

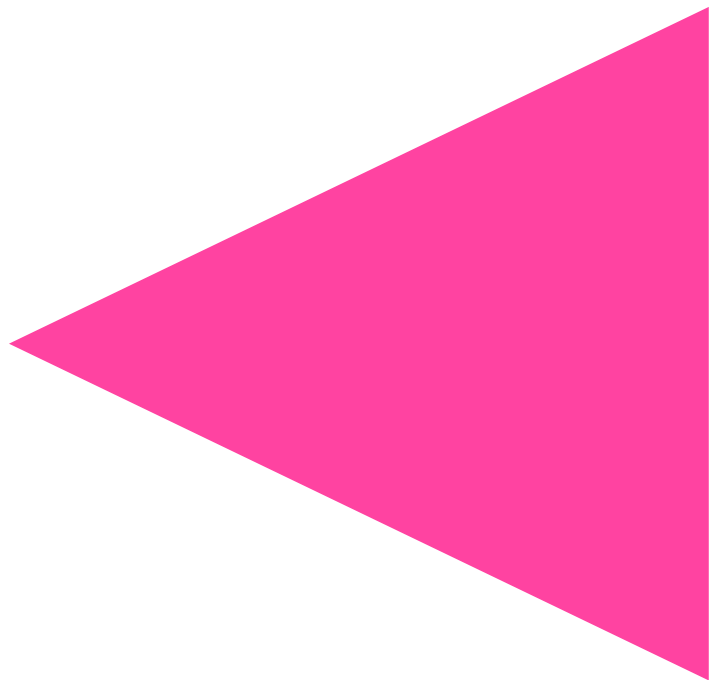


Recycle Reclaim Re-use

GUNNEDAH RECYCLING & RESOURCE RECOVERY FACILITY SSD-8530563

LOTS 1 & 2 DP 1226992, No. 16 TORRENS ROAD & No. 17-21 ALLGAYER DRIVE,
GUNNEDAH NSW

Amendment Report



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Amendment Report

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■ Foreword

Mackellar Equipment Hire Pty Ltd forms a part of the Mackellar group of companies, a local family-run business that has operated in the Gunnedah area since 1985. It operates a quarry near Gunnedah which has been also approved as a landfill and resource recovery facility, a waste business based in Sydney disposing of material from infrastructure projects, as well as a waste and recycling business in South-East Queensland.

We recognise that waste is one of our most pressing environmental, social and economic challenges. It is a national issue, going well beyond local government boundaries. As a community we need to ensure that instead of going to landfill all waste should either be recycled or recovered wherever possible.

Mackellar Equipment Hire Pty Ltd propose to develop industrial zoned land that it owns at No.16 Torrens Road and No.17-21 Allgayer Drive, Gunnedah, for the purposes of a recycling and resource recovery facility. Once approved, the facility would be required to hold an Environment Protection Licence (EPL), administered by the EPA.

At a time when Australia urgently needs to increase the rate at which waste is recycled, the proposed Gunnedah Recycling & Resource Recovery Facility offers the opportunity to achieve this outcome, assisted in no small measure by its highly accessible location not only to regional waste sources, but also industries in New South Wales or interstate that will ultimately accept any recycled products.

Our company has listened to community concerns, in the main relating to the types of waste proposed to be handled, as well as noise and truck traffic, and has amended the project accordingly, and in particular:

- The scale of the recycling operation is to be reduced by 20%, to 200,00 tonnes per annum of waste materials, a significant reduction in the scale of operations from that originally proposed.*
- The reduced scale of waste operations now proposed means that there will be a commensurate 20% reduction in heavy truck traffic generated by the facility travelling on local and regional roads. To further reduce truck traffic volumes, a compactor is to be introduced, to reduce the bulk of material trucked from the recycling operation.*
- Asbestos waste or lithium batteries will no longer be accepted at the proposed facility, nor will acid sulfate soils be accepted.*
- All unloading and processing activities associated with the proposed facility will now occur within fully enclosed sheds, with an additional acoustic barrier provided along the western boundary, thus reducing potential noise impacts on the adjoining residence owned by Whitehaven Coal.*
- The crusher originally proposed has now been deleted from the project. This is in response to concerns by the community about noise generated by a crusher and impact on local amenity.*

The project has a capital investment value of \$3.9 million and will employ up to 56 people during construction and up to 18 full-time operational staff.

The accompanying response to submissions report confirms the Gunnedah Recycling & Resource Recovery Facility can be developed and operate in a safe and sustainable manner.

Brendon Mackellar



Managing Director Mackellar Equipment Hire Pty Ltd



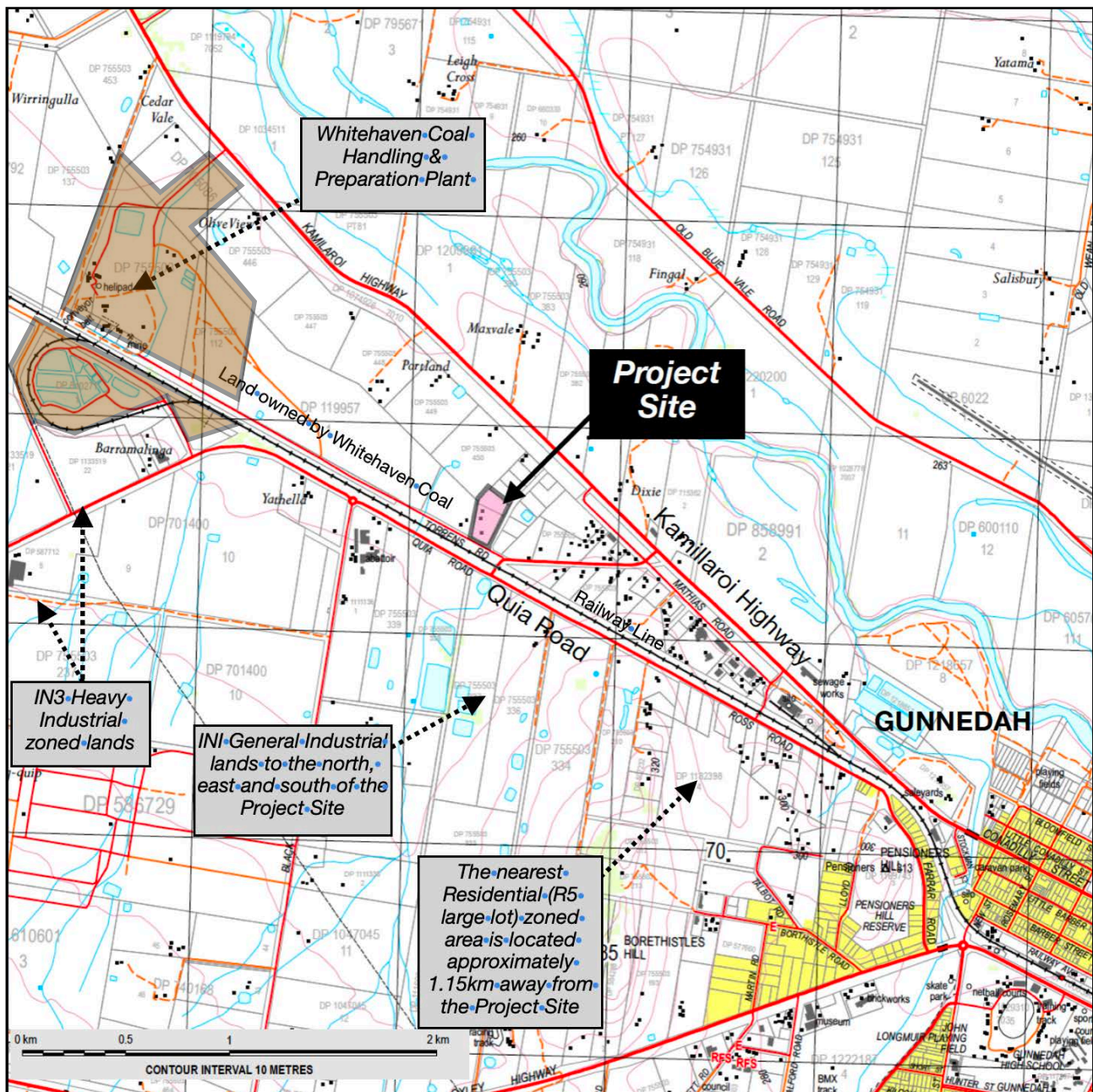


FIGURE 1.1: The Project Site is located in a designated industrial area well removed from and on the western fringes of the township of Gunnedah. The Project Site is proximate to major industrial uses in the Allgayer Drive industrial area and West Gunnedah Industrial Area, as well as being proximate to heavy industries including the Whitehaven Coal handling and preparation plant (1.1km), Pryde's EasiFeed processing facility (1.3km), Gunnedah Leather Processors (2.0km, Council tip (2.3km) Werris Creek Mungindi Railway line (66 metres) and Kamilaroi Highway (316 metres)



(Source: NSW Spatial Services Emerald Hill 8936-3S 1:25,000 topographic map)

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■ 1. Introduction

1.1 Overview

Mackellar Equipment Hire Pty Ltd (the proponent) seek approval to develop land at No.16 Torrens Road and No.17-21 Allgayer Drive, Gunnedah (the project site) for the purposes of a recycling and resource recovery facility handling non-toxic, non-putrescible waste. The proposed facility is variously described in this report as the Gunnedah Recycling & Resource Recovery Facility (GRRRF, proposed resource recovery facility), or simply, the Project.

The project is classified as State Significant Development (SSD) pursuant to the provisions of clause 23(3) of Schedule 1 of the former *State Environmental Planning Policy (State and Regional Development) 2011* (now *State Environmental Planning Policy (Planning Systems) 2021*) and has been allocated the following development application reference: SSD-8530563.

A development application, accompanied by an Environmental Impact Statement (EIS) prepared for the project by Outline Planning Consultants Pty Ltd, was lodged with the Department on the NSW Major Projects planning portal in December 2020. The development application sought approval for the project under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The EIS was prepared to address, and be consistent with, the Secretary's Environmental Assessment Requirements (SEARs) for the project (SSD-8530563), which were issued on 7 August 2020.

The EIS was placed on public exhibition on the NSW Planning Portal from 16 December 2020 to 3 February 2021 (NSW Planning Portal Ref: EXH-12245745). During this public exhibition period, government agencies, Gunnedah Shire Council, key stakeholders, the community and interest groups were invited to provide submissions on the project for consideration by the then Department of Planning Industry and Environment (now Department of Planning and Environment) as part of the State significant Development planning process. Due to the number of objections received, the development application will now be determined by the Independent Planning Commission (IPC).

During February and March 2021 the proponent undertook additional community consultation.

Following the above, and in order to address community concerns about certain aspects relating to the project, the proponent has amended the proposed development.

The purpose of this amendment report is to outline the key elements of the amended project and to assess the impacts, in accordance with the EP&A Regulations.

1.2 Amendment of development applications: legal framework

The EPA Regulations provide for the amendment of development applications prior to determination.

Clause 55 of the *Environmental Planning & Assessment Regulation 2000* (EP&A Regulation 2000) provided as follows:

"55 What is the procedure for amending a development application?"

(1) A development application may be amended or varied by the applicant (but only with the agreement of the consent authority) at any time before the application is determined, by lodging the amendment or variation on the NSW planning portal.



(2) If an amendment or variation results in a change to the proposed development, the application to amend or vary the development application must include particulars sufficient to indicate the nature of the changed development.

(3) If the development application is for—

(a) development for which concurrence is required, as referred to in section 4.13 of the Act, or

(b) integrated development,

the consent authority must immediately forward a copy of the amended or varied application to the concurrence authority or approval body.”

This power is not limited to changes that are confined to the original application. As can be observed from the language in Clause 55(2) the expectation is that the power to amend includes a power to amend to a “changed development” the only limitation on the extent of the change is that the consent of the determining authority is required to give effect to the amendment to the application: *per Duggan J in Reulie Land Co Pty Limited v Lee Environmental Planning Pty Limited and Ors* [2019] NSWLEC 194 at [84].

On 1 October 2021 amendments to the EPA Regulations came into force, excluding State significant development from the application of Clause 55 and introducing a new Clause 55AA which specifically provided for the amendment of State significant development applications. Clause 55AA provided as follows:

“55AA Amendment or variation of development applications for State significant development

(1) A development application for State significant development may, with the agreement of the consent authority, be amended or varied by the applicant at any time before the application is determined.

(2) An application to amend or vary a development application for State significant development must—

(a) be in the form approved by the Planning Secretary and made available on the NSW planning portal, and

(b) include particulars of the nature of the proposed amendments or variations, and

(c) be prepared having regard to the State Significant Development Guidelines, and

(d) be lodged on the NSW planning portal.”

As of 1 March 2022 Clause 55AA was then superseded by clauses 37 and 38 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation 2021), and, particularly, the requirement for an amendment application to be prepared in accordance with the SSD Guidelines which in turn require the preparation of an “Amendment Report” to assess the economic, environmental, and social impacts of an amended proposal.

However, the relevance of these recent amendments to the EPA Regulations is limited because SSD-8530563 is captured by the savings provision within Schedule 6 of the EP&A Regulation 2021 which provides that the 1 October 2021 amendments do not apply to an EIS received by the Planning Secretary on or before 31 March 2022.

Schedule 6 provides as follows:

“3. Applications submitted before 1 March 2022

The 2000 Regulation continues to apply instead of this Regulation to the following applications submitted but not finally determined before 1 March 2022—

*(a) a **development application**,*

(b) an application for a complying development certificate,

(c) a modification application,

(d) an application to modify a complying development.” [our emphasis]



Clause 190(2)(a) of the EP&A Regulation 2021 also provides that the person preparing an EIS must, in the case of State significant development, have regard for the *State Significant Development Guidelines*. However, clause 7 of Schedule 6 of the EP&A Regulation 2021 provides that:

“Section 190(2) does not apply to an environmental impact statement submitted to the Planning Secretary on or before 31 March 2022 if the Planning Secretary last gave notice of the environmental assessment requirements before 1 October 2021.”

In other words, the *State Significant Development Guidelines* do not apply to SSD-8530563, including any amendment of a State significant development application.

Moreover, the EP&A Regulation 2000 continues to apply to development applications lodged but not finally determined before 1 March 2022, including SSD-8530563.

■ 2. Strategic context

2.1 Overview

This section summarises the description of the strategic context in the original EIS for the project. In proposing the recycling and resource recovery facility at Torrens Road consideration has been given to relevant National, State, Regional and Local strategic policies and objectives covering topics including desired economic growth and employment outcomes, waste management and resource recovery, and sustainable environmental management. The changes to the development application for SSD-8530563 do not, however, change the the overall strategic context of the facility as submitted in the original EIS, and in particular the following:

- The design of the proposed waste facility project has involved consideration of potential impacts including waste management, fire safety, traffic, water quality, air quality and noise impacts. The amended proposal incorporates design changes to reduce the potential for adverse impacts during the establishment and operation of the project, in particular in terms of noise and traffic generation as well as further restrictions applying in terms of the wastes that will be accepted at this facility. All buildings have been designed to accommodate the various waste storage and recycling uses proposed. Various mitigation and management measures to ensure that the proposed development make adequate provision for fire safety and the proper management of a waste facility such as that proposed. The project, as amended, forms a key part of the infrastructure necessary to support the orderly economic development of land in New South Wales. All of the above features of the project, as amended, are considered to be consistent with the objectives of the EP&A Act and the principles of ecologically sustainable development.
- The project, as amended, will continue to be consistent with a number of key State priorities including but not limited to the following:
 - ▶ Delivery of a new recycling industry to the Gunnedah region, providing further diversity in the range of industries offered. The facility would provide a range of environmental and economic benefits for the region by recycling waste, as well as promoting the circular economy- refer **Figure 2**.
 - ▶ Provide new jobs over the life of the project, not only for workers directly working on the site but also workers in related industries such as transport and allied trades.
 - ▶ The project will contribute significantly to the NSW Government's *Policy on Waste Reduction*. The project, as amended, is proposed to accept up to 200,000 tonnes of select waste materials from Sydney and other regional sources, sort and/or process it, and dispatch any unwanted waste to recipient companies for further processing and reuse.
 - ▶ The project, as amended, will assist in achieving the waste reduction and recycling outcomes sought by the *Waste Avoidance and Resource Recovery Act 2001* and *NSW Waste and Sustainable Materials Strategy 2041 Stage 1 2021-2027*, in particular to enable recovery and recycling infrastructure to keep pace with demand. In this regard the latter strategy identifies the need for new materials recovery facilities (MRF) to be established in non-levied areas, like Gunnedah, and to enable enhanced capacities for recycling of waste. The establishment of the proposed recycling and resource recovery facility at Torrens Road, Gunnedah will assist in enabling this strategic vision to be achieved. The same strategy also identifies the need for new stand-alone facilities in regional areas, like Gunnedah, for the recycling of paper and cardboard.

