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O/N H-1168220

**INDEPENDENT PLANNING COMMISSION**

**MEETING WITH BLACKTOWN CITY COUNCIL**

**RE: GENESIS WASTE MANAGEMENT FACILITY MOD 6 – FIRST SESSION**

**PANEL:**

**ILONA MILLER  
DR PETER WILLIAMS  
TONY PEARSON**

**ASSISTING PANEL:**

**CASEY JOSHUA  
STEPHEN BARRY**

**APPLICANT:**

**HOLLY PALMER  
BERTHA GUNAWAN  
JUDITH PORTELLI  
JULIA THOMPSON  
KEVIN TURNER**

**LOCATION:**

**IPC OFFICES  
LEVEL 3, 201 ELIZABETH STREET  
SYDNEY, NEW SOUTH WALES**

**DATE:**

**TUESDAY, 17 MARCH 2020**

MS I. MILLER: Great. Good morning, everyone, and – and welcome. Um, before we begin, I would like to acknowledge the traditional owners of the land on which we meet and I'd like to pay my respects to their elders, past, present and emerging. Um, well, thank you very much for joining us on the – the phone today to discuss the  
5 proposed modification number 6 to the Genesis Waste Management Facility project approval. The proponent is Bingo Industries and they are seeking to increase the amount of waste going to landfill and to extend the hours of operation of some of the processes at their facility, um – this is the Genesis Waste Management Facility  
10 located in the Blacktown local government area. So my name is Iona Miller and I am the Chair of this IPC panel. Um, joining me today are my fellow commissioners Dr Peter Williams and Tony Pearson, and Casey Joshua and Stephen Barry from the office of the IPC are also in attendance with me today.

Um, in the interest of openness and transparency and to ensure the full capture of  
15 information, today's meeting is being recorded and a full transcript will be produced and made available on the commission's website. This meeting is just one part of the commission's decision-making process, and it is taking place at the preliminary stage of this process and will form one of several sources of information upon which the commission will base its decision. Um, it's important for the commissioners to ask  
20 questions of the participants and to clarify issues when we consider it appropriate. So if you are asked a question this morning and you're not in a position to answer, please feel free to take the question on notice and provide any additional information to us in writing, um, but we note that any additional information provided will then be put up on our website.

25 Um, for the purposes of the transcript, it would be very helpful if all members could introduce themselves before speaking for the first time, um, and also to just ensure that people don't speak over each other to ensure the accuracy of the – the transcript. Um, now, we have circulated a preliminary agenda for this meeting, um, and so I'd  
30 now like to – to begin the meeting and ask, um, if the council could provide their initial feedback and response on the department's assessment report and recommendations.

MS H. PALMER: Ah, this is Holly Palmer, senior project planner. Um, we  
35 maintain, as explained in our letter on the 12<sup>th</sup> of September 2019, that we object to all noise generating activities taking place outside of the night-time sleep disturbance period of 10 pm to 7 am. Ah, this includes truck movements, which should be limited to between 7 am and 9 pm to provide for allowance of the truck movement to be completed by 10 pm. Um, having reviewed the assessment report, ah, we have  
40 two main issues that we'd like to clarify that we object to trucks operating during the night-time sleep disturbance period of 10 pm to 7 am.

Ah, the mod proposes to permit truck deliveries to landfill to occur daily from 5 am to 9 pm, which allows for an hour for on-site work to be completed by 10 pm. Ah,  
45 we state that truck deliveries should not occur prior to 7 am during the night-time disturbance period. Even if we take into consideration the morning shoulder period

from 6 am onwards, as per the NSW Industrial Noise Policy, this doesn't permit trucks to operate from 5 am, so, therefore, we object to the truck deliveries occurring during the night-time disturbance period for Monday to Saturday 10 pm to 7 am, Sunday and public holidays 10 pm to 8 am.

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Ah, second issue that came through from looking at the assessment report was that, ah, we object to trucks operating on-site related to the receipt of segregated material. Ah, the mod seeks to permit the segregated materials area to operate 24 hours a day Monday to Friday. This activity involves the receipt of segregated material to the open storage area, such as sand, dirt, concrete, brick, tiles and asphalt. Ah, I assume that these movements involve the use of the trucks in the outdoor area and we object to these outdoor activities and truck movements during the night-time disturbance period Monday to Friday 10 pm and 7 am.

