliveries would be booked in advance for the facility to remain open and staffed.

Waste Rejections

After inspection at the weighbridge a second visual check would occur at the truck tipping area (Shed B) or hand unloading area (Shed C). Heavy vehicles would be directed to Shed B for unloading (Area 3), where each load would be spread and thoroughly inspected by staff. General public deliveries of domestic waste in light vehicles would be directed to Shed C (Area 4) for hand unloading, where individual smaller loads would be inspected by site personnel and sorted prior to transfer to Shed B.

The presence of any unacceptable wastes would trigger a load to be rejected, reloaded and removed from site.

Details of all unacceptable loads would be recorded in the rejected loads site register and reported to the EPA.

Resource Recovery Processing

Following inspection of delivered loads, all waste would be transferred by FEL to Shed B and subsequently stockpiled awaiting processing (Area 5). The stockpiles of received waste would then be sorted into the appropriate waste type using screening and sorting equipment such as air separators, magnetics and eddy currents, and a hand-picking line (Area 6). Excavators would be used to feed the sorted waste through a hopper located in the south-eastern corner of Shed B to transfer the waste to Shed A for product storage (Area 7).

FELs would move the sorted waste types from the hopper to the relevant product storage bays located along the southern face of Shed A (Area 8). Waste to be dispatched to a recycling facility for further processing or waste rejected during sorting would be transported to the products and rejects dispatch bays along the northern wall of Shed A.

Dispatch from the Site

Sorted waste would be dispatched from the site continuously by heavy vehicles for either sale or further processing at another facility. Small quantities of unrecyclable wastes (less than 10% of all waste accepted) would be stored and stockpiled prior to being transported to an EPA licensed landfill facility. Heavy vehicles would reverse into Shed A to be loaded by FEL before proceeding to the out-bound weighbridges for final weighing before dispatch.

2.4 Applicant's Need and Justification for the Development

The Applicant has justified the need for the development by highlighting the growing population of the Cumberland LGA and the subsequent need to manage growing quantities of waste. The Applicant notes there is strong demand as there are currently no non-putrescible waste recycling facilities in the area that are accessible to the general public. The nearest identified facilities include an e-waste recycling centre in Prospect and a plastic, glass, paper and metal recycling facility in Seven Hills.

In addition, the Applicant has stated the development would contribute to achieving the NSW Government's strategies and targets set out in the NSW Waste Avoidance and Resource Recovery Strategy 2014-2021 (WARR Strategy). The development would contribute to these targets by:

- diverting recyclable and reusable wastes from landfill
- producing recycled soil material feedstock for off-site processing and use in construction works
- producing segregated materials for further processing offsite such as plastics and cardboards
- producing sorted materials for crushing such as masonry and bricks which would subsequently reduce the need for quarrying activities
- providing commercial return for the NSW economy
- provide ongoing employment to 10 people.

3 Strategic context

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

The development would contribute toward 'Creating Jobs' by creating up to 10 new construction jobs and 10 new operational jobs in the Cumberland LGA. The development also represents a $4,557,871 capital investment in industrial development.

3.1 Greater Sydney Region Plan, 2018

The vision of the Greater Sydney Region Plan 2018, *A Metropolis of Three Cities* falls within the integrated planning framework for Sydney (see **Figure 6**) and seeks to meet the needs of a growing and changing population by transforming Greater Sydney into a metropolis of three cities – the Western Parkland City, the central River City and the Eastern Harbour City. It brings new thinking to land use and transport patterns to boost Greater Sydney's liveability, productivity and sustainability by spreading the benefits of growth.

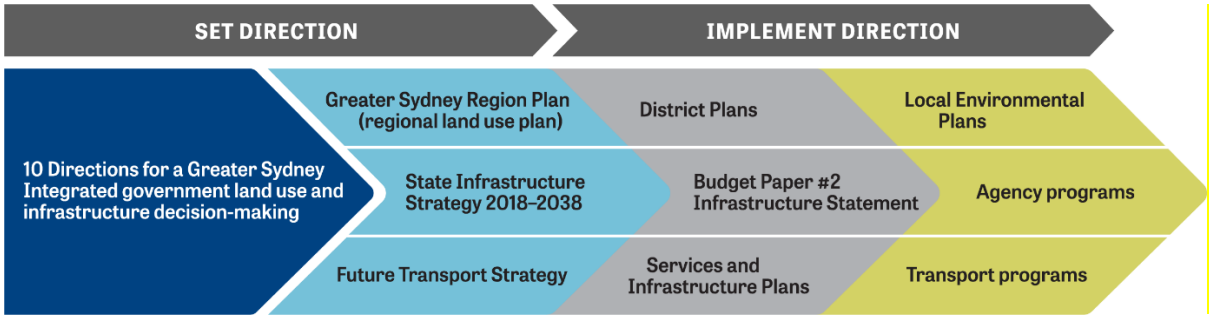

Figure 7 | Integrated Planning for Greater Sydney

Objective 35 outlines that retaining industrial land locally for waste management and recycling is critical, whilst Strategy 35.1 directly targets the protection of existing, and identification of new, locations for waste recycling and management. By providing a new and enhanced WRTF development to a site with an existing waste and recycling land use, the development is consistent with the objectives and strategies of the Greater Sydney Region Plan.