- ▶ The project, as amended, will assist in achieving the waste reduction and recycling outcomes sought by the *National Waste Policy*, in particular in terms of managing waste as a resource and improving resource recovery, as well as protecting human health and the environment.
- The project, as amended, continues to be consistent with *New England North West Strategic Regional Land Use Plan 2036*, in particular, in terms of delivering a new industry to the Gunnedah region within an existing, serviced and established industrial zone (Directions 6 and 16), being situated on industrial land with excellent transport links to local and regional markets (Direction 13). The same or similar objectives are contained in the *Lower Northwest Regional Economic Development Strategy 2018-2022*.

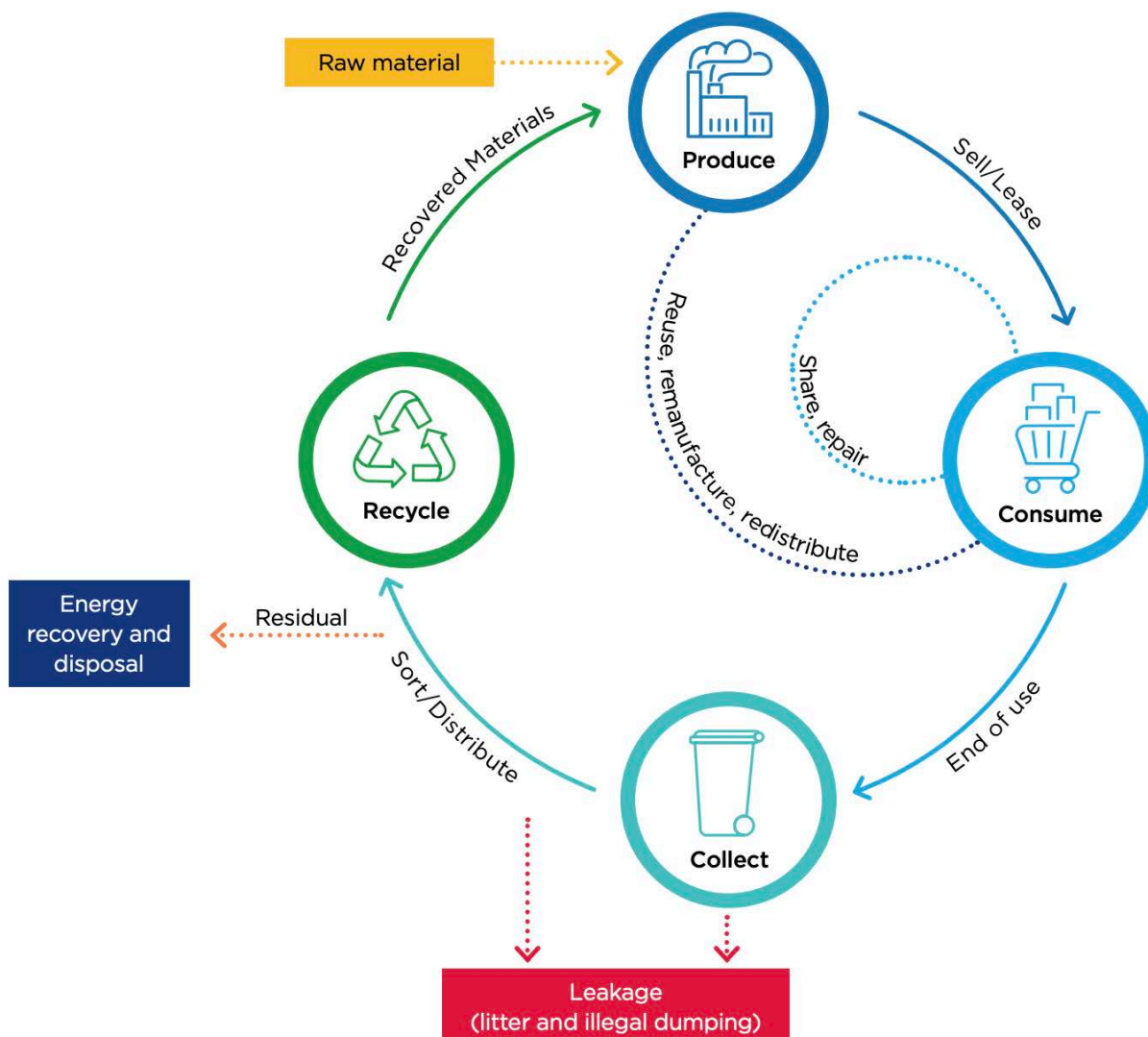


FIGURE 2.1: The project encourages the Circular Economy

(Source: NSW Waste and Sustainable Materials Strategy 2041 Stage 1 2021-2027)

■ 3. Description of the amendments

3.1 Introduction

This section describes the proposed amendments to the project. It includes an overview of the amendments, including a table comparing the amended project to the original project as exhibited from 16 December 2020 to 3 February 2021, as well as a detailed description of each amendment. A consolidated, detailed description of the amended project is included in the appendices of this amendment report. The particulars provided are sufficient to identify the nature of the change to the proposed recycling and resource recovery facility development and any consequences thereof.

In response to the submissions received and further community consultation, the proponent now proposes the following changes to the project, as permitted by Clause 55 of the EP&A Regulation 2000, including but not limited to the following:

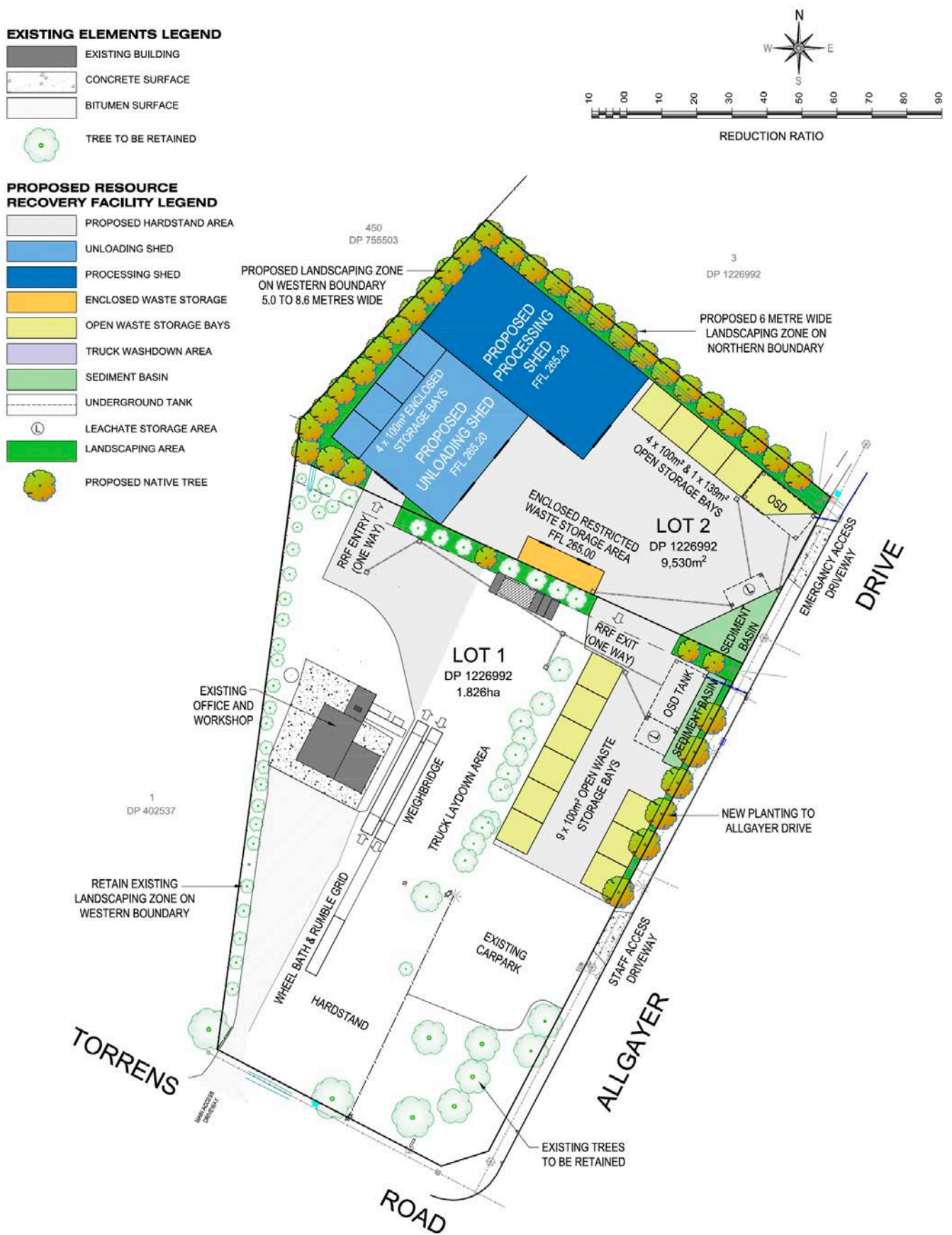
- The scale of the Project has now been reduced by 20%, to now handle 200,000 tonnes per annum of non-toxic, non-putrescible waste (previously 250,000 tonnes per annum of waste).
- A commensurate 20% reduction in heavy truck traffic generated by the waste facility. Truck volumes are likely to be reduced even further with the proposed introduction of a compactor/briquette machine within the processing shed, which will reduce the volume of processed waste exported from the site.
- No asbestos (special waste) or lithium batteries (hazardous waste) will now be accepted at the project site, including the storage of these wastes on site. Accordingly, the restricted waste shed no longer forms a part of the project, given that there will be no longer a need to provide for a building specifically dedicated to the storage of such wastes.
- In the interests of reducing the noise impact of the project, the removal of crushing plant from the project description. Following the grant of approval by the Northern Regional Planning Panel on 24 June 2021 the crushing of concrete and similar types of waste will now be undertaken at the Marys Mount Quarry landfill and resource recovery facility.
- The various categories of waste material will be shredded and/or compacted and/or baled, to improve ease of handling and to optimise transported loads of processed waste.
- Treated or untreated ASS or PASS soils will now not be accepted at the facility. The up to 25,000 tonnes per annum originally dedicated to contaminated soils will be redistributed amongst the other waste categories, such that the facility will handle up to 200,000 tonnes per annum of waste.
- A shredder will be used when the trommel is not in use in the processing shed. It will process a range of materials, including carpets, paper, tyres, textiles, plastics and the like. The introduction of the compaction of processed waste, forming smaller compressed waste briquettes, will also assist in reducing the size of processed material to be exported from the site. Baling of will also occur.
- All unloading and processing activities associated with the proposed facility will now occur within fully enclosed sheds, with an acoustic barrier provided along the western boundary.

Further minor revisions are sought to the design of the project, in the main, in response to either community concerns or queries raised by the Department. A high-level summary of the material elements of the project is presented in Section 3.2 below together with a comparison of the proposed project, as amended. The accompanying **Figures 3.1** and **3.2** compare the original project, as exhibited, with the project, as amended. The amended development, incorporating the changes sought, are essentially the same as that originally proposed.

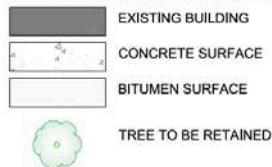
3.2 Summary of project amendments

Table 3.1: Comparison of original DA with amended DA components

Project item	Original application	Proposed amended application
Land description/ project footprint	Lots 1 and 2 in Deposited Plan 1226992 at No.16 Torrens Road and No.17-21 Allgayer Drive, Gunnedah. Area approximately 2.77ha.	No change.
Layout of development on the site	Weigh-bridges, fully enclosed unloading shed and processing shed, hazardous waste storage, stockpiles, acoustic walls, leachate collection, storage bays and landscaping. Existing office and workshop to be retained.	No change save for deletion of hazardous waste storage shed (no need to store asbestos waste), roof for stockpiles and additional acoustic wall on western boundary of the site.
Total floor space	4,000 sq. metres	4,000 sq. metres (waste storage shed deleted, however existing storage shed retained & relocated)
Building height	Maximum of 10.5m	No change.
Excavation	Max. 0.5m (external access area) No excavation required for buildings.	No change.
Land use	Industrial (waste processing)	No change.
Wastes accepted	General solid waste: excavated material and recovered materials, C&D waste, C&I waste-together accounting for up to 95% of all waste-with asbestos, lithium batteries and acid sulfate soils accounting for remainder.	No substantive change in total waste stream to be accepted. Asbestos, lithium batteries and acid sulfate soils, accounting for only a small proportion of total waste, no longer accepted.
Amount of waste per annum	Up to 250,000 tonnes per annum.	Up to 200,000 tonnes per annum: a 20% reduction.
Hours of Operation	<ul style="list-style-type: none"> 7.00 am and 6.00 pm Monday to Saturday, excluding Sundays & public holidays. Operation of heavy machinery only between 7.00am-5.00pm Monday to Friday. Construction hours 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays. 	No change.
Plant and equipment	Front-end loaders/mobile excavators, conveyors and trommel screens, office, amenities, workshop, stockpiles and storage area, shredder and crushing plant.	Crushing plant to be deleted (noise impacts), with addition of compactor/briquette machine (reducing volumes of material to be trucked off-site).
Employment	Employment of 62 people during construction, and up to 18 on site staff + 12 truck drivers ie. up to 30 operational employees.	No change.
Access and parking	Waste truck access from Torrens Road. Access available from Allgayer Drive for other vehicles. Parking provided in SE portion of the site.	Extent of on-site parking clarified. 27 parking spaces provided in accordance with AS2890.1.
Landscaping	Already well landscaped site. Additional landscaping provided along western and northern boundaries and Allgayer Drive.	No change.
Truck traffic generated	52 laden trucks per day (worst case) - even less using B-doubles.	40 laden trucks /day (worst case-potentially 22/day).



