
From: Rutledge, Geoffrey
Sent: Friday, 13 December 2019 5:40 PM
To: Ewen Mckenzie; 'Adam Perry'
Cc: Bennett, JamesP
Subject: RE: CRS EIS Determination 16 Ipswich Street, Fyshwick
Attachments: 271672-00 - FYS - RPT - 000001.pdf

UNCLASSIFIED

Mr McKenzie and Mr Perry

Find attached the final independent review report that the planning and land authority has commissioned to assist with the authority's assessment of the EIS for the materials recovery facility under s 222 and 224A of the *Planning and Development Act 2007*.

As discussed on the phone yesterday with Mr Perry, this is provided to the opportunity to respond. Once you have read the report, if you would like to meet, please contact James Bennett to arrange a time.

Regards

Geoffrey

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [REDACTED]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Richard Nash [REDACTED]
Sent: Monday, 16 December 2019 11:06 AM
To: Bennett, JamesP; Emily Leemhuis
Cc: Riches, Dominic; Phillips, Brett; Ewen Mckenzie
Subject: RE: CRS EIS Determination 16 Ipswich Street, Fyshwick

Thanks James,

I understand that Adam is keen to tee up a meeting this week.

We're working through the report now and focussing on the key items raised for discussion.

Richard

Sent from my Samsung Galaxy smartphone.

----- Original message -----

From: "Bennett, JamesP" <JamesP.Bennett@act.gov.au>
Date: 16/12/19 10:47 (GMT+10:00)
To: Richard Nash [REDACTED] Emily Leemhuis [REDACTED]
Cc: "Riches, Dominic" <Dominic.Riches@act.gov.au>, "Phillips, Brett" <Brett.Phillips@act.gov.au>
Subject: FW: CRS EIS Determination 16 Ipswich Street, Fyshwick

UNCLASSIFIED

Hi Richard and Emily

Please see below an email sent by Geoffrey Rutledge to Mr McKenzie and Mr Perry of CRS.

As noted below, the planning and land authority has commissioned an independent review of the EIS prepared for the materials recovery facility proposal in Fyshwick.

I provide you with this report and offer you the opportunity to respond.

As noted by Geoffrey below, once you have had an opportunity to review the independent review report, we would be happy to offer a meeting to discuss your response.

Please let me know if you have any questions.

Thanks

James

James Bennett | Senior Director, Planning Operations

Phone 02 6205 4877 | Planning Delivery Division

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>

Sent: Friday, 13 December 2019 5:40 PM

To: Ewen Mckenzie [REDACTED] 'Adam Perry' [REDACTED]

Cc: Bennett, JamesP <JamesP.Bennett@act.gov.au>

Subject: RE: CRS EIS Determination 16 Ipswich Street, Fyshwick

UNCLASSIFIED

Mr McKenzie and Mr Perry

Find attached the final independent review report that the planning and land authority has commissioned to assist with the authority's assessment of the EIS for the materials recovery facility under s 222 and 224A of the *Planning and Development Act 2007*.

As discussed on the phone yesterday with Mr Perry, this is provided to the opportunity to respond. Once you have read the report, if you would like to meet, please contact James Bennett to arrange a time.

Regards

Geoffrey

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment

Phone 02 6207 5001 | Mobile [REDACTED]

Environment, Planning and Sustainable Development Directorate | ACT Government

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From: Adam Perry [REDACTED]
Sent: Monday, 16 December 2019 5:43 PM
To: Bennett, JamesP
Cc: Ewen Mckenzie
Subject: Re: EIS Progress

Hi James, yes that would be prefect, thanks

Adam Perry
Access Recycling
1 Mandamah Rd, BARMEDMAN 2668
P: 02 6976 2000
[REDACTED]
www.accessrecycling.com.au

On 16 Dec 2019, at 16:52, Bennett, JamesP <JamesP.Bennett@act.gov.au> wrote:

UNCLASSIFIED

Hi Adam
We are available to meet at 2pm on Wednesday in Dickson if that time suits?
Please let me know.
Thanks
James

From: Adam Perry [REDACTED]
Sent: Monday, 16 December 2019 3:51 PM
To: Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ewen Mckenzie [REDACTED]
Subject: Fwd: EIS Progress

Hi James,
I have exchanged a few messages with Mr Rutledge to arrange a meeting, hopefully for this week.
Could you please confirm if this is possible, and if so nominate a date.

Many thanks
Adam
Adam Perry
Access Recycling
1 Mandamah Rd, BARMEDMAN 2668
P: 02 6976 2000
[REDACTED]

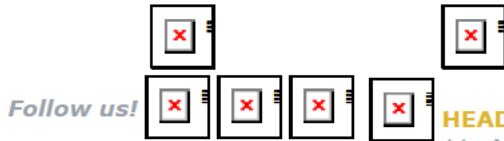
www.accessrecycling.com.au

Begin forwarded message:

From: Ewen Mckenzie [REDACTED]
Date: 11 December 2019 at 09:07:39 AEDT
To: Adam Perry [REDACTED]
Subject: FW: EIS Progress

Fyi
Kind regards,

Ewen McKenzie
Project Manager



HEAD OFFICE

11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

From: Bennett, JamesP <JamesP.Bennett@act.gov.au>

Sent: Tuesday, 10 December 2019 4:56 PM

To: Ewen Mckenzie

Subject: RE: EIS Progress

UNCLASSIFIED

Hi Ewen

Sorry I've missed your calls, I've been out of the office for large parts of the last two days.

I tried to ring but missed you.

An update for you:

- We have received a draft of the independent review
- We are hoping to receive a final copy shortly
- The independent review raises some issues which we are seeking legal advice on
- We will update you on progress once we have received the advice and considered it.

I recognise this is a delay to the timing we were originally working to and apologise for that.

Thanks

James

James Bennett | Senior Director, Planning Operations

Phone 02 6205 4877 | Planning Delivery Division

Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 |

www.planning.act.gov.au

From: Ewen Mckenzie

Sent: Tuesday, 10 December 2019 3:54 PM

To: Bennett, JamesP <JamesP.Bennett@act.gov.au>

Subject: EIS Progress

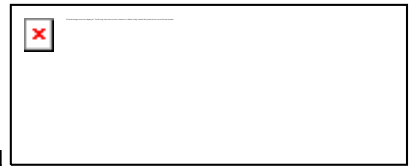
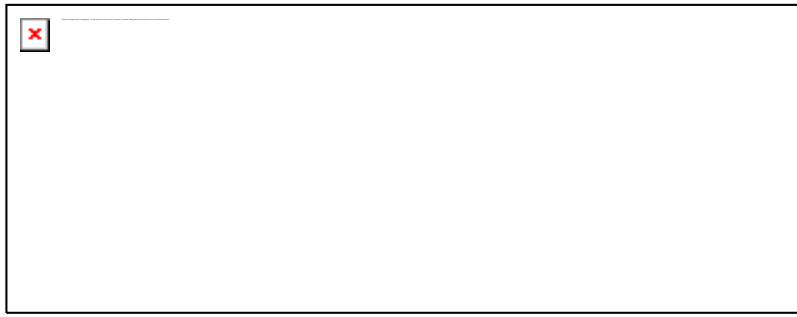
Hi James

I was wondering if there has been progress on the EIS determination by the Minister. Have tried you on the phone and left messages

I believe when we spoke on 11 September it was going to be some 4-5 weeks plus 3 weeks for the Minister - it is now some 8 weeks later and we are wondering what is happening?

Kind regards,

Ewen McKenzie
Project Manager



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11a Narabang Way, Belrose NSW 2081
PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

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ACT
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Environment, Planning and
Sustainable Development

**Meeting with proponent in relation to the Independent review – EIS201700053
18/12/19 (1:30-2:00pm)**

Attendees

Proponent: Ewan Mckenzie (phone), Adam Perry and Richard Nash

EPSSD: Geoffrey Rutledge, James Bennett and Dominic Riches

Matters discussed:

- The final report was provided to the proponent last week.
- The Authority is providing an opportunity to provide a response to the issues raised and there is no provision under the *Planning and Development Act 2007* to amend the EIS.
- The Authority needs to be satisfied that the Scoping Document has been addressed.
- The Independent review identified 13 main inconsistencies with the Environmental Impact Statement (EIS).
- If legislation was addressed in the EIS and has since been updated then this should be highlighted in the response.
- The Act includes provisions for the Authority to seek advice as part of the assessment process.
- The response and independent review will be taken into account in the EIS assessment report.
- Timeframe for the response will be late February 2020.
- Discussions will be required with relevant consultants to determine actual timing.
- All matters raised in the independent review should be addressed in the response including the table of issues and content.
- The EIS explores the impacts of the proposal and outlines when/how impacts should be addressed (e.g. development application or licencing stage).

Dominic Riches

18 December 2019

From: Bennett, JamesP
Sent: Wednesday, 18 December 2019 4:18 PM
To: Adam Perry; Ewen Mckenzie; Richard Nash
Cc: Riches, Dominic; Rutledge, Geoffrey
Subject: Time for responding to ARUP's independent review report

UNCLASSIFIED

Hi Adam/Ewen/Richard

Further to our discussion today, we would appreciate receiving your response to the independent review by **Friday 28 February 2019**.

If you require further time to prepare your response, please contact me and we can discuss an extension.

Also, as we discussed, we have provided you with a copy of the final report and an opportunity to respond to the report's findings. We consider that the legislation does not allow for further revisions to the submitted EIS or new studies/information at this point.

In the meantime, please contact me if you have any questions. I am on leave from this afternoon and return on 7 January.

Thanks
James

James Bennett | Senior Director, Planning Operations
Phone 02 6205 4877 | Planning Delivery Division
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

From: Bennett, JamesP
Sent: Wednesday, 5 February 2020 1:41 PM
To: Ewen Mckenzie
Cc: Ernest Dupere; 'Adam Perry'; 'Richard Nash'; Rutledge, Geoffrey
Subject: RE: CRS Response to Arup Review Report

UNCLASSIFIED

Dear Ewen,

Confirming that we have received your response and have commenced our review process.

For your information, we are now reviewing the revised EIS, the matters raised in the Independent Review and your response to those issues, and assessing whether all matters in the scoping document have been addressed.

We expect to be able to provide you with a response on the authority's assessment by the end of February/early March, barring any complex issues that may arise and may require further advice.

Please contact me if you need any more information about this process.

Thanks
James

James Bennett | Senior Director, Planning Operations
Phone 02 6205 4877 | Planning Delivery Division
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Sent: Friday, 31 January 2020 5:06 PM
To: Ewen Mckenzie [REDACTED] Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [REDACTED] 'Adam Perry' [REDACTED] 'Richard Nash'
Subject: RE: CRS Response to Arup Review Report

UNCLASSIFIED

Mr McKenzie,

Thanks for your response

The team have had a quick review of the document this week, and we are getting the key people around the table on Monday.

I'll get James to send you an email after that meeting, outlining the next steps and indicative timetable.

Regards

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment



From: Ewen McKenzie [REDACTED]
Sent: Tuesday, 28 January 2020 8:52 AM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [REDACTED]; 'Adam Perry' [REDACTED] 'Richard Nash'
Subject: CRS Response to Arup Review Report

Dear Mr Rutledge

Please find attached our response to the Arup Review Report.

We have attached a cover letter and three attachments addressing the key points raised by Arup.

We are obviously keen to expedite the assessment process and decision making on this EIS. Can you please advise the timetable now we have provided our response?

Please contact me anytime if you require anything further.

Kind regards,

Ewen McKenzie
Project Manager



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HEAD OFFICE

11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

From: Ewen Mckenzie [redacted]
Sent: Tuesday, 10 March 2020 1:53 PM
To: Liston, Tegan
Subject: RE: CRS EIS Progress

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Tegan

Thanks for the feedback – early March is passing by rapidly so please let us know when you have something definitive – been nearly three years so far since we first spoke on the EIS – long haul.

Kind regards,

Ewen McKenzie
Project Manager
[redacted]



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T (02) 9986 3500 benedict.com.au

From: Liston, Tegan <Tegan.Liston@act.gov.au>
Sent: Friday, 6 March 2020 8:41 AM
To: Ewen Mckenzie [redacted]
Subject: RE: CRS EIS Progress

UNCLASSIFIED

Hi Ewen

Yes, James is away until mid April. We are currently seeking some advice but we are still working towards the timeframe James provided (early March).

We will be in contact when we have an update.

Thanks, Tegan

From: Ewen Mckenzie [redacted]
Sent: Thursday, 5 March 2020 11:22 AM
To: Weller, Craig <Craig.Weller@act.gov.au>
Subject: CRS EIS Progress

Hi Craig

I gather that James is away till 15 April – can you update us on the correspondence and progress outlined below please?

Kind regards,

Ewen McKenzie
Project Manager



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11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
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From: Ewen Mckenzie
Sent: Thursday, 5 March 2020 11:18 AM
To: 'Bennett, JamesP' <JamesP.Bennett@act.gov.au>
Subject: RE: CRS Response to Arup Review Report

Hi James

As per your email below – we were wondering how things were progressing ? Can you advise us of the latest timeline please

Kind regards,

Ewen McKenzie
Project Manager

From: Bennett, JamesP <JamesP.Bennett@act.gov.au>
Sent: Wednesday, 5 February 2020 1:41 PM
To: Ewen Mckenzie
Cc: Ernest Dupere; 'Adam Perry'; 'Richard Nash'
Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Subject: RE: CRS Response to Arup Review Report

UNCLASSIFIED

Dear Ewen,

Confirming that we have received your response and have commenced our review process.

For your information, we are now reviewing the revised EIS, the matters raised in the Independent Review and your response to those issues, and assessing whether all matters in the scoping document have been addressed.

We expect to be able to provide you with a response on the authority's assessment by the end of February/early March, barring any complex issues that may arise and may require further advice.

Please contact me if you need any more information about this process.

Thanks
James

James Bennett | Senior Director, Planning Operations
Phone 02 6205 4877 | Planning Delivery Division
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Sent: Friday, 31 January 2020 5:06 PM
To: Ewen Mckenzie [redacted]; Bennett, JamesP [redacted]
Cc: Ernest Dupere <[redacted]> 'Adam Perry' [redacted] 'Richard Nash'
Subject: RE: CRS Response to Arup Review Report

UNCLASSIFIED

Mr McKenzie,

Thanks for your response

The team have had a quick review of the document this week, and we are getting the key people around the table on Monday.

I'll get James to send you an email after that meeting, outlining the next steps and indicative timetable.

Regards

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [redacted]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen Mckenzie [redacted]
Sent: Tuesday, 28 January 2020 8:52 AM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [redacted] 'Adam Perry' [redacted] 'Richard Nash'
Subject: CRS Response to Arup Review Report

Dear Mr Rutledge

Please find attached our response to the Arup Review Report.

We have attached a cover letter and three attachments addressing the key points raised by Arup.

We are obviously keen to expedite the assessment process and decision making on this EIS. Can you please advise the timetable now we have provided our response?

Please contact me anytime if you require anything further.

Kind regards,

Ewen McKenzie
Project Manager



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From: Ernest Dupere [redacted]
Sent: Thursday, 30 April 2020 10:47 AM
To: Rutledge, Geoffrey; Ewen Mckenzie
Cc: Phillips, Brett; Bennett, JamesP; 'Adam Perry'
Subject: RE: CRS EIS Progress

Dear Mr Rutledge,
What other Government Department suddenly now has input into a pure planning application matter?
Furthermore, we are asking for more than yet another "update" where, if past form is any guide, in another 4 weeks we will be inevitably informed that your Department is duly further considering the matter.
We require a more genuine and forthright response than those received thus far, in respect to this application.
Sincerely,
Ernest Dupere
Director
Capital Recycling Solutions P/L

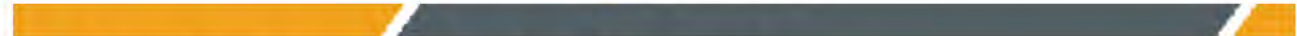
Sincerely,

Ernest Dupere
Director
Benedict Industries P/L
[redacted]



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11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

COVID-19 FAQ's GET ALL THE ANSWERS [HERE](#)



From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Sent: Thursday, 30 April 2020 10:17 AM
To: Ewen Mckenzie [redacted]
Cc: Phillips, Brett <Brett.Phillips@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>; 'Adam Perry' [redacted] Ernest Dupere [redacted]
Subject: RE: CRS EIS Progress

UNCLASSIFIED

Dear Mr McKenzie
Thank you for your email. I apologise for the ongoing delays.
I am still awaiting advice (from another part of government, not under my direct control) on the proposal, I acknowledge your frustration, and share it.
I hope to be in a position to be able to give you a update next week.

Regards

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [redacted]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen Mckenzie [redacted]
Sent: Tuesday, 28 April 2020 10:30 AM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Cc: Phillips, Brett <Brett.Phillips@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>; 'Adam Perry' [redacted]; Ernest Dupere [redacted]
Subject: FW: CRS EIS Progress

Dear Mr Rutledge

Further to CRS Director Adam Perry’s unanswered email letters (below) of 1 April and request for a meeting on 9 April, we are seeking to know the following:

Has the EIS assessment been completed? If not, specifically what is the “advice” that has been holding up the process since late February and why are we not privy to this?

Has the EIS assessment been given to the Minister? If not when will this happen?

We have already indicated that we would like and are available for a further meeting to ascertain the above, but have not received any reply – Can this meeting happen?

We submitted our last information to ACTPLA on 28 January 2020. Since that time we have received no information on this assessment or determination without us chasing ACTPLA and ESPDD. Another month has passed and we are none the wiser nor closer to knowing what is going on. We would appreciate some communication and information as to where our EIS is up in the process

Kind regards,

Ewen McKenzie
Project Manager
[redacted]



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11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

COVID-19 FAQ's GET ALL THE ANSWERS [HERE](#)   

From: Adam Perry [redacted]
Sent: Thursday, 9 April 2020 12:08 PM

To: geoffrey.rutledge@act.gov.au

Cc: Ewen Mckenzie [REDACTED]

Subject: RE: CRS EIS Progress

Dear Mr Rutledge,

Further to the email below of April 1, could we please have a meeting, either in person or by phone, to discuss the progress of the EIS assessment and the likely next steps?

Regards

Adam

Adam Perry

Director

P: (02) 6976 2000

[REDACTED]
A: 1 Mandamah Road BARMEDMAN NSW 2668

WWW.ACCESSRECYCLING.COM.AU



From: Adam Perry

Sent: Wednesday, April 1, 2020 7:23 PM

To: Adam Perry [REDACTED]

Subject: FW: CRS EIS Progress

Dear Mr Rutledge,

I write in reply to your email to Ewen McKenzie (below)

We want to put it on the record that we are once again disappointed and frustrated with the constant stalling of the EIS assessment process. It is most regrettable that your comments below do not allay that frustration, there is nothing material or meaningful in your explanation, just more the same commentary about 'ongoing assessment'.

