



6 July 2016

NSW Planning Assessment Commission Determination Report

Determination of Veolia Recycling Facility (SSD 4964)

1. INTRODUCTION

Veolia Environmental Services (the Applicant) has lodged a Development Application (DA) seeking consent to construct and operate a Resource Recovery Facility (RRF) at 37 Grand Avenue, Camellia (the site).

The RRF would receive up to a maximum of 200,000 tonnes per annum (tpa) of pre-sorted recyclable waste materials including mixed paper, cardboard, wood, hard plastics and metals for resource recovery. This material is primarily sourced from Veolia's existing Port Botany and Greenacre transfer stations, with some additional material being sourced from other commercial waste contractors.

The proposal is classified as State Significant Development (SSD) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EPAA) as it satisfies Clause 23(3) of Schedule 1 – *State Environmental Planning Policy (State & Regional Development) 2011* as it involves the operation of a RRF which exceeds more than 100,000 tpa of waste.

The site is located adjacent to the Parramatta River on the Camellia peninsula which is located to the east of the Parramatta CBD. The site is bounded by the Parramatta River to the north, a shipping container storage yard to the east, Grand Avenue and a bitumen manufacturing plant to the south, and two waste recycling facilities to the west.

2. SITE HISTORY

The site currently holds a number of active development consents for a range of waste management operations which date back to 23 July 1992. All known consents are proposed to be surrendered as part of the proposal. The consents to be surrendered are included below in **Table 1**.

Until August 2009, Veolia operated the site as a liquid waste treatment plant, and also as a depot for waste collection vehicles. Whilst the site infrastructure remains, the site is now only periodically used for the overnight parking of liquid waste tankers.

The whole of the Camellia peninsula is known to be subject to significant contamination, specifically hexavalent chromium (within groundwater) and asbestos, which both affect the site. The site has been capped with an asphalt seal over the surface to contain contamination, with the exception of a small grassed area to the north of the site which has been excluded from the site by a chain link fence. The existing stormwater system has also been relined to reduce the transportation of contaminated groundwater through the site and into the Parramatta River.

Veolia is currently engaged in a Voluntary Remediation Agreement for the site with the Environmental Protection Authority (EPA), through a site specific Remediation Action Plan and under the supervision of an EPA accredited Site Auditor.

The capping strategy proposed in this RAP consists of the following measures to limit recharge:

- Raising site levels and construction of new hardstand across the site with appropriate grading of the site to manage overland stormwater runoff;
- Construction of a new stormwater system at a level above the current site pavement which will be left in place.
- Decommissioning and sealing the existing stormwater system including any bedding sands which might constitute migration pathways;
- Construction of a subsurface barrier to limit groundwater inflow from the adjacent property of Concrete Recyclers where groundwater mounding is expected to occur under large concrete stockpiles which are sprayed with water for dust suppression.

A further objective of the Remedial Strategy is to prevent visual seeps of Cr (VI) impacted water from occurring on the foreshore adjacent to the Parramatta River.

Determination Date	DA Number	Details
3 December 1969	1054/J	
26 May 1970	G114/70	
23 July 1992	DA 39288/L91	Food waste recycling depot (grease trap plant).
15 March 1996	DA 96/00019/DJ	Upgrade of existing waste water treatment plant and the construction of two (2) vertical tanks.
12 July 1996	DA 95/00886/DJ A	Relocate the already approved metal clad workshop towards the street frontage.
28 October 1997	DA 97/00532/DJ	To erect an awning to an existing wash bay and to extend an existing storage bay.
09 July 2001	DA IT/01476/99	To extend and upgrade an existing liquid waste treatment facility.
05 April 2005	DA/532/1997/A	Section 96 application to modify Council original approval and increase the height of the storage bays.
22 October 2007	DA/848/2007	Alterations and additions including replacement of 3 liquid storage tanks, increase the size of the bunded area, extension of soil bay awning and additional soil bays.