EXISTING ELEMENTS LEGEND



PROPOSED RESOURCE RECOVERY FACILITY LEGEND

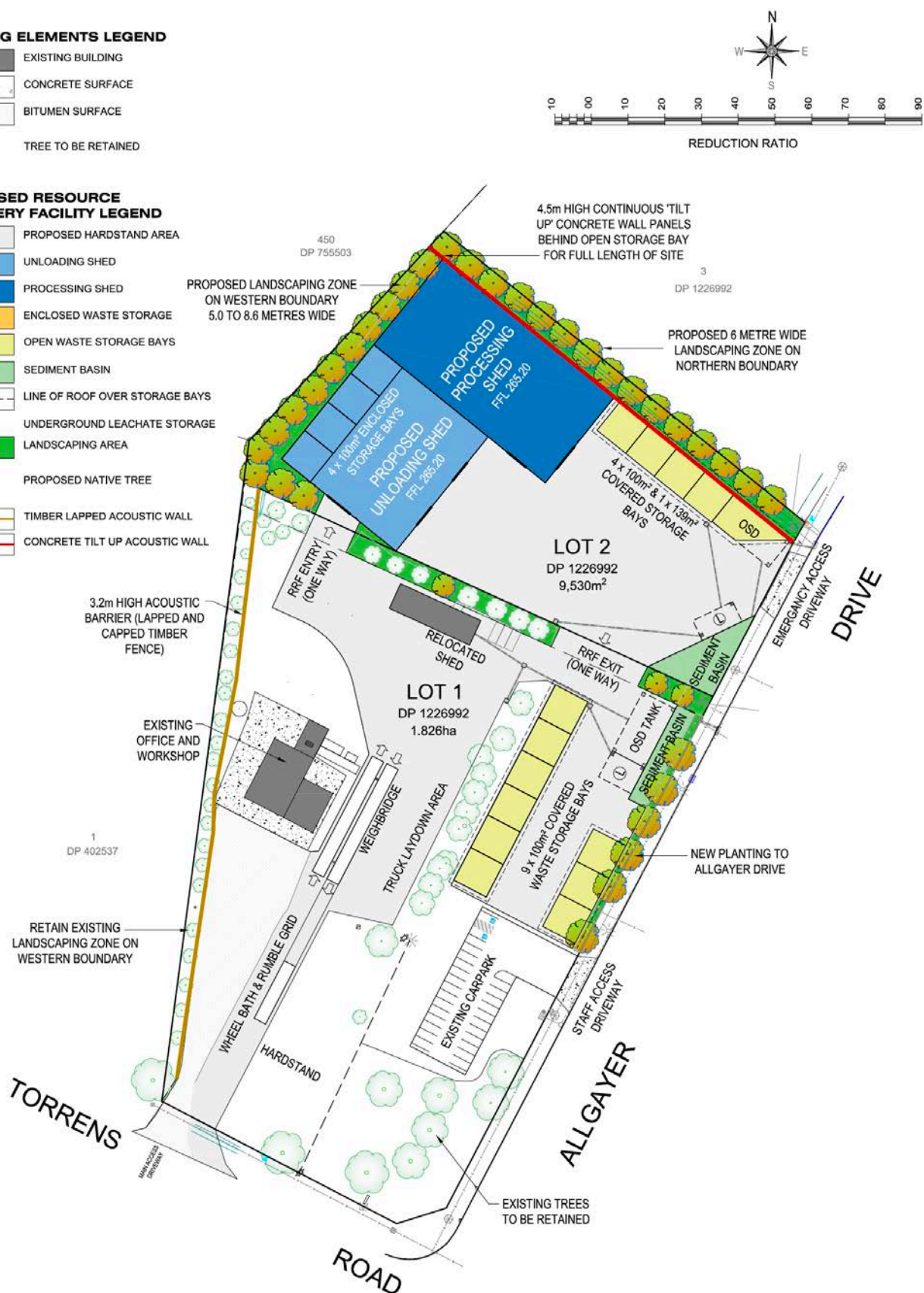
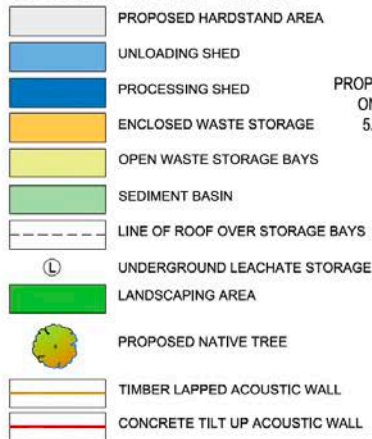


FIGURE 3.2: The proposed facility, as amended

(Source: Stewart Surveys & Martens & Associates, consulting engineers)



The amended specialist reports and engineering plans supporting this Clause 55 amendment, containing further details regarding the amendments discussed above, are attached- refer to appendices. The appendices also contain a list of proposed project mitigation measures, as amended. Additional conditions of consent are proposed that will afford the community greater involvement in the project.

Initiative 1: Proposed Community Consultation Committee

At one of the consultation sessions held 9-10 March 2021 a community consultation committee was proposed by a community member, to enable ongoing dialogue between the community and the operators of the proposed recycling and resource recovery facility at Torrens Road, Gunnedah. The following draft condition of consent is proposed:

“COMMUNITY CONSULTATION COMMITTEE

The applicant must establish a community consultation committee, comprising members of the community and the applicant, that will meet once every 3 months. Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the ongoing management, monitoring and effectiveness of mitigation measures associated with the approved development.”

Initiative 2: Proposed Ongoing Access to Project Website

Access by the community to information regarding the ongoing management of the proposed recycling facility will be critical.

It is proposed that a web page be set up by the operators of the Gunnedah Recycling & Resource Recovery Facility, enabling access by the community, as well as the Planning Secretary of the Department of Planning & Environment, to the latest information posted relating to such matters as ongoing environmental performance, monitoring, plans, audit reports and the like, as well as updates on the results of the proposed Community Consultation Committee. In addition to Initiative 1 above, this measure will enable effective monitoring of the project by the community.

The following draft consent condition is proposed:

“ACCESS TO INFORMATION

At least 48 hours before the commencement of construction and for the life of the development, the Applicant must:

- *(a) make the following information and documents (as they are obtained or approved) publicly available on its website:*
 - *(i) the documents referred to in condition A2 of this consent and the final layout plans for the development;*
 - *(ii) all current statutory approvals for the development;*
 - *(iii) all approved strategies, plans and programs required under the conditions of this consent;*
 - *(iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent;*
 - *(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;*
 - *(vi) a summary of the current stage and progress of the development;*

- (vii) contact details to enquire about the development or to make a complaint;
- (viii) a complaints register, updated monthly;
- (ix) the Compliance Reporting of the development;
- (x) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report;
- (xi) Minutes of meetings and follow up actions arising from each community consultation committee meeting;
- (xii) any other matter required by the Planning Secretary; and
- (b) keep such information up to date, to the satisfaction of the Planning Secretary."

3.3 Amended development is within the ambit of clause 55 of EP&A Regulation 2000

The power to amend conferred by clause 55 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation 2000) should be viewed as being beneficial and facultative: *Ebsworth v Sutherland Shire Council* [2005] NSWLEC 603 at [40] where Talbot J observed that:

"It is my view that Regulation 55 is beneficial and facultative and intended to facilitate the making of amendments on two accounts. Firstly to enable the applicant for consent to respond to any issues identified by the council or objectors and secondly to encourage a consent authority to solicit a better outcome. A broad approach to the application of Regulation 55 is therefore appropriate."

The Courts have found that that any clause 55 amendment will inevitably result in a "changed development", and that clause 55 ought to be construed so as to give "the widest interpretation which its language will permit": per Jagot J in *Radray Constructions Pty Ltd v Hornsby Shire Council* [2006] NSWLEC 155 at [8-9] and [17] (*Radray*)- a judgement consistently adopted by the Court including *Ambly Holdings Pty Ltd v City of Sydney* [2016] NSWLEC 38 at [7], in *Orico Properties Pty Ltd v Inner West Council* [2017] NSWLEC 90 and in *Sydney Tools Pty Ltd v Canterbury Bankstown Council (No 2)* [2019] NSWLEC 6.

In *Radray*, Jagot J permitted an amendment to a development application as it would lead to a better outcome than what was originally proposed.

Clause 55 enables any application to be amended or varied with the agreement of the consent authority at any time prior to determination. Accordingly, the amended application is within the ambit of clause 55 (**refer to NOTE 1 below**), in particular having regard for the following:

- The amended development, incorporating the changes sought, are essentially the same as that originally proposed. The amendments sought will not result in the conversion of the application into a radically different or new application, and the essence of the development remains the same. Moreover, the site and characterisation of the development remains the same.
- There will be no substantive change to the types of wastes that are to be accepted and handled at the proposed facility. This is with the exception of acid sulfate soils, and lithium batteries and asbestos, which will no longer be accepted at the proposed facility. In any case, these latter categories of waste were intended to make up a small proportion only (about 10%) of the total intended waste stream.
- The essential elements of the proposed resource recovery and recycling facility have not been so altered such that they place the development in a different category for the purposes of assessment. Even with the amendments proposed, the essence of the development remains the same, and the fundamental nature is unchanged.

- Related to the above, the fundamental nature of the development as a recycling and resource recovery facility is unchanged in the amended plans.
- Importantly, the amended application, incorporating the clause 55 changes, is considered likely to not result in any additional environmental impacts. In fact, the changes proposed are expected to result in significant or demonstrable beneficial (and lesser) impacts, in particular in terms of noise pollution and traffic impacts, as well as reduced project risks associated with the handling of waste generally, the latter given that the amended scheme proposes to now not accept certain types of hazardous or special waste.
- The amendments proposed are in response to the issues raised by the community and/or by the Department. As such, the use of the clause 55 power is appropriate given its beneficial (ie. proving for a suitable level of recovery of waste, with reduced risks) and facultative (ie. responsive) purpose.

In addition, the clause 55 changes now sought will result in a better environmental outcome for the project.

Having regard for the above, it is requested that the determining authority in this matter exercise its discretion under clause 55 of the EP&A Regulation and that the application be duly approved in the amended manner now sought.

[NOTE 1: The The 2021 EP&A Regulation commences on 1 March 2022. However, the EP&A Regulation 2000 continues to apply to any development application made but not finally determined before 1 March 2022, including this DA being SSD-8530563 (2021 EP& A Regulation, Sch 6 cl 3)

■ 4. Statutory context

4.1 Introduction

This section must identify the relevant statutory requirements for assessing and evaluating the proposed amendments to the project.

The statutory context has not changed to any degree since the original application was submitted, notwithstanding the fact the the EPA Regulations have been amended twice since lodgement of the original EIS and that state planning policies have been consolidated.

The changes to the development application for SSD-8530563 do not, however, change the the overall statutory context of the facility as submitted in the original EIS, and in particular the following:

- The project is within an existing zoned General Industrial area surrounded by other compatible developments and land uses. The use is permissible in the INI General Industrial zone pursuant to the provisions of *Gunnedah Local Environmental Plan 2012* and Division 23 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*.
- Despite the reduced scale of the recycling and resource recovery facility now proposed, the use is still classified as State Significant Development (SSD) for the purposes of the EP&A Act.
- A number of hazardous uses have been deleted from the project, as amended, following community concerns. Asbestos waste or lithium batteries will no longer be accepted at the proposed facility, nor will acid sulfate soils be accepted at the project site. However, and like the original DA, the project is still not considered to be either a potentially hazardous or a potentially offensive development under the provisions of Chapter 3 of *State Environmental Planning Policy (Resilience and Hazards) 2021*.
- The project, as amended, continues to comply with the provisions of Fire and Rescue NSW (FRNSW) first released *Fire safety in waste facilities* guideline. The project makes adequate provision for fire safety and meets the 'acceptable solution' defined in Appendix A of the guideline.
- The site investigations did not encounter any Koalas on the site, or any evidence of past use of the vegetation on the site as Koala habitat. As such, the site is not considered to be either Potential or Core Koala habitat for the purposes of Chapter 3 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.
- The site is free of contamination constraints for the purposes of Chapter 4 of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

An updated statutory compliance table for the amended project has been included as an appendix to the amendment report. This table should identify all the relevant statutory requirements for the amended project and indicate where they have been addressed either in the amendment report or the associated EIS or modification report.

■ 5. Community engagement

5.1 Introduction

As a result of additional community engagement undertaken early in 2021, and in response to community concerns, a number of Clause 55 amendments are now proposed, as set down in Section 4.

Two additional conditions of consent are now proposed that will ensure ongoing community involvement in the project- another initiative following this additional community consultation process. They relate to:

- The formation of a community consultation committee, to meet once every 3 months and allow the community to raise matters of concern associated with the ongoing management, monitoring and effectiveness of mitigation measures associated with the approved development.
- A web page be set up by the operators of the facility, enabling access by the community, as well as the Planning Secretary of the NSW Department of Planning & Environment, to the latest information posted relating to such matters as ongoing environmental performance, monitoring, plans, audit reports and the like, as well as updates on the results of the proposed Community Consultation Committee.

These changes, along with the following changes, were broadcast to the community in March 2021:

- No asbestos (special waste) or lithium batteries (hazardous waste) will now be accepted at the project site, including the storage of these wastes on site.

All other proposed amendments to the proposed development have been made following, and in response to, concerns raised about the project in the above community consultation process.

■ 6. Updated impact assessment

6.1 Introduction

This section provides a detailed summary of the findings of the updated assessment of the impacts arising from the proposed amendments.

6.2 Strategic issues

The proposed amendments to the project accord with the following strategic considerations:

- The NSW Government's *Policy on Waste Reduction*. The project, as amended, accords with this policy in that it is proposed to accept up to 200,000 tonnes of select waste materials from Sydney and other regional sources, sort and/or process it, and dispatch any unwanted waste to recipient companies for further processing and reuse.
- The project, as amended, will assist in achieving the waste reduction and recycling outcomes sought by the *Waste Avoidance and Resource Recovery Act 2001* and *NSW Waste and Sustainable Materials Strategy 2041 Stage 1 2021-2027*, in particular to enable recovery and recycling infrastructure to keep pace with demand. The latter strategy also identifies the need for new stand-alone facilities in regional areas, like Gunnedah, for the recycling of paper and cardboard.
- The project, as amended, will assist in achieving the waste reduction and recycling outcomes sought by the *National Waste Policy*, in particular in terms of managing waste as a resource and improving resource recovery, as well as protecting human health and the environment. The decision to delete from the project the acceptance of asbestos and lithium batteries, being hazardous waste and special waste respectively, as well as acid sulfate soils, was made following concerns expressed by local residents about the potential for impacts on human health and the environment arising from these wastes being accepted at the facility.

6.3 Statutory requirements

The proposed amendments to the project accord with the following statutory requirements:

- The use is permissible in the INI General Industrial zone pursuant to the provisions of *Gunnedah Local Environmental Plan 2012* and Division 23 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*.
- Related to the above, the proposed development, as amended, does not contravene a development standard in *Gunnedah Local Environmental Plan 2012*, nor in any other applicable environmental planning instrument.
- Consideration has been given to whether the site is contaminated as required by clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021*. The proposed development, as amended, does not include any change to the use of land that would result in concern with respect to contamination. The proponent has provided sufficient evidence, including contamination reports, over the entire project site, to show that it is not affected by contamination and that the project is neither a potentially hazardous or a potentially offensive development under the provisions of Chapter 3 of *State Environmental Planning Policy (Resilience and Hazards) 2021*.
- The site investigations did not encounter any Koalas on the site, or any evidence of past use of the vegetation on the site as Koala habitat. As such, the site is not considered to be either Potential or Core Koala habitat for the purposes of Chapter 3 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.



6.4 Government and other guidelines

The proposed development, as amended, complies with relevant government and other accepted guidelines, as contained within the various specialist reports accompanying the EIS and this amendment report, including but not limited to the following:

- The project, as amended, will comply with the provisions of Fire and Rescue NSW (FRNSW) first released *Fire safety in waste facilities* guideline. The project makes adequate provision for fire safety and meets the 'acceptable solution' defined in Appendix A of the guideline. The project will also provide adequate access for fire fighting vehicles and equipment in compliance with the requirements of the *National Construction Code* (NCC/BCA) and Fire+Rescue NSW guideline *Access for fire brigade vehicles and firefighters*.
- The project, as amended, will comply with the provisions of the EPA's *Noise Policy for Industry*, employed by acoustic consultants Vipac in order to assess potential noise impacts of the project, as amended. In addition to this policy the noise assessment by Vipac also had regard for the following:
 - ▶ NSW DECCW *Road Noise Policy* 2011.
 - ▶ NSW DECC *Interim Construction Noise Guideline* 2009.
 - ▶ NSW DEC *Assessing Vibration: A Technical Guideline* 2006.
 - ▶ British Standards Institute. (2009). *BS 5228:1 - Code of Practice for Noise and Vibration Control on Construction and Open Sites - Part 1: Noise*. London, United Kingdom: BSI.
- The project, as amended, will comply with relevant air pollution guidelines as applied by Vipac, including:
 - ▶ The NSW EPA's *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales* 2016.
 - ▶ *Optimum CALPUFF modelling guidance for NSW and Guideline on Air Quality Models* (Barclay & Scire, 2011).
 - ▶ *National Environment Protection Measure for Ambient Air Quality* (National Environment Protection Council , 1998).
 - ▶ The *Air Pollution Model* (TAPM) prognostic meteorological model (developed by CSIRO).
 - ▶ The DotEE methodology for calculating greenhouse gas emissions, by National Greenhouse Accounts (NGA) Factors workbook (DotEE, 2019).
 - ▶ *National Pollutant Inventory Emission Estimation Technique Manual for Mining* (January 2012).
- The project, as amended, will comply with the provisions of the EPA's *Standards for Managing Construction Waste in NSW* (2019) and will be compliant with applicable NSW EPA orders and exemptions.
- The project, as amended, will comply with the provisions of the *Australian Dangerous Goods Code* regarding the storage and transport of dangerous goods.
- All wastes will be classified according to the *Waste Classification Guidelines - Part 1: Classification of Waste* (EPA 2014a).
- All parking provided on site will comply with *Australian Standard AS2890.1* with traffic impacts assessed according to Austroads Guidelines.
- Traffic management will be in accordance with NSW RTA (2006) *Traffic Control at Work Sites Manual*.
- The Department's *Cumulative Impact Assessment Guidelines for State Significant Projects*.