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15 We, um – after receiving the assessment report we – we did look at the issues raised ..... brought forward, and it didn't quite make sense to us and it's not items that we had previously seen. Um, we've since identified last week that there were some additional material that was submitted to the department that we had not known was submitted and didn't have the opportunity to look at, and we queried this with our environmental health officers because most of their concerns related to acoustic issues. And they have looked into it a little bit further and done some of their own investigation, which I'll ask them to explain and, um, tell you their findings and raise their concerns.

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25 MS J. THOMPSON: Ah, Julia Thompson, environmental health officer. Um, last week I - - -

MR PEARSON: Could – could I just ask that whoever's speaking come a little bit closer to the phone.

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MS THOMPSON: Sure - - -

MR PEARSON: Thank you. Sorry.

35 MS THOMPSON: Ah, this is Julia Thompson, environmental health officer. I completed some background noise readings from the locations noted in draft condition 38. Um, the noise readings that – for background that I received at Minchinbury were quite similar to the draft condition, um, ah, levels, however, from Erskine Park I have noted that the background noise readings were quite higher than what was, ah, provided in draft condition 38. Um, what I received was on average 49 decibels. Ah, the draft condition was 37 decibels. Um, I would like this to be reviewed through another acoustic report or assessment. Um, the background, ah, noise environment in Erskine Park was quite noisy. It was dominated with, ah, industrial noise – industrial noise from reversing beepers, ah, in the location of, um, the proposed development. Ah, Minchinbury was, um, like I said, around the same noise level provided in the draft condition. Um, yeah.

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MS MILLER: Sorry, could I just - - -

MS THOMPSON: Ah, then - - -

5 MS MILLER: Could I just ask, um, at the time of day that you were taking these, um – these readings?

MS THOMPSON: Yes. So, ah, my noise readings in Erskine Park were between 10.15 pm and 10.45 pm and Minchinbury was, ah, 10.45 to about 11.10 pm.

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MS MILLER: Great. Thank you very much for that.

DR P. WILLIAMS: Sorry, it's Peter Williams here. Could I just ask what days they were taken, the – the readings?

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MS THOMPSON: Yes. Yep. So, ah, a reading was done on Wednesday the 11<sup>th</sup> of the March and Thursday the 12<sup>th</sup> of March.

DR WILLIAMS: Thank you very much. Thanks, Julia.

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MR PEARSON: Ah, are these in a format that you can release to us? So, um, a – like a - - -

MS THOMPSON: Yes. I can provide them to you.

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MR PEARSON: Thanks.

MS MILLER: Ah, sorry, please continue.

30 DR WILLIAMS: Sorry.

MR K TURNER: Hi. It's Kevin. I think the other thing to note is the – the different noise environment experienced at Minchinbury compared to Erskine Park. Ah, Minchinbury was pretty much dominated by natural background sounds, so things like crickets and – and frogs, um, and you would expect the background noise to drop, um, even further, you know, early in the morning, um, which is quite different to Erskine Park which was dominated by, um, traffic noise, truck noise, and particularly the, um – the reverse beepers on the trucks. Um, so we're concerned that if we allow 24 operation, ah, the – particularly the – the beeping sounds when the trucks are reversing is going to be quite dominant, um, in that area. It might even start to impact, um, on the Minchinbury site, um, because, as I said, it was quite a natural background environment.

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Um, and the other thing to note is whilst it – it – their acoustic engineers might be able to substantiate emitting the levels on the site, um, but it's the surrounding areas and the – the movements of the trucks to and from the site, um, that is not going to be captured by an acoustic assessment on the site. So there's also those concerns that,

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you know, the trucks are going through, ah, access roads, um, to and from the site, um, that is not going to be captured by an acoustic assessment, um, specific to the site.

5 MS MILLER: Okay. In that respect, one of the questions that we provided on notice, um, was in respect of, um, the – the nature of the activity in the locality during, um, these extended hours. So, um, are you able to talk a little bit to the, um, existing traffic and – and, um – you know, traffic movements and noise in the – in the locality, um, at the moment absent the proposed modification?