Table 1 – Development Consent History

3. PROPOSED DEVELOPMENT

The development as proposed includes the following components as listed below in **Table 2**:

Aspect	Description
Summary	Construction and operation of a resource recovery facility to process up to 200,000 tpa of source separated waste from commercial and industrial sources.
Economics	<ul style="list-style-type: none"> • Capital investment: \$25 million; and • Employment: 60 construction and 40 operational jobs.
Waste input	<ul style="list-style-type: none"> • 200,000 tpa of non-putrescible waste comprising of: <ul style="list-style-type: none"> ➢ 50,000 tpa of source separated waste; and

Aspect	Description
	<ul style="list-style-type: none"> ➤ 150,000 tpa of commercial and industrial waste for mechanical separation.
Resource outputs	<ul style="list-style-type: none"> • 50,000 tpa of baled source separated resources; • 67,000 tpa recyclable material; and • 82,000 tpa residue waste for landfill .
Building works	<ul style="list-style-type: none"> • Fully enclosed building which houses tipping floor and waste processing plant; • Two weighbridges; • 10,000L self-bunded diesel tank for mobile plant; • 2 x 50,000L rainwater tanks; and • 2 x 20,000L leachate tanks with collection sump.
Machinery	<ul style="list-style-type: none"> • Two loaders, one excavator and two forklifts; • Material shredding and sizing machinery; and • Material separation and sorting technology.
Traffic movements	<ul style="list-style-type: none"> • Delivery trucks (return) 88 per day/616 per week (5.5 tonnes); and • Delivery trucks (return) 29per day/202 per week (20 tonnes).
Construction and operation hours	<ul style="list-style-type: none"> • 7 day operation: <ul style="list-style-type: none"> ➤ Processing hours: 6:00am – 10:00pm; and ➤ Delivery/loading/dispatch: 24 hours. • Construction hours: <ul style="list-style-type: none"> ➤ Monday – Friday: 7:00am – 6:00pm; and ➤ Saturday: 8:00am – 1:00pm (No Sunday/public holiday).
Contamination handling	<ul style="list-style-type: none"> • Localised excavation to install the building footings will minimise potential exposure to contaminated soil. Excavation of any contaminated soil will be carried out as recommended by the Construction Environmental Management Plan (CEMP), and consistent with the existing Site Specific Environmental Management Plan.
Phasing	<ul style="list-style-type: none"> • Construction: 9 months.

It is noted that the Applicant has an approved Development Consent for the demolition of all structures within the site (excluding the three liquid waste tanks which they intend to retain and convert to fire water tanks) which was issued by Parramatta City Council on 24 December 2015 – DA/459/2015.

4. DELEGATION TO THE COMMISSION

The Application was referred to the Commission for determination under the terms of the Ministerial delegation dated 14 September 2011 as the Applicant has declared reportable political donations having been made.

The Commission panel appointed to determine the applications comprised Mr Garry West (Chair) and Mr Andrew Hutton.

5. DEPARTMENT'S ASSESSMENT REPORT

The Department of Planning and Environment (Department) has assessed the Application and its Assessment Report has identified the following key issues:

- a) Flooding;

- b) Traffic and Access;
- c) Air Quality and Odour;
- d) Noise Impacts;
- e) Hazard and Risk Management;
- f) Waste;
- g) Soils and Contamination; and
- h) Visual Amenity

The Department's Assessment Report recommends approval subject to conditions. In summary, the Department is satisfied that the proposed development is appropriate on the basis that:

- a) The facility would meet relevant air and noise criteria with the mitigation measures implemented;*
- b) The predicted flood impacts resulting from the development are minor, difficult to avoid, and temporary. Mitigation measures have been incorporated in the proposal such as a minimum floor level, engineering to ensure structural integrity during a probable maximum floor and on-site stormwater management to minimise impacts of flooding;*
- c) The proposed mitigation measures would effectively manage impacts from contamination and would have minimal disturbance to remediation works;*
- d) Additional traffic generated would provide a minor increase to the local traffic network;*
- e) The facility would provide a range of environmental and economic benefits for the region, through resource recovery and provision of long-term operational jobs; and*
- f) The facility is consistent with the strategic direction for waste management in NSW.*

6. MEETINGS & SITE VISIT

The Commission met with the Proponent and conducted a site inspection on 30 June 2016 (see **Appendix 1**). The project was discussed, with detailed discussions pertaining to flooding (both stormwater and riverine), contamination, stormwater management, allotment filling, community consultation during the preparation of the EIS, noise and odour impacts. The Commission requested additional background information be provided subsequent to the meeting, which was submitted by the Proponent on 30 June 2016.

The Commission met with the Parramatta City Council (Council) on 30 June 2016 (see **Appendix 2**). At this meeting Council advised that it no longer objected to the impact of the development on localised flooding behaviour, but raised concerns relating to road restoration of Grand Avenue in front of the development as well as traffic impacts on the future potential redevelopment of areas of the Camellia peninsula.