- The engineering work to be undertaken on the site will comply with a range of guidelines, including:
 - ▶ AustRoads *Design Vehicles and Turning Path Templates* (Austroads, 2013).
 - ▶ Gunnedah Shire Council (GSC) (2012) *Development Control Plan (DCP)* and (GSC) (2013) *Engineering Guidelines for Subdivisions and Developments*.
 - ▶ The *National Model for Urban Stormwater Improvement Conceptualisation (MUSIC, Version 6.3)*.
 - ▶ Standards Australia (2005) *Fire hydrant installations – Part 1: System design, installation and commissioning*, NSW, Australia.
 - ▶ NSW Government (2004) *Managing Urban Stormwater- Soils and Construction*.
- The contamination reporting complies with the EPA guideline *Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites* (2000), as well as:
 - ▶ The NSW EPA's *Contaminated Sites – Sampling Design Guidelines* (2012).
 - ▶ The *National Environment Protection (Assessment of Site Contamination) Measure (NEPM) 1999* (2013).
 - ▶ The NSW EPA *Sampling Design Guidelines and National Environmental Protection (Assessment of Site Contamination) Measure 1999*.

6.5 Community concerns

The proposed amendments to the project, in the main, address many of the concerns expressed by the community regarding the following impacts:

- **Noise.** Various noise exceedances were identified by Vipac Engineers and Scientists Ltd (Vipac), the results of which are contained in the original EIS and in the supplementary reports appended to this report. Since then the proponent has introduced the following in response:
 - ▶ Entered into a noise agreement with the owner/occupant of the “Dog House”, located to the east of the project site within the zoned industrial area.
 - ▶ The noise assessment by Vipac found that the operation of the crushing plant, forming a part of the original development application, would result in noise exceedances at a number of sensitive receivers around the site. The crushing plant is now proposed to be deleted from the project.
 - ▶ An acoustic wall is now proposed along the western side of the project site, facing the Whitehaven Coal residence (but shielded by existing stands of perimeter trees), in order to reduce noise to a compliant level.
 - ▶ The scale of the Project has now been reduced by 20%, to 200,000 tonnes per annum of non-toxic, non-putrescible waste (previously 250,000 tonnes per annum of waste). This proposed measure will result in less air and noise generation potential.
- **Heavy truck traffic** impacts on local roads. Notwithstanding the fact that the Streetwise traffic impact assessment found that the local and regional road system could accommodate the additional heavy truck traffic proposed, and notwithstanding that the Vipac noise assessment found acceptable traffic noise would result, the proponent has elected to reduce the scale of the project- and resultant heavy truck traffic- by just over 20%, a significant concession to community concerns. Heavy truck traffic may be reduced even further through the use of a proposed compactor, also proposed as a part of the Clause 55 amendment.
- **Perceived human health and environmental impacts** arising from certain types of wastes being accepted at the facility. The proposed development, as amended, contains the following new initiatives in this regard:
 - ▶ Waste that contains asbestos or that could potentially contain asbestos will not be accepted at the facility.

- ▶ Lithium batteries will not be accepted at the facility.
- ▶ The waste storage shed proposed to house asbestos or lithium batteries will no longer be required, and has been deleted from the project plans.
- ▶ Treated or untreated acid sulfate (ASS or PASS) soils will now not be accepted at the resource recovery facility.
- ▶ The proposed resource recovery facility will not accept hazardous, odorous or toxic waste.
- ▶ Most of the potential dust generating activities including unloading, sorting, partial storage and mechanical processing of waste, are proposed in an enclosed unloading and processing shed which will be fitted with dust suppression sprinklers thereby minimising dust and noise emissions.

6.6 Noise and vibration

The proposed development, incorporating the amendments as proposed, was assessed by Vipac. Vipac note that since the last noise assessment the crusher has been deleted and a shredder now proposed. Vipac also note that any exceedances measured at the Gunnedah Dog House (Receptor R12) given the presence of a private agreement between the operator of the proposed facility and the owner/operator of the Gunnedah Dog House residence.

With the following additional mitigation measures in place Vipac found that operational noise generated by the project, as amended, would comply with the daytime noise criteria:

- The installation of a 3.2m high acoustic barrier along the western boundary the site, facing the residence on the property owned by Whitehaven Coal.
- The installation of an acoustic roller door on the southern façade of the processing shed.
- Acoustic treatment to the processing shed external wall and ceiling construction to achieve specific acoustic performance ratings.
- Roller doors facing south to be closed during operation of the trommel or shredder.

Vipac also note in their Executive Summary the following:

“During construction, noise levels are predicted to exceed the criteria at the receptors. However, the predicted impact is likely to be minor considering the temporary nature of the construction activities and respite periods throughout the construction program. Potentially noise affected neighbours would need to be informed about the nature of the construction stages and the duration of noisier activities, along with progress updates.

Potential vibration levels from construction and machinery operations at the waste facility will be minimal and are likely to be less than 1 mm/s PPV (Peak Particle Velocity) for nearby receptors, which is well below all accepted criteria for structural damage and human comfort from ground borne vibration.

The projected increase in traffic noise levels associated with the additional 162 vehicle movements per day, (based on a worst case assumption of the majority of movements undertaken by heavy articulated vehicles) on the surrounding network shows that based on the proposed waste facility operation, future traffic noise levels are predicted to comply with the criteria without the need for further acoustic mitigation measures.”

The location of the sensitive noise receivers and modelled noise outcomes are reproduced in the following.

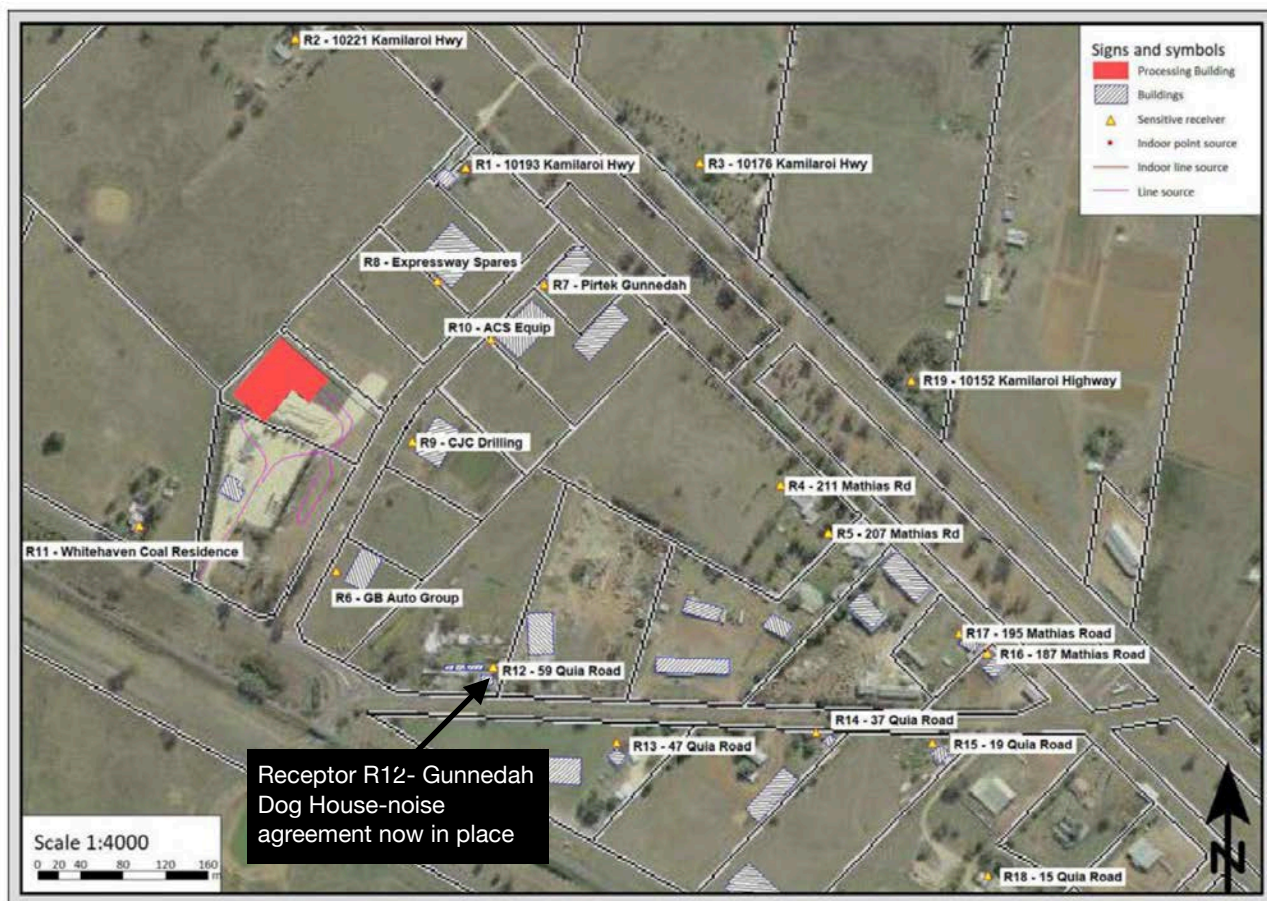


Figure 3-2 - Project Site and Nearest Receptors

Table 8-2 – Predicted Noise Levels with Acoustic Mitigation: Daytime (dB(A), $L_{Aeq,15min}$)

Rec #	Criteria $L_{Aeq,15min}$ dB(A)	Predicted Noise Levels $L_{Aeq,15min}$ dB(A)			
		Typical Operation Scenario 1 (Trommel)		Worst Case Scenario 2 (Shredder)	
		0m/s Wind (Neutral)	3m/s Wind (Temp inversion)	0m/s Wind (Neutral)	3m/s Wind (Temp inversion)
R1	41	32	34	32	34
R2	41	30	31	30	32
R3	41	30	33	31	34
R4	41	33	36	34	37
R5	41	32	36	33	37
R6	70	52	53	52	54
R7	70	41	43	42	44
R8	70	45	46	46	47
R9	70	55	57	56	57
R10	70	41	43	42	43
R11	41	39	41	40	41
R12	41	43	46	44	47
R13	41	33	37	34	37
R14	41	34	39	35	40
R15	41	32	36	33	37
R16	41	28	32	29	33
R17	41	31	36	32	37
R18	41	28	32	29	33
R19	41	29	33	30	34
R20	70	37	40	35	37

Receptor R12- Gunnedah Dog House-noise agreement now in place

6.7 Air quality

Vipac modelled the air quality impacts of the revised project, excluding the crusher but including the shredder. The Executive Summary of the Vipac assessment concluded, inter alia:

“As summarised in Table ES-1, the results of the modelling have shown that the cumulative TSP, PM10, PM2.5, RCS and dust deposition predictions comply with the relevant criteria and averaging periods at all sensitive receptors for both the construction and operation of the Project.

It is noted that maximum measured particulate concentrations and deposition have been adopted for this cumulative impact assessment and that the impacts from the Project emissions are predicted to be much lower than background.

Many of the potential dust generating activities including unloading, sorting, partial storage and mechanical processing of waste are proposed in an enclosed Unloading and Processing Shed which will be fitted with dust suppression sprinklers thereby minimising dust emissions to the surrounding air environment. Furthermore, the proposed transportation routes will all be sealed which would also significantly decrease any dust generated by vehicle movements. In both cases, a conservative approach to the emissions estimation has been adopted throughout such that actual Project emissions can be expected to be lower than those modelled.

A greenhouse gas assessment has also been undertaken for the Project. This assessment determines the carbon dioxide equivalent (CO₂-e) emissions from the Project according to international and Federal guidelines. The estimated maximum annual operational phase emissions (2,842 tonnes CO₂-e) represent approximately 0.0005% of Australia’s latest greenhouse inventory estimates of 532.5 MtCO₂-E (2019).

Annual greenhouse gas rates are expected to be below 25,000 t CO₂-e and therefore this Project will not trigger NGER reporting requirements.

It is therefore concluded that air quality should not be a constraint to proposed waste facility.”

Table ES-1 from the Vipac report is reproduced below:

Table ES-1: Summary of Results

Pollutant	Averaging Period	Criteria	Maximum Cumulative Prediction at Any Receptor		Compliant
			Construction	Operation	
TSP	Annual	90 µg/m ³	61.51 µg/m ³	61.73 µg/m ³	✓
PM10	24 Hour	50 µg/m ³	42.41 µg/m ³	48.89 µg/m ³	✓
	Annual	25 µg/m ³	24.95 µg/m ³	24.66 µg/m ³	✓
PM2.5	24 Hour	25 µg/m ³	19.95 µg/m ³	18.82 µg/m ³	✓
	Annual	8 µg/m ³	7.92 µg/m ³	7.76 µg/m ³	✓
Dust Deposition	Monthly Total	4 g/m ² /month	2.90 g/m ² /month	2.98 g/m ² /month	✓
	Monthly Increase	2 g/m ² /month	0.10 g/m ² /month	0.18 g/m ² /month	✓
RCS	Annual	3 µg/m ³	1.02 µg/m ³	0.86 µg/m ³	✓

Importantly, all materials handling activities will be carried out within an enclosed building, which represents a significant dust control factor.

6.8 Waste source and composition

There will be no substantive change to the types of wastes that are to be accepted and handled at the proposed facility. This is with the exception of acid sulfate soils, and lithium batteries and asbestos, which will no longer be accepted at the proposed facility. These latter categories of waste were intended to make up a small proportion only (about 10% or less) of the total intended waste stream.

The proposed introduction of a compactor within the processing shed should assist in reducing the volume of processed waste- and resultant truck numbers- being exported from the site. Compactors also have the following additional advantages:

- Easier consolidation of processed waste streams on site.
- Reduced costs of collection associated with disposal.
- Fewer trucks required to collect processed waste.
- Improved worker safety given that employees don't have to break down waste manually.
- Because compactors help sequester waste and its byproducts, compaction is a much more sanitary means of disposing of processed waste.
- Sealed compactors help reduce odours generated by waste.
- Sealed compactors also help prevent wind-blown waste from escaping the container. This means less litter, a generally cleaner recycling facility and less time needed for waste cleanup on site.
- Reduced fire hazard by containing potentially combustible materials.

6.9 Stormwater and leachate management

The stormwater and leachate management system remains largely unchanged, however, one of the sheds has been relocated on site, necessitating a change in a drainage pathway. The revised stormwater concept is shown in **Appendix D5**.

6.10 Traffic and parking

The traffic and parking impacts associated with the project, as amended, was considered by traffic consultants Streetwise in their report- refer **Appendix D5**.

Impact of waste truck traffic on local roads

Consulting traffic consultants Streetwise have assessed the traffic impacts of waste traffic on the local road system. As the scale of the proposed waste operation is to be reduced by 20%, to 200,000 tonnes per annum, there will be a commensurate 20% reduction in heavy truck traffic generated by the waste facility.

- At 250,000 tonnes per annum handling capacity daily heavy vehicle traffic would be a maximum of 52 trucks, assuming a 'worst case' scenario where there is haulage in one direction, with an empty heavy vehicle making a return trip.
- At 200,000 tonnes per annum handling capacity daily heavy vehicle traffic would be a maximum of 40 trucks, assuming a 'worst case' scenario where there is haulage in one direction, with an empty heavy vehicle making a return trip. If 50% of these trucks carried processed waste from the site daily truck traffic would be reduced to only 22 trucks per day.

Refer to Streetwise summary table below.

Annual (tonnes)	Empty one-way			Empty one-way			50% re-use		
	250,000			200,000			200,000		
	In	Out	Total	In	Out	Total	In	Out	Total
Semi trailer	8	8	16	6	6	12	4	4	8
Truck & dog	18	18	36	14	14	28	7	7	14
Total			52			40			22

FIGURE: Daily heavy truck volumes- original vs proposed modification

(Source: Streetwise July 2022)

Streetwise conclude:

“In summary, the proposed development will generate a relatively low volume of laden heavy vehicle movements (average of 5 per hour), and a low number of staff commuter movements. The majority of these movements will be undertaken outside of peak times within the local road network. The roads impacted by the majority of trips generated by the development are either high standard urban roads, or designated heavy vehicle routes. StreetWise consider the relatively low number of heavy vehicle and commuter trips to be generated by the development will not have significant impact on the efficiency or safety of the existing road network.” (p. 9 of Streetwise report)

Truck volumes are likely to be reduced even further with the proposed introduction of a compactor within the processing shed, which will reduce the volume of processed waste exported from the site.