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MS J. PORTELLI: Ah, Judy Portelli, manager development. Ah, look the – this area is a fairly new growing area. Um, it's part of the western Sydney employment area – Blacktown precinct. Um, we are still in the fairly early stages of development in this precinct. Most of the development has taken place in the Wonderland, um, and off, ah, the Frasers development to the – to the east.

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MS MILLER: Mmm.

MS PORTELLI: Yeah. And, um, towards this site, um, we haven't had much development because a lot of it is owned by only a couple of owners who have yet to do anything in this precinct. Um, approval was given to an asphalt plant, ah, by the State Planning Panel on Archbold Road, ah, to the west, ah, which has not been completed yet and is yet to be operational. Um, that will be a 24-hour operation, but to date has not commenced. Um, there are, um, other subdivisions done on Archbold

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Road, ah, for Sargents Pies where they have an application for a pie factory; that has not been approved yet, um, on Archbold Road and, ah, that could very well be, um – I don't know if it's a 24-hour operation, but it would certainly be, ah, one that involves truck movement, but, again, has not been determined yet.

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Um, the rest is pretty much owned by Dial A Dump around this, um, ah, site, ah, yet to be subdivided. I believe there's an application for subdivision in with us at the moment that's yet to be determined; that would subdivide the rest of their holding into a series of residue lots, um, which could be obviously capable of further development, ah, once that takes place. But, um, the development to the east is largely, ah, warehouse distribution facilities that, um, operate 24 hours a day, and that would've been taken into account with the background readings that were taken by Julia, ah, on Honeycomb Drive, Eucalyptus Place and Kangaroo Avenue. Um, but, ah, other than that there's still a lot more development to take place.

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MS MILLER: Great. Thank you very much for that.

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MR PEARSON: Could I ask, um – I – I'm not sure who this should be directed to; um, could I ask, is it – is it – is it council's view that the dominant noise impact for the Minchinbury, ah, residential receivers during the evening hours of 10 pm to 7 am is likely to be the in-pit and around pit vehicle movements, truck movements, um, or the M – the vehicle movements on the M4 motorway or – what's the – sort of council's view on what the – the dominant noise source is likely to be

along that sort of, um, project location through to the Minchinbury, ah, residential receivers?

5 MR TURNER: Hi. It's Kevin. Um, I think it's largely going to be, um, the truck movements on-site, particularly their reverse beepers. Um, although they might experience an increase, ah, of noise from the motorway, the residents are not necessarily going to associate that with a specific development, um, but when it's confined to the site that's quite easy to pick up in terms of – at least the general area, maybe not the specific site, um, you know, they might miss the site by, um, the  
10 neighbouring premises or something like that when they're at home asleep. Um, but, um, I think even though, you know, we say there – there's a motorway not – not far away, um, the traffic does drop off quite significantly, um, particularly, you know, the – the early morning period of, you know, 1 am in the morning, um, and that's when the sleep disturbance, um, is going to be at its peak.

15 Um, I myself actually live only a few hundred metres away from the – the motorway, so I experience that firsthand, um, and I can actually hear, um, the – the traffic and the start-up period of the Eastern Creek, um, sort of industrial warehouse area despite the fact that I live at Claremont Meadows, which you would think is some – some  
20 distance away. Um, the – I think it's more so they're confined to the site than the – the motorway, but the motorway will still have an impact.

MR PEARSON: Thank you.

25 MS MILLER: Thank you. And does the – the – the council, um, receive any noise or air quality complaints, um, with respect to this facility?

MS THOMPSON: Ah, Julia Thompson, environmental health officer. Ah, no, we haven't received a concern from this facility, however, the, um – the premises itself  
30 is, ah, regulated by the Environment Protection Authority and they would receive the concerns.

MS MILLER: Okay. Great. Thank you. Um, now, we – we've spoken quite a bit about noise. Is there anything else on noise that you would like to – to raise with the,  
35 um – the panel today?

MS PALMER: Ah, Holly Palmer, senior project planner. One, um – following your question about are any complaints being received, and in light of the number of public submissions that ..... modification application, ah, we would ask if – if the  
40 EPA does have any record of, um, objections, complaints, um, and the history of this site, that we can ..... understand this site and – and area, um, moving forward. If we could get a copy of that if – if anything is available.

