

## APPENDIX C – SUBMISSIONS



## Susan Fox

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**From:** Robert Peterson <Robert.Peterson@blacktown.nsw.gov.au>  
**Sent:** Monday, 30 November 2015 12:28 PM  
**To:** Georg Eberl  
**Subject:** RE: MP 06\_0239 Proposed Pre-Sort Enclosure, Genesis Waste Facility – Response to Submissions – stormwater  
**Attachments:** RE: Genesis Xero Waste Facility - Eastern Creek Stormwater Management Plan

Georg,

The plan is satisfactory for the proposed works, considering the applicant's response on our comments (see their comments and our response attached). As a result, there is no objections to using the current basins subject to them being augmented as required to meet the stormwater performance requirements

Please note that there are long term concerns that of how this area will be managed, as per our comments in the attached email, viz:

- *Ultimately the stormwater runoff (quality and quantity) from both catchments must be managed onsite (i.e. with the Lighthorse boundaries as defined in the LEC decision) Lot 1 DP 1145808.*
- *While expansion of the current temporary basins will satisfy the required stormwater management outcomes, this is generally not supported as it is not part of the long term solution*

This is due to the fact that the applicant wants to use the existing basins to manage the runoff from land within the Lighthorse boundaries, on land that is outside of those boundaries. Runoff from the area on which the existing basins will be ultimately be managed in the future neighbourhood basin downstream.

Cheers,

Robert Peterson | Contract Engineer  
Blacktown City Council | PO Box 63 Blacktown NSW 2148  
Phone: 9839 6297  
[robert.peterson@blacktown.nsw.gov.au](mailto:robert.peterson@blacktown.nsw.gov.au)

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**From:** Georg Eberl  
**Sent:** Monday, 30 November 2015 12:02 PM  
**To:** Robert Peterson  
**Subject:** FW: MP 06\_0239 Proposed Pre-Sort Enclosure, Genesis Waste Facility – Response to Submissions – stormwater

Hi Rob,

Can we sign this off now for Judy or just forward previous Ok if we already have thanks.

Regards

Georg

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**From:** Judith Portelli  
**Sent:** Monday, 30 November 2015 11:56 AM  
**To:** Georg Eberl  
**Cc:** Tony Merrilees; Tony Napoli  
**Subject:** FW: MP 06\_0239 Proposed Pre-Sort Enclosure, Genesis Waste Facility – Response to Submissions – stormwater

Georg,

please advise if you have signed off of the Dial a Dump stormwater drainage plan? So we can inform DPE ta JUDY

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**From:** [Jane.Flanagan@planning.nsw.gov.au](mailto:Jane.Flanagan@planning.nsw.gov.au) [mailto:Jane.Flanagan@planning.nsw.gov.au]  
**Sent:** Monday, 30 November 2015 11:24 AM  
**To:** Judith Portelli  
**Cc:** [georg.erbel@blacktown.nsw.gov.au](mailto:georg.erbel@blacktown.nsw.gov.au); [David.Mooney@planning.nsw.gov.au](mailto:David.Mooney@planning.nsw.gov.au)  
**Subject:** MP 06\_0239 Proposed Pre-Sort Enclosure, Genesis Waste Facility – Response to Submissions – stormwater

Hi Judy,

The proponent has sent us emails from council indicating no objection to the *Proposed Future Stormwater Management Plan* (Dwg No. SKC007, Issue 6, dated 26/10/2015).

Could you please confirm (on Council letterhead) that the plan addresses the stormwater drainage comments made by Council in its letter dated 9/6/2015, and that Council has no remaining stormwater concerns.

Please contact me if you have any queries.