Swept paths of truck traffic

Consulting engineers Martens & Associates (refer **Appendix D5**) have prepared swept path diagrams showing how trucks of all sizes, including B-doubles- can safely pass and manoeuvre while travelling around the site and enter and exit the processing shed to receive and dispatch waste materials.

In terms of managing waste truck traffic entering and exiting the site, it is noted that the weigh-bridges are located approximately 78m inside the site, and as a result there is a significant capacity within the site to queue heavy vehicles without spilling over into the public road network. [NOTE: A typical truck and dog configuration has a maximum length of 19m, and a B-double a length of up to 26m]

Car parking provision on site

Waste truck access from Torrens Road. Access available from Allgayer Drive for other vehicles. Parking provided in SE portion of the site. Consulting engineers Martens & Associates have prepared amended plans showing 27 parking spaces provided on the site, in accordance with AS2890.1.

6.11 Updated mitigation measures proposed, technical reports

An updated table of the proposed mitigation measures for the amended project are included in **Appendix C**. **Bold text** has been used to identify measures, or parts of measures, that were additional and/or modified from those provided in the EIS. Some other text has been added that was included in the original EIS.

The detailed technical reports, where required, and drawings supporting the proposed amendments are included in **Appendix D**.

■ 7. Justification of the project, as amended

7.1 Overview

This section provides a justification and evaluation of the amended project as a whole, having regard to the economic, environmental and social impacts of the amended project and the principles of ecologically sustainable development.

The proposed recycling and resource recovery facility, as amended, is justified in that it addresses the substantive concerns raised by objectors during and following the public exhibition process, and in particular:

- In response to the concerns about potential impacts on human health, acid sulfate soils, lithium batteries and asbestos will no longer be accepted at the proposed facility.
- The scale of the proposed facility has been reduced by 20%, to 200,00 tonnes per annum of waste materials, a significant reduction in the scale of operations from that originally proposed.
- In response to concerns raised by objectors to heavy truck traffic generated by the proposed facility, the reduced scale of waste operations now proposed means that there will be a commensurate 20% reduction in heavy truck traffic generated by the facility travelling on local and regional roads. To further reduce truck traffic volumes, the proponent is also introducing a compactor within the processing shed, to reduce the bulk of material trucked from the recycling operation.
- All unloading and processing activities associated with the proposed facility will now occur within fully enclosed sheds, with an additional acoustic barrier provided along the western boundary, thus reducing potential noise impacts on the adjoining residence owned by Whitehaven Coal.
- The crusher originally proposed has now been deleted from the project. This is in response to concerns by the community about noise generated by a crusher and impact on local amenity.
- The various categories of waste material will be shredded and/or compacted and/or baled, to improve ease of handling and to optimise transported loads of processed waste, further reducing volumes of heavy truck traffic required to service the proposed development.

7.2 Justification for the project, as amended

In addition to the justification cited in 7.1 above, the project can also be justified for a number of reasons, including:

Strategic Context

- The proposed recycling and resource recovery facility at Torrens Road will form a part of a much broader network of waste facilities across New South Wales. This waste facility, and many others like it in New South Wales, will have the ability to economically process waste from as far away as the greater Sydney region and beyond.
- At present, the greater Sydney region, in particular, is already facing pressure as non-putrescible waste streams continue to grow in line with construction activity and major infrastructure projects. While in the longer term these levels of waste may be proportionately reduced with better recycling methods, the pressures of continued population growth, urban development and infrastructure programs will continue to create large ongoing waste streams.

- With these pressures are set to continue, with limited opportunities for new recycling facilities being established in proximity to growing urban areas, other more distant sites are becoming increasingly attractive to accommodate these uses.
- This makes it economic for more distant recycling facilities in regional New South Wales, like Gunnedah, to be able to accommodate some of this demand through back-loading of heavy transport vehicles. Combined with the introduction of the Queensland waste levy, which acts as a disincentive to relying on interstate landfill and recycling facilities, there will be an increased need for recycling facilities being established in NSW. The proposed recycling and resource recovery facility is consistent with the NSW Government's direction in achieving waste reduction targets by the *NSW Waste and Sustainable Materials Strategy 2041 Stage 1 2021-2027*, in particular to enable recovery and recycling infrastructure to keep pace with demand. The latter strategy also identifies the need for new stand-alone facilities in regional areas, like Gunnedah, for the recycling of paper and cardboard.
- The project, as amended, will assist in achieving the waste reduction and recycling outcomes sought by the *National Waste Policy*, in particular in terms of managing waste as a resource and improving resource recovery, as well as protecting human health and the environment.

Statutory Planning

- The proposed recycling and resource recovery facility at Torrens Road complies with relevant planning objectives, controls and guidelines including but not limited to the following:
 - ▶ The use is permissible in the INI General Industrial zone pursuant to the provisions of *Gunnedah Local Environmental Plan 2012* and Division 23 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*. The project complies with the applicable aims, zone objectives and land use controls contained both environmental planning instruments. Given the above, there is a reasonable expectation that the site be developed for the industrial purposes now proposed per Robson J in *Omid Mohebat-Arani v Ku-ring-gai Council* [2017] NSWLEC 143.
 - ▶ The site is not contaminated, nor is the proposed development either potentially hazardous or a potentially offensive development under the provisions of clause 4.6 and Chapter 3 of *State Environmental Planning Policy (Resilience and Hazards) 2021*, respectively.
 - ▶ The site is not considered to be either Potential or Core Koala habitat for the purposes of Chapter 3 of *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.
 - ▶ The project incorporates appropriate environmentally sustainable development measures both during the construction and operational phases.
- The project, as amended, will comply with the provisions of Fire and Rescue NSW (FRNSW) *Fire safety in waste facilities* guideline as well as with the requirements of the *National Construction Code* (NCC/BCA) and Fire+Rescue NSW guideline *Access for fire brigade vehicles and firefighters*.
- The project, as amended, will comply with the provisions of the EPA's *Noise Policy for Industry*.

Suitability of the Site

The project site is well suited to accommodating the proposed recycling and resource recovery facility, and in particular:

- The project site is within an existing industrial area surrounded by other compatible developments and land uses. Moreover, with the mitigation measures proposed, it can be adequately buffered from sensitive receivers.
- The site is not subject to contamination, flooding, groundwater vulnerability, terrestrial biodiversity, heritage, scenic or geotechnical constraints.

- The site is readily accessible to major transport links, and in particular the Kamilaroi Highway.
- The site has sufficient area to allow external manoeuvring of vehicles and also the handling, storage and processing of waste materials within enclosed buildings.

Social, Economic

- The project would facilitate the recycling of a wide range of wastes with much of this material to be re-used elsewhere in New South Wales and Australia. It promotes recycling as an alternative to landfilling.
- The design of the proposed recycling and resource recovery facility will result in satisfactory operational and amenity outcomes.
- The Project will support future industrial development in the Gunnedah region, without significant adverse environmental impacts.
- The project has a Capital Investment Value of \$3.9 million and will employ up to 62 people during construction and up to 30 full-time operational staff. The economic impacts of the proposal will be positive.

For the reasons cited above, the project, as amended, has merit and should be approved, subject to the imposition of appropriate conditions of consent.

8. References

- EastWest Online (November 2021) *Mackellar Excavations Pty Ltd Detailed Contaminated Site Investigation Lot 1 DP 1226992 16 Torrens Road, Gunnedah, NSW.*
- Environment Protection Authority (NSW EPA) (2014), *NSW Waste Avoidance and Resource Recovery Strategy 2014-21*, NSW EPA, Goulburn Street, NSW.
- Environment Protection Authority (NSW EPA) (2014b), *Waste Classification Guidelines*, NSW EPA, Goulburn Street, NSW.
- Environment Protection Authority (NSW EPA) (2016), *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales*, NSW EPA, Goulburn Street, NSW.
- Environment Protection Authority (NSW EPA) (2017), *Noise Policy for industry*, NSW EPA, Goulburn Street, NSW.
- Environment Protection Authority (NSW EPA) (2019), *Standards for managing construction waste in NSW*, NSW EPA, Goulburn Street, NSW.
- Landcom (2004) *Managing Urban Stormwater: Soils and Construction Volume 1.*
- Martens & Associates Pty Ltd (May 2021) NSW EPA and DPIE *Request for Additional Information-Proposed Resource Recovery Facility (RRF), 16 Torrens Road Gunnedah*
- NSW Department of Planning (September 2008) *Major Project Assessment: Sunnyside Coal Project MP 06_0308* Director-General's Environmental Assessment Report.
- NSW DECCW (2011) *Road Noise Policy.*
- NSW DECCW (2009) *Interim Construction Noise Guideline.*
- NSW Planning & Environment (2017) *New England North West Regional Plan 2036.*
- NSW Fire + Rescue (2019) *Fire safety in waste facilities* guideline.
- Outline Planning Consultants Pty Ltd (December 2020) *Environmental Impact Statement Proposed Waste Facility Lots 1 & 2 DP 1226992 No. 16 Torrens Road & No. 17-21 Allgayer Drive, Gunnedah NSW.* On behalf of MacKellar Equipment Hire Pty Ltd.
- Vipac Engineers and Scientists (September 2021) *Gunnedah Waste Facility Environmental Noise Assessment.*
- Vipac Engineers and Scientists (September 2021) *Gunnedah Waste Facility Air Quality & Greenhouse Gas Assessment.*

■ Appendices



Appendix A

Updated project description

Development consent is sought for a waste management facility, including resource recovery and waste transfer facility (“waste facility”, “the Project”) handling up to 200,000 tonnes per annum of waste for separating and sorting, processing or treating, temporary storage, or transfer or sale of recovered resources as set out in the following:

- Excavated natural material and resource recovered material that meet the CT1 thresholds as per EPA guidelines: Excavated natural materials are not pre-classified waste types. Building and demolition projects are likely to include excavated natural materials which are typically generated during bulk earthworks and road and infrastructure repair. This would include Virgin Natural Excavated Material (VNEM) along with Excavated Natural Material (ENM) and topsoils including but not limited to sand, clay, naturally occurring rock, shale and sandstone. This may include larger rocks and stones that would be suitable for production of road base and other products after processing at the Torrens Road facility. The guideline’s CT1 thresholds identify the requirements for ‘general solid waste’ (GSW) and are commonly referred to in EPLs to aid in the definition of the waste type—a reasonable standard for defining the waste type. It is tentatively estimated that CT1 material would comprise up to about 50-55% of the intended waste stream ie. up to 110,000 tonnes per annum. [NOTE: Only soils and excavated natural material that meet the CT1 thresholds per the EPA’s guidelines will be accepted].
- Co-mingled and segregated Construction and Demolition (C&D) waste, tentatively estimated to comprise up to about 25-35% of the intended waste stream ie. 50,000-70,000 tonnes per annum. This type of waste includes but not limited to bricks, concrete, tiles, suitable slags and concrete batching waste, asphalt (including recycled asphalt profilings), rock/rail ballast spoils, and any other material meeting the definition of Construction and Demolition waste as defined in the EPA *Waste Classification Guidelines Part 1: Classifying Waste*.
- Commercial and Industrial (C&I) waste, tentatively estimated to comprise up to about 15-20% of the intended waste stream ie. 30,500-40,000 tonnes per annum. This type of waste includes but not limited to paper/cardboard, plastics, rubber, plasterboard, cement fibre board, ceramics, glass, styrene, and metal.
- Processed waste to be transported from the site for either the purpose of reuse or landfill disposal.

[NOTES: The mix of waste above is an estimate only, ultimately dependent on a range of factors including prevailing market conditions, access to the waste streams described above, prevailing government policies, and the like]. No other types of hazardous or special waste will be accepted at the site. No garden (green) waste, household waste or timber/wood waste, tyres, liquid waste, chemical waste or putrescible waste will be accepted by the facility. No acid sulfate soils or asbestos or lithium batteries are to be accepted at the facility.

The recycled materials able to be produced including but not limited to soils and mulched material suitable for landscaping or rehabilitation and civil construction applications, aggregates, road-base, drainage material, dry paper/cardboard and metals. The aim of the recycling process will be to produce end recycled products that meet EPA resource recovered orders while recovering a range of materials that may otherwise be disposed to landfill. All of the materials brought onto the site are taken from the site as products or as rejects for disposal at a licensed landfill. No materials are land-filled or otherwise disposed anywhere within the site. All other waste not referred to above will be directed to a licensed landfill. Material would be transported to the site by MacKellar Group (MEX) or contractors and the general public. The proposed waste facility can utilise other existing facilities already owned and used by MEX, including but not limited to diesel fuel tanks, heavy vehicles used to transport waste and recycled material to and from the site, office and staff amenities, parking, and stormwater detention, as well as screening plant and conveyors.

Table A1: Key project elements- amended DA

Project item	Amended development application
<i>Land description/project footprint</i>	<i>Lots 1 and 2 in Deposited Plan 1226992 at No.16 Torrens Road and No.17-21 Allgayer Drive, Gunnedah. Area approximately 2.77ha.</i>
<i>Layout of development on the site</i>	<i>Weigh-bridges, fully enclosed unloading shed and processing shed, covered stockpiles, acoustic walls, leachate collection, storage bays and landscaping. Existing office and workshop to be retained, with existing storage shed to be relocated to within the site.</i>
<i>Total floor space</i>	<i>4,000 sq. metres</i>
<i>Building height</i>	<i>Maximum of 10.5m</i>
<i>Excavation</i>	<i>Max. 0.5m (external access area) No excavation required for buildings.</i>
<i>Land use</i>	<i>Industrial (waste processing)</i>
<i>Wastes accepted</i>	<ul style="list-style-type: none"> • General solid waste: excavated material and recovered materials, construction and demolition waste, commercial and industrial waste. • Asbestos, lithium batteries and acid sulfate soils not accepted.
<i>Amount of waste per annum</i>	<i>Up to 200,000 tonnes per annum.</i>
<i>Hours of Operation</i>	<ul style="list-style-type: none"> • 7.00 am and 6.00 pm Monday to Saturday, excluding Sundays & public holidays. • Operation of heavy machinery only between 7.00am-5.00pm Monday to Friday. • Construction hours 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays.
<i>Plant and equipment</i>	<i>Front-end loaders/mobile excavators, trommel, conveyors and screens, office, amenities, workshop, stockpiles and storage area, compactor/ briquette machine and shredder.</i>
<i>Employment</i>	<i>Employment of 62 people during construction, and up to 18 on site staff + 12 truck drivers ie. up to 30 operational employees.</i>
<i>Access and parking</i>	<ul style="list-style-type: none"> • Waste truck access from Torrens Road. Access to be upgraded. • Access is also available from two access points off Allgayer Drive for other vehicles, including access for fire fighting vehicles. • The existing car park and truck parking areas would continue to be used for staff and visitor parking and heavy vehicle parking, respectively. Parking provided in SE portion of the site for 27 parking spaces, in accordance with AS2890.1.
<i>Landscaping</i>	<i>An already well-landscaped site, with perimeter tree plantings already well-established on western, northern and central portions of the site. Additional landscaping to be provided along the western and northern boundaries and Allgayer Drive frontage. Plantings along northern boundary already well established.</i>
<i>Capital value</i>	<i>The project has a capital value of \$3.9 million.</i>
<i>Truck traffic generated</i>	<i>Maximum of 101 laden truck & dog movements per week (worst case) - less using B-doubles.</i>

Appendix B

Updated statutory compliance table

Table B1: Compliance of amended DA with Section 4.15 of the EP&A Act (Summary)

Matters for Consideration s.4.15	Compliance
(a) The provisions of: Any environmental planning instrument	<ul style="list-style-type: none"> • The use is permissible in the INI General Industrial zone pursuant to the provisions of <i>Gunnedah Local Environmental Plan 2012</i> and Division 23 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>. • The site is free of contamination constraints and is not a potentially offensive of hazardous industry under the provisions of <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>. • The site is not considered to be either Potential or Core Koala habitat for the purposes of Chapter 3 of <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>.
Any proposed planning instrument	Complies. No relevant planning instruments apply.
Any development control plan	Generally complies with <i>Gunnedah Development Control Plan 2012</i> [NOTE: DCPs do not apply to State Significant Development]
Any planning agreement or draft planning agreement that has been entered into	No planning agreements have been entered into under s.7.4 of the EP&A Act. Not applicable.
The regulations	Complies. The EP&A Regulation 2000 still applies to this development. This amendment is sought pursuant to clause 55 of the EP&A Regulation 2000. For the purposes of section 4.39(d) of the Act and clause 82 of the EP&A Regulation 2000, the Planning Secretary is required to make any modification of this development application available on the NSW planning portal.
(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	<p>Complies.</p> <ul style="list-style-type: none"> • The proposed use is confined to land developed recently for the purposes of an industrial estate: Allgayer Drive. • The project has been sited and designed to minimise the impacts to the environment. • Mitigation and management measures have been proposed to encourage the protection of the environment.
(c) The suitability of the site for the development	<p>Complies.</p> <ul style="list-style-type: none"> • The project site forms part of land that has been specifically zoned and developed to accommodate industrial uses. It has no adverse impact on biodiversity values, or value to koalas. • The project site is located within an existing industrial area surrounded by other compatible developments and land uses. • Moreover, with the proposed mitigation measures in place, the proposed development will be sufficiently buffered from sensitive receivers to enable potentially adverse environmental impacts (ie air and noise) to be satisfactorily managed and/or mitigated.
(d) Any submissions made in accordance with this Act or the regulations	Submissions made in accordance with the Act or the EP&A Regulations have been received during the EIS exhibition process . In response to community concerns raised, certain features of the original development have been either amended or deleted.
(e) The public interest	Complies. The proposed development is in the public interest and is not predicted to cause significant environmental impacts or pose significant environmental risks. The proposed recycling and resource recovery facility would facilitate the orderly and economic use and development of land specifically zoned for industrial purposes, being compliant with relevant planning and environmental legislation and meeting many key environmental and operational requirements.

