



22 April 2020

Mr Peter Duncan AM
A/Chair
Independent Planning Commission
Level 3, 201 Elizabeth Street
Sydney NSW 2000

Dear Mr Duncan

Genesis Waste Management Facility (06_0139 MOD 6)

The Department refers to the matters raised by the Independent Planning Commission (the Commission) in its correspondence dated 9 April 2020 regarding a submission received by an adjoining property owner.

The Department can advise the submission has been considered in its Assessment Report and Recommendation. Further detail of the Department's consideration of the submission is provided in **Attachment A** and **Attachment B**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Ritchie'.

Chris Ritchie
Director
Industry Assessments

**Attachment A: Response to IPC Letter
Genesis Waste Management Facility (06_0139 MOD 6)**

Table 1 provides an overview of the submissions received on behalf of Jacfin Pty Ltd (Jacfin – in **bold text**) and the Department’s response at various stages during the assessment process.

Table 1 | Summary of submissions and relevant correspondence

Date	Title	Subject	Correspondent
17 October 2018	Genesis Waste Management Facility – Modification Application MP 06_0139 MOD 6 Preliminary Submission on behalf of Jacfin Pty Ltd	Preliminary submission on the Environmental Assessment (EA) during the exhibition period	Allens on behalf of Jacfin
24 October 2018	Genesis Waste Management Facility Modification 6 (MP 06_0139 MOD 6) Submission on behalf of Jacfin Pty Ltd – Hours of Operation and Landfill Cap	Final submission on the EA after the exhibition period	Allens on behalf of Jacfin (First Submission)
29 May 2019	Genesis Waste Management Facility, Eastern Creek, Modification 6 - Response to Submissions	Response to Submissions (RTS)	EMM on behalf of Bingo
2 August 2019	Genesis Waste Management Facility Modification 6 (MP 06_0139 MOD 6) Hours of Operation and Landfill Cap – Response to Submissions Report Submission on behalf of Jacfin Pty Ltd	Submission on the RTS dated 29 May 2019	Allens on behalf of Jacfin (Second Submission)
30 August 2019	RE: Genesis Waste Management Facility (MP 06_0139 MOD 6) – Further Comments	Request for information following Jacfin’s submission dated 2 August 2019	EPA
26 September 2019	RE: Genesis Waste Management Facility – Modification 6 (MP 06_0139 Mod 6)	Response to request dated 30 August 2019	Bingo
16 October 2019	RE: Genesis Waste Management Facility (MP 06_0139 MOD 6) – Further Comments	Further request for information following Bingo’s letter dated 26 September 2019	EPA
24 October 2019	RE: Genesis Waste Management Facility – Modification 6 (MP 06_0139 Mod 6)	Response to request dated 16 October 2019	Bingo
8 November 2019	RE: Genesis Waste Management Facility (MP 06_0139 MOD 6) – Further Comments	Response to Bingo’s letter dated 24 October 2019	EPA

Date	Title	Subject	Correspondent
20 November 2019	Genesis Waste Management Facility, Eastern Creek, Modification 6 Response to Submissions	Final RTS, consolidating the RTS dated 29 May 2019 and related correspondence between 2 August 2019 and 8 November 2019	EMM on behalf of Bingo
20 January 2020	Genesis Waste Management Facility - Modification 6 (MP 06_0139 MOD 6) Jacfin Submission on Revised Response to Submissions Site: Honeycomb Drive, Eastern Creek	Submission on the RTS dated 20 November 2019	HWL Ebsworth on behalf of Jacfin (Third Submission) (see further information below)
6 February 2020	Genesis Waste Management Facility - Modification 6 (MO 06_0139 MOD 6) Site: Honeycomb Drive, Eastern Creek Submission: Fire Incident 1 February 2020	Letter following an incident at the facility	HWL Ebsworth on behalf of Jacfin (Pit Fire Letter) (see further information below)
6 February 2020	RE: Genesis Waste Management Facility (MP 06_0139 MOD 6) – Further Comments on Air Quality	Advice following Jacfin's submission dated 20 January 2020	EPA

Summary of the Department's consideration of Jacfin's Third Submission (20 January 2020)

Air Quality and Odour

The Department referred the Third Submission to the EPA on 21 January 2020. The Department requested advice on the issues raised and if the submission raised any new or additional issues to those provided in Jacfin's previous submissions.

