State Significant Development Application

Proposed Waste Facility
Lots 1 & 2 DP 1226992
No. 16 Torrens Road, Gunnedah NSW

Request for Secretary Environmental Assessment Requirements

Prepared on behalf of
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1. Introduction

This report accompanies a request to the Department of Planning Industry and Environment for the Planning Secretary's Environmental Assessment Requirements (SEARS) in relation to a State Significant Development (SSD) proposed by the Mackellar Equipment Hire Pty Ltd for the establishment of a resource recovery and waste transfer facility ("waste facility", "the Project") on land comprising part Lots 1 and 2 in Deposited Plan 1226992 on industrial zoned land at No.16 Torrens Road Gunnedah, in the Gunnedah LGA (the Project Site).

A SEARS has been previously issued, on 15 October 2019 (SEARS 1380), for a waste facility handling up to 90,000 tonnes per annum of waste on the Project Site. An EIS in support of the proposed waste facility is currently in preparation and is well advanced.

Mackellar Equipment Hire Pty Ltd now wishes to increase the capacity of this waste facility to handle up to 250,000 tonnes per annum of waste, thus triggering the need for a SSD application and a revised SEARS to be sought.

The proposed waste facility is a permitted use in the IN1 General Industrial zoning under the *Gunnedah Local Environmental Plan* (LEP) *2012,* as well as with the relevant provisions of *State Environmental Planning Policy (Infrastructure) 2007*. The proposed waste facility is classified as State Significant Development (SSD) pursuant to the provisions of clause 23(3) of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* being:

> *"Development for the purpose of* ***resource recovery or recycling facilities*** *that handle more than 100,000 tonnes per year of waste"* (clause 23(3) of Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011*).[our emphasis]

Given the above, the Minister for Planning is the consent authority for this proposed development.

In accordance with Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), before preparing an Environmental Impact Statement (EIS), a request for SEARS must first be made in a form approved by the Secretary, and include particulars of the location, nature and scale of the development or activity proposed, as well as the likely impacts of the development, relevant technical assessment guidelines, and stakeholder and engagement details.

To support the request for the SEARs application the following information is provided in this report:

- Site description and context.
- Description of the proposed development, including a draft layout plan prepared by consulting engineers Martens & Associates.
- A summary of the applicable statutory planning framework.
- An outline of the likely planning and environmental impacts.
- Consultation undertaken and planned.

Revisions have been made to the proposed development following our Scoping Meeting held with the client and Department officers on 20 April 2020.

2. Site Details

2.1 Locational Context

The site of the proposed waste facility (Project Site) is within a recently constructed industrial estate located to the west of Gunnedah, in the Gunnedah local government area (LGA). Refer **Figures 2.1-2.3**. Gunnedah Shire is located in the North West Slopes Region of north-west New South Wales, about 450 kilometres north of the Sydney CBD, and about 650 kilometres south of the Brisbane CBD. Gunnedah Shire is bounded by Narrabri Shire in the north, the Tamworth Regional Council area in the east, Liverpool Plains Shire in the south, and Warrumbungle Shire to the west. The Gunnedah LGA has an estimated (ABS 2018) population of 12,661 persons. The township of Gunnedah comprises the largest settlement with the the LGA, having an estimated (ABS 2018) population of 10,101 persons. The surrounding rural area of this LGA has an estimated (ABS 2018) population of 2,479 persons.