It is a well-known fact in the ACT business community that EPSDD is up to a year behind on considering some development applications, and many months behind on most. We have worked with you to negotiate on some issues, others we have had to fight out in the courtroom. Out of pure frustration, we believe that from here we may have no choice but go to the media.

Sadly, it seems inevitable that the coronavirus crisis is going to result in thousands of ACT residents losing their jobs. We want to put it on the record that we are doing all we can to get a fully compliant development approved. Once approved, we will immediately seek to build and operate the recycling facility, injecting some \$30million into the local economy, and employing 25 full time staff once operational - many more during construction. The coronavirus will pass, but before it does a lot of economic damage will be done. We want to do our bit when this thing passes, to

do as much heavy lifting as we possibly can when can as the recovery begins. We can do this by employing more people, investing in infrastructure, hiring construction companies and so on. We are extremely eager to make good use of time during the downturn and get this EIS process finalized, so that we can be ready for the recovery stage. As noted above, we have done all we can to submit a complying EIS, we have answered all of your questions as quickly and thoroughly as practical. You need to speed things up at your end. We need the EIS review finished now. The whole process has taken way too long, almost three years, and we see no reason why you cannot work faster to get it finalised. You simply must. The only thing standing between jobs and investment is your department's slow-moving bureaucratic process. We implore you, please provide an immediate response.

Regards

Adam Perry
Director

P: (02) 6976 2000

A: 1 Mandamah Road BARMEDMAN NSW 2668

WWW.ACCESSRECYCLING.COM.AU

From: Ewen Mckenzie [redacted]
Sent: Friday, March 27, 2020 9:49 AM
To: Ernest Dupere [redacted]; Adam Perry [redacted]
Subject: Fwd: CRS EIS Progress

Fyi
Kind regards,

Ewen McKenzie
Project Manager



HEAD OFFICE
11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

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Begin forwarded message:

From: "Rutledge, Geoffrey" <Geoffrey.Rutledge@act.gov.au>
Date: 26 March 2020 at 22:48:04 AEDT
To: Ewen McKenzie [REDACTED]
Subject: RE: CRS EIS Progress

UNCLASSIFIED

Mr McKenzie

Thank you for your email. As advised by James in February and Tegan in early March, the planning and land authority was working to the timeframe you highlighted below. However, it was deemed necessary to seek further advice on the proposal and the team are awaiting this advice before they can finalise the EIS assessment. The advice is expected shortly.

I understand that this process has taken time, however, the authority needs to be satisfied that all matters are thoroughly addressed before the assessment can be finalised.

Regards,

Geoffrey

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [REDACTED]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen McKenzie [REDACTED]
Sent: Thursday, 26 March 2020 2:55 PM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Subject: FW: CRS EIS Progress

Dear Mr Rutledge

I wrote to you on 18 March (see below) and have not received any form of response. It is now the 26th March and we are none the wiser as to what's happening with our EIS. Can you please advise us of the process/progress please as April is upon us.

Kind regards,

Ewen McKenzie
Project Manager
[REDACTED]



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HEAD OFFICE

11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640

T (02) 9986 3500 benedict.com.au

From: Ewen Mckenzie
Sent: Wednesday, 18 March 2020 3:54 PM
To: 'Rutledge, Geoffrey' <Geoffrey.Rutledge@act.gov.au>
Subject: CRS EIS Progress

Dear Mr Rutledge

It is now the 18th March.

I am writing to ascertain whether there has been any progress on our EIS assessment and determination? Is it with the Minister yet? If so what are the time frames?

I was contacted by James Bennett on 5 February, after your last email, and he advised of a late Feb/early March determination.

I contacted James on 5 March to follow up and was advised that he was on leave till 15 April. Tegan Liston replied last week on behalf of Craig Weller (who I emailed in James's absence as advised) and she advised me that the time frame proposed by James was still correct (early March) I contacted Tegan again by email on 10 March (no reply) and have not had any new information or updated timelines since and it is now past the middle of March.

Given you are the Deputy Director General and familiar with this I am confident you will be able to quickly clarify this matter for me as these ongoing delays are continuing cause us adverse commercial consequences. We started this EIS process some three ago!

Kind regards,

Ewen McKenzie

Project Manager

From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Sent: Friday, 31 January 2020 5:06 PM
To: Ewen Mckenzie [redacted]; Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [redacted]; 'Adam Perry'
[redacted]; 'Richard Nash' [redacted]
Subject: RE: CRS Response to Arup Review Report

UNCLASSIFIED

Mr McKenzie,

Thanks for your response

The team have had a quick review of the document this week, and we are getting the key people around the table on Monday.

I'll get James to send you an email after that meeting, outlining the next steps and indicative timetable.

Regards

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [REDACTED]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen McKenzie [REDACTED]
Sent: Tuesday, 28 January 2020 8:52 AM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [REDACTED]; 'Adam Perry' [REDACTED]; 'Richard Nash' [REDACTED]
Subject: CRS Response to Arup Review Report

Dear Mr Rutledge

Please find attached our response to the Arup Review Report.

We have attached a cover letter and three attachments addressing the key points raised by Arup.

We are obviously keen to expedite the assessment process and decision making on this EIS. Can you please advise the timetable now we have provided our response?

Please contact me anytime if you require anything further.

Kind regards,

Ewen McKenzie
Project Manager
[REDACTED]



HEAD OFFICE
11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
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From: Ewen Mckenzie <[redacted]>
Sent: Thursday, 30 April 2020 11:44 AM
To: Rutledge, Geoffrey
Cc: Phillips, Brett; Bennett, JamesP; 'Adam Perry'; Ernest Dupere
Subject: RE: CRS EIS Progress

Dear Mr Rutledge

I posed a number of questions in my letter of 28 April and none of them have been addressed. The responses continue to remain generic as they have since late February and we are none the wiser to anything on the EIS determination. We only can deal with your Department and have not been privy to other Department consultations. At this stage the ESPDD appears to not be following any assessment/determination statutory timeframes as required by law? Surely we are entitled to due process.

We are not seeking further "updates", we are seeking a determination on the EIS or at least a determination date.

Kind regards,

Ewen McKenzie
Project Manager
[redacted]



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T (02) 9986 3500 benedict.com.au

COVID-19 FAQ's GET ALL THE ANSWERS [HERE](#)



From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Sent: Thursday, 30 April 2020 10:17 AM
To: Ewen Mckenzie [redacted]
Cc: Phillips, Brett <Brett.Phillips@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>; 'Adam Perry' [redacted]; Ernest Dupere [redacted]
Subject: RE: CRS EIS Progress

UNCLASSIFIED

Dear Mr McKenzie

Thank you for your email. I apologise for the ongoing delays.

I am still awaiting advice (from another part of government, not under my direct control) on the proposal, I acknowledge your frustration, and share it.

I hope to be in a position to be able to give you a update next week.

Regards

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [redacted]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen Mckenzie [redacted]
Sent: Tuesday, 28 April 2020 10:30 AM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Cc: Phillips, Brett <Brett.Phillips@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>; 'Adam Perry' [redacted] Ernest Dupere [redacted]
Subject: FW: CRS EIS Progress

Dear Mr Rutledge

Further to CRS Director Adam Perry’s unanswered email letters (below) of 1 April and request for a meeting on 9 April, we are seeking to know the following:

Has the EIS assessment been completed? If not, specifically what is the “advice” that has been holding up the process since late February and why are we not privy to this?

Has the EIS assessment been given to the Minister? If not when will this happen?

We have already indicated that we would like and are available for a further meeting to ascertain the above, but have not received any reply – Can this meeting happen?




We submitted our last information to ACTPLA on 28 January 2020. Since that time we have received no information on this assessment or determination without us chasing ACTPLA and ESPDD. Another month has passed and we are none the wiser nor closer to knowing what is going on. We would appreciate some communication and information as to where our EIS is up in the process

Kind regards,

Ewen McKenzie
Project Manager



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11a Narabang Way, Belrose NSW 2085
PO Box 431, Frenchs Forest NSW 1640
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COVID-19 FAQ's GET ALL THE ANSWERS [HERE](#)    

From: Adam Perry [redacted]
Sent: Thursday, 9 April 2020 12:08 PM
To: geoffrey.rutledge@act.gov.au

Cc: Ewen Mckenzie [REDACTED]
Subject: RE: CRS EIS Progress

Dear Mr Rutledge,

Further to the email below of April 1, could we please have a meeting, either in person or by phone, to discuss the progress of the EIS assessment and the likely next steps?

Regards
Adam

Adam Perry
Director

P: (02) 6976 2000

[REDACTED]
A: 1 Mandamah Road BARMEDMAN NSW 2668

WWW.ACCESSRECYCLING.COM.AU



From: Adam Perry
Sent: Wednesday, April 1, 2020 7:23 PM
To: Adam Perry [REDACTED]
Subject: FW: CRS EIS Progress

Dear Mr Rutledge,

I write in reply to your email to Ewen McKenzie (below)

We want to put it on the record that we are once again disappointed and frustrated with the constant stalling of the EIS assessment process. It is most regrettable that your comments below do not allay that frustration, there is nothing material or meaningful in your explanation, just more the same commentary about 'ongoing assessment'.

It is a well-known fact in the ACT business community that EPSDD is up to a year behind on considering some development applications, and many months behind on most. We have worked with you to negotiate on some issues, others we have had to fight out in the courtroom. Out of pure frustration, we believe that from here we may have no choice but go to the media.

Sadly, it seems inevitable that the coronavirus crisis is going to result in thousands of ACT residents losing their jobs. We want to put it on the record that we are doing all we can to get a fully compliant development approved. Once approved, we will immediately seek to build and operate the recycling facility, injecting some \$30million into the local economy, and employing 25 full time staff once operational - many more during construction. The coronavirus will pass, but before it does a lot of economic damage will be done. We want to do our bit when this thing passes, to do as much heavy lifting as we possibly can when can as the recovery begins. We can do this by employing more

people, investing in infrastructure, hiring construction companies and so on. We are extremely eager to make good use of time during the downturn and get this EIS process finalized, so that we can be ready for the recovery stage. As noted above, we have done all we can to submit a complying EIS, we have answered all of your questions as quickly and thoroughly as practical. You need to speed things up at your end. We need the EIS review finished now. The whole process has taken way too long, almost three years, and we see no reason why you cannot work faster to get it finalised. You simply must. The only thing standing between jobs and investment is your department's slow-moving bureaucratic process. We implore you, please provide an immediate response.

Regards

Adam Perry
Director

P: (02) 6976 2000

A: 1 Mandamah Road BARMEDMAN NSW2668

WWW.ACCESSRECYCLING.COM.AU

From: Ewen Mckenzie [redacted]
Sent: Friday, March 27, 2020 9:49 AM
To: Ernest Dupere [redacted]; Adam Perry [redacted]
Subject: Fwd: CRS EIS Progress

Fyi
Kind regards,

Ewen McKenzie
Project Manager
[redacted]



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T (02) 9986 3500 benedict.com.au

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Begin forwarded message:

From: "Rutledge, Geoffrey" <Geoffrey.Rutledge@act.gov.au>
Date: 26 March 2020 at 22:48:04 AEDT
To: Ewen McKenzie [REDACTED]
Subject: RE: CRS EIS Progress

UNCLASSIFIED

Mr McKenzie

Thank you for your email. As advised by James in February and Tegan in early March, the planning and land authority was working to the timeframe you highlighted below. However, it was deemed necessary to seek further advice on the proposal and the team are awaiting this advice before they can finalise the EIS assessment. The advice is expected shortly.

I understand that this process has taken time, however, the authority needs to be satisfied that all matters are thoroughly addressed before the assessment can be finalised.

Regards,

Geoffrey

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [REDACTED]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen McKenzie [REDACTED]
Sent: Thursday, 26 March 2020 2:55 PM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Subject: FW: CRS EIS Progress

Dear Mr Rutledge

I wrote to you on 18 March (see below) and have not received any form of response. It is now the 26th March and we are none the wiser as to what's happening with our EIS. Can you please advise us of the process/progress please as April is upon us.

Kind regards,

Ewen McKenzie
Project Manager
[REDACTED]



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PO Box 431, Frenchs Forest NSW 1640
T (02) 9986 3500 benedict.com.au

From: Ewen Mckenzie
Sent: Wednesday, 18 March 2020 3:54 PM
To: 'Rutledge, Geoffrey' <Geoffrey.Rutledge@act.gov.au>
Subject: CRS EIS Progress

Dear Mr Rutledge

It is now the 18th March.

I am writing to ascertain whether there has been any progress on our EIS assessment and determination? Is it with the Minister yet? If so what are the time frames?

I was contacted by James Bennett on 5 February, after your last email, and he advised of a late Feb/early March determination.

I contacted James on 5 March to follow up and was advised that he was on leave till 15 April. Tegan Liston replied last week on behalf of Craig Weller (who I emailed in James's absence as advised) and she advised me that the time frame proposed by James was still correct (early March) I contacted Tegan again by email on 10 March (no reply) and have not had any new information or updated timelines since and it is now past the middle of March.

Given you are the Deputy Director General and familiar with this I am confident you will be able to quickly clarify this matter for me as these ongoing delays are continuing cause us adverse commercial consequences. We started this EIS process some three ago!

Kind regards,

Ewen McKenzie
Project Manager

From: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>
Sent: Friday, 31 January 2020 5:06 PM
To: Ewen Mckenzie [redacted] Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [redacted] 'Adam Perry'
[redacted] 'Richard Nash' [redacted]
Subject: RE: CRS Response to Arup Review Report

UNCLASSIFIED

Mr McKenzie,

Thanks for your response

The team have had a quick review of the document this week, and we are getting the key people around the table on Monday.

I'll get James to send you an email after that meeting, outlining the next steps and indicative timetable.

Regards

Geoffrey Rutledge | Deputy Director-General, Sustainability and the Built Environment
Phone 02 6207 5001 | Mobile [REDACTED]
Environment, Planning and Sustainable Development Directorate | ACT Government
Level 3, 16 Challis Street, Dickson | GPO Box 158 Canberra ACT 2602 | www.environment.act.gov.au



From: Ewen McKenzie [REDACTED]
Sent: Tuesday, 28 January 2020 8:52 AM
To: Rutledge, Geoffrey <Geoffrey.Rutledge@act.gov.au>; Bennett, JamesP <JamesP.Bennett@act.gov.au>
Cc: Ernest Dupere [REDACTED] 'Adam Perry'
[REDACTED]; 'Richard Nash' [REDACTED]
Subject: CRS Response to Arup Review Report

Dear Mr Rutledge

Please find attached our response to the Arup Review Report.

We have attached a cover letter and three attachments addressing the key points raised by Arup.

We are obviously keen to expedite the assessment process and decision making on this EIS. Can you please advise the timetable now we have provided our response?

Please contact me anytime if you require anything further.

Kind regards,

Ewen McKenzie
Project Manager
[REDACTED]



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From: Bennett, JamesP
Sent: Wednesday, 10 June 2020 5:39 PM
To: Ewen Mckenzie
Cc: Rutledge, Geoffrey; Richard Nash
Subject: Authority assessment of EIS201700053
Attachments: Correspondence from Geoffrey Rutledge - Letter to CRS regarding EISAR - EIS201700053.pdf

UNCLASSIFIED

Dear Mr McKenzie

Please find attached correspondence from Geoffrey Rutledge in relation to the planning and land authority's assessment of EIS201700053.

Regards
James

James Bennett | Senior Director, Planning Operations
Phone 02 6205 4877 | Planning Delivery Division
Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au



ACT
Government

Environment, Planning and
Sustainable Development

Obj ref: 20/34801

Mr Ewen McKenzie
Capital Recycling Solutions P/L
PO Box 431
FRENCHS FOREST NSW 1640

cc: Richard Nash, General Manager, Purdon Planning

Dear Mr McKenzie

Ewen

Planning and land authority's decision - Application 201700053 – Environmental Impact Statement (EIS)

I refer to the EIS submitted to the planning and land authority (the authority) for the proposed materials recovery facility at Blocks 9 and 11 Section 8 Fyshwick. The authority has considered the information submitted in the EIS process and provides the following.

Authority's decision

The authority has determined that the EIS sufficiently addresses the requirements of s 222(2)(a) of the *Planning and Development Act 2007* (the PD Act) and, therefore, the authority has accepted the EIS. The authority has now prepared an assessment report and given it to the Minister in accordance with s 225 of the PD Act.

The authority's assessment report outlines that the revised EIS has provided sufficient information to allow the ACT Government and the community to have an informed evaluation of potential environmental impacts which could be attributed to the proposal. In coming to this conclusion, the authority has closely assessed the EIS, including all revisions made through the revised EIS and further information processes (s 224 Notices).

The authority has also considered in detail the findings of the Independent Review undertaken by Arup Australia Pty Ltd (Arup Report) and the deficiencies identified in that report. The authority accepts the findings of the Arup Report, but does not consider these to be of sufficient substance to warrant refusal of the EIS, when considered in the context of the legislative requirements for an EIS. The matters raised by Arup can, and will be required to be, appropriately addressed if the EIS process is completed and you lodge a development application (DA) in the impact track for this proposal.

The EIS has proposed a range of avoidance, mitigation and management measures to reduce and avoid potential environmental impacts arising from construction and operational activities associated with the project.

The authority considers that the EIS has provided sufficient information relating to the potential adverse impacts of the proposal. A subsequent DA will need to address the mitigation measures and the DA conditions and considerations specified in the EISAR.

Next steps

The authority has provided the EIS and the EISAR to the Minister in accordance with s 225 and 225A of the PD Act. The Minister has the following options under the PD Act in relation to the EIS:

- **Option 1** - take no action on the EIS
 - i. This option applies if the Minister decides not to establish an Inquiry Panel and decides not to present the EIS to the Legislative Assembly.
- **Option 2** - not establish an inquiry panel, but present the EIS to the Legislative Assembly; or
 - i. The EIS process is complete upon the Minister's decision not to establish an Inquiry Panel.
- **Option 3** - establish an inquiry panel to inquire about the EIS
 - i. The EIS process will be complete at the finalisation of the inquiry panel report.

Under s 228 of the PD Act, the Minister must decide to establish an inquiry panel within 15 working days of receiving the EIS.

For options 2 and 3 above, the Minister may also choose to present the EIS to the Legislative Assembly under s 227 of the PD Act. However, this does not affect whether the EIS process is considered complete (see s 209(2) of the PD Act).