Appendix C

Updated mitigation measures table

[NOTE: New/amended mitigation measures are shown in ***bold italics***]

Table C1: Summary of Mitigation Measures: Construction Stage

Environmental Issue Construction Stage	Mitigation measures during construction
Pre-construction investigations, establishment	<ul style="list-style-type: none"> ▶ Existing condition and dilapidation survey of roads, light poles, and other government infrastructure. The Dilapidation Report will include a photographic survey of existing public roads, kerbs, footpaths, drainage structures, street trees and any other existing public infrastructure within the immediate area of the project site. ▶ Prior to start of construction on-site, licenses and approvals and worker training are required. Prior to commencing construction activities, all of the Head Contractor's employees shall attend a project induction workshop carried out by the Head Contractor. This shall be documented and all participants are to sign an attendance sheet. ▶ Notice shall be given to Gunnedah Council at least two (2) days prior to works commencing in accordance with Clause 104 of the EP&A Regulation 2000. ▶ Site development compound established and fenced off. Exclusion zones, including fenced exclusion zones, will be set up. Appropriate signage will be placed on areas at the entrance to the work zone, indicating the works area and restricted access to the site.
Waste management	<ul style="list-style-type: none"> ▶ Waste mitigation strategies during construction would include the requirement for construction waste generated on site will be removed by a licensed waste contractor and sorted for recycling off-site. ▶ Use of pre-fabricated materials reduces the potential for generation of on-site construction waste. ▶ Use of existing toilet facilities provided on site.
Hazards and risk, including fire	<ul style="list-style-type: none"> ▶ Existing hazards and risks associated with the operation of the existing depot are managed through the existing Mackellar Group management system which includes workplace health and safety management, and pollution incident response and emergency management eg. for fires, fuel spills and accidents. ▶ Mobile plant and vehicles will be fitted with fire extinguishers. ▶ Accesses to be managed to accommodate the turning path of all construction and any other heavy vehicles requiring access to the site eg. fire fighting vehicle. Use of existing lawful access points to the site, from Torrens Road and from Allgayer Drive. ▶ Covering of outdoor storage bays.
Compliance reporting	<p>A Compliance Monitoring and Reporting Program to be prepared in accordance with the required Compliance Reporting Post Approval Requirements (Department Planning & Environment 2018) must be submitted to the Department and the Certifier.</p>
Signage	<p>A sign is to be erected and maintained in a prominent position on the site in accordance with Clause 98A(2) of the Environmental Planning and Assessment Regulation 2000 indicating all of the following:</p> <ul style="list-style-type: none"> ▶ The name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours, ▶ The name and address and telephone number of the Principal Certifying Authority (PCA) for the work (if relevant). ▶ Stating that unauthorised entry to the construction site is prohibited.

Environmental Issue Construction Stage	Mitigation measures/risk treatment during construction cont.
Soil and water	<ul style="list-style-type: none"> ▶ Minimal site excavation proposed eg. weigh-bridge, services, building foundations, and leachate and stormwater management devices. Stockpiles of topsoil, sand, aggregate, soil or other material will not be located on any drainage line or easement, natural watercourse, footpath or roadway and will be protected with adequate sediment controls. ▶ Minor additional fill material to be applied to the site, to enable proper site drainage. All imported fill to be free of any contamination. Prior to the importation and/or placement of any fill material on the project site, a validation report and sampling location plan for such material must be provided to and approved by the PCA, confirming that it is free from contaminants and provides no risk to human health and the environment. ▶ Areas of fill to be regularly watered, for dust suppression. Reliance on existing town water supply and existing hose connection points on site, as well as water trucks (if required) for dust suppression. ▶ A sediment and erosion control plan to be prepared as part of any overall site environmental management plan dealing with the construction stage of the project. Sediment and erosion controls are to be effectively maintained at all times during construction and are not to be removed until works are completed. All such works are to accord with the requirements of the relevant guidelines, including Managing Urban Stormwater Soils and Construction, Volume 1 Landcom (the so-called 'Blue Book') and Gunnedah Council requirements, as set down in the Martens & Associates amended plans and drawings. ▶ The site environmental management plan will include an unexpected finds protocol to ensure that any contamination encountered during excavation can be appropriately managed. ▶ All excavated material will be tested for petroleum hydrocarbons at a laboratory, and if results exceed the applicable guideline limits, the material will be disposed of at a licensed landfill facility. ▶ Use of sediment controls/traps/fences on site, and diverting clean runoff around the site. Sediment will be removed immediately following rainfall events when the operating capacity of the devices is impaired. ▶ The proposed fill area will be bunded so that any fuel spilled during plant refuelling will be captured and will drain to an interceptor trap. A diesel spill kit will be stored within the workshop and/or main storage shed. ▶ On-site erosion and sediment controls will be regularly monitored for their effectiveness. Sediment and erosion control must remain in place throughout the entire construction process. ▶ Refuelling activities will be undertaken in the existing refuelling area, removed from site works. ▶ Cleaning of drainage system before and during works. ▶ Truck shaker grids will be installed at the entry gates to ensure that there is minimal tracking of dirt onto the local road system roads. Any tracked dirt will be cleaned daily. ▶ Any complaint related to the water quality or erosion and sediment control measures is to be investigated and reported, with remedial action taken.
Emergency and evacuation management	<p>An emergency and evacuation plan will be prepared as a part of the site EMP. To include notification of neighbours in the event of a potential emergency.</p>

Environmental Issue Construction Stage	Mitigation measures/risk treatment during construction cont.
Air quality	<ul style="list-style-type: none"> ▶ Mains town water to be used, as well as water trucks (if required), for dust suppression. ▶ Most of the site is already hardstand. ▶ Construction hours to be strictly controlled ie. 7.00am to 5.00pm Monday to Saturday, with no work on Sundays or public holidays. ▶ Construction activities to be undertaken such that dust emissions from exposed soil areas comply with the requirements of the 'Blue Book' eg. use of wet suppression techniques on all potential dust sources, where practicable, where additional fill is required. ▶ Contractors and staff to be trained to implement dust minimisation measures. ▶ Site speed limit of 20km/hour to be imposed. ▶ Covering of all truck loads. ▶ Public roads used by these trucks are to be kept clean. ▶ Any dust complaints to be recorded, identifying cause(s) and remedial measures put into place in a timely manner.
Traffic and transport	<p>A traffic management plan to be prepared as part of any overall site environmental management plan, aimed at ensuring the safety of employees, contractors, and the general public.</p> <ul style="list-style-type: none"> ▶ The Torrens Road and Allgayer Drive roadway is to be kept free of obstruction by work materials and/or plant. All trucks and associated plant are to be kept wholly within the project site, with no queuing allowed on public roads. ▶ Internal roads, driveways and parking associated with the development are to be constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002) ▶ All trucks entering or leaving the site with loads to have their loads covered to avoid tracking of dirt onto public roads. ▶ Adequate swept paths provided for all heavy trucks on site, to be kept clear of obstacles. ▶ All loading and unloading of construction machinery, excavation and building materials is to be confined to within the site boundaries, in compliance with relevant WorkCover and other regulations. ▶ Cleaning of drainage system before and during works. Council's road systems will be maintained during the construction works period. Any damage to Gunnedah Council's infrastructure within the road reserve by construction operations will be repaired and/or reinstated.
Noise and vibration	<ul style="list-style-type: none"> ▶ Operational hours to be strictly controlled ie. 7.00am to 5.00pm Monday to Saturday. No work to be carried out on Sundays or public holidays. ▶ Potentially noise affected neighbours will be informed about the construction stages and duration of noisier activities, along with progress updates. Particularly noisy activities to be conducted for short durations, that is, allowing for intra-day respite periods, where practical. ▶ Noise monitoring by site management. ▶ Acoustic treatment to the processing shed external wall and ceiling construction to achieve specific acoustic performance ratings, as well as acoustic barriers along western and northern boundaries. Installation of an acoustic roller door on the southern façade of the processing shed ▶ Noise complaints to be registered, investigated and responded to in a timely manner.

Environmental Issue Construction Stage	Mitigation measures/risk treatment during construction cont.
Community	<ul style="list-style-type: none"> ▶ The proponent to establish a community consultation committee, comprising members of the community and the applicant, that will meet once every 3 months. Discussion at the meetings must include implementation of the development consent and other statutory approvals, and provide adequate time for the community to raise matters of concern associated with the ongoing management, monitoring and effectiveness of mitigation measures associated with the approved development. ▶ At least 48 hours before the commencement of construction and for the life of the development, the Applicant must: <ul style="list-style-type: none"> • (a) make the following information and documents (as they are obtained or approved) publicly available on its website: <ul style="list-style-type: none"> • (i) the documents referred to in condition A2 of this consent and the final layout plans for the development; • (ii) all current statutory approvals for the development; • (iii) all approved strategies, plans and programs required under the conditions of this consent; • (iv) regular reporting on the environmental performance of the development in accordance with the reporting requirements in any plans or programs approved under the conditions of this consent; • (v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs; • (vi) a summary of the current stage and progress of the development; • (vii) contact details to enquire about the development or to make a complaint; • (viii) a complaints register, updated monthly; • (ix) the Compliance Reporting of the development; • (x) audit reports prepared as part of any independent audit of the development and the Applicant's response to the recommendations in any audit report; • (xi) Minutes of meetings and follow up actions arising from each community consultation committee meeting; • (xii) any other matter required by the Planning Secretary; and • (b) keep such information up to date, to the satisfaction of the Planning Secretary."
Biodiversity, landscaping	<ul style="list-style-type: none"> ▶ <i>Limited impacts. No clearing of koala habitat. Clearing of trees is proposed on Lot 2, with northern plantings retained. Limited tree clearing on Lot 1 to make way for truck movement pathways to Lot 2.</i> ▶ <i>Communication with building contractors and basic tree protection measures to reduce potential for incidental/accidental damage to the trunk, canopy and shallow roots of all retained trees throughout the construction process.</i> ▶ <i>Canopy pruning should be undertaken by an AQF Level 2 (minimum) Arborist in accordance with AS4373-2007-Pruning of Amenity Trees, Section 7.2.4 (Selective Pruning).</i> ▶ Landscaping earmarked for retention to be regularly maintained, including established landscaping along the northern boundary of the site.

Environmental Issue Construction Stage	Mitigation measures/risk treatment during construction cont.
Visual	<ul style="list-style-type: none"> ▶ Extensive site works involved over Lot 2, and to a lesser extent Lot 1, with minimal clearing of trees proposed. Extensive trees stands are already well established on the site. ▶ The site will have the appearance of a work site during construction phase. ▶ Maintenance of established boundary plantings existing on northern boundary.
Traffic and transport	<p>A traffic management plan to be prepared as part of any overall site environmental management plan, aimed at ensuring the safety of employees, contractors, and the general public.</p> <ul style="list-style-type: none"> ▶ The Torrens Road and Allgayer Drive roadway is to be kept free of obstruction by work materials and/or plant. All trucks and associated plant are to be kept wholly within the project site, with no queuing allowed on public roads. ▶ Internal roads, driveways and parking associated with the development are to be constructed and maintained in accordance with the latest version of AS 2890.1:2004 Parking facilities Off-street car parking (Standards Australia, 2004) and AS 2890.2:2002 Parking facilities Off-street commercial vehicle facilities (Standards Australia, 2002) ▶ All trucks entering or leaving the site with loads to have their loads covered to avoid tracking of dirt onto public roads. ▶ Adequate swept paths provided for all heavy trucks on site, to be kept clear of obstacles. ▶ All loading and unloading of excavation and construction machinery, excavation and building materials is to be confined to within the site boundaries. All loading and unloading operations are to comply with relevant WorkCover and other statutory regulations. ▶ Cleaning of drainage system before and during works. Council's road systems will be maintained during the construction works period. Any damage to Gunnedah Council's infrastructure within the road reserve by construction operations will be repaired and/or reinstated.
Heritage	<p>Minimal excavation works proposed. Minimal potential for disturbing any archaeological site. If any Aboriginal objects are identified during construction or operation of the facility, the operator would cease work in the immediate area of the find and fence off the area. The find would be reported to Heritage NSW and management measures would be implemented based on the significance of the item. An unexpected finds protocol will be developed and included in the site management plan.</p>
External lighting	<p>In order to minimise the impact of external lighting arising from construction-related activities on local amenity, all external lighting is to be in compliance with AS4282:1997 Control of the obtrusive effects of outdoor lighting.</p>

Table C2: Summary of Mitigation Measures: Operation of Facility

Environmental Issue Operation of Facility	Mitigation measures during operation of facility
Waste management	<ul style="list-style-type: none"> ▶ A Waste Management Plan (WMP) will be incorporated into the overall site environmental management plan (EMP), which will include procedures relating to identification of waste streams accepted at the facility, screening of incoming loads, weighing of incoming and outgoing vehicles, procedures for dealing with unexpected finds and rejected loads. ▶ The vehicle details of all incoming vehicles are to be recorded, including registration number, type of material and quantity of material. ▶ Each load presented at the facility is to be inspected at the weigh-bridge and accepted/rejected. Material that does not meet the sign posted acceptance criteria to be rejected. The driver will be advised of the closest suitable facility. Rejected loads will be recorded and a rejected loads register will be maintained. ▶ Visual inspections are to occur at the tip and spread unloading shed. ▶ Processing of waste to occur in the enclosed processing shed, to minimise dust and noise and reduce the potential for wastewater runoff. ▶ Any other load containing other unwanted waste including hazardous or restricted waste, any load carrying asbestos or lithium batteries or acid sulfate soils (ASS and PASS), will be rejected and diverted to the appropriate waste facility. ▶ All waste is to be sorted, treated and recycled with unwanted waste disposed of to a licensed landfill. ▶ CT1 soil will be blended in the processing shed, with final mixing in stockpile/storage bay. This waste type has a very low hazard or fire risk. ▶ The unloading, sorting and recycling of waste will occur within covered sheds to minimise dust and noise and reduce the potential for wastewater runoff. ▶ Compactor/briquette machine to be added, to process any of the waste materials accepted at the facility. In compacting waste the volumes of materials exported from the site can be reduced. ▶ Covering of loads to minimise the potential for waste spreading to surrounding locations during transport. Unloading of vehicles and processing will occur in covered sheds, minimising the spread of waste. ▶ Tyres to be separately processed and shredded in the enclosed processing shed. ▶ Regular litter removal on the site. ▶ Waste to be stockpiled in accordance with the listed waste types set out in the EPA's Standards for Managing Construction Waste in NSW and stored in separate storage areas. ▶ Limit of 200,000 tonnes per annum of waste to be handled at the facility.
Visual, landscaping, lighting	<p>Further boundary plantings proposed:</p> <ul style="list-style-type: none"> ▶ Along the Allgayer Drive street frontage. ▶ Along the western boundary of Lot 2. ▶ A 6m wide landscaped area to be established on the northern boundary of Lot 2.[NOTE: Planted in May 2021, already well-established] ▶ The visual appearance of the site entrance on Torrens Road, as well as Allgayer Drive, will be landscaped and kept tidy. ▶ Lighting design for the Site will be such that the criteria prescribed in Table 2.1 of Australian Standard - AS 4282-1997, "Control of Obtrusive Effects of Outdoor Lighting" for commercial areas will be achieved at the site boundary.