Upon review of the Third Submission, the EPA did not change its original recommendations. The EPA reiterated its previous recommendations, including the requirement for an Air Quality Management Plan with proactive and reactive management strategies to manage PM_{2.5} and PM₁₀ emissions. Furthermore, the EPA advised the current Project Approval and Environment Protection Licence (EPL) include conditions which refer to the measurement of site-specific meteorological data to inform daily operations and reactive management.

The EPA's response (dated 6 February 2020) is provided in **Attachment B**.

The Department notes the Project Approval currently includes the requirement for an Air Quality, Odour and Greenhouse Gas Management Plan (condition 37 of schedule 3). The recommended modifying instrument updates the requirements of this management plan, in accordance with the advice of the EPA.

Regarding the odour concerns raised in the Third Submission, the existing conditions explicitly prohibit the receipt or disposal of putrescible waste (Condition 1 of Schedule 3). The Department acknowledges that putrescible waste may accidentally contaminate the incoming waste stream, however, considers this unlikely to generate significant odour. The existing Air Quality, Odour and Greenhouse Gas Management Plan would be updated should the modification request be approved.

Further, the Project Approval includes conditions regarding waste acceptance, handling and screening which are discussed further below.

Waste Management

In its assessment of the original project, the Department considered there was justifiable demand for the proposed landfill capacity. The Department considers the conclusions of its original assessment are still applicable. Further, neither the capacity of the landfill or the total volume of material accepted per annum would change as a result of the modification. Further commentary on landfill demand is provided in section 2.2 of the Department's assessment report for the modification.

The Department's original assessment also considered the project to be consistent with the aims of the Waste Avoidance and Resource Recovery (WARR) Strategy through the resource recovery arm of the operations. It also concluded the project would bring about the rehabilitation of a quarry void and its eventual return to productive use. Further commentary on the WARR Strategy is provided in sections 3.3 and 6.4 of the Department's assessment report for the modification.

The Department notes the landfill provides disposal for residual waste and problem wastes. Residual waste has already gone through the resource recovery process and cannot be further recycled. Problem wastes, such as asbestos, cannot be processed or recycled and must be disposed of to landfill.

Occupational Hygiene

While the use of asbestos has been banned in Australia for the past two decades, a large volume of asbestos and asbestos contaminated materials still needs to be disposed of each year. The facility was approved to accept asbestos in 2009 with this need in mind. The recent bushfire season has also increased the demand for asbestos disposal capacity in NSW.

Operations at the site would not change as a result of the modification. The facility currently accepts asbestos, in line with its Project Approval (MP 06_0139, as modified) and Environment Protection Licences. Condition 3 of schedule 3 of the Project Approval requires the Proponent to implement procedures to identify and handle asbestos waste, in accordance with relevant legislation, codes of practice and guidelines. In addition, the Project Approval contains conditions relating to waste acceptance, screening and handling (including asbestos waste) which must be integrated into the project's Environmental Management Strategy (conditions 1 and 2 of schedule 5). This includes specific staff training in relation to asbestos waste.

Regarding particulate matter, the Project Approval currently contains several conditions relating to dust suppression and air quality monitoring. As discussed earlier, the Department has recommended further conditions in relation to the modification request such as an updated Air Quality, Odour and Greenhouse Gas Management Plan and a site-wide air quality audit.

The Department is satisfied the environmental and health risks associated with asbestos waste and particulate matter can be managed through the implementation of the existing and proposed conditions of approval.

Summary of the Department's consideration of Jacfin's Pit Fire Letter (6 February 2020)

The Pit Fire Letter refers to an incident that occurred at the site on 1 February 2020. However, the letter relates to an incident which is the subject of an investigation by the Department's Compliance Unit and the EPA. The outcomes of these investigations are unknown and will be dealt with in accordance with compliance procedures and protocols.