Regards,

Jane Flanagan  
Senior Planner  
Industry Assessments  
Department of Planning & Environment  
T: 9228 6416  
[jane.flanagan@planning.nsw.gov.au](mailto:jane.flanagan@planning.nsw.gov.au)  
23-33 Bridge Street  
SYDNEY NSW 2000

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**From:** Holly Palmer [mailto:Holly.Palmer@blacktown.nsw.gov.au]  
**Sent:** Tuesday, 9 June 2015 4:53 PM  
**To:** Jane Flanagan  
**Cc:** information-Planning  
**Subject:** MP 06-0239 Proposed Pre-Sort Enclosure, Genesis Waste Facility – Response to Submissions

Hi Jane,

With regard to the above s75W application, please refer to the attached correspondence which contains Blacktown City Council's response to the Proponent's RTS.

Please advise if you'd also like a hard copy to be posted to you.

If you have any queries, please do not hesitate to contact me.

Kind Regards,

Holly Palmer  
Town Planner

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**From:** Jane Flanagan [mailto:Jane.Flanagan@planning.nsw.gov.au]  
**Sent:** Friday, 22 May 2015 2:45 PM  
**To:** Holly Palmer  
**Cc:** Judith Portelli  
**Subject:** RE: MP 06-0239 Proposed Pre-Sort Enclosure, Genesis Waste Facility – Response to Submissions

Holly,

We've received the proponent's Response to Submissions (RTS) (please see the first of three attachments; others to follow in separate emails).

Could you please provide any comments on the RTS by Friday 5 June 2015.

Please contact me if you have any queries.

Regards,

Jane Flanagan  
Senior Planner  
Industry Assessments  
Department of Planning & Environment  
T: 9228 6416  
[jane.flanagan@planning.nsw.gov.au](mailto:jane.flanagan@planning.nsw.gov.au)  
23-33 Bridge Street  
SYDNEY NSW 2000

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**From:** Holly Palmer [<mailto:Holly.Palmer@blacktown.nsw.gov.au>]  
**Sent:** Monday, 27 April 2015 8:56 AM  
**To:** Jane Flanagan  
**Subject:** MP 06-0239 - Blacktown Council Response re Proposed Pre-Sort Enclosure at Genesis Waste Facility

Good morning Jane,

With regard to the above s75W application, please refer to the attached correspondence which contains Blacktown City Council's response.

I'll also post a hard copy to you.

If you have any queries, please do not hesitate to contact me.

**Kind Regards,**

**Holly Palmer**  
**Town Planner**  
**Major Projects**  
**Blacktown City Council**  
**P | 02 9839 6134**  
**F | 02 9831 1961**  
**W | [www.blacktown.nsw.gov.au](http://www.blacktown.nsw.gov.au)**  
**62 Flushcombe Rd, Blacktown 2148**

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PCU060032

Your ref: MP 06\_0239  
File no: MC-06-1449

9 June 2015

Department of Planning & Environment  
GPO Box 39  
SYDNEY NSW 2001

**Attention:** Jane Flanagan

Dear Ms Flanagan,



**Re: MP 06\_0239 Mod 5 Pre-sort Enclosure at the Genesis Waste Management Facility - Comments re the Proponent's Response to Submissions**

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I refer to your correspondence to Council received 22 May 2015, requesting that Council provide comments on the proponent's response to submissions in relation to the above Section 75W Modification Application for the Pre-sort Enclosure at the Genesis Waste Management Facility.

Further to our previous correspondence dated 22 April 2015, a range of issues have been raised and listed in **Attachment A** to this letter, which are requested to be addressed to Council's satisfaction by the Applicant before any determination of the proposal is made by the Department.

To reiterate, Conditions 45 and 46 of the Project Approval in relation to the completion of the Precinct Plan Road have expired and the proponent has not completed the road. This constant delay is seriously stifling the orderly development of this precinct. The adjoining major project approval for Hanson cannot practically comply with its obligation to construct parts of the proposed precinct road unless this project also delivers its obligations.





Council would be happy to be involved in any meeting between the proponent and Hanson to facilitate the orderly delivery of the Precinct Road over the next twelve months.

Also please note that the Draft Section Contributions Plan No. 18 – Stage 3 Eastern Creek Precinct is almost finalised but has not yet been exhibited. We are waiting for a response from the Department regarding a quantity surveyor to verify costs for the Quarry Link Road.