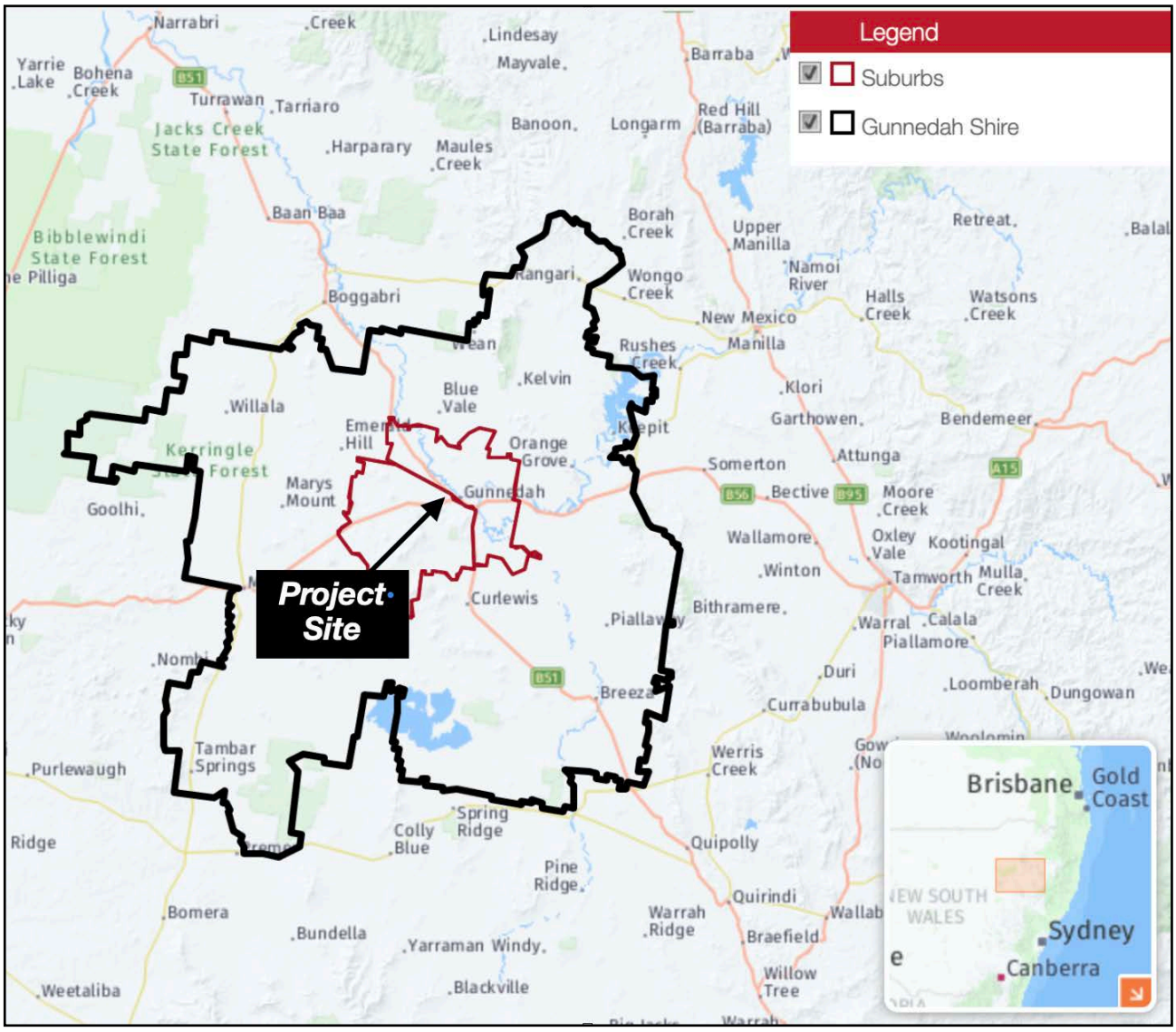

FIGURE 2.1: Regional Setting

(Map Base Source: .id, the population experts online website)