3.2 NSW 2021 and the Waste Avoidance and Resource Recovery Strategy

Reducing waste and keeping materials circulating within the economy are priorities for the NSW Government as, set out in NSW 2021. To meet this important challenge, the government developed the state-wide WARR Strategy that sets waste recovery targets for C&D, C&I and municipal solid waste (MSW) material. By 2021-2022, the WARR Strategy requires an increase in recycling rates as follows:

- C&I from 57% (in 2010-11) to 70%
- C&D from 75% (in 2010-11) to 80%
- MSW from 52% (in 2010-11) to 70%
- increase in the waste diverted from landfill from 63% (in 2010-11) to 75%.

The Applicant's target recycling rate for the site is greater than 90%, which exceeds the WARR Strategy targets.

The development would therefore contribute to the State's recovery performance in both the C&I and C&D sectors.

4 Statutory Context

4.1 State significance

The development is State significant development pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development for the purpose of resource recovery or recycling facilities that handles more than 100,000 tpa of waste, which meets the criteria in Clause 23(3) of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

4.2 Permissibility

The IN1 General Industrial land use zone applies to the site under the HLEP. Development for the purposes of a waste transfer facility is permissible with consent within the IN1 Zone. Therefore, the Minister from Planning and Public Spaces (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 9 March 2020, the Minister delegated the functions to determine SSD applications to the Executive Director, Regions, Industry and Key Sites where:

- the relevant local council has not made an objection and
- there are fewer than 50 public submissions in the nature of objections and
- a political disclosure statement has not been made.

The Department received ten submissions, including eight from public authorities and two from the public, with one public objection received. 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.

Accordingly, the application can be determined by the Executive Director, Regions, Industry and Key Sites under delegation.

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 proposed development, an Environment Protection License (EPL) will need to be applied for and issued by the Environment Protection Authority (EPA) under the *POEO Act.*

4.5 Mandatory Matters for Consideration

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 5** and **Appendix C**. 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)
- Holroyd Local Environmental Plan 2013 (HLEP).

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 Holroyd DCP 2013 in its assessment of the development in **Section 5** of this report.

Detailed consideration of the provisions of all EPIs that apply to the development is provided in **Appendix D**. 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 made publicly exhibited for at least 28 days. The application was on public exhibition from **Wednesday 20 November 2019** until **Wednesday 18 December 2019** (28 days). Details of the exhibition process and notifications are provided in **Section 5** of this report.

4.8 Objects of the EP&A Act

In the application, the consent authority must 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 considered the objects of the EP&A Act, including the facilitation of Ecologically Sustainable Development (ESD), in its assessment of the application (see **Table 4**).

The objects of relevance to the merit assessment of this application include:

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,

(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,

(c) to promote the orderly and economic use and development of land,

(d) to promote the delivery and maintenance of affordable housing,

(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,

(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),

(g) to promote good design and amenity of the built environment,

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,

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

(j) to provide increased opportunity for community participation in environmental planning and assessment.

Table 4 | Considerations Against the Objects of the EP&A Act

Object	Consideration
1.3 (a) To promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The development would promote social and economic welfare and a better environment by diverting recyclable and reusable wastes away from landfill, thereby extending the life of landfill operations. Through permitting the acceptance, sorting, storage and transfer of waste for recycling within a locality of commercial need, this would assist in meeting the growing demands of the community for waste and recycling processing within Western Sydney.
1.3 (b) To facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	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 the proposal can be carried out in a manner that is consistent with the principles of ESD.
1.3 (c) To promote the orderly and economic use and development of land	The development is permissible use which would promote the orderly and economic development of land and would provide employment for 10 operational employees and promote economic growth in the Western Sydney region.
1.3 (e) To protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	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 (i) To promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	The Department has assessed the development in consultation with, and given due consideration to, the technical expertise and comments provided by other Government agencies. 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) To provide increased opportunity for community participation in environmental planning and assessment.	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.

4.10 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 if national environmental significance (MNES), as it is considered to be a 'controlled action'. The EIS for the development includes 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 Planning Secretary's Environmental Assessment Requirements (SEARs), undertook consultation with relevant local and State authorities as well as the community and affected landowners. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

5.1.1 Consultation by the Applicant

The Applicant undertook a range of consultation with key stakeholders throughout the preparation of the EIS including:

- email correspondence with Council and government agencies
- direct engagement with neighbouring industrial and commercial users, including distribution of project information letters and face to face discussion
- providing information on the Applicant's website.

The Applicant noted concern was raised during early consultation by a number of adjoining landowners regarding the historic unlawful waste storage by the previous site owners. However, no further issues were raised after the scope and nature of the development was explained to neighbouring landowners.

5.1.2 Department's Engagement

After accepting the DA and EIS for the application, in accordance with Clause 9 of Schedule 1 of the EP&A Act, the Department:

- made it publicly available from **Wednesday 20 November 2019** until **Wednesday 18 December 2019**:
  - on the Department's website
  - at the Department's Sydney office (320 Pitt Street, Sydney)
  - at Cumberland City Council (16 Memorial Avenue, Merrylands)
  - at Wentworthville Branch Library (2 Lane Street, Wentworthville)
- notified landowners in the vicinity of the site about the exhibition period by letter
- notified relevant State government authorities Council
- advertised the exhibition in the *Auburn Review Pictorial*
- undertook a site inspection and conducted face to face discussions with landowners in the vicinity.

5.2 Submissions

The Department received a total of ten submissions, comprising eight from public authorities, and two from the general public. Of the ten submissions received, only one objected to the development. A summary of the issues raised in the submissions is provided below, with a copy of each submission provided in **Appendix A**.