The Commission met with the Department on 30 June 2016 (see **Appendix 3**). At this meeting the Department provided a detail overview of the project and discussed the potential impacts relating to flooding (both stormwater and riverine), contamination, stormwater management, allotment filling, noise and odour. Additional information was requested from the Department during the meeting and this was submitted on 05 July 2016.

One written community submission regarding the Application was received by the Department regarding the lack of community consultation, impacts on the visual environment along the Parramatta River, flaws in the hazard analysis, release of contaminated materials, dust and odour impacts.

The Commission is not required to hold a public meeting and does not consider it to be necessary for this application given the absence of significant public concern relating to the development. Consequently, no public meeting was conducted.

7. COMMISSION'S CONSIDERATION

The following key areas were identified by the Commission for further consideration:

- Road Restoration and application of Parramatta Section 94A Plan;
- Hours of Operation and vehicle movements;
- Noise impacts; and
- Flooding;

7.1 Road Restoration and application of Parramatta Section 94A Plan:

Concerns were raised with the Commission regarding the impact of vehicle movements on the local road network, in particular the state of disrepair along Grand Avenue due to heavy vehicle movements. Council has requested the following:

“Given the continued and increased truck movements associated with this proposal, it is considered that Veolia upgrade 50% of the public road adjoining the subject site as part of this application. This upgrade may be provided in the form of a monetary contribution or physical works. This upgrade should be provided in addition to the Section 94A contributions required for the proposal”.

The Section 94A plan makes provision for the expenditure of funds for the upgrade to the road network to improve traffic movements. The Commission has given consideration to this request, however given the Section 94A plan makes provisions for road network expenditure it is not considered appropriate to levy further requirements on the Applicant for the same purpose. It is also noted that the extension of the proposed light rail system may impact on the future alignment of Grand Avenue and therefore any physical works could be ineffectual given the engineering requirements of this infrastructure project.

The Commission is satisfied with the Department's assessment on traffic impacts and the application of Condition A18 is satisfactory.

7.2 Hours of Operation and vehicle movements:

Concerns were raised with the Commission regarding the noise impact of the vehicle movements on the potential future re-development of the Camellia peninsula. Specifically, Council indicated that they have a long term future direction for the locality which would involve residential intensification around the James Ruse Drive and Grand Avenue intersection.

In giving further review to this matter, the Commission has given consideration to the following:

- The Applicant seeks to operate delivery and dispatch activities on a 24 hour, 7 day per week basis;
- Grand Avenue and James Ruse Drive are public roads;
- There are currently no sensitive receivers along Grand Avenue; the noise assessment which forms part of the determination has established that from within the site there are no predicted noise exceedance on sensitive receivers with appropriate mitigation works. The Department has included a condition requiring the installation of a steel fence along the northern edge of the property.

- Council does not have a formal or draft strategy which represents the proposed future direction;
- Any future development proposals would be required to address existing noise levels and be designed and constructed accordingly; and
- The recommended Environmental Protection License (EPL) permits 24 hour, 7 day vehicle movements. It was recognised that this can be amended at any time by the Environmental Protection Authority if vehicle impacts became so significant to justify a licence amendment.

The Commission is satisfied with the Department's assessment on noise related traffic impacts is acceptable. It is also satisfied the EPL is the more appropriate means through which to control hours of operations for the site.

7.3 Noise Impacts

The Commission sought some clarification on the predicted noise impacts from the site, given the Council's concerns about the 24 hour delivery and dispatch hours sought. The Department confirmed that the proposal is predicted to comply with the relevant noise criteria for the site during the day, evening and night time periods. However, it advised that, in the absence of mitigation there may be some rare occasion when sleep disturbance criteria could be exceeded.

The Department advised that the use of truck brakes at the north and north-eastern portion of the property would generate sound power level of 118 LA_{max} at the site, translating to a received noise level of 54 LA_{max} at the closest John Street residences. Reflection off the building would tend to increase truck noise levels by 2 to 3 dBA and would therefore cause a maximum noise level of up to 57 dBA, exceeding the adopted 56 LA_{max} sleep disturbance criterion by up to 1 dBA. For this reason the Department has required Veolia to install a steel fence along the northern and north-eastern side of the truck path to ensure a 1 dBA reduction in the noise criteria is met. The Department was satisfied that the fence would provide sufficient noise attenuation in the rare instance a truck is required to brake.

The requirements for a 1.8 m high 0.42mm thick steel fence, the 20km/hr speed limit and restrictions on heavy vehicle stopping along the northern boundary are included in Appendix B of the conditions. Consequently, the Commission is satisfied sleep disturbance criteria should not be exceeded.