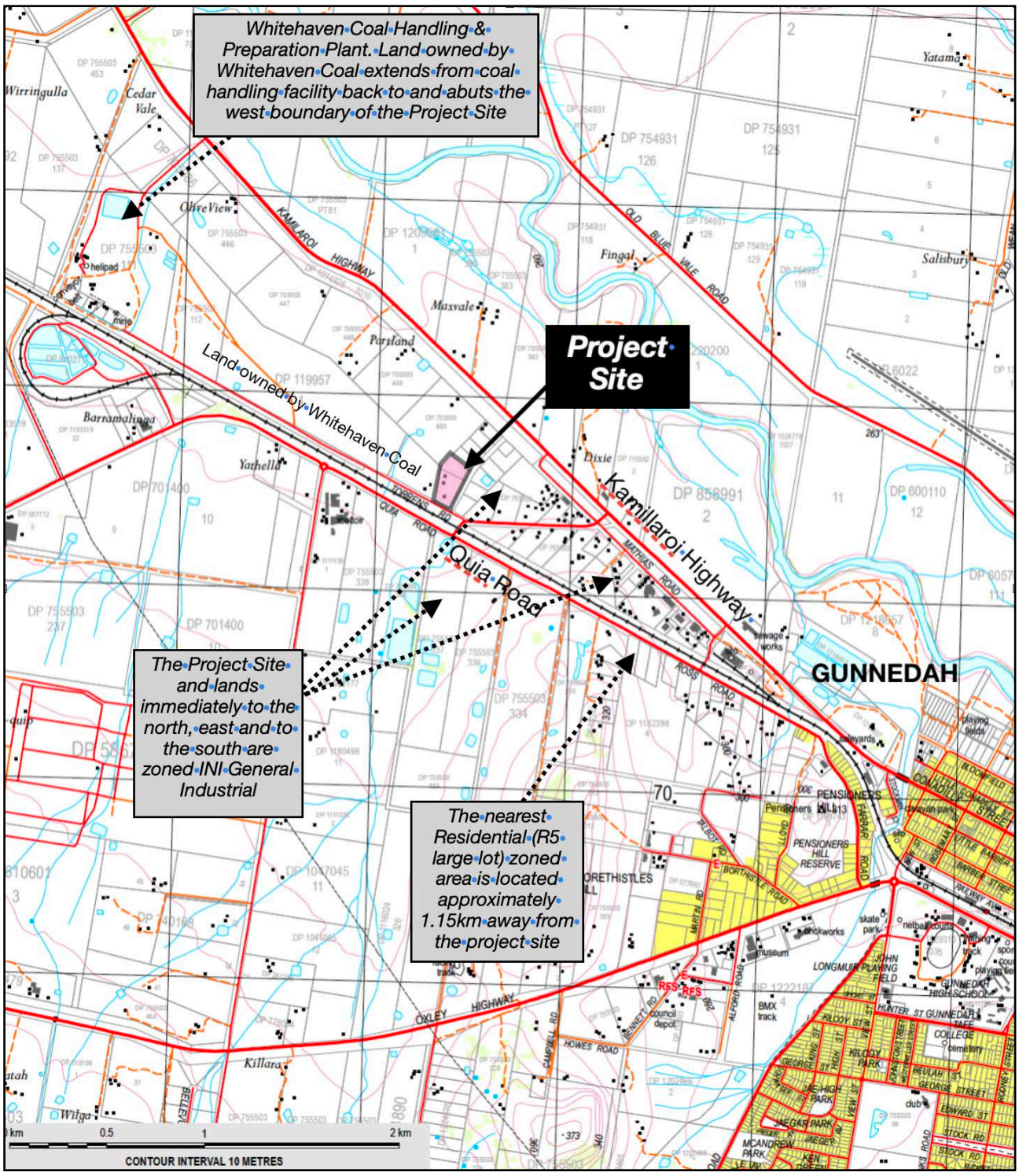

FIGURE 2.2: The Project Site is located in a designated industrial area on the western fringe of the township of Gunnedah, well removed from zoned residential areas

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

▪ 2.2 Description of the Project Site

2.2.1 Site Details & Context

The Project Site comprises Lots 1 and 2 in Deposited Plan (DP) 1226992 at No.16 Torrens Road, Gunnedah, having a combined area of 2.779ha with a frontage to Torrens Road of approximately 75 metres and to Allgayer Drive of just over 200 metres.

The land has a depth from Allgayer Drive ranging from about 75m to 140m. Lots 1 and 2 both have drainage easements 6m wide along their northern boundaries. Lot 1 has an area of 1.826ha and Lot 2 has an area of 0.9530ha. Refer **Figures 4.3-4.4**.