5.2.1 Key Issues – Government Agencies

Council did not object to the development but raised the following concerns:

- the potential loss of on-street parking due to the former proposal to widen Toongabbie Road to provide a right-turn lane into the facility. This specific proposal has since been withdrawn from the development
- impacts on access and traffic flows due to the proposed driveway access widths of the development. Council advised the Applicant to provide amended plans identifying on-site queuing areas and a loading dock management plan
- noise and traffic impacts associated with night-time operations and associated heavy vehicle movements
- maintaining consistency with the existing Toongabbie Road streetscape by providing at least 15% site area landscaping to the site
- further clarity on the proposed wheel wash discharge, pollutant trap overflows and the sealed surface layer.

Blacktown Council did not object to the development and provided no comments.

EPA did not object to the development but raised the following concerns:
- inadequate application of the NSW Road Noise Policy (RNP) in the road traffic assessment
- revisions required to the Noise and Vibration Impact Assessment (NVIA).

EES did not object to the development and noted the requirement of a BDAR was waived in accordance with Section 7.9(2) of the Biodiversity Conservation Act 2016.

FRNSW did not object to the development but provided comments. FRNSW requested the Applicant to further address the FRNSW's Fire Safety Guidelines – Fire Safety in Waste Facilities and Emergency Vehicle Access. In addition, FRNSW noted the facility should install fire safety systems and measures corresponding to the worst potential fire scenario of the facility.

Worksafe NSW did not object to the development and provided no comments.

TfNSW did not object to the development but provided comments. TfNSW requested the Applicant to confirm on-site truck parking and to redesign the driveway access to comply with Australian Standard AS2890.2

Sydney Water did not object to the development but provided comments. Sydney Water requested the Applicant to demonstrate the development would have sufficient water capacity and comply with Sydney Water's trade waste requirements for wastewater.

5.2.2 Key Issues - Community

A total of two submissions were received from the public, of which one objected to the development. Key issues raised in the public submissions included:

- traffic and noise impacts
- potential for the site to attract vermin
- impacts on local businesses, property values and the capacity to retain and attract industrial/commercial tenants to properties.

5.3 Response to submissions

On 8 April 2020, the Applicant provided a Response to Submissions (RtS) on the issues raised during the exhibition of the development (see **Appendix A**). The RtS included updated traffic access design and swept path analysis, revised NVIA and OSD designs.

The RtS was made publicly available on the Department's website and was provided to key agencies to consider whether it adequately addressed the issues raised. A summary of the agencies' responses is provided below:

- **EPA** advised the revised NVIA sufficiently addressed comments and provided recommended conditions of consent.
- **FRNSW** advised the RtS adequately addressed comments and recommendations provided in its submission on the EIS. FRNSW noted the Applicant is to continue consultation with FRNSW for the life of the development and complete the Fire Engineering Brief Questionnaire process.
- **Council** advised the Department it had no further issues with the development.
- **TfNSW** advised the Department the Applicant had adequately addressed all comments and recommendations made in its submission.
- **Sydney Water** advised it had no objections to the development.

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

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 issues have also been assessed. These issues are considered to be minor and are addressed in **Table 6** in **Section 6.2**.

6.1 Traffic and Access

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

The development originally proposed road widening of Toongabbie Road and the installation of a right-turn only lane into the facility. The road widening would require the removal of approximately 18 on-street parking spaces. Council advised the Department it was unable to support the proposed road widening. To satisfy Council's concerns, the Applicant removed the road widening and right-turn only lane from the development proposal.

In addition, concern regarding traffic impacts was raised in the objection made by a member of the public.

A Traffic Impact Assessment (TIA) was prepared by EMM Consulting Pty Ltd to assess construction and operational traffic impacts, site access and on-site maneuverability.

Construction Traffic

The TIA assessed the potential traffic impact from the 20-week construction phase. A maximum of 40 vehicle movements per day were predicted during peak construction of the development, comprising 20 light vehicle and 20 heavy vehicle movements.

Standard construction hours have been proposed by the Applicant, with construction staff arrival and departure times occurring outside of the road network AM and PM peak periods.

No concerns were raised by TfNSW or Council regarding construction traffic impacts.

The TIA indicated construction traffic volumes would be well below the predicted level of operational traffic and are unlikely to have impacts on the surrounding road network. The Department accepts this assertion, however, to ensure potential construction traffic impacts are adequately managed, the Department has recommended a condition of consent requiring preparation and implementation of a Construction Traffic Management Plan (CTMP), including adequate on-site parking for construction vehicles.

Operational Traffic

The TIA assessed traffic based on two-way movements. A two-way movement consists of a vehicle entering the site (counted as one movement) and the same vehicle departing the site (counted as one movement). As such, a vehicle attending and leaving the site is counted twice in a two-way movement analysis.

Vehicle movements would comprise both light vehicles and heavy vehicles, including cars with box trailers, single axle heavy vehicles, skip-bin trucks and multiple-axle combination heavy vehicles with a maximum length of 19 m.

The operation of the WRTF would generate a maximum of 390 vehicle movements per day. Of these, 212 would be from light vehicles, with 178 heavy vehicle movements. The TIA identified the operational peak hour of the facility to be 1:00 pm to 2:00 pm, when an estimated 43 vehicle movements (including 22 heavy vehicle movements) being anticipated.

The TIA included a SIDRA analysis of the key intersections Great Western Highway/ Toongabbie Road (Intersection 1) and Toongabbie Road/Mandoon Road (Intersection 2) (see **Figure 8**). The TIA found both intersections are currently operating well during the network AM and PM peak hours, with sufficient capacity to accommodate additional traffic. Intersection 1 currently operates at level of service (LOS) B and Intersection 2 operates at LOS A during AM and PM peak hours.