The Minister will write to you in due course in relation to his decision.

If you have any questions on this process, please contact James Bennett, Senior Director, on (02) 6205 4877 or by email at jamesp.bennett@act.gov.au.

Yours sincerely



Geoffrey Rutledge
Deputy Director-General
Sustainability and the Built Environment

10 June 2020

From: Bennett, JamesP
Sent: Friday, 3 July 2020 1:57 PM
To: Ewen Mckenzie
Cc: Adam Perry; Richard Nash; Phillips, Brett
Subject: EIS201700053 - Letter from the authority advising outcome of EIS
Attachments: EIS201700053 - Letter - Authority advising applicant of outcome of EIS.pdf

UNCLASSIFIED

Dear Mr McKenzie

Please find attached correspondence from Brett Phillips.

Please note that all relevant documents will be uploaded to the EPSDD website this afternoon at https://www.planning.act.gov.au/development_applications/da_assessment/environmental_assessment/environmental_impact_statements/materials-recovery-facility-fyshwick

Please let me know if you have any questions.

Thanks
James

James Bennett | Senior Director, Planning Operations Phone 02 6205 4877 | Planning Delivery Division
Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House,
16 Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.planning.act.gov.au

JamesP Bennett has sent you a copy of "EIS201700053 - Letter - Authority advising applicant of outcome of EIS" (A25922509) v4.0 from Objective.



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Sustainable Development

Obj ref: A25922509

Ewen McKenzie
Capital Recycling Solutions
E [REDACTED]

CC: Richard Nash, General Manager, Purdon Planning
Adam Perry, Capital Recycling Solutions

Dear Mr McKenzie

**Application 201700053 – Environmental Impact Statement (EIS) –
Proposed materials recovery facility in Fyshwick**

I write to you regarding the Environmental Impact Statement (EIS) for the proposed materials recovery facility in Fyshwick. The Minister for Planning and Land Management has considered the EIS and the EIS assessment report.

Under section 226 of the *Planning and Development Act 2007* (the Act), the Minister has decided to take no action in relation to the EIS. This means that the EIS process is now complete.

The EIS assessment report will be notified on the ACT Legislation Register. A copy of the final EIS, including further information requests and responses, as well as the independent review undertaken by Arup, will be published on the EPSDD website.

A development application (DA) can now be submitted to the planning and land authority to be assessed in the impact track. The EIS assessment report outlines matters to be addressed at the DA stage. These matters will be considered in the assessment process in accordance with the requirements of the Act.

If you have any questions, please contact James Bennett, Senior Director, on (02) 6205 4877 or by email at: jamesp.bennett@act.gov.au.

Yours sincerely,

[REDACTED]
Brett Phillips
Executive Group Manager
Planning Delivery Division

3 July 2020

From: Ewen Mckenzie <[REDACTED]>
Sent: Tuesday, 28 January 2020 8:52 AM
To: Rutledge, Geoffrey; Bennett, JamesP
Cc: Ernest Dupere; 'Adam Perry'; 'Richard Nash'
Subject: CRS Response to Arup Review Report
Attachments: CRS Cover Letter - Arup Response.pdf; Consistency Section 4.2 Arup Review CRS and Consultant Response Table - Final.pdf; Adequacy Section 4.3 Arup Review CRS and Consultants Response Table - Final.pdf; Adequacy Review Summary - Table 5 Arup Review CRS and Consultants Response Table - Final.pdf

Categories: To do

Dear Mr Rutledge

Please find attached our response to the Arup Review Report.

We have attached a cover letter and three attachments addressing the key points raised by Arup.

We are obviously keen to expedite the assessment process and decision making on this EIS. Can you please advise the timetable now we have provided our response?

Please contact me anytime if you require anything further.

Kind regards,

Ewen McKenzie
Project Manager
[REDACTED]



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Capital Recycling Solutions

28 January 2020

Mr Geoffrey Rutledge
Deputy Director-General,
Sustainability and the Built Environment
Environment, Planning and Sustainable Development Directorate
ACT Government
Level 3, 16 Challis Street
Dickson ACT 2602

By email only to: Geoffrey.Rutledge@act.gov.au

Re: Independent Review by Arup, Environmental Impact Statement for Fyshwick Materials Recovery Facility

Dear Mr Rutledge,

Thank you for the opportunity to comment on the Arup Review of our EIS.

It is our understanding that ACTPLA commissioned the Arup Review following the submission of our Revised EIS and the completion of two previous rounds of s224 request clarifications on our Draft EIS. As per statutory requirements, we now cannot submit, nor is ACTPLA requesting, any further editions of the Revised EIS, however, we are compelled to respond to this review to ensure objectivity. We have taken this opportunity to comment only on the Arup Review and have the relevant consultants (authors of EIS constituent reports) defend the validity of their findings and recommendations. We assert 'defend' because that is what we have been forced to do. Without the benefit of knowing the brief from ACTPLA to Arup, it is clear to us that their review is critical and opinionised in its approach to our EIS. It is not impartial or independent. Furthermore, it conflates ACT regulations with NSW regulations, is clearly biased in the language used, and erroneously makes criticisms of our failure to provide information which is plainly there in the main EIS and appendices. The Arup Review is so riddled with mistakes, omissions, and negative bias that we ask that it be given limited weight and ACTPLA make its own assessment of our EIS.

Notwithstanding this, and in an effort to move forward, we have prepared our responses to the Arup Review using three separate tables, consistent with formatting used by Arup:

- 1) Consistency Review - Section 4.2 of the ARUP Review and CRS/Consultant responses
- 2) Adequacy Review - Section 4.3 of the ARUP Review and CRS/Consultants responses
- 3) Adequacy Review summary – Table 5 Arup Summary and CRS/Consultants response

The response tables above include comments from our various consultants defending or validating their respective EIS reports.

Not every issue discussed by Arup has been addressed in our reply and there has been a strong focus on Section 4.0 of the Arup Review. For example, Arup questions if the subject site is appropriately zoned land

- obviously we wouldn't have gone through two Scoping Applications gateways, a draft EIS, two rounds of s224 requests and then produced a Revised EIS, if it were not appropriately zoned for the proposed activity. Arup, throughout the review document, regularly indulges in similar navel-gazing.

We have only briefly addressed other points that Arup makes, simply because the point is repetitious or totally irrelevant, or there is in fact no issue. For example, the NSW EPA Proximity Principal, in relation to transporting waste to Woodlawn. The proximity principal is for distances greater than 150km, Canberra to Woodlawn is approximately half of that. Furthermore, Arup asks questions about our commercial agreements with Veolia; amending Veolia's landfill licence, and rail traffic operations. We provide answers to these questions and note that they are outside of the EIS scope and would otherwise be matters dealt with in the subsequent steps of the planning process (i.e.: seek NSW EPA licence amendments once there is some certainty to the project). There are also several other key points that Arup raises in the NSW context:

- Addressing temporary visual impacts during construction – a DA issue in the ACT.
- Addressing construction noise and vibration impacts – not required in the ACT.
- A lack of ambient noise and assessments (which was done anyway, Arup must have ignored them). There is no requirement to undertake ambient noise assessment in the ACT because noise limits are predetermined through noise zones, not against ambient noise.
- A lack of assessment of noise impacts beyond the site boundary. There is no requirement to assess this in the ACT because the site boundary is the compliance point (rather than the nearest sensitive receptor, as is the case in NSW).
- Arup states: "Lack of construction information is a major omission". In the NSW this is true, where the EIS and DA process are essentially one. In the ACT there is a separate DA process after the EIS has been accepted. We don't believe that Arup understands this.

We all understand that it is highly likely that our Revised EIS and the Arup Review will eventually enter the public domain, via another Freedom of Information Request. Of course, we have no problems with that, as good government and transparency are mutually inclusive. However, the Arup Review contains so many errors, due to the conflation of NSW regulations with ACT regulations, that it must be given limited weight for this reason alone.

On technical matters, where Arup questions the validity of the conclusions reached by our technical consultants, we have left it to the various consults to respond. As noted above, those responses are incorporated in the response tables and/or attached. On this matter, we wish to note that other than a simple (and immaterial) mistake on two traffic diagrams headings, none of the issues that Arup raised required corrections to our EIS or change to the environmental impact. Arup either didn't fully understand the consultant's reports, ignored parts of them, or (again) conflated NSW and ACT regulations. In some instances, they overlapped issues to see what would happen, and then reached their own conclusions, without ever revealing their technical skill to do so. For example, taking the potential residual hydrocarbon pollution beneath the site, forgetting about the impermeable vapour membrane under the building, noting the 'negative pressure' building design (to contain and ventilate odour) and then conclude that the building would suck petrol fumes out the ground for the workers to choke on. It is simply ludicrous and tedious that we must address it. Arup notes elsewhere that the negative pressure building, with the high-velocity vent, turns over the entire volume of air within the building five times per hour.

It is apparent to us that in receiving their brief, Arup was not familiarised with the ACT Waste Feasibility Study (WFS). Arup takes issue with the importing and exporting of waste from the ACT, yet the WFS calls for regional waste solutions. Woodlawn already accepts waste from the ACT, as do at least three other

NSW landfills, and the ACT accepts waste from Queanbeyan. It is as if Arup does not realise this. They go on excessively about identifying the target waste feedstock. Yet we refer, more than 50 times throughout the EIS, that we are targeting the landfilled waste streams currently being buried in Mugga Lane and Woodlawn. Again, familiarisation with the WFS would have satisfied Arup's concerns regarding waste availability, characterisation, the regional context, and the current market climate in the ACT.

Finally, we have a collection of bizarre statements from Arup in relation to our proposed use of our site such as: "...the proposal would jeopardise or interrupt the supply of industrial land in Fyshwick". Another: "It [the proposal] does not demonstrate how it would result in a high-quality creative design".

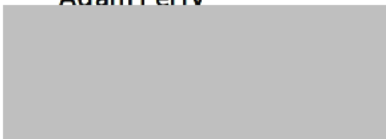
There is one statement from Arup that we do agree with, taken from their 'non-technical summary' section at the front of the Review:

"That all said, there are many materials recycling facilities in Australia and overseas. Some are in built-up areas. They operate safely and with few complaints. In summary, it should be possible to build a materials recycling facility in Fyshwick, providing the necessary controls are put in place to minimise its impacts. "

Thank you for the opportunity to comment on the Arup Review. We only hope that the ATC Government didn't pay too much for it.

Yours sincerely,

Adam Perry



Director

Capital Recycling Solutions

No.	Section 4.2 EIS Consistency Review Details	Action
	Arup Issues	CRS Response
4.2.2	<p>General Requirements: Proposal details</p> <p><i>"The project description content and structure is difficult to follow"</i> (p24)</p>	Arup opinion – document developed with ACTPLA and accepted
4.2.3	<p>Alternatives to the proposal:</p> <p><i>"main EIS has not fully addressed the requirements of the Final Scoping Document ...by clearly demonstrating the proposal to be cited [sic] in the best location of the range of feasible alternatives and reasonable alternatives ..."</i> (p24)</p> <p>Requires an Appendix – not provided and <i>"some demonstration of reasonable and feasible alternatives for dealing with changes in policy and levy payments..."</i>(p24)</p>	<p>CRS has discussed all the sites its has considered when it commenced this process in 2014. Sites of appropriate size , access (rail) and most importantly : zoning where considered. Availability was critical. This information is presented and is in the body of the EIS in Section 2.5 of the EIS.</p> <p>The information is dealt with in detail in the body of the report and as such it was assessed that no appendix is required for this information.</p>
4.2.4	<p>General Requirements:</p> <p>legislative context: Canberra Spatial Plan not referred,</p> <p>cursory statements in relations to Territory Plan land use objectives and the four ESD principles are not listed out individually or in adequate detail</p>	<p>The Canberra Spatial Plan (2004) is not relevant as it was superseded by the ACT Planning Strategy (2012) and subsequently the 2018 ACT Planning Strategy. The 2018 Strategy is addressed at 4.3 of the EIS document.</p> <p>Detailed responses are provided to the zone objectives at Table 4.</p> <p>The precautionary and intergenerational equity principles are addressed at item 3.5.8 of the report.</p> <p>Conservation of biological diversity and ecological integrity and appropriate valuation and pricing of environmental resources are not considered applicable to the development as it will not impact areas of biological diversity and/or environmental resources.</p>
4.2.5	General Requirements: Risk Assessment:	

No.	Section 4.2 EIS Consistency Review Details	Action
	<p>Pre risk assessment for <i>“materials and waste; storage and disposal of non-recyclable waste received at the facility”</i> is missing, (p24)</p> <p><i>“The original risk rating from the risk scenarios identified in the risk assessment are not included in table 21 Post mitigation strategy”</i> (p25)</p> <p>Chapter 6 lacks <i>“existing environmental conditions for the area”</i> discussion (p25)</p>	<p>We have addressed excess stockpiling in MW3 of the main EIS which does encapsulate storage and disposal of waste. We have also covered waste spread during transport at MW4.</p> <p>The original risk rating is provided in Table 14 of the main EIS.</p> <p>The context is provided at chapter 2.0. Existing conditions are addressed as part of supporting reports which refer to the relevant existing environmental context pertaining to each.</p>
4.2.6	<p>General Requirements: Assessment of impacts :</p> <p>Chapter 6 of the EIS does not provide direct, cumulative, consequential and indirect impacts associated with the risks</p>	<p>This is Arup’s opinion – The document has been refined over 18 months with RFI requests and acceptances by ACTPLA until the Revised EIS version in August 2019.</p>
4.2.7	<p>Planning and land status:</p> <p><i>“The proposed East lakes residential development is not explicitly expressed in the main EIS”</i> (p25)</p>	<p>Arup makes the claim that this is <i>“partially provided in the main EIS and supporting studies”</i> (p25) when in fact it is addressed in the EIS: Figure 22 & Figure 23, Section 6.1, 6.1.1, 6.8.3.5(Air Quality); ARUP ignores the information provided in the Appendices: Appendix R – Response to Submissions Government Section 9.1, Appendix S – Response to Submissions Public Sections 1.16, 2.11, 6.8, 16.11, 24, 24.1, 24.2, 24.3, 39.2, 42.4, and 42.12</p>
4.2.8	<p>Traffic and Transport:</p> <p>Construction traffic impacts are not <i>“credibly”</i> assessed. No parking demand is discussed in the EIS.</p> <p><i>“There is no specific discussion about re-purposing or recovering materials to form the proposal... there would therefore be notable construction traffic movements to support development”</i> (p26)</p>	<p>Staffing vehicle numbers are addressed in Section 2.5.1 and their impact is considered by AECOM to be <i>“negligible”</i></p> <p>Construction traffic is addressed at 6.2.5. Ideally materials for the development will be locally sourced with the site having ample space for parking and storage of construction materials. This element will be dealt with at the Detailed Design phase for the proposal as part of the DA and subsequent CMP.</p>

No.	Section 4.2 EIS Consistency Review Details	Action
	<p>The assessment does not follow the TCCS guidelines (onsite parking analysis), detailed intersection analysis and information on access to the site via public and active transport</p>	<p>There is existing hardstand with some 60+ car spaces drawn on the associated plans with the EIS. The workers arriving on site would do so to commence at 6.00am (well before the morning peak) and rotate with the afternoon shift at 2.00pm outside the midday and afternoon peaks identified by AECOM. There are already parking areas elsewhere on the site for the approved freight transport facility (four spaces) and the adjacent site for the rail freight terminal (3 spaces). The TCCS guidelines for recycling facilities and transfer stations are 1 car space per peak shift employee. AECOM discussed 20-25 shift vehicles which is well within the 60+ spaces indicated.</p> <p>The relevant Industrial zones objectives for parking (3.5.1 of the Parking and Vehicular Access general code 2014) discusses:</p> <ul style="list-style-type: none"> • No regular overspill onto surrounding areas – <i>No</i> • No traffic hazards are created by the provision of access – <i>Existing access on Ipswich Street and cul de sac on Lithgow Street.</i> • Safety of all users – <i>has been considered in the EIS and Appendix</i> • Majority of parking to be provided onsite – <i>Complies</i> • Safe and efficient access to industrial areas by all users of the area – <i>the installation of traffic lights and modified access to limit trucks on Wiluna Street are examples in the EIS of this</i> • Commercial viability of an industrial area is not affected by the inappropriate provision of parking – <i>Not applicable, all parking provided onsite</i>
4.2.9	<p>Utilities:</p> <p>The utilities are described in the main EIS, but it is not discussed which need removing, protecting or relocating during construction.</p>	<p>This is a function of the design detail. Utilities already exist on site and there has already been approval for relocated water mains and stormwater augmentation. This approval was removed by the Territory and reinstated by the courts during the EIS period and these works have been addressed in separate development approvals and stamped plans issues - this all occurred while the EIS has been in the system- references to these approvals have been updated in the EIS from time to time but major changes have been avoided so as to not confuse – clearly the respective departments have been consulted and approval now exist that would be incorporated in the DA design detail.</p>
4.2.10	<p>Material and Waste:</p> <p>The main EIS does not consider <i>“materials and waste storage: storage and disposal of non-recyclable waste received at the</i></p>	<p>The heading contained in Table 1 of the Scoping Document is further detailed in the next section of the Scoping document. Section 8.1 (Section 8.1.4) specifically addresses material and waste storage and the contingencies, and this is listed in the detail in Section 6.4 of the main EIS.</p>

No.	Section 4.2 EIS Consistency Review Details	Action
	<p><i>facility</i>" - Only table 1 item not identified in the appropriate assessment section – missing from Section 6.4 (p26)</p>	
4.2.11	<p>Landscape and Visual:</p> <p><i>"The Final Scoping Document requires the EIS to include a landscape character and visual impact assessment"</i> (p27)</p> <p><i>"This information is not provided in the main EIS nor Appendix F"</i> (p27)</p> <p><i>"The Final Scoping Document requires the EIS to include measures to reduce light spill impacts"</i> (p27)</p>	<p>See Adequacy Review Summary Table 5 – Response No. 4</p> <p>See Adequacy Review Summary Table 5 – Response No.4</p> <p>See Adequacy Review Summary Table 5 – Response No. 5</p>
4.2.12	<p>Soils and Geology:</p> <p>Appendix G has details but not in main EIS, preferred remedial strategies in Appendix G not fully expressed in main EIS (p27)</p>	<p>This is a matter of subjectivity and semantics – the EIS submission is the total submission and it is a subjective matter what is discussed where. The suggestion for instance that 8 pages of Appendix G (Section 8) should have been included in the body of the EIS is subjective. This type of detail is in fact for operational and procedure management for CEMP and OEMP documents which are produced after the design is finalised. Examples of these types of documents were included in the Appendices.</p>
4.2.13	<p>Water Quality and hydrology:</p> <p>Appendix H information not carried in to Main EIS (p27)</p> <p><i>"no catchment map is provided"</i> (p27)</p>	<p>Arup states, "Appendix H provides most of the required information on water quality and hydrology" (p27) and only has issue that it's not carried through to the main EIS – this is subjective comment by Arup.</p> <p>During the EIS process the stormwater catchment was assessed in a different development application and this was approved in 2017 and again in 2019 by TCCS. Onsite flows are indicated in Appendix H and at the time of Cardno's work there was already a development approval for stormwater approval in place. This was removed by the territory in 2018 and reinstated by the courts in 2019 and another approval also granted by the Territory in 2019.</p>