**Hazards and risk,
including fire**

- ▶ Existing hazards and risks on site are managed through the existing Mackellar Group management system which includes workplace health and safety management, and pollution incident response and emergency management. To be incorporated into an overall site environmental management plan (EMP).
- ▶ Construction will be undertaken in accordance with the Work Health and Safety (WHS) Act 2011.
- ▶ Waste to be managed in accordance with Fire and Rescue NSW Fire safety in waste facilities guideline. [NOTE: The facility is not expected to be handling any significant volume of combustible waste- refer Section 3.1 of EIS for details].
- ▶ Mobile plant and vehicles will be fitted with fire extinguishers.
- ▶ Emergency Response Plan to be prepared as part of proposed management plan for the waste facility, to include fire response procedure in accordance with Appendix A, Fire and Smoke Emergencies, of the AS 3745: 2010 standard. Safe operational access and egress for emergency service personnel and workers will be provided at all times.
- ▶ Fire hose reels and portable fire extinguishers to be located throughout the site. An additional two (2) fire hydrant connection points are to be located on the Allgayer Drive street frontage, able to service the sheds and waste storage bays.
- ▶ A fire detection and alarm system is installed to Australian Standard AS 1670.1.
- ▶ Fire brigade vehicle access is capable of being provided between external storage bins/bays/stockpiles.
- ▶ The external areas of the site should be level, clear of all rubbish and combustible materials, and enclosed by fences or walls constructed of non-combustible construction.
- ▶ Site security measures to include fencing of site and securing of the site at the end of each day.
- ▶ Each internal stockpile is well below the minimum of 1,000 m² specified in the 'acceptable solutions' set down in Appendix A of the Fire and Rescue NSW Fire safety in waste facilities guideline. Internal stockpiles will maintain a minimum of 6m unobstructed access on each accessible side.
- ▶ Individual storage bays that contain the different waste product (as identified above) shall be separated.
- ▶ Retention of contaminated water run-off from any fire event.
- ▶ Emergency lighting and exit signs throughout the sheds in accordance with the relevant provisions of BCA Part E4 and AS 2293.1-2005.
- ▶ Automatic smoke exhaust system to be provided.
- ▶ An operations plan is to be documented and implemented for stockpile management.
- ▶ Auditable procedures to be in place to handle and dispose of hazardous waste materials that have been received on site.
- ▶ Regular cleaning of litter on site.
- ▶ Plant and equipment to be well maintained, to reduce the risk of sparks.
- ▶ Fire fighting equipment to be well maintained.
- ▶ An Incident Response Plan (IRP) will be developed for operation of the Site. The plan will specify the procedure to be followed in the event of a spill, including the notification requirements and use of absorbent material to contain the spill. A spill kit will be provided onsite at all times.

Environmental Issue in SEARS cont.	Mitigation measures during operation of waste facility cont.
Air quality	<ul style="list-style-type: none"> ▶ Contractors staff to be trained to implement dust minimisation measures. ▶ Site speed limit of 20km/hour to be imposed. ▶ Covering of all truck loads, with public roads used by these trucks to be kept clean. ▶ Any dust complaints to be recorded, identifying cause(s) and remedial measures put into place in a timely manner. ▶ Surfaces within unloading, processing and stockpiles to be either concrete or asphalt surfaces. ▶ Waste storage and processing areas are to be regularly cleaned, watered and any residual waste removed. ▶ Wheel-wash to be used for outgoing haulage vehicles. ▶ Water sprays to be used in unloading and processing areas, or any other area with the potential to create dust. ▶ Stockpile heights to be restricted - refer EIS Section 3 for details. ▶ Stockpiles to be regularly wetted down to minimise the potential for wind erosion and dust impacts. ▶ Air quality levels are predicted to be below applicable amenity criteria at nearest sensitive receptors. ▶ Possible odour sources are to be monitored and control activities implemented as required.
Noise and vibration	<ul style="list-style-type: none"> ▶ Operational hours to be strictly controlled ie. 7.00am to 6.00pm Monday to Saturday. No work to be carried out on Sundays or public holidays. ▶ Trommel and Shredder are to operate at separate times, in order to reduce noise to an acceptable level. ▶ Acoustic barriers to be in place prior to operation ie. 4.5m barrier running along the northern boundary, forming part of the open storage bay walls, and a 3.2m high acoustic barrier along the western boundary. ▶ The noise generated by the waste facility similar to that generated by other industrial uses. ▶ Acoustic treatment to the processing shed external wall and ceiling construction to be in place prior to operation, in order to achieve specific acoustic performance ratings. ▶ Roller doors facing south to be closed during operation of the Trommel and Shredder. ▶ Noise generating plant and equipment to be shielded by sheds. ▶ Plant and equipment will be regularly maintained and serviced, to minimise the potential for excessive noise impacts. ▶ Plant and equipment to be switched off when not in use. ▶ A register of (noise) complaints shall be maintained. If noise complaints occur, they will be registered, investigated and responded to in a timely manner to ensure issues are not repeated.
Visual, landscaping, lighting	<p>Further boundary plantings proposed to be in place and maintained:</p> <ul style="list-style-type: none"> ▶ Along the Allgayer Drive street frontage. ▶ Along the western boundary of Lot 2. ▶ A 6m wide landscaped area to be established on the northern boundary of Lot 2. [NOTE: Planted in May 2021 and already well-established] ▶ The visual appearance of the site entrance on Torrens Road, as well as Allgayer Drive, will be landscaped and kept tidy. ▶ Lighting design for the Site will be such that the criteria prescribed in Table 2.1 of Australian Standard - AS 4282-1997, "Control of Obtrusive Effects of Outdoor Lighting" for commercial areas will be achieved at the site boundary.

Environmental Issue in SEARS cont.	Mitigation measures during operation of waste facility cont.
Soil and water	<ul style="list-style-type: none"> ▶ Surface water controls are to be used to prevent the uncontrolled release of waters from the project site. All waste transfer and sorting will occur in sheds. ▶ Waste water will be managed in the facility by ensuring that the wastewater management system is monitored and maintained. ▶ The leachate management system will be designed to maintain separation between rainfall run-off and leachate at all times. The design provides for collection of leachate in a stand-alone leachate storage facility All excess leachate from the Site will be disposed of in accordance with legislative requirements, through either a trade waste agreement or pumped out and disposed of at an appropriately licensed facility. ▶ No water will be used in the transfer or sorting of waste except for dust control or unexpected finds asbestos dust control. ▶ Bunding to be employed. (Existing diesel tanks are self-bunded.) ▶ On-site detention (OSD) to be employed in the north-east corner of the project site ▶ Use of surface water management, as well as sediment and erosion controls. ▶ Discharges of polluted water offsite are not predicted. ▶ Self-bunded wheel-wash to be used on site. ▶ Any spills are to be contained on site.
Traffic and transport	<ul style="list-style-type: none"> ▶ Traffic management plan to be prepared, aimed at ensuring the safety of employees, contractors, and the general public in and around the project site. A Construction Traffic Management Plan (CTMP) will be developed for the construction phase of the Project. The CTMP will form a sub-plan to the overall site environmental management plan and will prescribe locations for private worker vehicle parking during construction works, access routes to the Site and notification requirements during construction of the Project infrastructure. ▶ In the interests of traffic and pedestrian safety, a low (20km/hour) speed limit to be applied to waste haulage vehicles on site. ▶ Control, monitoring, management and recording of all incoming and outgoing waste. ▶ Vehicle inspection and clearance is undertaken at the weigh bridge complex on all waste transport vehicles entering the project site. ▶ Traffic movements into and out of the site are to be in a forward direction. ▶ All unloading and processing activities associated with the facility to occur within fully enclosed sheds. No vehicle queuing on local roads. ▶ All waste vehicle movements within the project site will be restricted to designated routes marked out by appropriate signage on site. ▶ Staff and visitor parking to be located in the southern section of the project site, on Lot 1, in the vicinity of the existing staff car park. ▶ Appropriate directional signage will be provided at the site entrances to direct vehicles and pedestrians safely around the site. ▶ Signs will be erected at the facility regarding drivers' legal obligation to ensure that waste is covered during transport. ▶ Vehicles dispatching products or residue will be covered prior to leaving the site.
Biodiversity	<p>Limited impacts. No impacts on koala habitat. The waste facility will not affect any groundwater dependent ecosystems. Extensive trees stands are already well established on the site. Minimal clearing, with extensive remedial landscaped plantings proposed.</p>

Environmental Issue in SEARS cont.	Mitigation measures during operation of waste facility cont.
Heritage	<i>The procedure for the management of unexpected archaeological finds will be documented within the site environmental management plan. For example, if any Aboriginal objects are identified during construction or operation of the facility, the operator would cease work in the immediate area of the find and fence off the area. The find would be reported to Heritage NSW and management measures would be implemented based on the significance of the item. An unexpected finds protocol will be developed and included in the site management plan. In the event that suspected human skeletal remains are discovered, all works will cease and the NSW Police and the NSW Coroner's office will be contacted. If the burial is identified as being of Aboriginal origin a heritage professional and Heritage NSW will be contacted to determine the subsequent course of action.</i>
Emergency and evacuation management	<i>An emergency and evacuation plan will be prepared as a part of the site EMP. To include notification of neighbours in the event of a potential emergency.</i>

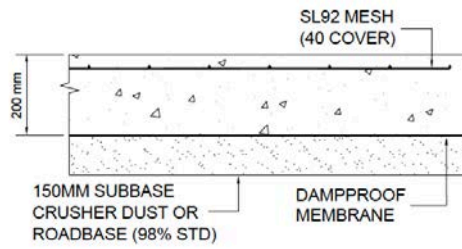
Appendix D

Supporting information

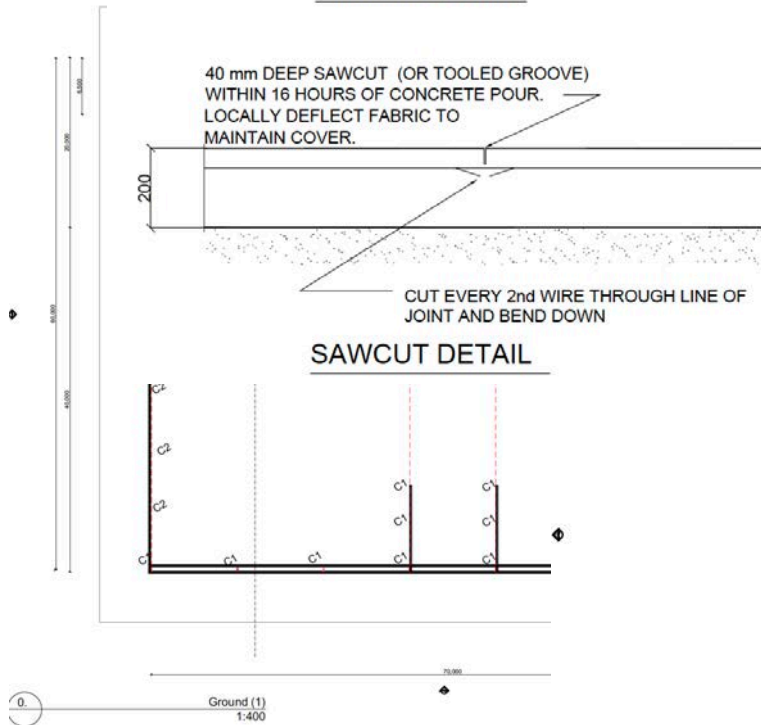
Appendix D1:

Preliminary Footing and Slab Design for Sheds

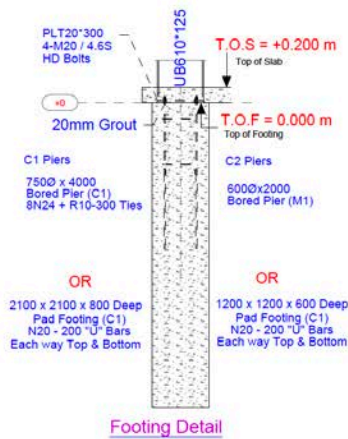
(Subject to detailed engineering design at the cc stage)



SLAB SECTION



NOT FOR CONST



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PROJECT DETAILS

CLIENT: MEX

PROJECT NAME: MEX SHED

BUILDING DISCRIPTION: WORKSHOP

DEVELOPMENT DETAILS

ADDRESS: #Site Full Address

LOT OP: N/A

LOT SIZE: ---m2 N/A

LOCAL AUTHORITY: #Project Custom

WIND REGION: N/A

TERRAIN CAT: N/A

IMPORTANCE: TBC

BUILDING CLASS: TBC

BUILDING TYPE: TBC

CONSULTANTS

STRUCTURAL: #Structural Engineer

CIVIL: #Civil Engineer

HYDRAULIC: #Hydraulic Engineer

MECHANICAL: #Mechanical Engineer

ELECTRICAL: #Services Consultant

LANDSCAPE: #Landscape Consultant

ACOUSTIC: #Acoustic Consultant

FIRE: #Safety Engineer

PRELIMINARY 8/02/2021

REV. DISCRIPTION DATE

FOOTING PLAN

DWG NUMBER REVISION

MEX - 000A1

SHEET SCALE SIZE

1 1:400 297 x 420 ISO A3

DRAWN BY: GO

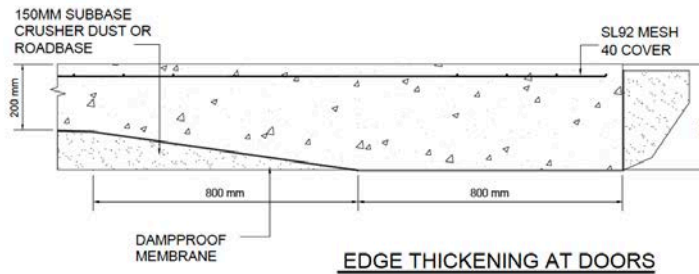
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PRINT DATE

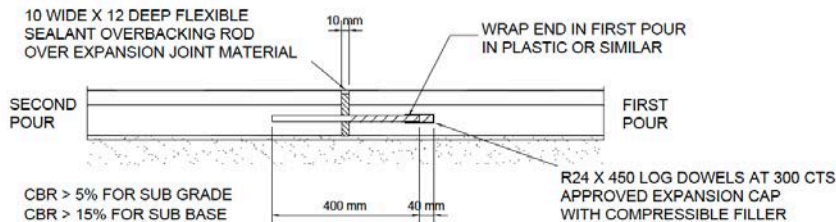
29/07/2021

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A | 87 Seaton St Armidale NSW 2350

PROJECT DETAILS

CLIENT: MEX

PROJECT NAME: MEX SHED

BUILDING DISCRIPTION: WORKSHOP

DEVELOPMENT DETAILS

ADDRESS: #Site Full Address

LOT/DP: #--- N/A

LOT SIZE: #---m2 N/A

LOCAL AUTHORITY: #Project Custom N/A

WIND REGION: N/A

TERRAIN CAT: N/A

IMPORTANCE: TBC

BUILDING CLASS: TBC

BUILDING TYPE: TBC

CONSULTANTS

STRUCTURAL: #Structural Engineer
CIVIL: #Civil Engineer
HYDRAULIC: #Hydraulic Engineer
MECHANICAL: #Mechanical Engineer
ELECTRICAL: #Services Consultant
LANDSCAPE: #Landscape Consultant
ACOUSTIC: #Acoustic Consultant
FIRE: #Safety Engineer

PRELIMINARY 8/02/2021

REV. DISCRIPTION DATE

SHEET TITLE

SLAB SECTIONS

DWG NUMBER REVISION

MEX - 000A4

SHEET SCALE SIZE

4 1:250 297 x 420

DRAWN BY: GO NORTH

CHECKED BY:

PRINT DATE

29/07/2021

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Appendix D2:

Typical shredder and compactor/briququette machines

BRICKMAN 900K



CONVENIENT AND EFFICIENT

Brickman offers time-saving and comfortable waste handling. The press can be fed while running, there is no lid or door to open when loading the material and the ready briquettes require no binding. Furthermore, optional photocells can automatize the start function. The material infeed and briquette outfeed are easy to integrate in system solutions.