The SIDRA analysis found the additional traffic from the development during AM, PM and operation peak hours would result in a minor increase in vehicle delays of less than one second at both intersections, with existing LOS retained. On this basis, the TIA concluded the development would have a negligible impact on the safety and efficiency of the existing road network.

Figure 8 | Key Intersections

The Department notes the peak operating hour of the site (1:00 pm to 2:00 pm) would be outside the busiest AM and PM road network periods. Furthermore, the TIA has demonstrated the development would contribute a minimal increase to the existing traffic volumes and retain the existing good LOS for both key intersections. Neither Council nor TfNSW raised concerns regarding operational traffic generation of the development.

The Department is therefore satisfied the surrounding road network can accommodate the development's operational vehicle movements without the requirement for additional road infrastructure upgrades.

To ensure any potential traffic impacts are effectively managed and to satisfy the concerns raised in the public objection, the Department has recommended conditions requiring the Applicant to prepare a Driver Code of Conduct (DCC) and an Operational Traffic Management Plan (OTMP). The OTMP must include measures to ensure road safety efficiency, including prioritizing the dispatching of waste materials outside of the standard road network and facility peak hours to further reduce potential impacts on the existing road network.

Site Access and Queuing

The size and layout of the facility should accommodate the safe and efficient maneuvering of vehicles through the site while avoiding potential queuing within the local road network. Access to the site should be designed to allow vehicles to enter and exit the site in a forward direction.

The Applicant has proposed two separate entry and exit access points. Entry access is located towards the southern end of the street frontage with the exit access located towards the northern end. The TIA included swept path analysis plans demonstrating the proposed in-bound and out-bound accesses could accommodate vehicles with a length of up to 19 m.

Following exhibition of the EIS, the Department requested the Applicant to provide details on the site's vehicle capacity and an assessment of vehicle queuing on-site. The Applicant provided a peak capacity scenario of vehicle stacking on-site during peak operational periods.

The anticipated peak hour of the facility is between 1:00 pm and 2:00 pm when an estimated 43 traffic movements would occur, including 36 for waste deliveries, four for waste dispatch and three for employees. The three employee vehicles would park in the carpark at the front of the site. In total, 11 heavy vehicles and nine light vehicles (20 total vehicles) would access the main part of the site during the peak hour.

The Applicant confirmed both delivery vehicles and dispatch vehicles would spend a maximum of 14 minutes on-site. The Applicant additionally provided a stacking plan as part of the RtS to demonstrate the site's on-site queuing capacity during peak hour operations. The RtS identified the site has sufficient space for the stacking of 14 vehicles in total, being 6 light vehicles and 6 heavy vehicles for waste receivals and a further 2 heavy vehicles for waste dispatching (see **Figure 9**).

Assuming a vehicle would exit the site within 14 minutes, the Applicant provided a 14-minute snapshot of on-site vehicle movements for the peak hour vehicle volume of 20 vehicles. The snapshot identified a worst-case scenario of a maximum of 7 vehicles on-site at any given time per 14-minute interval as a maximum of 3 light vehicles, 3 heavy vehicles for waste receival and 1 heavy vehicle for waste dispatch would be on site per 14-minute interval. The RtS therefore concluded the site's vehicle capacity of 14 vehicles is sufficient to accommodate the 7 vehicles on-site at any given time during the site-peak hour.

The Applicant has committed to preparing an Operational Traffic Management Plan (OTMP) including provisions for a traffic controller to appropriately manage the access and movement of vehicles on-site. Additionally, the traffic controller would redirect incoming traffic away from the site to another appropriate facility in the event of a site emergency, breakdown or site capacity has been reached.

Council reviewed the EIS and requested a Loading Dock Management Plan to manage heavy vehicle movements within the site. The Applicant noted in the RtS that the OTMP for the development would include a Traffic Control Plan (TCP) which would incorporate the requirements of the requested Loading Dock Management Plan.