No.	Section 4.2 EIS Consistency Review Details	Action
	<p>further focus on construction stormwater management required – <i>“the main EIS mainly focusses on leachate collection and export and not on stormwater and wastewater management”</i> (p28)</p>	<p>This is a function of design detail and integrating what already approved above and measure contained in Appendix H- Advice on EIS (Cardno) and Appendix G – Remedial Action Plan. The design creates a clear separation between inside and outside the shed and the focus on keeping the waste inside the shed and away from stormwater and wastewater systems</p>
4.2.14	<p>Air Quality and Climate Change:</p> <p><i>“There is no assessment of greenhouse gas emissions”</i> (p28)</p> <p><i>“the main EIS does not present cumulative air quality impacts of odour or hazardous emission nor does it justify why this is not an issue”</i> (p28)</p> <p><i>“there appears to be no consideration for the combined emissions impacts from future committed and approved development in the airshed”</i> (p28)</p> <p><i>“The caretaker’s residence is not discussed in air quality or odour assessment” – “while its consideration would be unlikely to affect the outcome of either assessment”</i> (p28)</p> <p><i>“The proposed the impact on the East Lakes residential development is also not explicitly assessed”</i> (p28)</p>	<p>The matter of “impacts on climate change” as requested by the Scoping (and greenhouse gasses) are discussed in the EIS Executive Summary, Sections 4.5, 6.8; Appendix S Response to Submissions – Public: Sections 3.12, 15.4, 15.5, 18.1, 21.2 ; Appendix R Response to Submissions – Government: Sections 11.2, 11.29, 11.31, 13.19, 13.26. There are significant responses to questions in the appendices as this is where submission responses were contained – ARUP does not seem to have reviewed these in detail.</p> <p>It is discussed in all the risk tables and Sections 6.8.2, 6.8.2.3, 6.8.2.4, 6.8.3.4, 6.8.3.5, Cumulative levels are listed in Table 18 (predicted project and background together), 6.8.4.4, 6.8.4.5. They are also discussed in Appendix Q – Air Quality assessment. ARUP seems to ignore that the EIS submission is the EIS and its 26 appendices. ARUP seems to want all information to be included in the EIS document itself and repeated in the appendices – this is not feasible.</p> <p>This is not known, and the regional data was utilised for the analysis - it’s not possible to know the detail of future committed and approved development until it is built. East Lake is an example of this as well as Dairy Rd – both have been considered but, they both require rezoning’s for their theoretical proposal.</p> <p>Caretakers residence was discovered as a result of two public comment references and investigation by PP. The caretakers residence at the rear of 8 Wiluna Street was discussed by the air and odour consultants (a year after their analysis work was done) and it was considered and assessed to have no negative impact and this was conformed as the likely outcome by ARUP in any event. The discovery of the caretaker’s residence was addressed and the EIS amended to reference but no new impacts were discovered.</p> <p>East Lake future development is discussed in the EIS and Appendix S to the level that known information existed at the time – The land has not been rezoned from Industrial to residential and remains industrial lands and no new specific documentation has been issued for 8-10 years . It has been recently been mentioned in the latest Indictive Land Release Program 2019-20 to 2022-23 and the</p>

No.	Section 4.2 EIS Consistency Review Details	Action
		Infrastructure Plan for urban renewal it is mentioned amongst a myriad of other initiatives after the EIS has been lodged and amended.
4.2.15	<p>Socioeconomic and health:</p> <p><i>“the health assessment relies on several other specialist studies. If the information in any of these supporting assessments is inaccurate then this may affect the validity of the health impact conclusions” (p28)</i></p>	CRS is confident in the information provided by its consultants and nothing proposed by Arup changes any significant environmental impact and therefore there is no greater health risk outcome that is known and mitigated if required. ARUP admits these are typical developments and even in urban environments therefore there are no changes.
4.2.16	<p>Noise and vibration:</p> <p><i>“Appendix R does not consider caretaker’s cottage”... “although this might not change the result of the noise assessment”;</i></p> <p><i>“Appendix R provides most of this information, however the main EIS does not carry this forward to describe the assessment method and key parameters” (p28)</i></p> <p><i>“Neither Appendix R nor the main EIS presents a credible noise and construction noise and vibration impact assessment”</i></p>	<p>See 4.2.14 above – the potential caretaker residence is already buffered by existing buildings on the north side of Wiluna Street and a new proposed 2.7m noise fence as on the southern boundary as a mitigation measure in any event. Noise assessment is based on noise at the boundary and as this has already been mitigated there is no change. Further, The approval by the Territory to permit this caretaker residence in 2002 predates the closure of the Shell storage and distribution centre on the site and therefore the Territory allowed this residence with full knowledge of industry and truck traffic generated by that site and others in the precinct.</p> <p>This is a subjective matter of preference by Arup.</p> <p>See Adequacy Review Summary Table 5 – Response No. 11</p>
4.2.17	<p>Hazard and risk: Limited</p> <p><i>“Limited information on similar developments is included in the main EIS” (p29)</i></p>	All the facilities currently in operation nationally and internationally are subtly different in terms of waste composition, facility and equipment used. Reference to closely similar facilities is provided in the EIS. The focus for the proposal is about the technology used, all of which is well developed and in operation globally which has informed the study as well as including BATEA technologies such as the odour management system and fire management system.

No.	Section 4.2 EIS Consistency Review Details	Action
	<p><i>"There is no information on crime prevention through environmental design in the main EIS" (p29)</i></p> <p>No evidence is provided to prove the site is not subject to flooding or flood plain or flood risk (p29)</p>	<p>This is normally addressed at the separate DA stage although fencing during construction and operation are mentioned which currently do not exist on parts of the site. Recent DA approval have already had fencing and lighting approved.</p> <p>Arup states it is "only discussed in Section 3.5.10.3 of the main EIS" then goes on to say "However, upon our review, it was determined that Section 7 of Appendix H provides the modelling of the proposed drainage strategy. The modelling predicts the flooding risk is "low", provided the stormwater infrastructure upgrade is designed and constructed as part of the development" This has in fact been already designed and approved by TCCS by a separate application during and parallel to the EIS process. The only issue has is that it was not brought forward to the main EIS document. Putting all the technical evidence into the Main EIS is too difficult.</p>
4.2.18	<p>General requirements:</p> <p>community and stakeholder consultation: <i>"The main EIS does not include criteria used for identifying stakeholders" - recreation groups? (p29)</i></p>	<p>A stakeholders list was compiled with the expertise of Newgate and with consultation with Purdon Planning and with CRS. It was done as a comprehensive list and those to be interested/affected. Some entities were added as the communication process and media information filtered through to the community. Table 1 of Appendix N lists the comprehensive stakeholder groups.</p>
4.2.19	<p>General requirements:</p> <p><i>"the pre-mitigation risks are not included in Table 21" (p30)</i></p>	<p>See 4.2.4 of this Consistency Review table</p> <p>Pre-mitigation risks are available at Table 14 of the main EIS</p>
4.2.20	<p>General requirement: required appendices:</p> <p><i>"The table provided in Appendix T, cross referencing where the EIS requirements have been addressed lacks the necessary detail to demonstrate compliance" (p30)</i></p>	<p>Appendix T is intended as a High-Level table.</p>

No.	Section 4.2 EIS Consistency Review Details	Action
	<p><i>“Quarry operations needs to provide its [environmental] policy. Capital Recycling Solutions should also provide its policy” (p30)</i></p> <p><i>“Appendix C does not detail how the reliability of information was tested and what uncertainties (if any) are in the data sources” (p30)</i></p>	<p>Examples have been provided from the recycling divisions of each company. The CRS policy will be finalised when other necessary environmental management plans are also completed and signed off by the Territory. The need for Quarry information seems irrelevant.</p> <p>The EIS uses a variety of information and consultants and the data sources are individually referenced in the main EIS or the appendices</p>
4.2.21	<p>Entity requirements: Attachment A:</p> <p>ACT Health: ARUP states “only partially been met” the requirements of ACT Health then acknowledge that ACT Health are “satisfied the revised EIS has considered the concerns raised by Health Protection Services”; (p30)</p> <p>ACT EPA: requests that “land contamination requirements be fully assessed during the development application process” Main EIS should reflect that the proponent is aware and fully understands its responsibilities prior to development; (p30)</p> <p>TCCS: endorsement of Stormwater augmentation plan not referenced</p> <p>EPSDD: no information on the destination of inert and non-combustible materials is provided in the revised EIS</p> <p>ACT Heritage Council: requested an unanticipated discovery protocol – not in the EIS (obligations from the ACT Heritage Act) – “it is understood that this is not a requirement for the EIS and is only noted for the proponent”??</p>	<p>No Comment – ACT Health were satisfied.</p> <p>This has occurred and the commitment table in Section 7.2 of the main EIS reflects the proponent’s awareness.</p> <p>This normally comes at the DA stage. CRS already have stamped stormwater augmentation plans for the site that where the subject or a separate DA approval which has run concurrently with the EIS process. This has occurred in late 2019 as a part of a separate DA process and approval. The EIS documentation was completed at this point</p> <p>There are a number of options for inert wastes (non-combustible is not relevant) and given the time the process has taken and continues to take these destinations could change and are subject to commercial negotiation.</p> <p>Noted and would be incorporated in the CEMP in any event</p>