7.4 Flooding

Concerns were initially raised regarding the impact of the proposed development on both riverine and localised stormwater flood behaviour on the surrounding locality. During the meeting with Council the matters pertaining to these concerns were raised and Council has subsequently amended their position where they no longer object to the development on the basis of flooding impacts.

It is also noted by the Commission that the Department has included a draft condition (B13) that requires the preparation of a Flood Emergency Response Plan that adequately addresses the evacuation of the employees during a flood.

The Commission is satisfied with the Department's assessment that the overall impact of the development on local flood behaviour is satisfactory.

8. COMMISSION'S DETERMINATION

The Commission has carefully considered all the information available to it including the Secretary's Environmental Assessment Report and associated documents, agency submissions, and issues raised during the meetings.

The Commission has considered the merits of this application and has approved the application subject to the conditions set out in the instrument of approval.



Garry West
Commission Member (Chair)



Andrew Hutton
Commission Member

APPENDIX 1
Site Visit and Proponent Meeting

This meeting is part of the determination process		
Meeting note taken by: David Koppers	Date: 30 June 2016	Time: 1000
Project: SSD 4964 Veolia Resource Recovery Facility		
Meeting place: Veolia Resource Recovery Facility – 37 Grand Avenue, Camellia		
<p>Attendees: Commission Members: Garry West (Chair) and Andrew Hutton. Commission Secretariat: David Koppers. Applicant: Ben Sullivan (Veolia - NSW Group General Manager), Shaun Rainford (Veolia – Technical Manager Australia and New Zealand), Christine Hodgekiss (Veolia – General Manager Strategic Planning, Development & Projects NSW) and Andrew Lau (JBS&G – EPA Accredited Site Auditor).</p>		
The purpose of the meeting: To discuss the nature of the project with the Applicant		
<p>Meeting Notes:</p> <p><u>Introduction</u></p> <ul style="list-style-type: none"> • Brief introduction by the Chair outlining the Commission’s role in relation to the project. • Outlined the main items that the Commission had potential concerns about and had also been raised by Parramatta City Council, being: <ol style="list-style-type: none"> a) Site Contamination; b) Noise and Odour Impacts; c) Flooding and Stormwater Management; and d) Hours of Operation and vehicle movements. <p><u>Site Contamination:</u></p> <ul style="list-style-type: none"> • Remediation of the site has been a driving factor during all stages of the development planning; • Contamination is heaviest along the eastern boundary of the site; • Stormwater system is required to be hydraulically isolated from the sub-surface to reduce the carriage of contaminated groundwater through the system; • Hardstand to be retained where possible as it forms a cap to the contaminated fill – some soft spots in the north of the site to be geotechnically treated; and • Stormwater system will assist in reducing and lowering the groundwater which is contaminated and currently discharges into the Parramatta River. <p><u>Noise and Odour Impacts:</u></p> <ul style="list-style-type: none"> • All processing, loading and unloading is conducted within the shed to reduce noise and odour emissions; • Only external noise generation is from truck movements within the site; • All waste is dry waste to reduce odour emissions; and • Adjacent concrete recycler increases the net background noise. <p><u>Flooding and Stormwater Management:</u></p> <ul style="list-style-type: none"> • Stormwater inundation is responsible for flooding the frontage of the site; • Natural low point of Grand Avenue is located within the site frontage; 		

- Original proposal for the construction of a stormwater drain through the site was suggested by Council, however this was not part of their long term solution and was not suggested until the Development Application was lodged;
- Stormwater drain not achievable due to the existing contamination;
- Council will need a long term strategy to fix the issue;
- Existing underground stormwater tanks were initially designed as part of the bund capture system when the site operated with liquid wastes;
- Existing discharge point has a manual shutoff valve;
- Council required the raising of the ground level to allow sufficient freeboard from the 1:100 ARI flood event – this allows suitable grade for new stormwater infrastructure;
- Council required that the development have zero impact on existing flood behaviour; and
- Site will be raised to a slightly lower level than the adjoining corner allotment.

Other Matters:

- Veolia confirmed that the three liquid waste tanks at the front of the site were to be retained as part of the fire fighting requirements of the site;
- Shed height is stepped in accordance with the *Parramatta Local Environment Plan 2011* (lower at the rear of the site); and
- Public consultation included an open day on site which was attended by a few local residents.