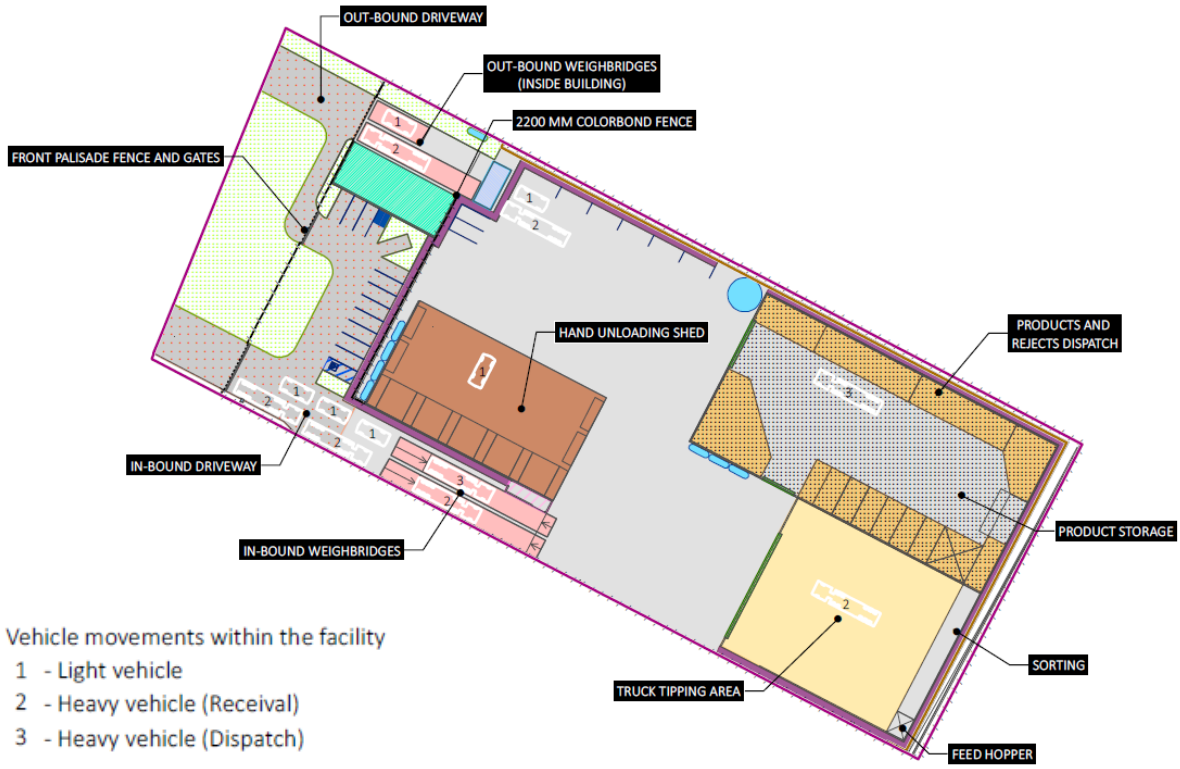

Figure 9 | On-site Vehicle Stacking Capacity

The Department is satisfied the stacking assessment sufficiently considers the maximum number of vehicles and the time vehicles would spend on site during peak hour operations under a worst-case scenario. The proposed 14-minute maximum time for vehicles to be on-site would enable throughput of the 20 vehicles per hour expected during the peak hours of activity without the need to queue on Toongabbie Road.

To ensure efficient traffic management, the Department has recommended a condition requiring the preparation of a TCP as part of an OTMP. The TCP is to include the provision of traffic controllers on-site to manage vehicle access in the event on-site vehicle stacking has reached capacity. The Department has additionally included a condition prohibiting vehicles queuing on public roads to ensure there will not be adverse impacts to the safety or efficiency of the road network.

The Department's assessment concludes the layout of the development can accommodate the anticipated vehicle movements as the site provides sufficient on-site stacking to prevent queuing and traffic delays on Toongabbie Road. The Department is satisfied the provision of a TCP can appropriately manage site access and on-site operations to prevent safety or operational impacts.

Site Maneuvering

Swept path plans were provided to demonstrate the largest accepted vehicle (19 m) can maneuver through the site in a forward-facing direction without hinderance. The plans additionally demonstrated a 19 m vehicle could reverse in and out of Sheds A and B.

The Applicant acknowledged not all vehicle movements would be able to occur simultaneously or under all circumstances within the site. To ensure no hinderance to vehicle movements and to mitigate potential on-site traffic safety impacts, only one vehicle would operate at each shed - one heavy vehicle in the waste receival area, one light vehicle in the hand unloading area and one heavy vehicle in the dispatch area.

The Department has recommended a condition of consent requiring a Traffic Control Plan (TCP), as part of the OTMP, to clearly set out the internal traffic movements and how these would be monitored and managed by traffic controllers to ensure the site operates safely.

Conclusion

The Department has considered the impacts to the road network in terms of vehicle movements, vehicle routes, access, on-site stacking arrangements and site maneuvering alongside the objection made by a member of the public. The Department is satisfied the site can operate in a safe and efficient manner without significant impacts to the local road network.

The Department notes TfNSW and Council raised no objection to the development.

The Department has recommended conditions of consent to ensure traffic impacts are managed appropriately, including the preparation of a CTMP and an OTMP. The OTMP is to include a TCP to clearly identify and control traffic movements within the site and a Driver Code of Conduct which would specify heavy vehicle routes and other measures to minimise impacts on the local road network.

The Department's assessment concludes that, subject to the recommended conditions and the Applicant's proposed mitigation measures, the development's site access and maneuvering arrangements are satisfactory, and traffic generation can be accommodated by the local road network with minimal impacts to traffic safety or LOS.

6.2 Other issues

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

Table 5 | Assessment of Other Issues

Findings	Recommendations
Noise and Vibration	
• The development has the potential to generate noise during construction and operation which could impact the amenity of the locality. • EMM prepared a Noise and Vibration Impact Assessment (NVIA) in accordance with EPA noise policies and guidelines. *Construction Noise* • The NVIA found the construction noise levels would satisfy the noise management levels (NML) of the Interim Construction Noise Guidelines (ICNG) at all residential and sensitive receivers (see **Figure 3** for receiver locations). In addition, no exceedances were identified for surrounding industrial receivers. • The construction works would not utilise any vibration intensive plant or equipment. *Operational Noise* • The NVIA found operational noise is predicted to satisfy the EPA's Noise Policy for Industry and be below the relative project noise trigger level (PNTL) at all residential receivers for day, evening and night-time periods. • The NVIA predicted the maximum night-time noise levels (LAmax) from the site would meet relevant sleep disturbance criteria at all residential receivers. *Traffic Noise* • The NVIA identified Girraween Road and Mandoon Road as the roads most affected by traffic generated noise. The NVIA identified the existing noise levels of Mandoon Road exceed the road traffic criterion of 55 dB. • The NVIA predicted the development would contribute to an increase in traffic noise of 1.2 dB. The NVIA justified the predicted increase as a negligible increase and within the allowable 2 dB increase criterion from the Road Noise Policy (RNP).	Require the Applicant to: • ensure that noise generated during operation does not exceed noise limits • prepare and implement a ONMP

- However, EPA advised the RNP was incorrectly applied in the assessment of traffic noise impacts.
- The Applicant updated the NVIA based on the EPA's comments and predicted the noise increase would be 1.7 dB, remaining under the 2 dB criterion increase allowance of the RNP.
- The EPA reviewed the updated NVIA and advised the Department its comments had been satisfied by the Applicant.