No.	Section 4.2 EIS Consistency Review Details	Action
	<p>Utility Technology Regulation, Access Canberra: this is not a requirement and noted for the EIS</p> <p>Icon water: need to reconcile the CRS preference to transport leachate to Woodlawn with trade waste comments in Section 6.7.3.1</p>	<p>Noted</p> <p>CRS has proposed three different solutions and will develop all three depending on the outcome of the EIS and ACT EPA preferences. The CRS preference is to transport to Woodlawn otherwise pump out may be required and ultimately a trade waste connection if the leachate is acceptable to Icon water requirements This is outlines in the EIS in Executive Summary, Sections 6.3.2.1, 6.3.3.2, 6.7, 6.7.3.1, Table 21 Post Mitigation risk assessment, Table 22 Draft Commitments Table,</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
Arup Issues		CRS/Consultant Response
4.3.1	<p>Introduction:</p> <p><i>"The licence [Woodlawn] does not allow for the receipt of waste by rail from the ACT" (p320)</i></p>	<p>See Adequacy Review Summary Table 5- Response No.1</p>
4.3.2	<p>ACT Waste Management Strategy 2011-2025:</p> <p><i>"the proposal is to only recover 20 percent of the incoming materials (feedstock)" (p33)</i></p> <p><i>"transporting waste to and from the site adds to the proposal greenhouse gas footprint" (p33)</i></p> <p><i>"several oversimplified statements about removing trucks from the road" (p33) – needs assessment of the greenhouse gas emissions</i></p> <p><i>"does not clearly articulate how it strategically supports the ACT Governments strategy for future waste management" (p33)</i></p>	<p>This is not the maximum recovery target rather a conservative number for use for modelling purposes. All of this material is currently being landfilled.</p> <p>Transportation of waste is already occurring whilst being delivered to Mugga and other locations. This is not an EIS for collection of Waste, rather processing. To this end greenhouse gas footprint for the proposal is considered neutral compared to the current or alternative options.</p> <p>The analysis of the greenhouse gas emissions is discussed in Section 6.8.3.3 of the main EIS and in Appendices R & S. Transportation of residues and recyclables to regional and national markets will be conducted by rail, so will therefore have a notable decrease were these to be transported by road.</p> <p>Section 1.4 of the main EIS document discusses the relevant and overlapping ACT Governments strategy for future waste management. Interestingly Arup has only 2 passing references to the Waste Feasibility Study which was released by the Territory in May 2018. CRS has incorporated analysis of this policy impact into a dedicated section of the Revised EIS, even though it was released after the Draft EIS went on exhibition. There are some 19 references to this latest policy throughout the main EIS and a further 7 references in Appendix R and 8 references in Appendix S.</p>
4.3.3	<p>Proposal details:</p> <p><i>"Section 2.3 of the main EIS lacks the clarity and cohesion of a proposal description" (p34)</i></p> <p>lack of detail regarding feedstock – providing targeted audit information;</p>	<p>This is subjective, the proposal description is provided at both the executive summary and through the body of the report and is explained in detail. Some components of the proposal will be confirmed as part of the detailed design.</p> <p>This is provided in detail in sections 2.3.1 and 2.3.2 of the main EIS</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p>without <i>“an accurate waste characterisation”</i> means the traffic numbers to and from the site are unclear” although [Arup admits] Appendix E provides definition to this; (p34)</p> <p><i>“There appears to be nowhere in the EIS describing the mechanisms that would be used to treat and remove odour, dust or any other fugitive emissions”</i> (p34)</p> <p>Lack of construction information – <i>“major omission”</i> (p34)</p> <p><i>“Little detail provided in this chapter on decommissioning the proposal”</i> – account for intergenerational equity (p34)</p>	<p>Arup admits that <i>“Appendix E appears to provide definition to this”</i> (p34)</p> <p>Arup has not understood the odour solution proposed and there is no need for scrubbers by virtue of the use of proper building design, use of rapid open and closing doors, negative pressure environment and ventilation extraction system with air exchange, dust suppression system.</p> <p>This is not a major emission as the approvals process in the ACT has a separate phase for the development application (this is different in NSW and perhaps Arup has not given this enough credence) and then there is now licensing where by construction detail, methodology and management systems can be considered. The has occurred throughout the EIS and its appendices in any event</p> <p>This is referred to in the Section 2.3.6 of the main EIS and in Appendices R & S. The site is not a residence for waste therefore the decommissioning is not a complicated matter. Arup would be familiar with MRF/Transfer stations as they tend to be renovated and improved rather than made redundant. This is different to a landfill which will generally have a finite life. See Adequacy Review Summary Table 5 – Response No.14</p>
4.3.4	<p>The site:</p> <p><i>“any description of the rail freight terminal should be removed from the EIS”</i> as it <i>“serves to confuse”</i> (p35)</p> <p><i>“Figure 7 in the main EIS should be updated to show this receiver [caretaker’s residence]... even if this impact is deemed negligible”</i> (p35)</p>	<p>This statement is challenged as the purpose of the EIS is to consider the full environmental impact including the potential railway use. It is made clear the rail freight terminal itself now has a separate Development Approval for construction and operation as this did not require an EIS for general freight; The use of the rail freight terminal for the residues from the MRF and any impacts have been considered here as they are part of the overall strategy. The EIS is followed by a Development Application process</p> <p>The caretakers residence has been confirmed and mentioned throughout and even Arup has said that it would make no difference to assessments as it’s in the Industrial area. The key consultants were made aware of the potential receptor (it’s not known if it’s actually used as a permanent residence) and none of the assessments would change as a result.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>"No subsequent statement or assessment of their ecological value [non-native trees onsite]" (p35)</i></p> <p><i>"The proponent should provide a consistent description of when the proposal would operate" (p35)</i></p>	<p>Two Development Approvals have been granted during the EIS process that deal specifically with the tree situation on site and there are no significant trees that are affected by this EIS that have not already been assessed in those applications. Further both those applications have conditions requiring screening trees to be planted inside the boundary along Ipswich Street. These plans have been submitted and approved by the Territory independent of this EIS. Any trees to be removed are of low value. Their removal will be dealt with as part of the Detailed Design and Siting for the site through DA.</p> <p>The hours of operation are discussed throughout the EIS and appendices and Arup cite Section 6.5.2.1 to confirm the 6.5 days per week hours. The hours discussed in the noise assessment are based on what the ACT EPA considers night, morning, evening and shoulders for noise measurement purposes.</p>
4.3.5	<p>Consultation:</p> <p>Community consultation has not been described after June 2018;</p> <p><i>"Lack of definition in how this feedback has shaped outcomes" (p35)</i></p> <p>EIS should be updated to show where it was changed to reflect public representations (p36)</p>	<p>This is the period after the EIS had been lodged. The response to public comments forms the entire Appendix S (74 pages) – ongoing dialogue and meetings have occurred with a small group of interested parties – All correspondence with interested parties is logged, however, it is impossible to continuously update the Main EIS when the documents are in ACTPLA's possession.</p> <p>The EIS was changed due to consultation: Removal of Waste to Energy, Traffic access routes varied, and traffic light installation proposed for safety reasons are examples.</p> <p>The entire Appendix S (74 Pages) was created in response to public comment and added to the draft EIS to form the Revised EIS. It was included for the purpose of showing how public concerns were addressed and even identifies the objector number where necessary. This has created some repetition; however, the objectors can see if their specific questions or types of questions were addressed. Where it was considered pragmatic and relevant the main EIS was updated accordingly.</p> <p>Arup made the following comment in relation to Government Department feedback <i>"it is noted that the entities seem broadly satisfied with the revised EIS"</i> (p36 – Arup review)</p>
4.3.6	<p>Alternatives to the proposal and criteria:</p> <p><i>"The alternatives should also consider the impact on a change in policy, which may make the economics of recovery and end-user markets change" (p36)</i></p>	<p>Arup made the following comment <i>"The proponent appears to have considered certain reasonable alternatives and options"</i> (p36)</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
		<p>CRS does not manage Government Waste Policy and has attempted to address what is known at the time of writing and certainly has included significant references to the latest Waste Feasibility Study, previous policies and the potential for the CRS MRF to be part of the Government Waste Policy solution and the EIS highlights its adaptability in the future to remain relevant to the changing market place and policy.</p>
4.3.7	<p>Avoidance of potential impacts:</p> <p><i>“There is no discussion if the proposal provides the best solution to maximising the amount of recovered resources to benefit the ACT” (p36)</i></p> <p><i>“the preferred option does not reasonably demonstrate avoiding or minimising transport ‘costs’ and impacts. There should be some on why there is no feasible or reasonable alternative to managing the residual waste in the ACT and finding viable local markets for a greater percentage of the recovered materials” (p37)</i></p> <p><i>“The corresponding visual assessment is not carried out under the convention of rating impacts” (p37)</i></p>	<p>The “best solution” in the waste industry is a matter of opinion. Timely and affordable solutions are also a necessary consideration. The proposal provides what CRS considers is a necessary and adaptive approach to parts of the ACT waste stream that currently go to landfill. CRS understands that changes in Government policy may change the waste stream composition from time to time but there is no evidence of there being a landfill alternative for either waste stream in the next five years and in the case of Commercial and Industrial waste – ten years. It is clear from the latest Policy documents that the priority is FOGO and then some type of PEF production, both of which the CRS MRF could help the Territory Government achieve sooner and with less capital cost.</p> <p>All waste management solutions, other than putting it in landfill, will involve additional transport. Logic determines that any recyclable material recovered will require transport to a reuse location. The economics of this has been assessed by CRS as part of its commercial viability assessment. If the Government Policy objective is to avoid landfill and promote recycling, then there will be more processing cost and more transport required.</p> <p>See Adequacy Review Summary Table 5 - Response No. 4.</p>
4.3.8	<p>Statutory Context:</p> <p><i>“convoluted and wandering”</i> several acts are unnecessary (Ozone Protection and Synthetic Greenhouse Gas Management Amendment Act 2010, Energy Efficiency in Government</p>	<p>Again, these are not objective comments - Unnecessary and is a matter of opinion -Arup has criticised the EIS for not providing evidence at times yet determines these as unnecessary because they are considered and presented in the main EIS as such.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	Operations Policy 2006, Australian Government Data Centre Strategy 2010-2025 (p37)	
4.3.9	<p>Ecological Sustainability Development Principles:</p> <p><i>“disagree with the overarching statement that the ‘development addresses the principles of ESD’” (p37)</i></p>	This is conjecture, the proposal has addressed the relevant aspects of ESD.
4.3.10	<p>EIS Process:</p> <p><i>“the description of what an EIS does is incorrect” (p38)</i></p>	Arup prefaces this by saying <i>“While a minor point”</i> (p38).
4.2.11	<p>Territory Plan:</p> <p><i>“cursory statements to demonstrate how it complies with land use objectives” (p38)</i></p> <p><i>“impossible to claim that the proposal would lead to “many flow-on jobs”” (p38)</i></p> <p><i>“no evidence to demonstrate how the proposal will contribute to a broader range of industrial uses” (p38)</i></p> <p><i>“not the evidence to confirm ... a net reduction in greenhouse gases” (p38)</i></p>	<p>Disagree. Relevant elements of the Territory Plan, including objectives of the land use are covered in table 4 of the proposal as an example. The Territory Plan is discussed in Section 3.3 of the main EIS. Where the objectives are relevant, they have been discussed and are elaborated on in other parts of the EIS and in the response to submissions in Appendix S.</p> <p>An operator of an MRF facility would understand the workforce (2 shifts) that are required to process waste – less staff are required to put it in a landfill. The construction workforce required as well as the rail operation also will provide work where there is currently none and the provision of materials and equipment (to local suppliers) will ensure ongoing work. Quantifying this is difficult, however, it is safe to say that the construction and operation of this facility will not reduce jobs.</p> <p>It’s a permissible use in the zone and would be the only MRF of its type in the precinct so it broadens the range. There is no freight rail so the provision of this and access to the rail track (already approved) has and will broaden the industrial use in the precinct.</p> <p>Removing organics from landfill will reduce methane – replacing truck movements with rail will also reduce greenhouse gasses. See Section 6.8.3.3 of the main EIS.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>“no evidence to demonstrate that the proposal’s “construction and operation [would be] as energy efficient as possible and [it would not] significantly impact the local area”” (p39)</i></p> <p><i>“limited detail in the EIS to evidence that the proposal would adopt modern design principles”” (p39)</i></p> <p><i>not the evidence to demonstrate that the proposal would not jeopardise or interrupt the supply of industrial land in Fyshwick” (p39)</i></p>	<p>The design of the facility and the purpose of the EIS is to establish this. Nothing in the Arup report has highlighted any significant environmental impacts and is really a collection of speculative ideas that Arup believes may possibly be problematic but provides no clear evidence to support these claims.</p> <p>It is clearly stated many times throughout the EIS that the MRF design will involve modern design solutions (odour and noise management, leachate control, firefighting systems and contaminated soil management) – this is not a cursory statement – visual representations in Appendix F clearly show the proposed structure, in 3 dimensions along with photo montages of the surrounding. There is clear evidence of modern design, solar panels etc.</p> <p>Arup has already stated in in introduction that there are “many material recycling facilities in Australia... some are in built up areas” and “it should be possible to build a materials recovery facility in Fishwick”. The proposal is for an industrial use, in an industrial precinct. The proposal demonstrates that there will be minimal adverse impacts through odour, traffic, noise etc There is already expansion of industrial land into other parts of the ACT so there are industrial land options in the Territory. Fishwick, is the original Industrial suburb and has been extended and maintains the required zoning for this type of development and other truck generating activities. The site was a former fuel storage and supply depot and retains some contamination that would limit some types of land use. If this proposal was inappropriate, then it would be zoned accordingly. The site is zoned for recycling facilities and transfer stations and is surrounded by land uses that have a greater range of land supply availability in the Territory than does a MRF. The proposal is consistent with the prescribed land use and with the intended objectives of the precinct.</p>
4.3.12	<p>Territory Plan Codes:</p> <p>no evidence to support compliance with the relevant rules and criteria of the zone</p>	<p>This has been addressed in the EIS for both the Industrial Zones and Transport Zones – The development application stage requires this to be addressed again. It is stated that there is compliance and therefore evidence can/will be provided with the DA if required as much of this relates to design matters which the proponent has stated will be complied with as part of its commitments through the proposal.</p>
4.3.13	<p>Waste Management and Resource Recovery Act 2016:</p> <p><i>“There is not the evidence to confirm why more than 20% of the waste cannot be recovered to “maximise the recovery and reuse of resources” (p39)</i></p>	<p>As is stated in the EIS numerous times the 20% is a conservative estimate and not a capped maximum. The 20% is an average total recovery which allows for likely greater recovery of C&I waste and possible less, through contamination of the MSW stream. It is important to give the consultants conservative and</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>"equally, the proposal does not demonstrate minimising the amount of waste going to landfill given the intention to export 80 percent of the waste to Woodlawn" (p39)</i></p> <p><i>"There is no consideration of the five principles set out at the bottom of page 65 of the Main EIS relating to: intergenerational equity, the polluter paying, adopting precaution where there is uncertainty, disposing of waste in proximity to where it is generated and minimising waste where reasonable and feasible" (p39)</i></p> <p><i>"the EIS included no information on decommissioning it is impossible to demonstrate the "conservation of quality principle". The response that the proposal would reduce greenhouse gas emissions does not consider the full lifecycle and intergenerational impact as required by this principle" (p39)</i></p> <p><i>"The EIS needs to describe how the proponent will apply a polluter-pays principle in managing the proposal's impacts over citing the use of levies to facilitate recycling markets" (p39)</i></p> <p><i>"The EIS does not clearly demonstrate how it has adopted the precautionary principle in the impact assessment process ...it could not deliver a 'no risk' outcome" [to the environment] (p40)</i></p> <p><i>"we do not feel that the proposal adequately addresses the proximity principle by offering a solution to import waste regionally, and export residual waste and recovered materials interstate and overseas" (p40)</i></p>	<p>realistic numbers to work with their modelling. If the recycling results are better than 20% (which is expected) that is a win.</p> <p>Again, as stated above there needs to be numbers for the consultant modelling.</p> <p>This is Arup's opinion and to say there is "no consideration" is wrong as there is consideration on page 66 of the EIS and indeed through the whole submission.</p> <p>There is information presented on decommissioning as much as it is necessary for this type of facility (see 4.3.3 above). See Adequacy Review Summary Table 5 - Response No. 14.</p> <p>The ongoing maintenance, mitigation measures, CEMP, EMP and OEMP and decommissioning have been discussed and will be further refined in the DA and licensing stages and through operations. We expect that these elements will be required commitments as part of conditions for approval.</p> <p>Precautionary Principle is discussed in Section 3.5.8 of the main EIS</p> <p>Again, Arup's opinion ignores the proposal to deal with waste in the ACT region. The recycling market will vary and currently offshore and interstate are the only options in the absence of the ACT providing solutions. Local solutions have been identified in the EIS and importantly the main competitor to the proposal is the regulatory authority – ACT NoWaste who to date have not indicated a willingness to work with CRS, despite the EIS stating a willingness to explore this option in the future for residues and recyclables</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
4.3.14	<p>Strategic Context:</p> <p><i>"We recommend that the proponent makes a more concerted effort to streamline this section and focus on key points of where the proposal is consistent and inconsistent with relevant policy" (p40)</i></p>	<p>On the one hand there is a request to add additional information regarding the Canberra Spatial Plan, whilst simultaneously requesting that the section be streamlined.</p> <p>The section addresses all relevant legislation in a legible format.</p>
4.3.15	<p>Statement of Strategic Decisions:</p> <p><i>"While Section 4.2.1 of the main EIS outlines the basis of the Strategic Directions...it does not demonstrate how the proposal: is sustainable; is aligned to ESD principles; would protect landscape and environment qualities; or would result in a high-quality creative design" (p40)</i></p>	<p>These elements are addressed elsewhere in the main EIS</p>
4.3.16	<p>ACT Planning Strategy:</p> <p><i>"needs to demonstrate how it responds to and supports relevant actions in the ACT Planning Strategy. It would also help to redact (remove) any irrelevant actions" (p40)</i></p>	<p>The relevant sections of the ACT Planning Strategy (1.3, 1.4, 2.2, 2.4, 2.5, 2.6, 3.1, 3.6, 4.5 and 5.1) have been addressed throughout the main EIS.</p> <p>1.3 Use infrastructure efficiently: The proposal will contribute to re-establishment of rail infrastructure to the ACT, will leverage existing road infrastructure and aligns with appropriate land use planning within the Territory. That being an industrial use in an industrial precinct.</p> <p>2.2. Enhance the diversity and resilience of our centres to meet the needs of the community, support economic vitality and improved liveability: The proposal assists in the diversification of the Territory economy through the creation of jobs and training for the population and aligns with the centres hierarchy policy.</p> <p>2.4 Recognise and protect existing industrial areas and service trade areas as important elements of a diverse economy.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
		<p>2.5 Plan for adequate employment land in the right location that supports a diverse range of uses including commercial and industrial land linked to supportive infrastructure, transport options and investment opportunities.</p> <p>2.6 Protect and enhance infrastructure that supports the economic development of Canberra and the region.</p> <p>3.1 Transitioning to a net zero emissions city through the uptake of renewable energy, improved building design and transport initiatives.</p> <p>3.6 Reduce waste, improve resource efficiency and decrease our ecological footprint.</p> <p>5.1 Enhances accessibility by better integrating transport and land use.</p>
4.3.17	<p>Transport for Canberra 2012-2031:</p> <p><i>"there still needs to be a road safety audit of the final design"</i> (p40)</p>	<p>This can be included in the final design if required – Road safety has been assessed by AECOM in Appendix E which is acknowledged by Arup</p>
4.3.18	<p>Risk Assessment:</p> <p><i>"Section 5.2 and Table 14 of the main EIS should reference the reason for the presented pre-mitigation risk ratings"</i> (p41)</p>	<p>Reasoning for each of the risk ratings is outlined in the risk assessment.</p>
4.3.19	<p>Impact Assessment:</p> <p><i>"the main EIS does not describe the existing environment relevant to the matter (including associated values and receivers) and it does not describe the proposal's construction, operational and decommissioning impacts"</i> (p41)</p>	<p>This is covered in Table 5 of the main EIS.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
4.3.20	<p>Planning and land status:</p> <p>Separation Distance Guidelines for Air Emissions – <i>“Released in November 2018, the guidelines were published while the draft EIS was being prepared and updated. They therefore post-date the supporting Odour and Air Quality specialist studies”</i> (p42)</p> <p><i>“The EIS should be updated to ensure it adequately assesses the impact on the receivers within 300m”</i> (p42)</p> <p><i>“there is no clarification if the proponent intends to include a BATEA solution to control emissions”</i> (p42)</p>	<p>Draft EIS was lodged (including Public responses) in October and completeness confirmed 12 November 1st and 2nd rounds of s224 questions were raised on 21 Dec 2018 and 3 June 2019 and this was not raised by ACTPLA.</p> <p>The 300m separation guideline consideration has not changes and remains the same as the previous policy</p> <p>Relevant sensitive receptors and precincts have been addressed in the EIS and its supporting appendices. The situation with the care takers residence was also modified and respective consultants considered and did not consider there to be a significant impact on this in an industrial zone.</p> <p>The Odour Unit has confirmed the approach to the Odour management as encompassing BATEA design principles</p>
4.3.21	<p>Traffic and transport:</p> <p><i>“Figure 25 and Figure 26 of the main EIS show that with the development in place the network performance travelling westbound and southbound towards Canberra Ave and Ipswich Street is unacceptable”</i> (p43)</p> <p>Community Concerns:</p> <p><i>“given the unacceptable level of service on Ipswich Street in the morning and afternoon peak it is unclear if traffic will queue, leading to unacceptable delays and conflicts”</i> (p43)</p> <p><i>“Whether there would be any loss of on-street parking provisions during construction or operation”</i> (p43)</p>	<p>Figures 25 & 26 are mislabelled, and the body of text is clear – see response 18 in the Omission/Adequacy response table.</p> <p>AECOM has established the traffic impact on Ipswich street and the EIS and its attachments describe modification to using both Ipswich Street and Lithgow Street as entrances from different directions from Ipswich Street and the use of twin weighbridges (from both entrances) and large off street queuing distances are all mitigation measures to ensure there is no impact on Ipswich Street at peak times.</p> <p>There is no parking on Ipswich Street and there are spaces currently available on Lithgow Street. That said there is a 3.26ha site that will have room for construction parking and can be conditioned as such as well as some 60 plus parking spaces proposed which is almost 3 times that required as well as another 7 spaces approved on site by other development applications.</p>