Outcomes/Agreed Actions:

- No actions to be taken.

Meeting closed: 1045

APPENDIX 2
Parramatta City Council Meeting

This meeting is part of the determination process		
Meeting note taken by: David Koppers	Date: 30 June 2016	Time: 1110
Project: SSD 4964 Veolia Resource Recovery Facility		
Meeting place: Parramatta City Council Office		
Attendees: Commission Members: Garry West (Chair) and Andrew Hutton Commission Secretariat: David Koppers Parramatta City Council: (Sue Weatherley, Director Strategic Outcomes and Development, Claire Stephens, Acting Service Manager - Development Assessment, Katherine Lafferty, Senior Development Assessment Officer)		
The purpose of the meeting: To discuss the project and the Council's concerns		
Meeting Notes: <u>Introduction</u> <ul style="list-style-type: none"> • Brief introduction by the Chair outlining the Commission's role in relation to the project; • Requested Council to outline its concerns with the development; <u>Flooding:</u> <ul style="list-style-type: none"> • Council no longer objects to the project in relation to the flooding impacts associated with the development; • Short term impacts – Council looking at long term solution to alleviate problems – design work completed. <u>Road Restoration:</u> <ul style="list-style-type: none"> • Road restoration not addressed; • Council requested upgrade of 50% of the road frontage in front of the allotment in addition to the s94A Contributions. <u>Condition B22:</u> <ul style="list-style-type: none"> • Believes that delivery and dispatch hours for truck movements are not suitable given the proximity to residential population across the Parramatta ; • Potential future impact on residents for the long term residential strategy of residential development along James Ruse Drive (not currently a draft strategy). <u>Light Rail:</u> <ul style="list-style-type: none"> • Final location of light rail corridor may impact on future works within the peninsula. 		
Outcomes/Agreed Actions: <ul style="list-style-type: none"> • Council to confirm its position in relation to the development in writing / email to PAC. • Email subsequently provided on 1 July 2016. 		
Meeting closed: 1120		

APPENDIX 3
Department of Planning & Environment Meeting

This meeting is part of the determination process		
Meeting note taken by: David Koppers	Date: 30 June 2016	Time: 1355
Project: SSD 4964 Veolia Resource Recovery Facility		
Meeting place: Planning Assessment Commission Office		
Attendees: Commission Members: Garry West (Chair) and Andrew Hutton Commission Secretariat: David Koppers Department of Planning & Environment: Chris Ritchie and Susan Fox (Senior Planning Officer)		
The purpose of the meeting: To discuss the nature of the project with the Department and to discuss any outstanding issues.		
Meeting Notes: <u>Introduction</u> <ul style="list-style-type: none"> • Brief introduction by the Chair outlining the issues raised by Council, followed by a project briefing by the Department. <u>Parramatta City Council:</u> <ul style="list-style-type: none"> • No longer objecting with regard to flooding impacts; • Two residual concerns – Road restoration works and Condition B22. <u>Project / Locality Brief:</u> <ul style="list-style-type: none"> • Site is heavily contaminated from fill that has been brought into the site; • Significant groundwater contamination discharging through the site; • Council requested no change in flooding behaviour; • Long term strategic overview for Peninsula – Residential along James Ruse Drive, then moving to the east business/commercial, and then industrial; • Light rail is likely to go along Grand Avenue; • Lack of stormwater infrastructure unable to prevent carriage of stormwater into groundwater; • Flooding impacts associated with project see an increase in depth but not hazard index; • Traffic movements outside of peak hours are better for traffic movements within the locality; • Impact on James Ruse Drive future development will need to be considered and assess noise impacts at the time and accommodate in their approval process; • Environmental Protection Licence (EPL) can be amended at any time. <u>Road Restoration Works:</u> <ul style="list-style-type: none"> • Additional physical works in addition to s94A does not seem appropriate given the s94A Plan permits the contribution to go towards road upgrade works; <u>Condition B22:</u> <ul style="list-style-type: none"> • Appreciate Council’s concerns – however there is not a draft strategy currently in place for the Peninsula and the hours of operation area governed by the Environmental Protection Agency (EPA) based on the current situation. 		

- Any future development will be required to take into consideration any traffic noise impacts at the time of seeking approval and be designed in response to this. If required however, the EPA can seek to amend the EPL at any time.

Outcomes/Agreed Actions:

- Department to provide a more detailed noise assessment table;
- Commission Secretariat to review draft EPL hours and any monitoring requirements.

Meeting closed: 1430