Department's Assessment

- The Department notes impacts on noise amenity was raised in the objection made by a member of the public.
- The Department is satisfied potential noise impacts were appropriately assessed in the EIS. The processing of waste would be undertaken in enclosed processing sheds and the site is located at 400 m from the nearest residence. As such, the Department is satisfied the noise impacts would be low and would comply with the relevant noise guidelines and policies.
- Furthermore, the Department notes overnight waste receivals of the WRTF would be infrequent and not a source of constant noise generation.
- The Department has included noise limits in the recommended conditions of consent to ensure operation of the WRTF remains below the PNTL. In addition, to ensure noise generated by the development is managed appropriately, the Applicant is required to prepare and implement an Operational Noise Management Plan (ONMP).
- The Department's assessment concludes potential noise impacts were appropriately assessed and demonstrate the development will have minimal noise impacts. The Department is satisfied that the noise impacts of the development would comply with the relevant criteria.

Fire Safety

- The storage of waste materials presents potential fire safety risks if not managed appropriately, especially as a significant portion of waste accepted by the development is combustible.
- The Applicant proposes a fire safety system that includes an automated remote fire suppression system using thermal imaging to identify potential combustion points and includes fire hydrants, fire extinguishers, fire blankets, water cannons, fire hose reels and smoke alarms.

Require the Applicant to:

- consult with FRNSW during the final design of the fire safety system to ensure

- The Applicant noted the fire safety measures for the development would be finalised prior to operation and designed in accordance with FRNSW's Fire Safety Guidelines and in consultation with FRNSW.
- FRNSW reviewed the information provided and advised it was satisfied, subject to continued consultation during the detailed design process and for the life of the development.
- As the final fire safety system design would be approved by FRNSW in accordance with the relevant guidelines, the Department is satisfied appropriate measures would be implemented to safeguard the development against potential fire hazards.
- The Department recommends conditions of consent requiring the fire safety system design to be finalised in consultation with FRNSW and submitted to the Planning Secretary for approval prior to construction.
- The Department's assessment concludes that with the proposed controls in finalised in consultation with FRNSW and implemented, fire safety would be adequately addressed in the design of the facility.

it meets FRNSW requirements.
- submit the fire safety system design to the Planning Secretary for approval prior to construction.

Air Quality

- The development has the potential to generate air quality impacts during operation, primarily due to dust and particulate matter emissions.
- EMM prepared an Air Quality Impact Assessment (AQIA) in accordance with the approved methods (EPA 2016).

Construction

- Construction activities include construction of the building, realignment of driveways and installation of weighbridges and landscaping.
- The AQIA stated that construction emissions would be negligible for the site and were not considered in detail in the assessment.
- The Department agrees and is satisfied the proposed dust mitigation measures such as water suppression of stockpiles and exposed areas, reducing speed limits, maintaining equipment and shutting down idling equipment would be enough to ensure potential construction impacts are mitigated.

Operation

- Dust generating activities would be undertaken within the enclosed sheds, limiting the potential impact on the local air quality amenity.

Require the Applicant to:
- undertake all reasonable steps to minimise dust during all works.
- prepare and implement an AQMP.

• The AQIA identified the development was likely to generate air pollutants such as total suspended particles (TSP), PM10, PM2.5 through the handling of waste during receival and dispatch activities. • The AQIA also noted waste accepted at the WRTF is to be non-putrescible GSW, approximately 80% of which would be C&D waste which is not considered to generate odour. • The assessment identified the operation of the development would satisfy the assessment criteria for TSP, PM10, PM2.5, odour and dust deposition at all assessed receiver locations. • The Applicant has proposed dust mitigation measures to ensure air quality impacts remain minimal, including the installation of internal water fogging systems within the sheds. • The EPA had no comments on the AQIA. The Department notes impacts on air quality was raised as a concern in the objection made by a member of the public. • The Department considers the Applicant has satisfactorily demonstrated compliance with the relevant impact assessment criteria at all receivers. • However, to ensure air quality impacts associated with the operation of the WRTF are appropriately managed, the Department requires preparation and implementation of an Air Quality Management Plan (AQMP). • The Department's assessment concludes with the Applicant's proposed management measures and the recommended conditions in place, the development would have a negligible impact on air quality and meet all applicable NSW EPA impact assessment criteria.	
Contamination	
• The Applicant undertook a preliminary contamination assessment as the site has a history of non-conforming waste storage. • Approximately 18,428 tonnes of unauthorised waste were removed, and the natural surface was regraded and compacted with a Rotamill capping. The disposal of waste and completion of site clean-up was notified to the EPA in 2018. • The contamination assessment identified the site has potentially contaminated soils and ground water from previous uses and surrounding industrial uses. However, as the development would have minimal earthworks and the site surface has been capped, with further asphalt or concrete hardstand sealing proposed, the	Require the Applicant to: • prepare and implement an unexpected contamination procedure to ensure any contaminated material is