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	<p><i>"There is an overarching assumption that the proponent can define and control when vehicles arrive and leave site... However, this cannot be guaranteed" (p43)</i></p> <p><i>"The facility has no ability to store feedstock to account for either and over or undersupply" (p43)</i></p> <p>Traffic generated during construction</p> <p><i>"The current assessment is considered inadequate in describing the proposal's construction-related impacts" (p43)</i></p> <p>Reduced network efficiency</p> <p><i>"Without full clarity relating to the traffic movements to and from the site it is not possible to confirm the impact across the wider network; including any benefits on the haulage roads to and from Mugga Lane landfill" (p44)</i></p> <p>Reduced road safety</p> <p><i>"The assessment appears to avoid the key question of whether road safety is at least maintained or improved under the proposal" (p44)</i></p>	<p>As an operator of a facility that accepts waste from potentially Government and the private sector with a wider range of operating hours, there is the potential for spreading the traffic load. The proponent and AECOM prepared an additional sensitivity modelling exercise with trucks arrived in differing and tightened scenarios and it showed little significant impact. This was included in the Revised EIS as Appendix Y to ascertain what the variation in truck arrival times and what the impact might be.</p> <p>This is discussed in the design and contingencies for the EIS in various parts of Section 6. It is interesting as CRS is determined to carry out all activities within a shed building that some of the public have described as too big, yet this is the best way to manage environmental impacts. An "undersupply" is a commercial risk and has little environmental risk attached.</p> <p>Arup makes the point that <i>"this is standard practice for comparable development applications that would generate construction traffic and/or require the implementation of temporary traffic management controls"</i> (p43/44) Given the development application has yet to be lodged then the detail of this would be addressed as it is a temporary situation and the EIS is focussed on operational impacts long term. Construction traffic management will be part of a CEMP that will be signed off by ACTPLA and there are obvious benefits</p> <p>AECOM has endeavoured to assess the origins of know waste and this is more predictable in the MSW collections and less so with the commercial. Nonetheless information was eventually provided by ACT NoWaste as to truck weights into Mugga Lane and that is about the limit of Government cooperation as to the sources. AECOM has determined the increased impact on the local network as being insignificant and ARUP has not offered a comment on this aspect which is measurable and was modelled by AECOM.</p> <p>No significant crash history was found in proximity to the site. The addition of traffic lights, whilst not technically necessary, are deemed to be a measure to improve safety for on the road and traffic on Ipswich Street therefore road safety will be improved. This was addressed in Section 6.2.4.3 of the main EIS</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>"The road safety assessment should account for total traffic movement, while appreciating the cumulative impact of road traffic to and from the rail freight terminal" (p44)</i></p> <p>Mitigation measure: Traffic and Transport</p> <p><i>"The measures are lacking detail. They appear not to mitigate against the proposal's construction and operational impacts." (p44)</i></p>	<p>Current and projected traffic numbers in the wider network and to and from the site were considered,</p> <p>Mitigation is stated and will be included in the design and construction and operational management plan detail.</p>
4.3.22	<p>Utilities</p> <p><i>"There is no clear description of the stormwater management system onsite and offsite" (p44)</i></p> <p><i>"still a risk of pollutant runoff [dust]; something that is acknowledged in Section 6.2.1 of the main EIS" (p44)</i></p> <p><i>"Sediment and oil-water interceptors should be included in the design to protect stormwater discharge offsite" (p44)</i></p> <p><i>"More information should be provided on how the leachate would be effectively managed" (p45)</i></p>	<p>This is a function of the detailed design stage.</p> <p>Arup quotes from the unmitigated risk section of the report. Arup does not mention the mitigation of the use of a MRF building, bunding and waste loading and unloading stockpiling all occurring inside the new shed building. Dust generation from the waste handling, loading and unloading and the misting system mitigation measure are inside the shed and therefore part of the leachate collection system if necessary. Any dust external to the shed is a function of precinct dust on paved surfaces and acknowledged the other outdoor activities in the immediate vicinity (Two concrete batching plants, sawmill and two waste facilities)</p> <p>This is a function of detailed design stage</p> <p>There are three operating scenarios already outlined in the EIS will be incorporated in the final design. During this EIS the utilities situation has changed (CRS had previous development consent that was withdrawn by the Territory and then reinstated by the courts – whilst the EIS process has been occurring – not mentioned by Arup). There is currently separate development approvals and stamped plans for Block 11 Section 8 that considers the Fyshwick catchment for stormwater and water supply. Discussion have also been conducted with EVO Energy for precinct power cable location through this block. These results of these have been ongoing and in parallel to the EIS and will be reflected in the required DA detailed design</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>“The proponent makes no recognition of mitigating offsite or third-party utility impacts” (p45)</i></p> <p><i>“there is no evidence to support the claim of providing a significantly better [utilities] outcome” (p45)</i></p>	<p>The proponent has shown onsite roof water collection and solar power generation. Translucent roof panels to allow natural light will be implemented where possible. The upgrade of the stormwater system for the precinct augmentation will be of benefit.</p> <p>Currently the stormwater is open and not formalised – this will become established with the catchment considered and the construction and sealing of the surface will prevent stormwater intercepting with any of the deep residual hotspots. The water mains will be re-routed.</p> <p>Electricity in the precinct requires upgrading and will pass through the site or adjacent on the railway land. Whilst there may be more load on services there will be a significant improvement to the precinct utilities and how it is handled onsite in CRS’s opinion</p>
4.3.23	<p>Materials and waste</p> <p><i>“Section 6.4.1 of the main EIS notes the facility would receive waste from the ACT region; without explicitly stating if it would receive waste from NSW or other states and territories” (p45)</i></p> <p><i>“the EIS states that the proposal would generate waste during construction, it does not quantify this by stating the expected amounts and types of resources and waste used and generated” (p45)</i></p> <p>Excessive stockpiling during operations</p> <p><i>“as the proponent has no control over traffic conditions, and limited control on suppliers, how is it going to regulate its operation to ensure it can process for 12 hours every day without any additional downtime” (p46)</i></p> <p><i>“as there is no suggested bunkering or pre-processing storage, how will the proponent deal with a backlog of trucks or feedstock?”</i></p>	<p>The EIS has been quite clear on stating the source of the waste targeted (Mugga Lane). Mugga Lane receives waste from Queanbeyan (NSW) already so this is the region. The ACT already leaks waste to landfills outside the Territory by its own admission, so the concept of the region is used here. The movement of waste within Australia has its own rules and economics – dealing with waste from other states and territories would occur if the ACT was to export recyclables outside the Territory in any event.</p> <p>This is clearly a design detail matter and will then lead to the correct detail in the CEMP – These matters are normal construction functions and affected by the total design. This has been considered and addressed for this stage of the proposal.</p> <p>Arup discusses this as if the CRS is the only facility that can receive waste. CRS operates in the commercial reality that suppliers have options and they will be price and functional decisions involved in tipping. The facility is a proposed 16-hour operation (2 shifts) so there are an additional 4 hours every day (Mon – Sat and half shift Sun) to allow for downtime and processing.</p> <p>There is no purpose and objective to create large stockpiles of waste inside the shed. There are nominated storage areas and associated push walls so the waste can be excavator sorted and then be pushed into stockpiles inside the shed building, ready for processing. The pre-processing by excavator which includes</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>This is especially important as no more than 211 tonnes of MSW can be stored in the facility at any stage” (p46)</i></p> <p><i>“The proponent is relying on the integrity of the “watertight and sealed containers” that would be used to store residual waste and leachate” (p46)</i></p>	<p>pre-sorting and the ability to reduce the size of bulky wastes for storage and processing purposes. There is also an ability to bypass the sorting line and load directly into containers if there was a backlog that required this to happen.</p> <p>In terms of BATEA, the proponent has proposed the same container technology and processes as currently been used by Veolia to transfer some 900,000tpa of waste from Sydney to Woodlawn (some 240kms) for the last 18 years. This obviously includes any technical or operational improvements achieved over this time. This has been a large-scale operation, successfully done and the learnings from Veolia have been incorporated in the EIS. The need for bunding and collision protection has not been utilised in the container handling areas but is utilised inside the shed. The Veolia container handling facilities are photographed in the EIS photos (Figure 14) and show typical container handling flexible space</p>
4.3.24	<p>Landscape, visual and lighting</p> <p><i>“Neither the visual assessment provided in Appendix F nor this section [6.5] follows the convention of this assessment” (p46)</i></p> <p><i>“a landscape character assessment is absent and there is no written description of the proposals visual impacts” (p47)</i></p> <p><i>“There is no evidence of a corresponding light spill assessment in the main EIS or reference to AS4282: Control of the Obtrusive Effects of outdoor Lighting (Standards Australia 1997)” (p47)</i></p> <p><i>“there is no discussion on temporary visual impacts through construction...how any works would be managed to avoid any visual impact on the local area; accepting its industrial character” (p47)</i></p>	<p>See Adequacy Review Summary Table 5 Response No. 5</p> <p>See Adequacy Review Summary Table 5 Response No. 5</p> <p>See Adequacy Review Summary Table 5 Response No. 6</p> <p>This is typically a part of the CEMP and will be detailed as part of the construction phase and as a temporary measure, not part of the EIS and can be conditioned as part of any approval.</p>
4.3.25	<p>Soils and geology:</p> <p><i>“the construction of buildings or enclosed spaces” would be prohibited given the risk of onsite vapour associated with the</i></p>	<p>The purpose of the WSP report was in part to assess the history of the site monitoring and establish a method for determining and managing the risk on site in both construction and operation. The use of</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>residual hot spots from petroleum hydrocarbons in the soil and groundwater onsite” (p48)</i></p> <p><i>“The appendix[G] makes no mention of the statements provided elsewhere in the EIS to operate under negative pressure whilst using fast-closing doors to contain odours. This may have the likely effect of concentrating onsite vapours within the main facility building” (p48)</i></p> <p><i>“no basement level are [sic] proposed as part of the works and the structures are proposed to be constructed on slab [at the surface]...tank will be installed below the transfer terminal building...the proposal would then involve ground excavation” (p48)</i></p> <p><i>“Any ground-excavation would present worker-exposure and it may potentially mobilise the existing contaminants” (p48)</i></p> <p><i>“WSP appears to be unaware of the proposal to install a leachate tank and the need to operate the main facility building at negative pressure” (p48)</i></p>	<p>vapour barriers was proposed and then a passive ventilation system incorporated in conjunction to mitigate the risk. This is summarised in 6.6.3.1</p> <p>See above – in addition the negative pressure environment involves exchanging the entire shed air volume five times each hour through ventilation which is not mentioned by Arup. This would already be removing emissions from the trucks and other equipment operating inside the shed – it is not some passive environment as is implied by ARUP.</p> <p>Whilst a leachate collection tank has been proposed its precise location has not been shown as this will take into account the identified hot spot locations and minimise disturbance – There is no reason that the tank could not be outside the footprint of the building or even located above ground, with leachate pumped to it from a sump collection pit. There is a significant portion of the proposed MRF building which does not have ‘hot spot’ hydrocarbons located below it. The detailed design will be critical to manage this and manage risk to workers. This has not been ignored and the key element, so the Remedial Action Plan are to be amended and adopted as said in Section 6.6.3.1 and in Section 7 of the EIS during the detailed design for the DA.</p> <p>As the contamination varies in location and depth the purpose of the RAP is to consider this in the design detail and CEMP and minimise excavation and risk and disturbance. The final volumes will be determined in the detailed design and then monitored during construction. Dealing with residual contamination is not unique to this site and appropriate methods and management plans would be part of the CEMP.</p> <p>The location of the leachate tank will be a function of the final design and may indeed not require excavation nor be under the MRF building. The air is exchanged in the MRF building 5 times every hour as there are hydrocarbons produced inside the shed in any event from operating equipment and odour management. The use of the vapour barrier and permeable layer (Arup does not mention the permeable layer beneath the vapour barrier) will ensure there is acceptable safe working environments.</p>
4.3.26	<p>Water quality and hydrology</p> <p><i>“A key point made in Table 6.3 of Appendix G is that groundwater pollution should be managed through monitoring to confirm that it is naturally degrading. This is a valid conclusion... should be</i></p>	<p>Noted for design detail and required Environmental Management Plans.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<i>revisited once more detail is understood about the construction and operational details...” (p49)</i>	
4.3.27	<p>Air quality and climate change</p> <p><i>“the assessment has not considered the identified caretaker’s cottage” (p49)</i></p> <p><i>“there are questions around the accurate characterisation of the waste streams . This may affect the quantity of odour- generating waste processed at the facility” (p49)</i></p> <p><i>“there is no assessment carried out under the National Greenhouse and Energy Reporting Scheme” (p49)</i></p> <p><i>“lack of a conventional cumulative impact assessment” (p49)</i></p> <p><i>“For completeness, there should be some discussion on the probability of this outcome occurring [uncontained emissions] (p50)</i></p>	<p>The Caretaker’s cottage was not raised by ACTPLA or any Government Dept – it was mentioned in two objection letters and PP investigated and it was eventually determined to be approved at the rear of 8 Wiluna street (no known if it is being used for this purpose. Todoroski and the Odour Unit were consulted at the time (late Feb 2018) and did consider the impact and determined through modelling that no impacts would arise. The focus of the CRS development is to deal with environmental impacts at the boundary in any event. Arup makes the point that it is <i>“considered a less sensitive receiver”</i> in any event.</p> <p>CRS has utilised ACT Government sourced data for its waste characterisation. The Odour Unit has advised that recent modelling now reveals the threshold tonnage of 211 tonnes to be even more conservative in terms of odour generation and more tonnes could be stored.</p> <p>See Adequacy Review Summary Table 5 Response No. 10</p> <p>This assessment is provided in Appendix Q.</p> <p>Arup does not understand that the mitigation includes the shed building and the purpose of the uncontained plot assessment was to show how effective these measures are. There is no uncontained scenario to discuss without the shed being involved as CRS is not proposing an open field waste facility and secondly the contingency options are extensively discussed in Section 6.11 of the main EIS.</p>
4.3.28	Socioeconomic and health	<p>Arup Comments: <i>“an adequate solution to avoid impacts , which would be monitored under a pest control program” p37</i> <i>“There appears to be adequate provision to managing hazardous waste through clear inspection and management process”(p37)</i></p>
4.3.29	Noise and vibration	

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p data-bbox="219 204 869 233"><i>“the main EIS provides a poor summary of Appendix J” (p50)</i></p> <p data-bbox="219 890 931 951"><i>“presents no information on construction traffic noise impacts and possible construction vibration impacts” (p50)</i></p> <p data-bbox="219 986 927 1114"><i>“it is unclear if the noise assessment has adopted the precautionary principle in assuming all equipment to be operating at the same time, at its maximum output and its minimum separation distance between source and receiver” (p51)</i></p>	<p data-bbox="965 204 1727 233">See Adequacy Review Summary Table 5 Response Nos. 5, 23, 24 & 25</p> <p data-bbox="965 268 2107 654">Rudds comment – “the reviewer seems to be incorrectly referencing NSW requirements and not ACT requirements. There is no requirement to undertake an ambient noise assessment in the ACT because noise limits are pre-determined through noise zones, not ambient noise. There is also not any requirement to assess noise beyond the immediate boundary of the site, which is the defined compliance point. This said, to be prudent, and to help assess road traffic noise, Rudds has undertaken long-term monitoring at the nearest residential zone land on Canberra Avenue (everything in between is industrial or commercial in nature on Industrial zoned land) and has reported these results. Rudds has also undertaken short-term measurements in areas surrounding the site, including the front and rear entries, and at two nearby residential locations. Rudds has also determine where the nearest existing residentially zoned developments are and where potential future noise sensitive developments are likely to occur and has assessed at these. Therefore, the report presents far more information than is required under ACT requirements.</p> <p data-bbox="965 660 2101 753">Rudds understands there is a caretakers residence at 8 Wiluna Street. As this is located on land that is zoned industrial, and is still a significant distance from the site, this is treated as an industrial development in the ACT, so it does not change the assessment parameters.</p> <p data-bbox="965 794 2092 855">Therefore, Rudds believes the basis for assessment is well defined and the impacts have been determined in accordance with ACT requirements.”</p> <p data-bbox="965 893 2092 954">Rudds response to ARUP: <i>“it is Rudds understanding that a construction noise and vibration assessment is not required in the ACT”</i></p> <p data-bbox="965 992 2096 1085">Rudds response to ARUP: <i>“A full operational scenario has been used and includes all operations occurring simultaneously on the site for their respective time periods. The description of operations, from Section 5.1 of the acoustic report is as follows:</i></p> <p data-bbox="965 1091 2029 1152"><i>“An assessment of operations at the site has been undertaken based upon the following operational scenarios:</i></p> <ol data-bbox="965 1158 2101 1343" style="list-style-type: none"> <li data-bbox="965 1158 2101 1283">1. <i>Daytime operation will include receipt of waste and train loading and unloading activities and operation of the MRF. This includes a single locomotive located near the western end of the site at the rail siding, container handler and trucks entering and leaving the site and trucks at weighbridges (3 trucks every 10 minutes assumed).</i> <li data-bbox="965 1289 2101 1343">2. <i>Night-time operations (hereafter referred to as the morning shoulder period from 6 am to 7 am) will involve operations within the MRF shed and receipt of waste (approximately 1 truck every 10 minutes</i>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>“Section 5.5 of Appendix J... appears to consider the impact of a single truck movement to and from the site over a relative increase in noise on the network accounting for ambient conditions and the regular frequency of truck and other traffic movements” (p51)</i></p> <p><i>“Appendix J and the main EIS do not provide a cumulative noise impact assessment of the combined effects of site operations and road and rail traffic movements , this may not be needed; but the proponent should confirm this. This is because away from the site, traffic noise is likely to dominate, and the site’s operations would have limited influence compared to site generated noise...This means the closest noise sources tend to ‘dominate”” (p51)</i></p>	<p><i>expected) only and no other external operations will occur. There will be no train loading during the night-time period.</i></p> <p><i>3. There will be no site operations occurring between 10 pm and 6 am.”</i></p> <p><i>The potential non-compliances are to the shared property boundary, which is currently a waste facility with a large excavator operating and a large stockpile of scrap between the excavator and the site. This, and the fact this is an industrial area with noisy operations all around, and minimal night-time operation, is the reason Rudds believes any exceedances in this direction are unlikely to be a significant issue.</i></p> <p><i>On the opposite side of the rail line are commercial facilities and outdoor carparks. These are located across the rail line at a much greater distance than the adjoining industrial land. They are typically operational of a daytime only.”</i></p> <p><i>Rudds response to Arup: “The assessment includes all truck movements from the site based on the traffic report for the site, broken down into arriving and departing traffic assessed on each of the proposed routes. The assessment is not a single truck movement. As this is primarily an industrial area, and contains no residential receivers, the road traffic noise monitoring was undertaken at the nearest residential location to the site on Canberra Avenue, with short-term monitoring undertaken at the roads near the entry and exit to the site.</i></p> <p><i>Based on noise logging results at the nearest residential location on Canberra Avenue, and short-term measurements in Matina Street (the next nearest residential location), Rudds did determine the relative increase in road traffic noise as a preliminary screening test. The results are presented in Section 5.5, Page 23, Table 16 of the acoustic report. Given the current road traffic volumes, the increase in traffic noise at these residential locations is expected to be negligible.”</i></p> <p><i>Rudds response to Arup: “An idling locomotive has been included, even though this locomotive is on the rail corridor, not on the site. Based on our assessment, site operations do indeed dominate in close proximity to the site and at distance, road traffic noise (not necessarily project related) dominates.”</i></p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>"limited assessment of construction noise is provided in Appendix J" (p51)</i></p> <p><i>"There is also no statement about potential construction traffic noise impacts, or construction vibration impacts " (p51)</i></p> <p><i>"In summary, more detail is needed to confirm the ability to carry out construction works in accordance with the ACT Environment Protection Regulation 2005" (p51)</i></p> <p><i>"Appendix J would benefit from clarifying the overall sound power levels used across the modelling scenarios to ensure all operational noise-generating equipment has been accounted for" (p51)</i></p>	<p>Rudds response to Arup: <i>"A construction noise assessment is not required in the ACT. In order to comply, noisy construction operations will need to occur within the defined time periods when construction exemptions occur. Outside these times the ACT Noise Zone Standards will apply and will need to be adhered to."</i></p> <p>Rudds response to Arup: <i>"there is no requirement to provide such an assessment in the ACT. In addition, the roads surrounding the area are regularly used by heavy vehicles, including large articulated vehicles and there are two concrete batching plants which have vehicles that also use these roads on a regular basis, so any impact is likely to be negligible given the context of the area and current road use."</i></p> <p><i>"Rudds believes there is sufficient information in the report and in the responses provided in this document, addressing the peer review."</i></p> <p><i>"Rudds does understand the importance of this aspect of the assessment and has taken these comments on-board. As discussed, the sound power level will depend on the activity being undertaken by the vehicle and the duration of the activity. In this case, the louder and longer lasting activities will be the reversing and unloading of the vehicles, all of which will be undertaken within the enclosed CRS facility, which is a sealed building and will be acoustically treated to minimise noise emissions. Externally, trucks simply arrive, are weighed in, weighed out, and depart the site. Maximum (Or LA1, 1 minute) sound power levels are used for sleep disturbance assessments under NSW requirements, not ACT requirements. As there will be limited morning shoulder operation and daytime operation, and the residential receivers are well away from the site, across major roads and are also shielded by topography and other industrial and commercial buildings, Rudds considers that there is no requirement to undertake a sleep disturbance assessment"</i></p>
4.3.30	<p>Hazards and risk</p> <p>Reconcile the SEPP 33 Table 7 data once the traffic data is fully reconciled (p52)</p> <p><i>"While not explicitly requested in the Final Scoping Document, the assessment should consider if the proposal is likely offensive development" (p52)</i></p>	<p>Arup states that <i>"the volumes of dangerous goods transported to and from the site would fall below the threshold requiring further assessment" (p52)</i></p> <p>This was not requested by ACTPLA</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>"The ACT Government should be able to determine if it believes the development to be offensive once the proponent has confirmed and addressed the points relating to separation distances under Section 4.3.20 and the queries and limitations relating to odour assessment described under Section 4.3.27. As the above State Policy does not apply in the ACT, this would simply help justify any decision to set more 'stringent conditions' on the facility's operations" (p52)</i></p> <p><i>"There is only a cursory mention of comparable facilities made in the EIS" (p53)</i></p> <p><i>"The EIS also inadequately describes construction-related hazards and risks" (p53)</i></p>	<p>The separation distances have been assessed and conclusion remain unchanged as does the odour assessment.</p> <p>The EIS considered the hazardous assessment of NSW SEPP 33 as requested by ACTPLA. Arup's speculative attempt to drive assessment of "offensive" assessment to create more 'stringent conditions' seems to be biased and questions what the brief to Arup actually was? CRS has done what was requested on this aspect.</p> <p>As Arup pointed out in its review summary <i>"there are many materials recovery facilities in Australia and overseas. Some are in built up areas. They operate safely and with few complaints"</i></p> <p>Arup goes to great lengths to highlight the comparative variations that were not aligned in the facility comparisons but fails to acknowledge that facilities are designed to the circumstance and jurisdiction – ACT has a unique regulatory and waste management circumstance in the Australia marketplace.</p> <p>The EIS discusses "similar facilities" in the context of the proposed facility has included urban facilities receiving C&I and/or MSW type wastes. As this was an EIS response to assess environmental impact, some of the comparable facilities included the same odour management system and equal or greater traffic generating capacity for urban impact.</p> <p>The Veolia facilities at Banksmeadow receives far greater MSW volumes and handle it by rail in urban areas. The impact of that facility was compared on property values with Fyshwick in Section 6.1.2 of the EIS.</p> <p>The is an Arup opinion and would be dealt with in the Development Application and licencing stage of the approvals process.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
4.3.31	<p>Health impact assessment</p> <p><i>"The validity of the health impact assessment conclusions should be reconsidered once the above points have been considered and addressed" (p53)</i></p>	<p>There has been no fundamental change to the environmental impacts that relate to health impact. The next stages of design, CEMP OEMP and licensing all allow for reinforcement of construction and methods to ensure that there is no greater risk that assessed already.</p>
4.3.32	<p>Recommendations:</p>	
5.0	<p>Technical study review:</p>	<p>Only four of nine of the technical studies were reviewed separately by Arup in this section.</p> <p>Arup make the comment on page 42 <i>"we have aimed to only report on issues in the main EIS that we felt were still valid, noting that we have not reviewed all specific technical matters under the direction of the ACT Government"</i> (p42).</p>
5.1	<p>Traffic:</p> <p><i>"does not included SIDRA (traffic modelling) files or detailed outputs to demonstrate the surrounding network can accommodate the traffic changes introduced under the proposal" (p54)</i></p> <p>More evidence should be provided to demonstrate construction traffic minimal impact</p> <p><i>"No parking demand analysis is provided" (p54) – should include the approximate quantities of parking bays and staff vehicles</i></p>	<p>This is addressed in Section 4.2.8 of the Consistency Review Table</p> <p>This is addressed in Section 4.2.8 of the Consistency Review Table</p> <p>This is addressed in Section 4.2.8 of the Consistency Review Table</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
5.2	<p>Waste management:</p> <p><i>“waste feedstock targeted for the facility is inconsistent is how it is described”....“There should be clarity and consistency on each waste source, type and recovery rate....” (p54)</i></p> <p><i>“There is no demonstration of feedstock availability over the facility’s life. It is recommended that a waste flow model is provided to demonstrate feedstock availability and justify the facility’s need” (p54)</i></p> <p><i>“It is unclear if there is sufficient market demand for such products and how the risk of this material simply being landfilled or stockpiled would be mitigated” (p55)</i></p> <p><i>“The impact assessment for waste and materials does not define the existing environment and does not consider the high likelihood of contaminated land and the impact this could potentially have on the generation of construction waste and/or spoil” (p55)</i></p> <p><i>“Greenhouse gas reduction claims should be discussed in detail and substantiated” (p55)</i></p>	<p>The EIS has been very clear on the targeted waste streams and has used Government based data and waste audits for the expected division of the waste stream – all data has been sourced from the territory which was made available to CRS and its consultants at the time of EIS preparation. The recovery rate is conservatively predicted at 20% - currently all the waste wastes targeted are going to landfill</p> <p>Those who operate MRF facilities in the industry are aware of the changing nature of the market dynamics. Waste operators are also aware that whilst recycling reduces volume to landfill, population growth sees and ever-increasing volume to be processed. This is a private venture and not supported by public money. It has no competition in the marketplace except for the local landfill. The proponent understands that in time should there be a requirement to adapt and this requires further planning approval this would be sought. There are no recycling options offered as an alternative in Canberra for the proposed waste streams.</p> <p>The recycling market has and will changed since the genesis of this proposal. What has not changed is the waste hierarchy places landfill disposal as the last option so the significant expense of processing waste for it to end up in landfill is counterproductive. Recent policy initiative discussion would suggest that more domestic solutions will be found for recyclables – nothing in this proposal prevents this from occurring and the nature of the shed and processing equipment will allow for that adaption.</p> <p>The existing environment is defined in Appendix G and Section 6.6. The detailed design to be submitted at the DA stage will consider the contamination sections of the site (not all the site is contaminated, and remediation has already taken place on some aspects and areas). There is no benefit or advantage in not optimising the design to minimise the cut and fill such that problematic and identified hydrocarbon plumes are managed appropriately. Should material have to leave the site is will be to an appropriately licenced landfill if it is required.</p> <p>See Adequacy Review Summary Table 5 Response No. 10</p>
5.3	Odour:	