MS MILLER: Mmm. Okay. Ah, that – that's noted. Um, does the council have  
45 any concerns in relation to dust and odour from the premises and the proposed development?

MS THOMPSON: Julia Thompson. Um, yes, we would have some issues with truck movements and dust being generated, however, um, I – I do note that there is an air quality assessment report that has been provided and I would like to review this.

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MS MILLER: Okay. So that is the air quality reports that were included in the, um – the applicant’s response to submissions?

MS C. JOSHUA: Casey Joshua here. Are you talking about the air quality report that was submitted in November 2019 as part of the updated RTS that council hadn’t had a copy of previously?

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MS THOMPSON: Ah, Julia Thompson. Yes, that’s correct.

MS MILLER: Okay. That – that’s noted and, um, you know, we would – as I mentioned in – in the opening, um, you know, we’re – we’re welcome for you to take our – our questions about that on notice and to provide any further information, um, in response to those issues in writing to us.

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MS JOSHUA: Casey Joshua again. How long do you anticipate you’d need to review that report and provide comments?

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MS THOMPSON: A week.

MS MILLER: Okay.

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MS JOSHUA: Great. Thank you.

MS MILLER: Thanks. Okay. Peter, Tony, any other questions for the council?

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DR WILLIAMS: Um, just – sorry, Peter Williams here again. Just trying to sum it all up; basically the major concerns are all – all related to the – the increased operating hours – um, the 24-hour operation, and it’s fundamentally the – that night-time period between, um, 10 am and 7 pm is – is the – is the issue?

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MS MILLER: 10 pm, 7 am.

DR WILLIAMS: Ah, 7 – ah, 10 pm to 7 am. That’s – that’s – everything revolves around that particular issue; is that – would that be a fair way to describe council’s major concern?

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MS PORTELLI: Yes. Ah, Judy Portelli. Correct.

DR WILLIAMS: Okay. Thanks, Judy.

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MS MILLER: Great. And – and we obviously take your views with respect to dust and odour and the, um, updated air quality report on – on notice as well. Um, now,

from – um, is there anything else that, um, anyone from the council’s side would like to – to comment on before we, um, wrap up this call?

5 MS PORTELLI: Ah, Judy Portelli. Just the question about the public meeting, um, is our submission, um – our written submission and our presentation here today sufficient or do we have to present at the public meeting?

10 MS MILLER: Um, that’s completely a matter for – for you. Um, this – as I mentioned at the opening, this meeting will be, um, transcribed and made available on the, um, commission’s website, um, so the – the public will have, um, access to – to council’s views on the proposed development through that. If you would like to – to turn up and present at the public meeting, you’re very welcome to do so and, um, arrangements can be made through the, um – the office of the commission, um, if you would like to do so.

15 MS PORTELLI: Thank you.

MS JOSHUA: Casey Joshua here again. Everything that you’ve said today will be considered in the determination, so it would really be if you wanted to present - - -

20 UNIDENTIFIED MALE: .....

MS JOSHUA: - - - to the public in particular or if there’s anything that you haven’t mentioned today or that you will be providing through the questions on notice at a later date that you wanted to raise for - - -

25 UNIDENTIFIED MALE: Mmm.

MS JOSHUA: - - - the commission to consider.

30 MS PORTELLI: Okay. Judy Portelli. Noted, thank you.

MS MILLER: Great. Well, thank you very much for your time this morning. Um, we will look forward to receiving, um, further comments in respect of dust and – and odour, um, should – should you have any, um, particular comments on the, um, updated, um, studies with the – the response to submissions. Um, and from here, as you know, we have the – the public meeting coming up in a couple of weeks’ time and, you know, we will endeavour to, um, you know, make our – our determination as, um – you know, as quickly as possible following that – that meeting and – and the receipt of any additional submissions following the – the public, um – public meeting.

MS PORTELLI: Okay. Thank you.

45 UNIDENTIFIED MALE: Great.

MS JOSHUA: Great. Thank you.



DR WILLIAMS: Thank you very much for your time today.

MS MILLER: Thanks very much.

5 MS JOSHUA: Thank you for your time. We'll wrap it up now.

MR PEARSON: Thank you.

10 MS JOSHUA: Thanks. Bye.

**RECORDING CONCLUDED**