If you would like to discuss this matter further, please contact me on 9839 6228.

Yours faithfully,



Judith Portelli  
Manager Development Assessment

## ATTACHMENT A

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The following additional information is requested:

### 1. Environmental Health

The revised Noise Assessment prepared by Pacific Environment Limited and dated 22 May 2015 has been reviewed by Council's Environmental Health Officer and concern is raised that the report only addresses the noise criteria outlined in the Environmental Protection License 20121. However, Condition 39 of the Project Approval (MP 06\_0239 dated 22 November 2009) requires the noise assessment to encompass **all affected receivers**. This includes the closest current residential receivers in both Erskine Park and Minchinbury.

Therefore, an updated Noise Assessment is required to be submitted which comprises noise modelling conducted such that the operation also considers the noise criteria as listed within the Project Approval, being the expected noise level at all affected receivers including residential receivers in both Erskine Park and Minchinbury.

### 2. Stormwater Drainage

The stormwater drainage plan is required to address the ultimate landform and site use to ensure any additional works and modifications fit within the overall plan for the site.

The amended strategy prepared by AT&L and dated May 2015 assumes that the adjoining energy generation facility has been built and relies on a redirection of catchment areas. The assessment is required to address the current catchment conditions to ensure that it complies with the performance requirements.

## **ATTACHMENT B**

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Recommended Conditions of Consent:

**Additional Condition:**

Within one year from the date of the MOD 5 approval, the Proponent shall design and construct, to the satisfaction of Council, those parts of the Precinct Plan Road network that ultimately fall within the site. This precinct road shall be dedicated to council, at no charge, to form part of the public road network.

**Additional Condition:**

No additional approvals will be considered until these project approval conditions have been satisfied in relation to infrastructure works required to facilitate development within the precinct.





## Department of Primary Industries

V15/416#53  
OUT15/26738

Jane Flanagan  
Department of Planning and Environment  
23-33 Bridge Street  
SYDNEY NSW 2000

Jane.Flanagan@planning.nsw.gov.au

Dear Ms Flanagan

**Modification for Genesis Waste Management Facility, Honeycomb Drive, Eastern Creek – proposed pre-sort enclosure (former Pioneer Quarry site, Eastern Creek) – Spoil Management Plan (MP06\_0139 MOD 5)**

Thank you for your email of 17 September 2015 to DPI Water seeking comments on the Spoil Management Plan. The DPI Water has reviewed the Spoil Management Plan and provides the following comments:

Section 10.3.3 of the Spoil Management Plan notes the proponent will conduct cut and fill earthworks in accordance with AT&L's Bulk Earthworks Cut and Fill Plan at Annexure C (page 11). The Office of Water in its submission on the Mod 5 proposal sought clarification as to whether construction of the facility will require excavation and whether groundwater is likely to be intercepted and if so, advised that details are required as to whether the total groundwater inflow is expected to be greater than 3 ML/year. The DPI Water repeats that any dewatering activity for minor temporary construction works that is estimated to exceed 3 ML/year must obtain a licence under Part 5 of the *Water Act 1912* prior to commencing the activity. The licence will be issued on a temporary basis only, usually up to 12 months.

The Office of Water in its submission on the Mod 5 proposal sought clarification as to whether the southern OSD basin will be used as a water supply source for the pre-sort proposal. The Spoil Management Plan notes the southern OSD will be used as a water supply for dust suppression (section 10.4, pages 12-13). Schedule 1 (3) of the *Water Management (General) Regulation 2011* exempts dams solely for the capture, containment and recirculation of drainage and/or effluent from the need for a water licence. Provided all clean runoff is diverted away from the OSD basin and the water that is used from the basin has been sourced from disturbed areas, a water licence from DPI Water for the use of this water is not required.

