



DOC21/1034957-22

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Department of Planning, Industry and Environment
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Attention: Jeffrey Peng

24 December 2021

**EPA Advice on Environmental Impact Statement – SSD 07_0031 - MP07_0031-Mod-1
Tomago Asphalt Batching Plant**

Dear Mr Peng,

Thank you for the request for advice from Public Authority Consultation (PAE-32282460), requesting the review by the NSW Environment Protection Authority (EPA) of the Environmental Impact Statement (EIS) for the proposed modification to the Tomago Asphalt Batching Plant (Application (SSD) 07_0031) (MP07_0031-Mod-1) at 25 to 27 Kennington Drive, TOMAGO NSW 2322.

- The EPA has reviewed the following documents:
- Modification Report: Tomago Asphalt Batching Plant for COLAS New South Wales Pty Ltd – Document reference 20/0408
- Environmental Noise Monitoring Report Compiled for Tropic Tomago Detailing Operational Noise Monitoring - Metford Laboratories – March 2010
- Northstar Air Quality Impact Assessment - on behalf of Colas New South Wales Pty Ltd - Document reference 21.1051.FR2V1 – 1 October 2021
- Acoustic Assessment – 25-27 Kennington Drive, Tomago NSW, Revision 1 - 22 October 2021, RAPT Consulting (NIA).

The EPA understand the proposal is for:

- Increasing the total output of the approved Asphalt Batching Plant located at 25 to 27 Kennington Drive, Tomago from 150,000 tonnes per year to up to 250,000 tonnes per year.

Supporting Application for Materials Yard

A supporting application for modification to the materials storage and processing yard development consent at 31-33 Kennington Drive has been lodged to Port Stephens Council. That application involved increase the currently approved waste threshold from 29,500 tonnes per year to 67,500 tonnes per year. This threshold is to include approval for 57,500 tonnes of reclaimed asphalt pavement (RAP) material to be crushed, screened, and stored on the site. The approval will also allow for 10,000 tonnes of steel furnace slag to be stored on site per year and an increase in the currently approved utilisation threshold of aggregate material on site from 120,000 tonnes per year to 220,000 tonnes per year.

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EPA requires more information

The EPA advise Department of Planning, Industry and Environment (DPIE) that the proponent has not provided sufficient information for the EPA to carry on an assessment. The EPA requests additional information to be able to assess the proposal.

Odour risk and additional mitigation measures not provided

The EPA recommends that the proponent evaluate the odour risk of the activities, specifically addressing the uncertainty in the modelling, and identifies the additional reasonable and feasible controls that could be applied should odour become an issue once the increase in throughput occurs.

Modelling of odour impacts in the AQIA predicts less than 1 OU beyond the boundary. However, limited emission sources were included in the assessment. Only the dryer stack was included in the modelling and no fugitive sources such as loading/drop points. Further the assessment relies on old and limited measured odour data from the dryer stack and does not capture the potential variability of emissions from a batching process. These issues combined with the inherent uncertainty in odour modelling, the results presented do not provide for adequate evaluation of impacts and that no offensive odour beyond the boundary will occur.

Compliance with the odour criterion is just one tool to indicate acceptable impacts. Demonstrating an understanding of the odour risk of the proposal enables further evaluation of the potential for odour impacts from the proposal. It is important for the proponent to understand the odour risk of their project as it is the proponent's responsibility to comply with Section 129 of the POEO Act.

Further, a facility where no additional feasible odour mitigation measures is a high-risk project compared to a facility where there are possible additional feasible odour mitigation measures that could be implemented if odour becomes an issue. The *Technical Framework – Assessment and management of odour from stationary sources in NSW* lists (Section 6.2) the information required to determine likely acceptability of odour impacts and includes the additional feasible mitigation measures that could be implemented if odour issues occur or if surrounding land use changes.

Waste to be brought onto the premises

The Environmental Assessment (EA) has not included a description of the volume of waste to be brought onto the premises for batching. The materials handling and storage facility at 31-33 Kennington Drive is receiving reclaimed asphalt pavement, steel furnace slag and aggregate amongst other general solid waste which the EPA would assume would be used in the batching process at the proponent's premises subject of this modification.

The proponent must provide details of the waste, its classification and likely volume limits brought onto the premises for batching to enable the EPA to assess the application and identify if the development requires an Environment Protection Licence under Clause 34, 41 and 42 of Schedule 1 of the *Protection of the Environment Operations Act 1997*.

Water

The EPA require an assessment of water impacts and a description of the surface water management on the premises given that leachable materials such as steel furnace slag are likely to be brought onto the premises and that these wastes may not have been subject of the original environmental assessment in 2007.

If you have any questions about this request, please contact Naomi Golightly on 4927 3179 or via email at naomi.golightly@epa.nsw.gov.au.

Yours sincerely

NATASHA RYAN
A/Unit Head Regulatory Operations