development would have minimal opportunities for soil exposure or disturbance. • The Applicant has committed to the preparation and implementation of an unexpected contamination procedure in the event subsurface contamination is identified during construction. • The Department notes no comments were made on contamination issues. • The Department considers there is a low risk of contaminated soil exposure and impacts as surface level soils were removed during site clean-up, only minor earthworks would occur, and potentially contaminated soils would be sealed appropriately. • The Department's assessment concludes the implementation of an unexpected contamination procedure during construction to be acceptable in managing any potential contaminated sub surface soil and has included this as a condition of consent.	identified and disposed of appropriately.
Water and Wastewater	
• The development has the potential to result in surface water impacts from erosion and sedimentation during construction as well as leachate from waste and stormwater during operation. • The EIS included a water and soil management plan prepared by Tooker and Associates which provided stormwater management design and management measures to effectively mitigate the water and soil impacts of the development. *Construction* • To prevent surface water impacts, the Applicant proposes to install sediment and erosion controls, including sediment fencing and bunding during construction. • The Department considers the sediment and erosion impacts can be adequately managed by the proposed control measures and recommends the Applicant prepare and implement an Erosion and Sediment Control Plan as part of the CEMP. *Stormwater* • The EIS notes the site has been appropriately graded to drain surface water to Council drainage infrastructure on Toongabbie Road. • Surface water that has not been in contact with waste is proposed to flow north-westerly through the site to a grated drainage inlet pit located adjacent to the proposed carpark. A water quality treatment device would be installed in the pit to ensure final water quality is in	Require the Applicant to: • prepare and implement an Erosion and Sediment Control Plan. • prepare and implement an WMP that includes leachate management. • design and install a stormwater management system in consultation with Council. • consult with FRNSW during the final design of

accordance with Council's standards before discharge to Council's drainage system.

- The EIS additionally notes a 25,000 litre (L) reuse water tank would be installed to collect rainwater from building roofs to be reused for dust suppression and landscape irrigation.
- Council stipulated its requirement to remove 50% of pollutants from stormwater runoff in accordance with the rates specified in the Holroyd Development Control Plan 2014 (HDCP 2014). The RTS noted the proposed gross pollutant trap is designed to remove 80% of sediment and pollutants.
- Based on the information provided and further to final design, the Department is satisfied the proposed stormwater management system can sufficiently manage stormwater associated with the site.
- To ensure compliance with the requirements of the HDCP 2014, the Department recommends a condition requiring the implementation of a Water Management Plan (WMP) to manage surface water treatment, handling and disposal. In addition, a condition has been included requiring the stormwater system design to be finalised and installed in consultation with Council.

Wastewater and Leachate

- Minimal wastewater or leachate would be produced during site operations as waste processing would occur within enclosed buildings, with dust suppression to be located at processing shed doors. The RtS noted dust suppression equipment produces a fine water vapour which would not generate puddling within processing sheds and therefore no leachate would be generated by the development.
- However, to establish management measures for leachate handling and disposal in the event of unexpected leachate production, the Department recommends including details of these in the WMP.

Firewater

- FRNSW requires provision for containment of contaminated firewater run-off produced during the worst credible fire scenario for the site.
- The RtS noted the site is to be bunded with a 0.1 m kerb to store up to 500,000 L of firewater runoff in the event of a worst-case fire incident.
- No concerns were raised by FRNSW regarding the proposed firewater containment capacity.

the fire safety system to ensure it meets FRNSW requirements for fire water containment.

- Firewater would be subsequently tested to determine if it can be discharged via the stormwater system. Contaminated firewater would be pumped into tanker trucks and transported off-site for disposal at an appropriately licenced facility.
- To ensure sufficient firewater storage capacity, the Department has included conditions requiring the final fire safety system to be design in consultation with FRNSW, which would include firewater containment.

Conclusion

- Subject to compliance with the recommended conditions, the Department's assessment concludes the development provides sufficient water quality and drainage controls to ensure unacceptable water impacts are avoided.

Vermin

- Concern was raised in the submission by Council and the objection made by a member of the public, that the development has the potential to harbour pests and vermin.
- The Applicant elaborated in the RtS that no putrescible waste would be accepted by the WRTF, including food wastes. The Applicant noted pests and vermin are unlikely to be attracted to the WRTF as there would be no direct food source present in the incoming waste.
- Furthermore, the Applicant noted that waste would be continually processed on-site thereby not providing sufficient time for pests and vermin, such as rats or termites, to form habitats.
- The Department additionally notes all waste storage would occur within enclosed processing sheds which would prevent pest and vermin access to waste stockpiles.
- To further ensure adequate vermin management, the Department has included a condition requiring the Applicant to implement pest and vermin management measures for the life of the development.
- The Department's assessment concludes the development is unlikely to harbour any pests or vermin and can be managed through the recommended conditions.

Require the Applicant to:

- implement suitable measures to manage pests and vermin on site.

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.

The development would support the conversion of waste into reusable materials by preparing sorted materials for recycling. It would also assist in diverting C&D and C&I material from landfill and as a result help to extend the life of existing landfill facilities and minimise their environmental impacts. The development would assist in reducing waste disposal costs for the government and industry and would provide 10 construction jobs and 10 operational jobs.

The key issues associated with the development relate to the traffic impacts and the ability for the development to manage waste processing effectively. The Department's assessment concluded that despite one public objection to the development concerning impacts on the local amenity, the amenity impacts during the operation of the WRTF would be minor and the development is capable of processing the proposed 220,000 tonnes of GSW (non-putrescible) per annum. Therefore, the Department has recommended a number of conditions to minimise these impacts, including:

- restricting waste receipt and processing to 220,000 tpa
- the preparation and implementation of an OTMP to manage operational traffic impacts
- preparation and implementation of management plans for waste, noise, air quality and water.