GREAT LOGISTICS

Thanks to Brickman's compact dimensions and low sound emission, it can be placed indoors close to the waste disposal station.

BRICKMAN 900K IS OPTIMIZED FOR:

CARDBOARD

+ Corrugated cardboard

CAPACITY

up to 750 kg/h

PLASTIC

+ PET bottles

CAPACITY

up to 600 kg/h

DESIGNED FOR HEAVY DUTY

Thanks to the following features, the robust briquette press Brickman 900K is especially designed for compaction of large volumes of cardboard and empty PET bottles:

- + Extension on press cylinder
- + Automatic greasing of the press plate
- + Reinforced material in press chamber, press plate, cutting blades, guide piston and press loop

OPTIONAL ACCESSORIES

Brickman 900K can be ordered with a number of accessories; different chute options, start systems, sound absorption plates as well as heating and cooling devices.

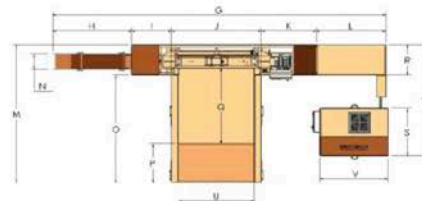
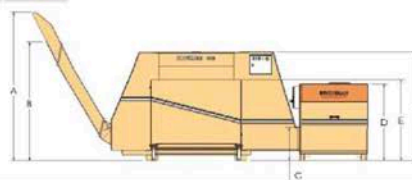
DIMENSIONS & SPECIFICATIONS

DIMENSIONS (MM)

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R
2470	2010	585	1350	1420	1870	5710	1355	685	1545	945	1180	2430	265	1900	690	1350	535

DIMENSIONS (MM)

S	T	U	V
840	1960	1300	1155



TECHNICAL SPECIFICATIONS

MACHINE WEIGHT	PRESS FORCE	PRESSURE	HOPPER	BRIQUETTE SIZE	DENSITY*	NOISE LEVEL	OPERATING POWER
3700 kg	25 ton, 250 kN	Up to 62 kg/cm ²	2 m ²	200x200x100-300 mm	Up to 400 kg/m ³	68 db (A)	400 V, 3-phase, 50 Hz** Fuse: 25 A (slow) Engine: 7.5 kW Voltage: 24 V Protec. class: IP 55

We reserve the right to make changes to specifications without prior notice. * Density varies with type of material. ** Other voltages are available

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S-576 33 Sävsjö
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info@orwak.com, www.orwak.com



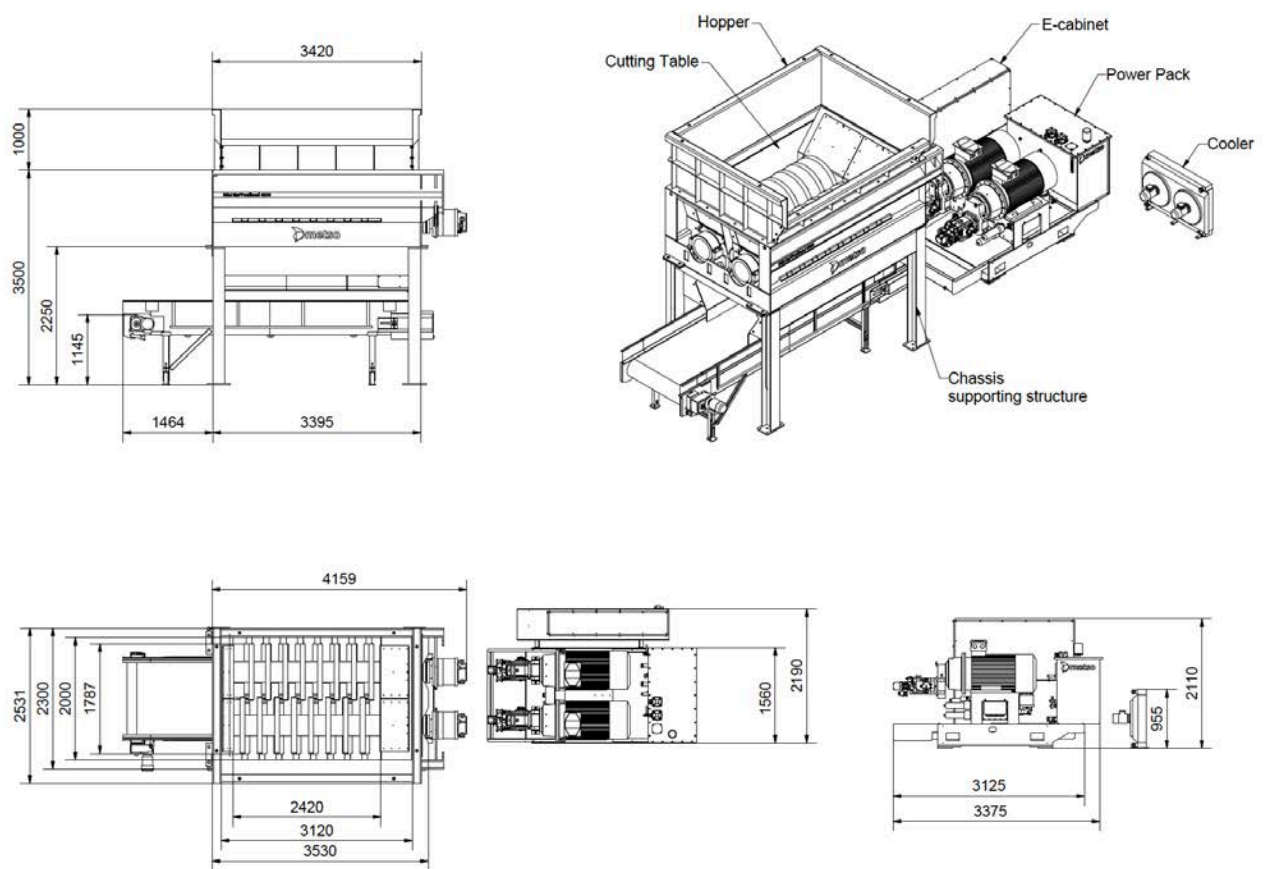
Compactor



Outline Planning Consultants Pty Ltd
Town Planning Consultants

Amendment Report

M&J Eta®PreShred 4000 Stationary

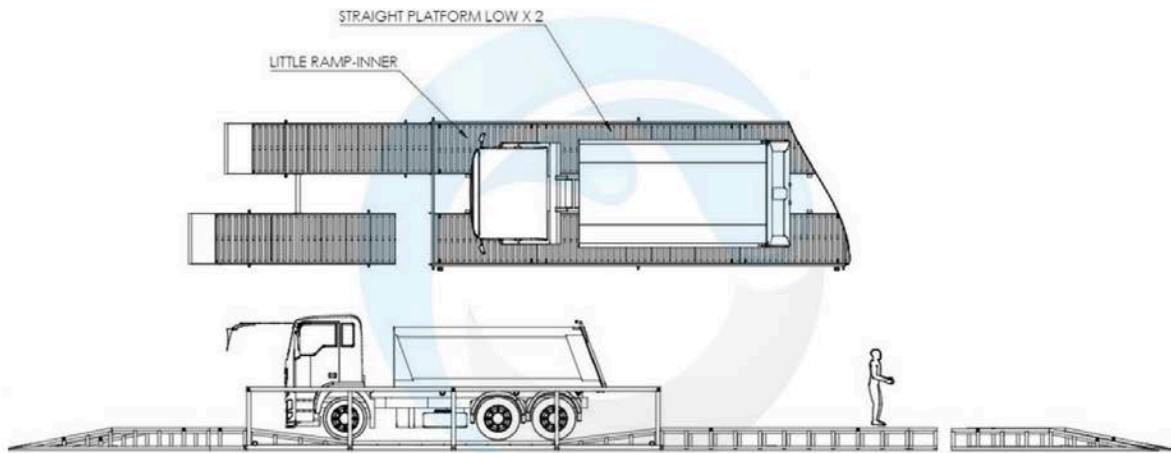


Shredder

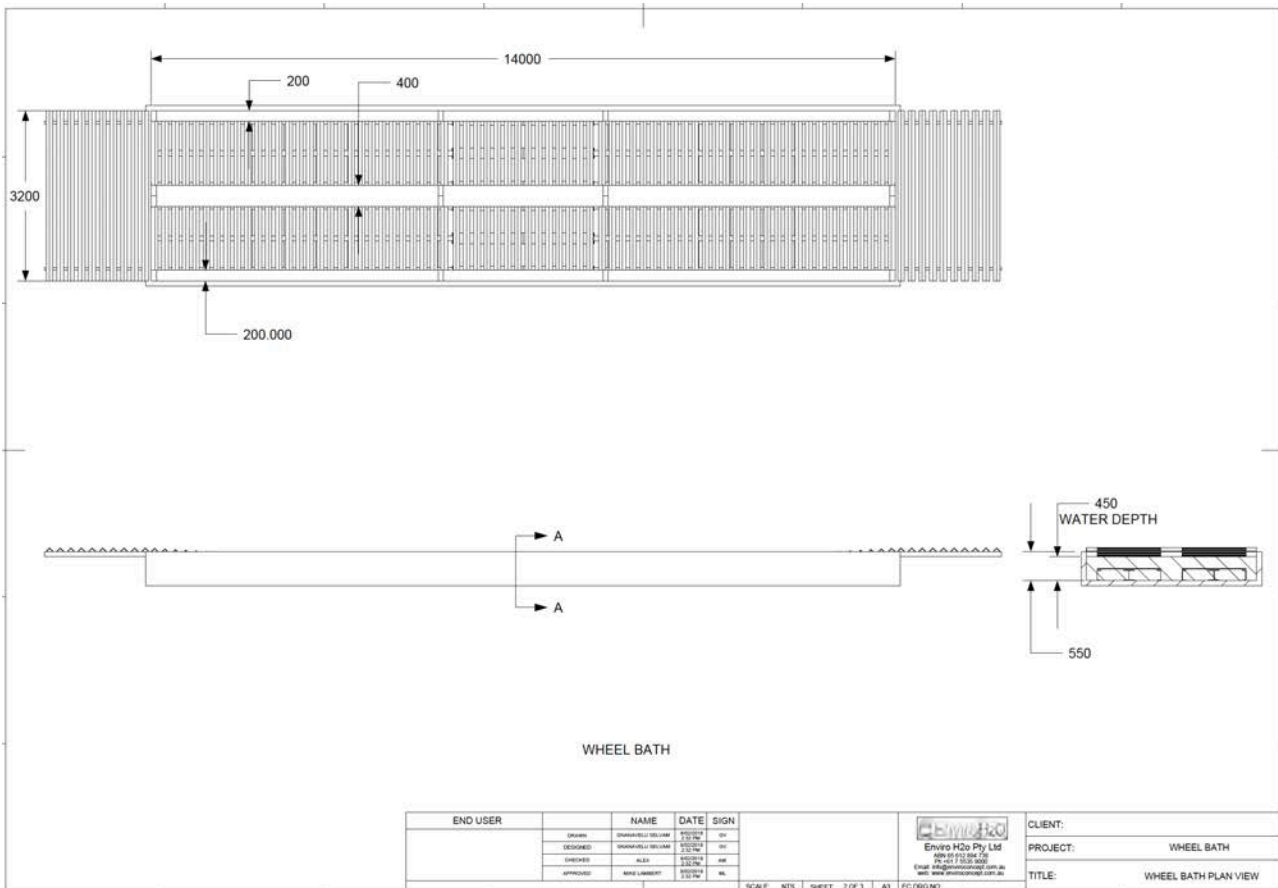
Appendix D3:

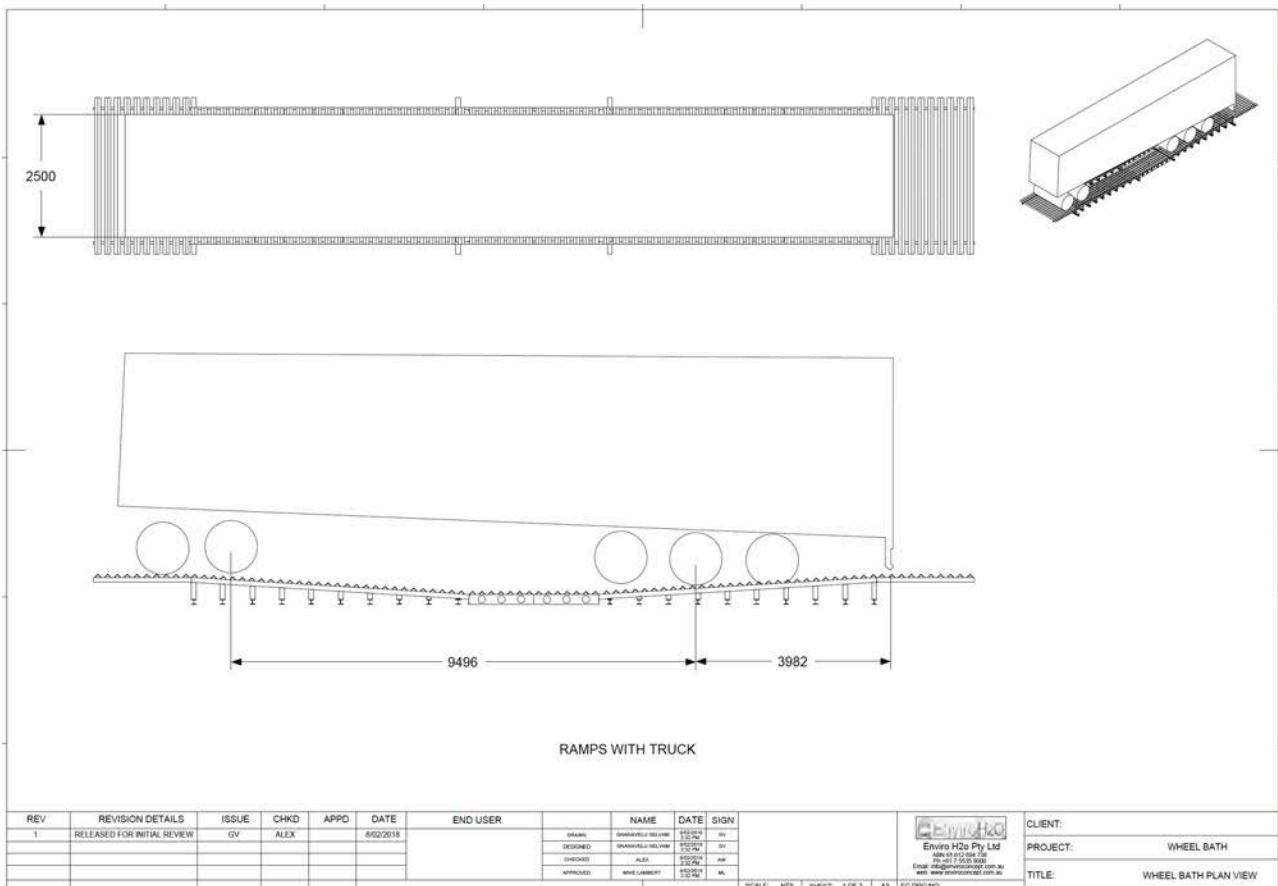
Typical Wheel Wash Design

(Subject to detailed engineering design at the cc stage)



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Appendix D4: Revised DA drawings

Appendix D5:

Supporting reports