Section 10.4 of the Spoil Management Plan notes the washout of concrete delivery vehicles is to be a minimum of 20 m from stormwater drainage systems and natural watercourses (page 13). It is recommended the setback distance for the washout of concrete delivery vehicles is located outside the riparian corridor along the Ropes Creek Tributary which is located within the MP06\_0139 site to avoid degradation of the riparian corridor. As concrete runoff can have major impacts on water quality and aquatic flora and fauna, it is recommended a designated wash-down area, is in place prior to work commencing.

For further information please contact Janne Grose, Water Regulation Officer at DPI Water (Parramatta office) on t: (02) 8838 7505 ; e: [janne.grose@dpi.nsw.gov.au](mailto:janne.grose@dpi.nsw.gov.au).

Yours sincerely



Mitchell Isaacs  
**Director, Planning Policy & Assessment Advice**  
28/9/2015



Department of  
Primary Industries

OUT15/14031

Ms Jane Flanagan  
Industry Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Jane.Flanagan@planning.nsw.gov.au

Dear Ms Flanagan,

**Genesis Waste Management Facility (MP06\_0239 Mod 5)  
Comment on the Response to Submissions Report**

I refer to your email dated 22 May 2015 to the Department of Primary Industries in respect to the above matter.

Comment by NSW Office of Water

The Office of Water has reviewed the proponent's response to submissions report for the Genesis Waste Facility - Mod 5 Pre-sort enclosure.

Two issues were identified in the Office of Water's submission on the EIS, and the proponent has responded to both of these.

**Groundwater**

The Office of Water acknowledges the proponent's response that only minor volumes of groundwater are expected to be intercepted.

If a 'formal dewatering system' is required, the Office of Water should be contacted to ensure there are no additional licensing requirements.

The Office of Water requests that the proponent is required to keep a record of pumping from the excavation, including volume and/or pumping hours, and any relevant weather conditions.

**Water supply**

The Office of Water acknowledges the additional information supplied in relation to water supply.

The response did not clarify whether the OSD basin will capture clean and/or dirty water, which is necessary to determine any licensing requirements.

If it only captures dirty water, then a water licence is not required.

If it captures clean water as well as dirty water, then a licence may be required if the volume is in excess of the site's harvestable rights. More information on calculating

harvestable rights for surface water, including an online calculator, can be found on the Office of Water's website at [www.water.nsw.gov.au/water-licensing/basic-water-rights/harvesting-runoff](http://www.water.nsw.gov.au/water-licensing/basic-water-rights/harvesting-runoff).

If the volume of clean water capture is in excess of harvestable rights, or the proponent is uncertain, they must contact the Office of Water to confirm any licensing requirements prior to taking any water from the basin.

The Office of Water does not require any further information prior to the modification being determined, however the proponent is reminded that taking water without the appropriate water licences may be an offence under the *Water Management Act 2000*.

For further information please contact Janne Grose, Water Regulation Officer on (02) 8838 7505 or at [Janne.Grose@dpi.nsw.gov.au](mailto:Janne.Grose@dpi.nsw.gov.au).

Yours sincerely



Kristian Holz  
**Director Policy, Legislation and Innovation**





Department of Planning  
Received  
14 OCT 2015  
Scanning Room

Our reference : DOC15/379319  
EPA Contact : Jennifer Rowe  
(02) 9995 5883

Ms Jane Flanagan  
NSW Government Planning & Environment  
Industry Assessments  
23-33 Bridge Street  
Sydney NSW 2000

EMAIL AND STANDARD POST

Dear Ms Flanagan

**Genesis Waste Management Facility (06\_0239 MOD 5) – Requests for comment on the Modification Application of the proposed Pre-Sort Enclosure**

I refer to your correspondence on 24 September 2015 sent to the Environment Protection Authority (the "EPA") regarding ThaQuarry Pty Ltd's ("the Proponent") Spoil Management Plan for the proposal to construct and operate a Pre-Sort Enclosure at the Genesis Waste Management Facility, being Lot 1 and 4 in DP 114 5808 ("the Premises").