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

8 Recommendation

For the purpose of section 4.38 of the *Environmental Planning and Assessment Act 1979*, it is recommended that the Executive Director, Regions, Industry and Key Sites 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 Girraween Waste Recycling and Transfer Facility (SSD-9766) as amended, subject to the conditions in the attached development consent
- **signs** the attached development consent and recommended conditions of consent (see Appendix D).

Prepared by: Shaun Williams – A/Senior Environmental Assessment Officer

Recommended by:

9 June 2020

Sheelagh Laguna
A/Team Leader
Industry Assessments

Recommended by:

9 June 2020

Chris Ritchie
Director
Industry Assessments

9 Determination

The recommendation is **Adopted** by:

Anthea Sargeant
Executive Director
Regions, Industry and Key Sites

Appendices

Appendix A – List of referenced documents

The Department has considered the following documents in its assessment of the development:

- Environment Impact Statement Girraween Waste Recycling and Transfer Facility, 224-232 Toongabbie Road, Girraween State Significant Development 9766, prepared by EMM Consulting Pty Ltd, dated 6 November 2019
- Response to Submissions Girraween Waste Recycling and Transfer Facility, 224-232 Toongabbie Road, Girraween State Significant Development 9766, prepared by EMM Consulting Pty Ltd, dated 25 March 2020
- Letter of Response, SSD 9766 – Girraween Waste Reycling Transfer Facility – Request for additional information, prepared by EMM Consulting Pty Ltd, dated 14 May 2020
- Submissions from the general public, Council and government agencies. Available on the Department's website at: https://www.planningportal.nsw.gov.au/major-projects/project/11566
- Relevant environmental planning instruments, policies and guidelines objects and relevant provisions of the EP&A Act.

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:

Table 7 | Consideration of Matters from Section 4.15 of the EP&A Act

Matter	Consideration
a) the provisions of: (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).	• 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.
b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	• The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
c) the suitability of the site for the development	• The development is for a waste or resource management facility on land zoned IN1 which is a prescribed zone under cl 120 of the Infrastructure SEPP (ISEPP).
d) any submissions made in accordance with this Act or the regulations	• All matters raised in submissions have been summarised in Section 5 of this report and given due consideration as part of the assessment of the development in Section 6 of this report.

e) the public interest	• The development would generate 10 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.

Environmental Planning Instruments

State Environmental Planning Policy (State and Regional development) 2011

The SRD SEPP identifies certain classes of development as SSD. In particular, development for the purpose of waste or resource transfer stations in metropolitan areas of the Sydney region that handle more than 100,000 tonnes per year of waste.

The proposed development, which seeks to receive up to 220,000 tonnes per year of waste meets the criteria in Clause 23(2) 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 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 preliminary contamination assessment (PCA). The PCA concluded concentrations in soil samples taken from the site were less than the adopted human health assessment for direct contact. Any unexpected contamination would be addressed through conditions for managing unexpected finds.

Holroyd Local Environmental Plan 2014 (HLEP 2014)

The development is located on IN1 General Industrial zoned land and the area immediately surrounding the site is being utilised for industrial uses. The proposed development is consistent with the objectives of the IN1 zoning identified in the HELP 2014.

The Department has consulted with Cumberland City Council throughout the assessment process and has considered all relevant provisions of the HELP 2014 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 HELP 2014.

Holroyd Development Control Plan 2014 (DCP)

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

Appendix C – Key Issues – Council and Community Views

The Department of Planning, Industry and Environment (the Department) exhibited the EIS for the development from 10 November 2019 until 18 December 2019. The Department received a total of ten submissions, comprising eight from public authorities, and two from the general public. Of the ten submissions received, only one objected to the development.

Table 8 presents the key issues raised in the public submissions (as summarised in **Section 5.2**), and how the Department has considered each issue.

Table 8 | Department's response to issues raised in submissions from the public

Issue raised	Consideration
Traffic • increased traffic on local road network	*Assessment* • The Applicant provided a revised 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 the traffic generated by the development would not impact on the existing level of service of the local road network. • The Department's assessment concluded that, subject to recommended conditions and the Applicant's mitigation measures, site access and maneuvering 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. *Conditions* • A requirement for a traffic management plan and driver code of conduct to be prepared to ensure trucks follow specific haulage routes and manoeuvre safely on-site.
Noise • noise disturbance	*Assessment* • The Applicant demonstrated that the project specific noise levels were satisfied at all off-site receiver locations and that sleep disturbance screening criteria would also be met for the enclosed facility. • The Department's assessment concluded potential noise impacts were appropriately assessed under a worst-case scenario and is satisfied that the noise impacts of the development would comply with the relevant criteria. *Conditions* • A requirement to adhere to the construction noise management levels in the Interim Construction Noise Guideline (DECC, 2009). • Noise limit LAeq (15 minute) noise emission criteria were provided for various sensitive receivers.

Vermin • potential for the site to harbour vermin.	*Assessment* • The Applicant highlighted the development would not accept putrescible waste such as food waste and is therefore not considered to attract vermin. • The Department's assessment concluded the waste processed at the site is unlikely to attract vermin and is to be stockpiled within enclosed processing sheds. *Conditions* • The Applicant is to implement pest and vermin management measures to prevent pests and vermin on-site.

Appendix D – Recommended Instrument of Consent

The recommended conditions of consent for SSD-9766 can be found on the Department's website at:

https://www.planningportal.nsw.gov.au/major-projects/project/11566