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>“The assessment are [sic] based on assumptions (i.e the volume of waste to be handled and its organic content). Any inaccuracy in these data may affect the impact assessment” (p55)</i></p> <p><i>“Table 22 management...measures should describe the excepted efficiency of mitigation, confirm it follows BATEA principles, accounts for the inconsistency described in section 4.3 and provisions for managing atypical operating conditions” (p55)</i></p> <p><i>“The caretaker’s residence should be discussed and assessed in the air quality and odour assessment for completeness . However, this would not impact the outcome of the assessment, given that it is an existing industrial area” (p55)</i></p> <p><i>“The proposed East Lakes residential development is not explicitly assessed; however, the impact can be implied from the information provided” (p55)</i></p> <p><i>“An exit temperature of 237.15K[sic] has been included in the modelling”(p5 of the Arup odour review memorandum)</i></p>	<p>Odour modelling is always based on input data and there is no reason to imply that this is inaccurate as this has been based on Territory data. The Odour Unit has confirmed that recent testing work has determined the interpretation of data for the CRS facility as being even more conservative than the original modelling.</p> <p>The Odour Unit response: “The proposed full enclosure of the MRF tipping area within a building maintained under negative pressure and with air discharged via a stack represents practicable and reasonable mitigation measures, representative of BATEA”</p> <p>This residence did come about as a result of mention in two public comments without specifics – after lengthy investigation by Purdon Planning the location of the caretakers residence was discovered – the odour and air quality consultants were advised and in February 2019 and they did reply in writing with the same conclusion as ARUP – no detrimental impact - adjustments were made to the main EIS to acknowledge the existence of the caretaker residence (not know if it is used as such).</p> <p>Is this comment relevant as the status of the East Lakes development is assessed for what was known at the time? This has already been discussed in Section 4.2.7 in the Consistency Review Table</p> <p>The Odour Unit response: “It is standard conservative modelling practice to set stack emissions of ambient temperature to 273.15 K (0°C). Effectively this removes thermal buoyancy effects from the plume that prevents it from rising unrealistically due to thermal differential between the plume and the ambient atmosphere.” “The CASA assessment notes the exit temperature as “Ambient °C” but the screening model is limited to a minimum of 50°C.”</p>
5.4	<p>Fire management</p> <p><i>“While the proposed fire management system could work in-principal, no justification is provided on its operational performance. Therefore, there is no established benchmark for the system to be assessed against during the facility’s detailed design” (p55)</i></p> <p><i>“The system would need to comply with the National Construction Code – Building Code of Australia” (p56)</i></p>	<p>The system has been operating successfully at the Benedict Unanderra facility and being custom designed by Benedict it has been further refined and improved. It is not an off the shelf item and therefore benchmarking is not possible. It is a preventative measure and combined in addition to ordinary firefighting equipment. It is in addition to what is normal MRF facilities provide and CRS considers it to be BATEA. The details will be part of the detailed design.</p> <p>Noted – this would be established in the design detail.</p>

No.	Section 4.3 EIS Adequacy Review Detail	Response
	<p><i>“bringing in generators in the event of a power failure, this does not account for the interim-period when there would be no power if there is a need to operate the fire-fighting system including pumping water” (p56)</i></p> <p><i>“There is no information on any permanent water storage tanks for use by fire hydrants or the water cannons” (p56)</i></p> <p><i>“The system appears to address the risk of preventing a fire from developing beyond smouldering stage. However, there appears to be no assessment or test-evidence to support this claim” (p56)</i></p> <p><i>“There are conflicting priorities with respect to fire safety within the facility” (p56)</i></p> <p><i>“The fire systems size and performance should be clarified... this would ensure it is fit for purpose” (p56)</i></p>	<p>Operational experience suggests that it is likely that the fire brigade would cut the electricity supply in the event of a fire therefore the infra-red firefighting system will utilise a battery back-up for the interim period of if power was lost.</p> <p>The site will be serviced by water mains for firefighting. There are three roof capture water tanks at the southern end of the MRF building and these will be used for dust suppression and could be incorporated into the firefighting network if this was required in detailed design.</p> <p>Yes, this is the exact purpose – As it is a custom system there has been a successful intervention at the Unanderra facility, however the objective is to utilise the waste acceptance procedures and training to prevent the system must be used.</p> <p>The use of the water cannons can be manually operated during manned operating hours and automatically triggered by thermal sensors during non-operational hours. ARUP would be aware that these types of facilities would typically operate a dust suppression misting system that controls air quality which is separate to the water canon system. The concept of not wetting the waste is semantics as the primary purpose is to create an effective and safe recycling environment. Whilst this is the purpose, should there be the risk of fire then there is no hesitation to wet the waste for prevention purposes and the automated system will do this as a priority based on its thermal heat sensors.</p> <p>Arup has spent time in this review espousing BATEA principles. The proponent has designed and now operates an additional level of firefighting system that any competitor has in place either indoors or outdoors. The proponent considers this to be the BATEA approach for fire management and is already replicating the equipment in its other facilities. As this is not “required” the requirements on performance by ARUP seems to be unnecessary – obviously the details of the bespoke system will be included in the detailed design for BCA consideration and fire authority review.</p>

No.	Arup Adequacy Review Summary – Table 5	Response
Arup claimed key omissions or errors		CRS/Consultant response
1	<p>Waste definition and licencing:</p> <p>“the need to demonstrate the agreement or intent for Woodlawn to change its licence to accept waste from Canberra. The need to confirm the alternative plan for disposing of the facility’s residual waste if the Woodlawn licence cannot be modified.” (p59)</p>	<p>CRS has a contractual agreement with Veolia for the disposal of non-recyclable residues to the Woodlawn Landfill. This includes the receipt of waste in intermodal containers at the Crisps Creek Terminal. The contract is ‘commercial-in-confidence’. Veolia are aware of the need to amend their consent and licence to receive CRS’s landfill residues, but it would be entirely inappropriate to seek such amendments at this stage. It should be noted that approximately 60,000 tonnes of C&D and C&I waste is transported by road each year, from Canberra to Woodlawn. It is envisaged that almost all this waste would be taken off the local roads, treated in the CRS recycling plant (currently there is very little recycling of these waste streams) and then the non-recyclable waste residues transported by rail to Woodlawn. The project would not proceed until the correct licences and approvals were in place. This underscores the intrinsic link between Veolia and CRS on this project. However, as noted above, it is entirely inappropriate to seek licence amendments at this stage. In this instance Arup is delving into risks of the project not proceeding. This is clearly outside of the EIS scope.</p>
2	<p>Waste feedstock definition:</p> <p><i>“the need to provide clear and consistent information on each waste source, type, composition and recovery rate entering the facility as this will influence processing requirements and the assessment, especially in terms of traffic impacts, odour impacts, noise impacts and other socioeconomic impacts.” (p59)</i></p>	<p>There are some 50 references in the EIS to the targeted MSW and C&I landfill streams from Mugga Lane.</p> <p>The composition of these two waste types are extrapolated from TCCS data provided in 2017 to Industry for a Market Sounding process run by the Territory. This data was the best available at the time of writing and included waste audits. The composition of the proposed targeted waste types is clearly articulated in Table 1 of the main EIS document along with predicted conservative recovery rates.</p> <p>These numbers and volumes were the basis for the modelling of traffic, odour, noise and other impacts.</p> <p>AECOM response - <i>“The material recovery facility will be receiving a mix of waste. The exact composition of materials is not known. The current assumptions for the traffic assessment have been extrapolated from information given by ACT No Waste. In addition, the assessment has been based on an expected maximum waste volumes and associated traffic volume and truck movements related to proposed capacity of the site in terms of material handling. Detailed information on the vehicle generation assumptions is available in Section 2.5 of the Traffic and Transport Assessment for the site, dated 9 February 2018.”</i></p>

No.	Arup Adequacy Review Summary – Table 5	Response
		<p>Detailed information regarding Waste profiles for the Odour assessment are provided at 3.3.2 of the Odour Impact Assessment prepared by the Odour Unit and included with the EIS at Appendix I (January 2018). Detailed Noise assessment pertaining to vehicles and equipment has been prepared by Rudds and is included at Appendix J.</p>
3	<p>Waste feedstock availability:</p> <p><i>“the need to demonstrate feedstock availability over the facility’s life, through providing a waste flow model to justify the proposal’s need. This should account for changes in policy and collection regimes.” (p59)</i></p>	<p>Some 250-300,000 tonnes go to Mugga Lane landfill and it is unclear from various Government information what is the exact amount and there is also waste currently being landfilled across the border in NSW which is estimated by the Territory at some 50,000 tpa. The ACT Government Waste Policy is to reduce landfilling to 100,000 (some 10% of the total 1 million tonnes of total waste (2014/15) generated in the ACT (2.7 tonnes per capita per) by 2025.</p> <p>Waste feedstock will vary with Government policy approaches and it cannot be predicted based on the last 10 years of ACT waste policy execution as well as the recently released Waste Feasibility Study.</p> <p>This is privately funded and commercial risk – no burden on the taxpayer therefore the economics of feedstock availability have already been considered in the commitments to this development process. CRS has determined that it can operate on a lower tonnage than 300,000 tpa but has used maximum numbers to determine the maximum environmental impact.</p> <p>It should be noted that since the lodgement of this EIS, another application for a waste processing facility has already been submitted for 1,000,000 tpa for another site in Fyshwick which suggests there is a competitive market for the waste streams and Fyshwick is deemed to be a good location for processing it. In a commercial competitive environment (rather than a monopoly) CRS expects commercial competition which will have an impact on waste feedstock availability.</p>
4	<p>Landscape character and visual impacts:</p> <p><i>“the need to prepare a credible landscape character and visual impact assessment.” (p59)</i></p>	<p>A visual analysis associated with the overarching design of the facility is provided at Appendix F, prepared by RotheLowman. The RotheLowman document provides an indicative built form and landscape treatment for the facility. This information is augmented through a comparative analysis from key viewpoints for the site in the body of the EIS report. The current facility is a former shell depot with fuel silos covering the site. The proposal will remove these silos and replace them with an industrial shed which is in keeping with the visual</p>

No.	Arup Adequacy Review Summary – Table 5	Response
		<p>character of the precinct. Whilst the documents provided demonstrate improved visual amenity through the proposal, detailed design and siting through a subsequent Development Application for the facility.</p> <p>It should be noted there is an entire section of the main EIS dedicated to this assessment (Section 6.5) as well as in the executive summary. Section 6.5 includes “current” and “proposed” photographic comparisons</p> <p>EIS Appendix F includes: Site Plan x1: Aerial Perspective x4: from four directions which include photographic detail of surrounding structures. It is impossible to conclude that the proposed structure is not in scale nor a modern structure. Concept images x2: three dimensional images showing potential finishes and colours “After” images x3: from three different locations showing the impact of the new structure</p>
5	<p>Light spill impact:</p> <p><i>“the need to prepare a credible light-spill impact assessment.”</i> (p59)</p>	<p>Lighting for facility will be the subject of a detailed design and siting DA for the facility. This DA will be required to address all relevant rules and criteria for the Territory Plan. This includes the Industrial Zones Development Code. Lighting is addressed at R36 “All external lighting provided is in accordance with AS 4282 Control of the Obtrusive Effects of Outdoor Lighting”.</p> <p>ACTPLA has given separate development approval for hooded lighting on part of the site already approved for a freight transport facility and on the adjacent railway land now approved for a rail freight terminal. Any new lighting required in the detailed design stage will be designed to integrate and comply with the following standards which can be condition as part of any approval:</p> <ul style="list-style-type: none"> • AS/NZ 1158.3.1 Lighting for Roads and Public Spaces - Pedestrian Area (category P) Lighting performance and design • AS/NZ 1158.2 Lighting for Roads and Public Spaces – computer procedures for the lighting technical parameters for Category V and Category P Lighting • AS 4282 Control of the Obtrusive Effects of Outdoor Lighting • ACT Planning and Land Authority – Crime Prevention Through Environmental Design General Code • AS1680.1 Interior and workplace lighting – part 5: Outdoor workplace lighting. <p>Luminaires with full cut-off optics will be used to limit upward waste light to adjoining properties where required.</p>

No.	Arup Adequacy Review Summary – Table 5	Response
6	<p>Contaminated land and ventilation:</p> <p><i>“the need to address the proposal to operate under negative pressure to contain odour, however this would also concentrate any hydrocarbon vapours; if the vapour barrier was inadequate. This is important as the site auditor approved a future industrial use on the proviso that the construction of buildings and enclosed spaces onsite would be prohibited.” (p59)</i></p>	<p>WSP have already articulated a vapour barrier as well as a permeable layer under to allow any hydrocarbons to gather and vent if required. This arrangement is a common solution. Arup has not mentioned in this scenario that the air is exchanged 5 times per hour as a matter of air quality and odour management as there will be machinery in the shed producing emissions that need to be managed.</p> <p>Proposed acceptable limits on decision errors associated with vapour barrier construction prior to final construction of the slab is that the barriers have been installed as per the requirements of this RAP (including using proprietary materials and specially trained contractors), the post installation verification inspections have not identified any tears in the barriers, all joints tested are appropriately sealed and leak testing undertaken by the contractor have either identified leaks for repair or no leaks.</p>
7	<p>Contaminated land:</p> <p><i>“the need to reconcile the remediation action plan, which is based on there being no in-ground excavation, however the proposal would see excavation works taking place to install the leachate tank and carry out utility works.” (p59)</i></p>	<p>The final design will determine the amount of cut and fill. The preliminary levels have been determined to minimise excavation and in the areas of the largest hot spots the preliminary evidence is that the areas above the identified hotspots will require filling rather than excavating. Pages 8 and 9 of Appendix F – Visual Assessment, clearly show the elevated MRF building which implies more filling than excavation. It cannot be said there will be no in-ground excavation for footings etc. The location of the leachate tank does not need to be directly under the building and impact on the vapour barrier. The provisions of the RAP will be applied in these circumstances and variations to the RAP will be made and agreed with ACTPLA and ACT EPA at the design stage to ensure an acceptable outcome.</p>
8	<p>Contaminated land:</p> <p><i>“the need to ensure worker exposure impacts and risks are accounted for and appropriately mitigated given the issues onsite.” (p60)</i></p>	<p>This is addressed through the Remedial Action Plan Prepared by WSP at Appendix G of the proposal.</p> <p>The RAP recommends a plan for long term protection of the vapour barrier systems, mitigation of exposure risks to workers and a protocol for long term monitoring. Worker safety procedures and practices as well as operational risk and monitoring are normally a function of environmental management plans. This will be a feature of both the required CEMP and OEMP as outlined in Section 7.2 (Table 22) of the main EIS and throughout the document where relevant. Examples of these types of documents were included in Appendix P and the final versions would be developed and signed off by the relevant ACT authorities before</p>

