

Key Issues Required to be Addressed

3.1.1 Strategic and Statutory Context

Peer Review of Amended Application: *The discrepancies have not been suitably addressed, see comments in relation to waste volumes under discussion of noise and vibration following.*

These discrepancies can be appropriately addressed by conditions of any consent limiting the consent as follows:

- *The receipt of waste for landfill shall be limited to a maximum of 9,000 t/yr.*
- *The types of waste permitted to be handled onsite shall be limited to those identified in the Waste Classification Report approved by the EPA.*
- *Hours of operation shall be limited to 7am to 6pm daily.*

Response:

Condition 1:

- The receipt of waste for landfill shall be limited to a maximum of 9,000 t/yr.

Inserted as Condition **F1 Waste Limit**

Condition 2:

- The types of waste permitted to be handled onsite shall be limited to those identified in the Waste Classification Report approved by the EPA.

Inserted as Condition **F2 Category of Waste**

Condition 3:

- Hours of operation shall be limited to 7am to 6pm daily.

A condition is detailed in the EPAs GTAs as **L5 Hours of operation**

3.1.2 Waste Management

Peer Review of Amended Application: *The Draft Landfill Environmental Management Plan (LEMP) dated 19/1/24 appropriately addresses the majority of the above deficiencies in information in relation to waste management.*

Subject to the final document being amended to incorporate the following, the above SEARs requirements will be appropriately addressed.

- *Update to include all targets for monitoring and timeframes rather than by reference to other documents/approvals/licencing.*
- *Update to detail the types of material intended for recycling, the methodology for sorting and the location for storage, with bin size, capacity and location shown on an amended plan, along with methodology for removal of materials from the site post-sorting.*
- *Update to include a waste stream table identifying maximum tonnage on a per week, month and yearly basis.*

The above requirement should be included in the recommended conditions of any consent with the final LEMP to be approved by Council prior to the commencement of operations on the site (ie not prior to the construction of the waste cells).

Response: Inserted as Condition **E2 Prior to commencement of Operation**

3.1.3 Landfill Design and Rehabilitation

Peer Review of Amended Application: *The Draft Landfill Environmental Management Plan (LEMP) dated 19/1/24 appropriately addresses the above deficiencies in information in relation to landfill design.*

No information has been provided in relation to the rehabilitation of the site and its final land use, though it is noted that a condition recommended by the assessment officer would address this discrepancy.

Response: Not required

3.1.4 Hazard and Risk

Peer Review of Amended Application: The Draft Landfill Environmental Management Plan (LEMP) dated 19/1/24 contains a preliminary risk assessment and mitigation measures appropriately addressing the above deficiencies in information in relation to hazard and risk.

Response: Not required

3.1.5 Fire and Incident Management

Peer Review of Amended Application: The Draft Landfill Environmental Management Plan (LEMP) dated 19/1/24 contains an outline of management of fire and other incidents but fails to provide technical information of equipment to be installed and the location of the equipment. No details of the size and volume of stockpiles and their arrangements to minimise fire spread (outside of the main cells ie in the recyclable and tyre storage areas) has been provided.

Subject to the final document being amended to incorporate the following, the above SEARs requirements will be appropriately addressed.

- Update to include details of the size and volume of stockpiles and their arrangements to minimise fire spread (outside of the main cells ie in the recyclable and tyre storage areas).
- Update to provide technical information of the environmental protection equipment to be installed and the location of the equipment.

The above requirement should be included in the recommended conditions of any consent with the final LEMP to be approved by Council prior to the commencement of operations on the site (ie not prior to the construction of the waste cells).

Response: Not required

3.1.6 Air Quality and Odour

Peer Review of Amended Application: The Draft Landfill Environmental Management Plan (LEMP) dated 19/1/24 appropriately addresses risks and mitigation for odour and dust, subject to previous recommendations for updating. However, the discrepancies between the documents in relation to the maximum waste to be received onsite remain. Subject to the final document being amended as discussed previously, the above SEARs requirements will be appropriately addressed.

A condition of consent is recommended limiting the receipt of waste onsite to be consistent with the maximum assessed in the Air Quality Impact Assessment dated 28/9/23 of 9,000 t/yr of landfill as no assessment has occurred of the higher amount of 11,700 t/yr of landfill identified in the EIS.

Response: Inserted as Condition **F1 Waste Limit**

3.1.7 Noise and Vibration

Peer Review of Amended Application: The Noise and Vibration Assessment Report dated 1/12/22 has not been updated and still fails to assess the impacts of the operational phase of the development. In the absence of this assessment the application does not satisfy the SEARs criteria for noise and vibration. As such, whilst the construction phase of the development could be supported, I cannot supporting the operational phase of the development.

Response: The following information has been provided by the applicant:-

In relation to the noise report, the NVIA makes no such statements about 2 waste truck movements per day. Section 7.6.2 of the NVIA states:

7.6.2 Project traffic generation

The estimated traffic generation associated with the project during the peak of operation/construction are summarised as:

- Construction
 - Approximately 10 construction staff vehicles arriving or departing during peak hour
 - Approximately 1 construction heavy vehicle arriving and departing the site during peak hour (2 movements)
- Operation
 - Approximately 5 operational staff vehicles arriving or departing during peak hour
 - Approximately 1 waste truck arriving and departing the site during peak hour (2 movements)
 - Approximately 1 additional self-haul light vehicle arriving and departing the site during peak hour (2 movements)

Whilst Section 3.4.1 of the Traffic Assessment states:

The Client has provided a summary of the existing weekly vehicle activity at the site (excluding staff) and the estimated maximum future weekly activity at the site (accounting for the project), as displayed in Table 3.1.