The EPA has no further comments to provide on the Genesis Recycling Facility MP 06\_0239 MOD 5 Spoil Management Plan.

The Proponent should be reminded that any spoil sent off site, as outlined in the Spoil Management Plan, has the correct classification reports to ensure lawful offsite use of the material.

If you have any further questions regarding this matter please contact Jennifer Rowe on 02 9995 5883

Yours sincerely

2.10.15

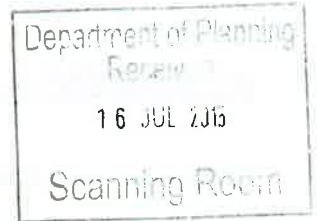
**Ruth Owler**  
**Unit Head Waste Compliance**  
**Environment Protection Authority**





PCU060559

Our reference : DOC15/243729  
EPA Contact : Jennifer Rowe



Ms Jane Flanagan  
NSW Government Planning & Environment  
Industry Assessments  
23-33 Bridge Street  
Sydney NSW 2000

EMAIL AND STANDARD POST

Dear Ms Flanagan

**Genesis Waste Management Facility (06\_0239 MOD 5) – Requests for comment on the Modification Application of the proposed Pre-Sort Enclosure**

I refer to your request on 30 June 2015 for the Environment Protection Authority (the "EPA") to provide any further comments on the ThaQuarry Pty Ltd's ("the Proponent") proposal to construct and operate a Pre-Sort Enclosure at the Genesis Waste Management Facility, being Lot 1 and 4 in DP 114 5808 ("the Premises").

I also refer to the following documents titled

1. "S75W Modification 5 Pre-Sort Enclosure" dated March 2015 prepared by Urbis Pty Ltd
2. "Email correspondence from AT&L regarding DP&E request for a Spoil Management Plan" prepared by Urbis Pty Ltd dated 19 May 2015.
3. "Bulk Earthworks Cut and Fill Plan" prepared by AT&L drawing No. DAC003 dated 3 March 2015.

The EPA has reviewed the documents and believes that further information is required from the Proponent. This is to ensure appropriate environmental controls are in place to prevent contamination of the excavated material, dust emissions from the stockpiles and appropriate stormwater controls are in place.

Further details are required in relation to the proposed Pre-Sort Enclosure in order for the EPA to determine the full extent of the impacts of the proposal. The details of the additional information that should be included are outlined in Attachment A.

If you have any further questions regarding this matter please contact Jennifer Rowe on 02 9995 5883

Yours sincerely

10 JULY 2015

**Chris McElwain**  
**Senior Manager Waste Compliance**  
**Environment Protection Authority**

PO Box A290 Sydney South NSW 1232  
59-61 Goulburn St Sydney NSW 2000  
Tel: (02) 9995 5000 Fax: (02) 9995 5999  
TTY (02) 9211 4723  
ABN 43 692 285 758  
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## **ATTACHMENT A – EPA COMMENTS**

### **Excavation and Civil Works**

Further details from the proponent are required with regard to how the surplus spoil from the excavation and civil works from the construction of the Pre-sort enclosure will be addressed at the Premises.

The documents from the Proponent do not clearly address how the spoil from the earthworks will be managed at the Premises. The EPA feels that a Spoil Management Plan is pertinent for the scope of the earthworks and should be updated to address and include details about:

1. The type of material that is being excavated for the pre-sort enclosure.
2. The procedures for the storage and management of the surplus spoil at the premises addressing the following:
  - a. Details about the exact location as to where the spoil will be stored at the Premises including a map that details this information.
  - b. A timeframe for how long the surplus spoil will be stored at the Premises.
  - c. Information about how the proponent intends to identify the surplus spoil from other material stored at the Premises.
  - d. Information about how the Proponent will prevent the contamination of the surplus spoil from other material at the Premises
  - e. Information about the erosion and sediment controls that will be implemented by the Proponent in managing the storage of the stockpiles of the surplus spoil addressing dust emissions and sediment tracking.