Incident reporting and follow up action is included in the existing Project Approval. Condition 5 of schedule 5 of the Project Approval requires the Proponent to provide a detailed report to the Planning Secretary and any other relevant agency following any incident ('upset condition') associated with the project. The Proponent submitted an incident report to the Department on 10 February 2020.

Within three months of an incident report, the Proponent must also review, and if necessary, revise, the strategies, plans and programs required under the Project Approval to the satisfaction of the Planning Secretary (condition 4 of schedule 5).

The Proponent also submitted an incident report to the EPA on 10 February 2020 as required by condition R3 of the EPL (the R3 Report). In conjunction with the R3 Report, the Proponent activated their pollution incidence response management plan. This management plan is reviewed annually as a requirement of the EPL.

**Attachment B: EPA Letter
Genesis Waste Management Facility (06_0139 MOD 6)**



EPA Reference: DOC20/45777-3

Ms Bianca Thornton
Environmental Assessment Officer
Department of Planning & Environment
Bianca.Thornton@planning.nsw.gov.au

Attention - Bianca Thornton

ELECTRONIC MAIL

6 February 2020

Dear Ms Thornton

RE: Genesis Waste Management Facility (MP 06_0139 MOD 6) – Further Comments on Air Quality

The NSW Environment Protection Authority (EPA) refers to email received from Department of Planning and Environment on 21 January 2020 in relation to the MP 06_0139 MOD 6 proposal (Proposal) for the facility at 1 Kangaroo Avenue Eastern Creek NSW 2766 Lots 1 DP 1145808 and Lot 2 DP 1247691 (Premises). The email included a document titled “Jacfin Submission of Revised Response to Submissions” dated 20 January 2020 (Submission) and specifically requested the EPA to review the air quality issues raised in the Submission.

Comments on the Submission

The EPA has reviewed the Submission and makes the following comments:

- The EPA stands by its previous comments in relation to the proposal as stated in EPA correspondence dated 21 June 2019, 30 August 2019, 16 October 2019 and 8 November 2019.
- The Department of Planning and Environment should consider requiring the proponent to seal the remaining unsealed haul roads.

Further detail on the Submission review

The EPA considered the air issues raised in the Submission. Particularly, in relation to the issues concerning the particulate matter modelling and lack of management plan, the EPA has previously recommended (in Letter dated 21 June 2019) that the consent, if granted, require an Air Quality Management Plan that includes both proactive and reactive management strategies in order to manage predicted exceedances of impact assessment criteria for PM2.5 and PM10. Proactive measures in the Proposal include wet suppression and the commitment to use boundary air monitoring, which could be used to inform a reactive management strategy for the Premises.

The EPA understands that dispersion modelling conducted and presented for assessment purposes has accounted for wet suppression, however it does not account for reactivate management strategies that could be implemented. For example, modifying particulate operations under specific conditions (including adverse meteorological conditions), or ceasing of specific operational activities during

adverse conditions. A robust management plan should incorporate site-specific meteorological monitoring. The current consent and Environment Protection Licences for the Premises includes conditions that make reference to the measurement of site-specific meteorological data. As such, the issues pertinent to uncertainties in meteorological modelling can be somewhat mitigated and managed when site specific meteorological information is used to inform day to day operations and reactive management.

The EPA considers that the only additional identified proactive measure that could be implemented to minimise fugitive particulate matter emissions and reduce the potential for operational impacts would be to seal the remaining unsealed haul roads. The EPA has previously advised that this should be considered. Sealing haul roads would largely address the particulate matter issues raised in the Submission, as it would control emissions from the most significant total particulate emission source to the maximum extent practicable.

If you have any further questions regarding this matter, please contact Carla Thomas on (02) 9995 5302.

Yours sincerely

A handwritten signature in black ink, appearing to be 'L. Barrington', written in a cursive style.

LARA BARRINGTON
Unit Head Waste Compliance
Environment Protection Authority