It is noted that commercial and recycling activity is undertaken by heavy vehicles, while self-haul activity is typically associated with utes, car trailers or similar.

Table 3.1 Operational vehicle activity

Activity	Current weekly activity	Estimated (maximum) weekly activity
Commercial	2	27
Recycling	1	3
Self-haul	15	28
Total	18	58

The data in Table 3.1 indicates:

- The current WMF currently generates 18 inbound and 18 outbound vehicle movements per week
- The project will generate an additional 40 inbound and 40 outbound vehicle movements per week

As detailed in Section 3.1, upon completion, the WMF will operate 7:00 am – 5:00 pm, seven days per week. On average, this will generate approximately six inbound and outbound heavy vehicles per day and less than one inbound and outbound heavy vehicle per hour.

The NVIA is based on a worst case 1 hour where 1 truck is entering and exiting the site (2 overall movements). Given there are 27 trucks over the week period, this would be considered conservative.

In addition, it is noted that the contribution of the project from onsite truck movements is negligible compared to other onsite activities. ie an increase in onsite truck movements would not increase the overall noise emission to the surrounding sensitive receivers.

Regarding off site traffic, an assumption of one truck movement per hour has been similarly assessed. Given a traffic generation of 27 trucks over the week period, this would also be considered conservative. The overall increase would be negligible compared to the existing traffic on Merriwa Road.

3.1.8 Soil and Water

Peer Review of Amended Application: No further information has been provided in the EIS in relation to ground water management and the need to increase the leachate pond, however, the Drat LEMP details the size required to augment the sedimentation basin and for the leachate storage pond, with updated plans. As such the relevant requirement of the SEARs in relation to ground water and leachate management has been reasonably addressed.

Response: Not required

3.1.9 Traffic and Transport

Peer Review of Amended Application: The traffic report has not been modified and the identified discrepancy has not been resolved.

Response: Refer to response in Section 3.1.7.

3.2 Planning Instruments

Peer Review of Amended Application: No additional information appears to have been provided to address this.

This could potentially be addressed in the final LEMP as follows:

- *Update to provide details of the onsite processed to limit the extent of waste in landfill through diversion, reuse or recycle. Details to identify wastes intended for diversion, reuse or recycle along with onsite processes for receipt, handling, sorting and removal from site.*

1. *SEPP (Resilience and Hazards) – formerly SEPP 33 and SEPP 55*

Chapter 3 addresses hazardous and offensive development and a waste management facility is a potentially hazardous and offensive industry. Therefore pursuant to Section 3.11, a preliminary hazard analysis in accordance with the current circulars or guidelines is to be submitted with the application. Such assessment should be prepared by suitably qualified engineers with expertise in landfill and be based on comprehensive information provided by the applicant in relation to the operation of the facility, waste received (including quantities of different types of waste) and processes occurring onsite.

Response: Inserted as Condition **E2 Prior to commencement of Operation**

Peer Review of Amended Application: *The Draft LEMP contains a suitable risk assessment and identifies mitigation measures. Subject to the previously identified recommended conditions, this element of the SEARs has been appropriately addressed.*

No additional information has been provided in relation to whether the Site's previous use as a quarry has resulted in any onsite contamination. This component of the SEARs remains outstanding and is a jurisdictional matter.

Response:

The applicant is current preparing the PSI Report. It is anticipated the document will be received Friday, 12 April 2024.

3.3 Consultation

Peer Review of Amended Application: *The Applicant has carried out appropriate consultation with the following bodies/persons and the EIS has addressed the responses received, satisfying the requirement of the SEARs.*

*NSW Environment Protection Authority
NSW Department of Planning and Environment – Biodiversity, Conservation and Science Directorate
Transport for NSW
NSW Department of Climate Change, Energy, the Environment and Water
NSW Rural Fire Service
Liverpool Plains Shire Council
Surrounding landholders*

Response: Not required

4. ADEQUACY OF PLANS

Peer Review of Amended Application: *The above information in relation to road works has been partially addressed by the provision of a more defined alignment, but inadequate information has been provided in relation to finishes and grades for roads.*

This could be addressed by a condition of consent requiring road design plans to be approved at the construction certificate stage based on the approved road alignments.

Response: This has been addressed in **B11 Internal Access and Car Parking**

The plan for the area of the site accessible to the public is schematic and inadequate for approval.

This could be addressed by a condition of consent requiring layout plans to be approved at the construction certificate stage based on the concept plan, identifying the finished surfaces (must be appropriate to prevent soil contamination), bay size, capacity and construction details for each type of material stored, road markings for single direction travel within public drop-off area and a bunded area for temporary storage of contaminated waste.

Response: Incorporated into Condition **B2 Construction Plans**

5. ADEQUACY OF ASSESSMENT REPORT

Peer Review of Amended Planning Report *The amended report now contains an addendum addressing compliance with the SEARs.*

Response: Not required