No.	Arup Adequacy Review Summary – Table 5	Response
		<p>construction and before operations. This again is normal practice and flows from the Development Application approval as all conditions of consent and monitoring can then be included. This is acknowledged in Section 7.2 of the main EIS and not ignored.</p>
9	<p>Contaminated land:</p> <p><i>“the need to confirm the adequacy of installing a vapour barrier in a negative- pressure enclosed building.” (p60)</i></p>	<p>As per item 6 above. This was a mitigation measure recommended by WSP with supporting evidence. An additional permeable layer incorporated is also recommended by WSP as an additional measure to ensure safety.</p>
10	<p>Air quality:</p> <p><i>“the need to carry out a credible greenhouse gas assessment under the National Greenhouse and Energy Reporting Scheme.” (p60)</i></p>	<p>This is a matter of opinion by Arup – this was not specifically requested in the scoping or subsequent s224 RFI correspondence. The “impacts of climate change” as mentioned in the Scoping document have been discussed in the EIS in Section 6.8 and in Appendices R & S.</p>
11	<p>Noise impacts:</p> <p><i>“the need to confirm construction traffic noise impacts and the ability to employ safe working distances to avoid cosmetic building damage and human comfort (amenity) impacts in relation to vibration.” (p60)</i></p>	<p>Rudds Response: <i>“It appears the review is assuming that NSW requirements apply to the ACT. This is not necessarily the case. The requirements of the ACT Environment Protection Regulation (EPR) regarding construction noise emissions have been presented in the report. There is no requirement in the ACT to assess noise or vibration from construction activities. In this case, the building is located in an industrial area frequented by multiple heavy vehicles and the like, so traffic noise for both construction and operation are in-character with the area. It is envisaged that all construction works will occur within the allocated time periods where exemptions occur.”</i></p> <p><i>“A construction noise assessment is not required in the ACT. In order to comply, noisy construction operations will need to occur within the defined time periods when construction exemptions occur. Outside these times the ACT Noise Zone Standards will apply and will need to be adhered to.”</i></p> <p><i>“In addition, the roads surrounding the area are regularly used by heavy vehicles, including large articulated vehicles and there are two concrete batching plants which have vehicles that also use these roads on a regular basis, so any impact is likely to be negligible given the context of the area and current road use.”</i></p>

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		<p><i>“Rudds believes there is sufficient information in the report and in the responses provided in this document, addressing the peer review.</i></p> <p><i>“Rudds does understand the importance of this aspect of the assessment and has taken these comments on-board. As discussed, the sound power level will depend on the activity being undertaken by the vehicle and the duration of the activity. In this case, the louder and longer lasting activities will be the reversing and unloading of the vehicles, all of which will be undertaken within the enclosed CRS facility, which is a sealed building and will be acoustically treated to minimise noise emissions.</i></p> <p><i>Externally, trucks simply arrive, are weighed in, weighed out, and depart the site.</i></p> <p><i>Maximum (Or LA1, 1 minute) sound power levels are used for sleep disturbance assessments under NSW requirements, not ACT requirements. As there will be limited morning shoulder operation and daytime operation, and the residential receivers are well away from the site, across major roads and are also shielded by topography and other industrial and commercial buildings, Rudds considers that there is no requirement to undertake a sleep disturbance assessment.”</i></p>
12	<p>Hazards and risk:</p> <p><i>“the need to identify adequate reference facilities that process MSW and C&I waste with a similar organic (odour-generating) component that operate using the same odour treatment and abatement technologies.” (p60)</i></p>	<p>The odour management process has been developed in conjunction with the Odour Unit and is modelled and further developed based on the Veolia facility at Banksmeadow and at Clyde. Both these facilities transfer greater volumes of MSW waste (therefore more potential odour) and are urban located and use rail. These facilities are referenced in the EIS and in Appendix S (section 2.13, 20.11 and 40.11) and Appendix R (section 11.29).</p>
13	<p>Fire-fighting water supply:</p> <p><i>“the need to demonstrate an adequate water supply onsite to manage and deal with fires.” (p60)</i></p>	<p>Cardno have advised that this requirement to demonstrate adequate water supply is normal for a multi tenancy arrangement/subdivision. This development is not that. There is already firefighting infrastructure onsite and the detailed design will maximise this and is required to comply with the BCA. The proposal has already been supported by ACT emergency services response and the correct water supply requirement will be included in the design detail at the DA stage and must be consistent with the requirements of the Territory Plan.</p>

No.	Arup Adequacy Review Summary – Table 5	Response
	ARUP claimed incomplete or insufficient information	CRS/Consultant response
14	<p>Waste Management and Resource Recovery Act 2016:</p> <p><i>“the need to demonstrate compliance with the objects of the above Act in terms of confirming consistent recovery and diversion rates and addressing ESD principles; especially inter-generational impacts (e.g. fully assessing decommissioning impacts) and the adequate application of the polluter-pays principle and proximity principle.” (p60)</i></p>	<p>Decommissioning of the facility is addressed at p34 of the Revised EIS. Important elements of the proposal are addressed regarding:</p> <ul style="list-style-type: none"> • No storage of wastes on site. • Ongoing management and monitoring of odour, wastewater. • Equipment and cleaning operations • Health and safety plan • Incident response <p>The aim for the facility is for all issues to be managed and monitored continuously throughout the life of the facility. In the unlikely event that the facility is decommissioned, the facility would be cleaned, equipment removed, and the shed is capable of being re-used for another industrial purpose. All of the equipment is standalone and therefore can be removed and there is no impediment to this.</p> <p>Alternate uses would be subject to the contamination limitations on site but the mitigation measures in place for this could remain for alternate shed uses.</p> <p>Decommissioning is also addressed in Section 11.5 of Appendix R – Response to Submissions: Government.</p> <p>Decommissioning is also addressed in Section 30.2, 41.2 and 42.5 of the Response to Submissions: Public</p>
15	<p>Operational waste storage:</p> <p><i>“the need to demonstrate how the facility intends to sustain a 12-hour operation if there is either a supply delay or several trucks arriving at site at once, as there appears to be no onsite bunkering, and the proponent cannot control arrival times or external delivery issues (e.g. due to road-traffic accidents).” (p60)</i></p>	<p>The proposed operating hours are 16 hours per day Mon – Sat 6.00am -10.00pm and 8.00am – 2.00pm Sundays. This means that the material proposed to be received at its maximum throughput can be process in 12 hours, leaving four hours every day as a contingency. Sunday is also a contingency shift for processing Trucks arrive at the waste facility and they will wait their turn - its standard practice and their activities will be marshalled on site by staff. The waste will arrive in the shed which contains two separate stockpile areas with push walls where waste materials can be pushed against and stockpiled. Whilst the material may arrive in a narrower band (the sensitivity impact of the traffic has been considered in Appendix Y) there is a band of time which will vary to allow material to be processed across 16 hours to ensure there are no spikes. Whilst offsite issues may occur there are contingencies discussed to allow for by-pass or catch up. If there are</p>

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		<p>peaks, then there will be troughs in the traffic flows, the site and shed is large enough to deal with this with ample queuing space and area within the site and shed.</p> <p>The throughput modelling is done based on maximum 300,000 tpa – should this throughput be less than the maximum (as ACT NoWaste has stated) then all the potential risk/volumes will also reduce making management and mitigation simpler. The EIS is modelled at maximum volume therefore “worst case”</p>
16	<p>Construction waste:</p> <p><i>“realising the likely risks and impacts of dealing with contaminated construction waste as described in Appendix G but not carried forward into the main EIS.” (p60)”</i></p>	<p>Construction waste is discussed in Appendix G (no avoided as is the inference) and is included in the EIS Section 7.2 Draft Commitments table (Table 22). This level of detail is prepared after development approval as practices and procedures will follow the conditions of consent. This can all occur before licencing is completed. There is no point in repeating the level of detail contained in the Appendix in the body of the EIS as this would further complicate the report layout. – There is a development application stage and a licencing stage where the construction detail and operating plans (including Construction Environmental Management Plan) are finalised. The general public has raised issues regarding file sizes and document detail (not enough and too much) – the EIS document and its attachments have almost doubled in size after the proponent has responded to additional information questions from the public and government departments.</p>
17	<p>Application of BATEA principles:</p> <p><i>“the need to demonstrate employing the precautionary principle and operating at to minimise risks to as low as reasonably practical.” (p60)</i></p>	<p>This concept has specifically been referred to in the case of separation distance policy (2019) and its preceding draft (2014) which discusses BATEA – The odour unit have conformed the design to be consistent with BATEA.</p> <p>The Odour Unit response: <i>“The proposed full enclosure of the MRF tipping area within a building maintained under negative pressure and with air discharged via a stack represents practicable and reasonable mitigation measures, representative of BATEA.”</i></p> <p>BATEA has not been referred to in any other request or policy, however, the purpose of CRS making a \$55m investment is not to build an inferior facility that creates offsite environmental issues – therefore the best consultants have been utilised to ensure the best practice outcome</p>
18	<p>Traffic network performance:</p>	

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	<p><i>“the need to clearly show if the proposal causes the unacceptable network performance shown in Figure 25 and Figure 26 of the main EIS.” (p60)</i></p>	<p>AECOM response: <i>“Figure 25 and Figure 26 in the main EIS document is labelled incorrectly. The SIDRA outputs are showing the existing scenario and not the post development scenario. The performance shown is an existing network issue. As outlined in Section 2.5.8 of the Traffic and Transport Assessment, dated 9 February 2018, the site is expected to generate a maximum of 5 vehicles in the AM peak on Canberra Avenue via Ipswich Street where the network issues are occurring. This is expected to have little to no impact to the existing network operation.”</i></p>
19	<p>Road safety:</p> <p><i>“the need to demonstrate there being no cumulative road safety impact local to the site.” (p60)</i></p>	<p>AECOM response : <i>“The site was previously used as a fuel depot which operated large articulated vehicles carrying high risk materials. The site access location maintains the same crossover location on Ipswich Street. The safety of the area will be improved due to the installation of the traffic signals. Approach sight distance and intersections sight distance should be met as per Section 3.0 of Traffic and Transport Impact Assessment for the site, dated 9 February 2018.”</i></p> <p>Road safety is specifically addressed in the Main EIS Section 6.2.3.3, 6.2.4.3, 6.2.5.3 and Figure 29</p> <p>Road Safety is also specifically addressed in Appendix S Response to Submissions – Public: Sections 1.2, 1.27, 42.10</p>
20	<p>Contaminated land:</p> <p><i>“the need to ensure the eight-pages of management measures provided in Appendix G are adopted during construction, while their implementation is monitored and independently audited.” (p60)</i></p>	<p>This can be easily complied with as a condition of EIS approval. This is a commitment by the proponent to ensure the safe operation of the facility and it is expected that these commitments would be conditioned in any approval.</p>
21	<p>Air quality and odour:</p> <p><i>“the need to confirm that the proponent has employed BATEA principles in air quality and odour emissions.” (p60)</i></p>	<p>The Odour Unit response: <i>“the proposed full enclosure of the MRF tipping area within a building maintained under negative pressure and with air discharged via a stack represents practicable and reasonable mitigation measures, representative of BATEA”</i></p> <p><i>“The facility’s odour control system is based on maintaining negative pressure conditions in the building at all times that waste is being received, except for very short periods (less than one minute) when truck doors are</i></p>

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		<i>opened for vehicle access. When combined with a stack designed for adequate dispersion of the vented air, this approach represents BATEA in the waste industry”</i>
22	<p>Air quality and odour:</p> <p><i>“the need to ensure that the sensitivity testing in the specialist studies accounts for feasible and reasonable scenarios including equipment failure and unsettled and atypical operating situations; and the probability for an uncontained release to occur.” (p61)</i></p>	<p>The Odour Unit Response: <i>“The scenarios of equipment failure and unsettled and atypical operating situations (i.e. unintended emissions) cannot be feasibly addressed with modelling sensitivity testing. The permutations for unintended emissions are extensive including length of events and the range of meteorological conditions that they could occur in during a modelled representative year”</i></p> <p><i>“The likelihood of uncontained release of odour would be rare and short-lived for the proposed facility due to the relative simplicity of the odour control system, involving fan and stack technology”</i></p>
23	<p>Noise:</p> <p><i>“that the assessment considers the full extent of traffic movement to and from the site.” (p61)</i></p>	<p>Rudds response: <i>“The full extent of road traffic movements both to and from the site has been assessed. The traffic volumes assessed are in accordance with the traffic report prepared for operation of the facility.”</i></p>
24	<p>Noise:</p> <p><i>“the need to confirm that the proposal can be built and is aligned with the quoted construction noise exemption provisions.” (p61)</i></p>	<p>Rudds response: <i>“It appears the review is assuming that NSW requirements apply to the ACT. This is not necessarily the case. The requirements of the ACT Environment Protection Regulation (EPR) regarding construction noise emissions have been presented in the report. There is no requirement in the ACT to assess noise or vibration from construction activities. In this case, the building is located in an industrial area frequented by multiple heavy vehicles and the like, so traffic noise for both construction and operation are in-character with the area. It is envisaged that all construction works will occur within the allocated time periods where exemptions occur.”</i></p>
25	<p>Noise:</p> <p><i>“the need to justify and reconcile the difference in quoted equipment sound power levels for similar materials recycling</i></p>	<p>Rudds response: <i>“The sound level of the trucks is considered to be representative of the trucks in their capacity to arrive, be weighed-in and weighed-out. This includes the trucks arriving at the weighbridge,</i></p>

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	<p><i>facilities and ensure that any discrepancies are accounted for in an updated impact assessment as it may change the outcome.” (p61)</i></p>	<p><i>stopping, being weighed, then departing, including brakes entering the weighbridge, the truck stopping (with associated air release) then the truck accelerating away from the weighbridge. The sound power level is a LA10 over a 10-minute period as required by the ACT EPR, for three trucks passing through the weighbridge, derived from an LAeq over the same period. As the entry, weigh-in and exit duration is relatively short, typically in the order of 20 to 30 seconds per truck, the instantaneous LAeq for an event, or the SEL of the event would be significantly higher. There will be no compaction, loading or unloading of the trucks, which would incur the higher noise levels. All potentially noisy waste unloading activities will occur in a shielded location within the CRS facility.”</i></p>
26	<p>Health impacts:</p> <p><i>“the need to confirm the adequacy and accuracy of the health impacts as they rely on several other assessments where various omissions and clarifications have been identified.” (p61)</i></p>	<p>Not required as there are little significant changes to the EIS based on the Arup claimed issues and the reality of the assessment – matters of opinion do not justify nor significantly change the impact on health</p> <p>The revised documentation has continued to apply best practice with minimal adverse impacts.</p>
27	<p>Mitigation measures:</p> <p><i>“the need to ensure the mitigation measures address the proposal’s impacts and that any measures, recommendations or conclusions set out in the specialist studies are taken forward as mitigation or conditions as they are more relevant than the summary provided in the main EIS.” (p61)</i></p>	<p>This has been established in Table 22 (Section 7.2 of the main EIS) – Summary of draft Environmental Management Commitments. This table has some 160 draft commitments clearly articulated for either DA, licencing, construction or operational stages. It is a draft list – should there be a need for additional items that ACTPLA feels are relevant then they can be added. There has been no attempt to omit any relevant mitigation measure as they are in the body of the EIS submission or in its attachments which is also part of the EIS.</p>
28	<p>Fire system management:</p> <p><i>“the need to confirm the ability to operate the fire system during a power failure as the main EIS talks about hiring-in generators over having a back-up power supply onsite.” (p61)</i></p>	<p>The EIS addresses many contingency plans and duplicate equipment. Sourcing agreements with hire equipment from local Fyshwick will be a broad strategy and the main EIS document discusses the backup electricity situation (Section 6.4.3.3). Power supply for in-situ firefighting purposes will have a battery backup as the fire brigade is likely to cut power in a fire situation and in this scenario the fire system will still function. The hire of generators is part of the overall site contingency – including battery power back up for the fire system can be conditioned and detailed in the Development Application design.</p>

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29	<p>Fire control and operational priorities:</p> <p><i>“the need to reconcile the operation proposal not to wet stockpiles and waste as it makes it harder to process and it creates leachate, compared to the strategy of wetting the waste to prevent a fire risk.” (p61)</i></p>	<p>Operators of waste sorting facilities appreciate that wetter waste is harder to separate, that said dust management and fire prevention are also key risk and health management aspects of day to day operations and therefore misting the shed environment, washing the shed floor and if need be drenching the waste to prevent fire are necessary actions that can all occur as a part of the Operating Environmental Management Plan to be put in place for licencing. Arup has already alluded to many of these types of facilities existing and best practice for the NSW EPA is to contain them inside buildings where the weather, dust, fire , stormwater etc can be managed – this is what is proposed.</p> <p>The specific infra-red fire system proposed has been successfully installed and operating in Benedict facilities at Unanderra (12 months) and now Newcastle. The system detail is contained in Appendix Y.</p> <p>Addressing the fire issue from either end :</p> <p>The ACT Emergency Services have supported the proposal and compliance with the BCA would be demonstrated in the detailed design.</p> <p>Having significant operating experience managing throughputs (1,000,000 tonnes per annum of wastes through various sorting facilities), Benedict understands the risks and has developed its own bespoke fire system. Many facilities (particularly open-air facilities) do not have this and there does not need to be a test evidence assessment as this have been an additional preventative measure developed and tested in the field over the last 18months. Arup has not made mention of the infra-red thermal detection cameras which operate on heat sensitivity and would activate at 68 degrees – The “what-if” scenarios about whether “the water canon system would be unable to prevent the fire from further developing or to control a fully developed fire” again is speculative and the purpose is to prevent the fire starting for which there are other procedures involving the receipt of waste. This is not instead of something else this is BETEA principle applied to the fire prevention risk in the opinion of CRS.</p>