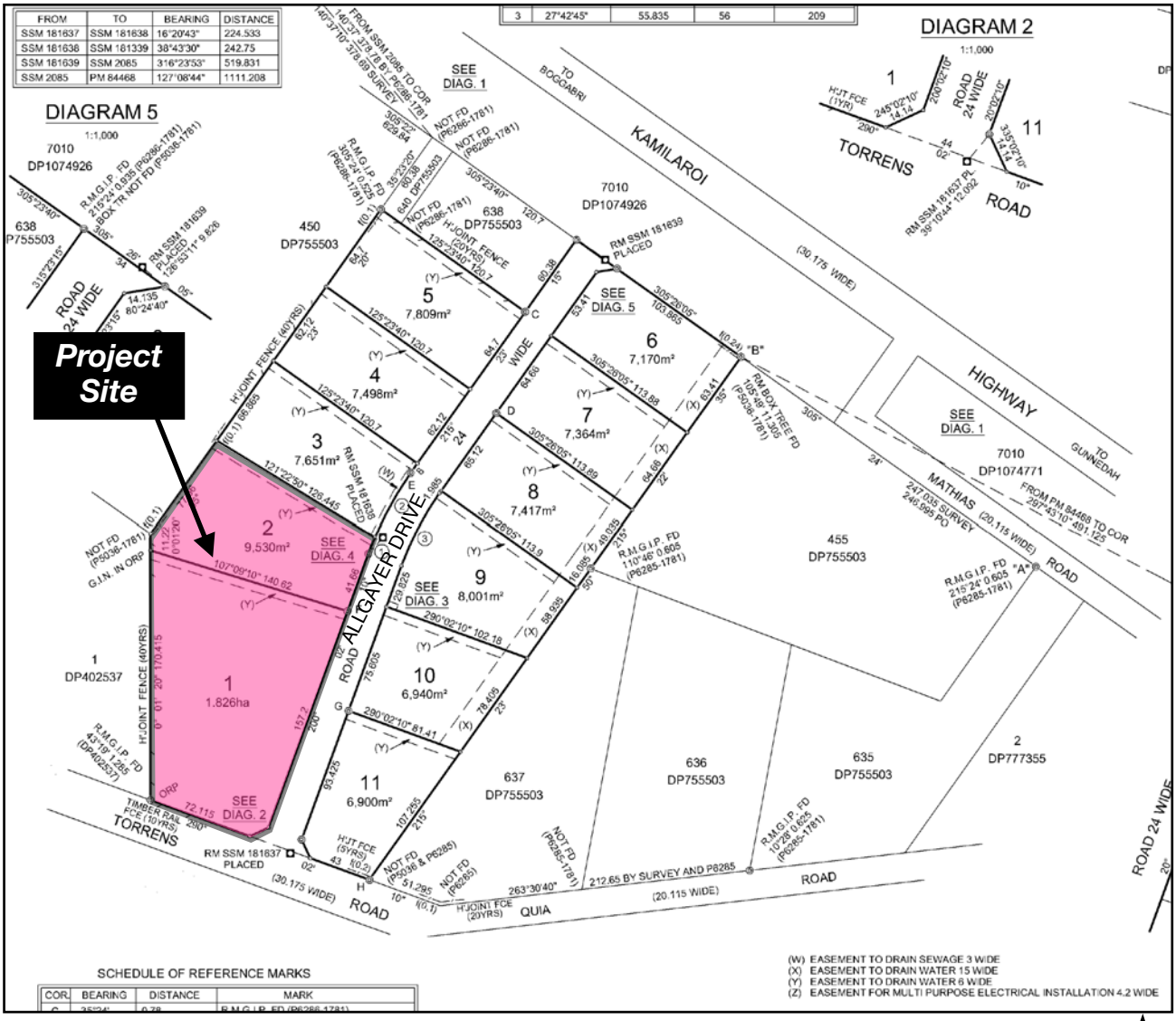

FIGURE 2.3: The Project Site: Deposited Plan (coloured)

The project site is located approximately 4km west of Gunnedah and is between the Kamilaroi Highway and Torrens Road. The site is approximately 210m from the existing extent of the proposed Boggabri Service Road which connects to the Kamilaroi Highway.

Lot 1 was approved in November 2011 for the purpose of an industrial premise for storage, servicing and maintenance of trucks and machinery and construction of Boggabri Service Road. Lots 1 and 2 form a part of the 'Costalot' industrial subdivision, approved in December 2012 (DA 610514.003), the cc approved in December 2015, and construction completed in December 2016. The industrial subdivision was owned and developed by Mackellar Equipment Hire. Limited geotechnical testing was carried out on the land to be subdivided. No contamination report was prepared in support of the development application. In this regard, and for the sake of completeness, the proponents have commissioned a Stage 1 contamination assessment of Lots 1 and 2.

2.2.2 Existing Development

MacKellar Excavations Pty Ltd (MEX), Gunnedah Quarry Products (GQP) and Mackellar Equipment Hire Pty Ltd ("Mackellar Group") are privately owned earthmoving, plant hire and quarrying companies based in the Gunnedah area of north-west New South Wales. The Mackellar family business is headquartered at No. 16 Torrens Drive, Gunnedah.

Current infrastructure at this location consists of a main office, manager's residence along with associated storage sheds, parking area and hardstand, large storage shed, fuel tank, as well as workshop. A new waste facility will complement the above businesses, in particular in the treatment of contaminated soil, given that MEX already has processing equipment, including screens, as well as other mobile plant and equipment capable of being used in the proposed facility. Access to the Project Site is directly from Torrens Road, with side access to an industrial subdivision road, Allgayer Drive. Torrens Road then connects with Quia Road and thence to Kamillaroi Highway. All roads are bitumen sealed.The Gunnedah LEP 2012 identifies the land as being flood free.

PHOTOGRAPH 2.1 (above): View from Allgayer Drive the east, looking towards the main office and workshop, with staff car park in left foreground. A row of planted trees run in a north-south orientation through the middle of Lot 1 and along the northern boundary of Lot 1. These plantings will assist in screening views of the proposed waste facility from this vantage point

(Photograph taken 3 February 2020)

▪ 2.3 Surrounding Development

The Project Site is located within the Allgayer Drive industrial estate with the adjacent land uses being industrial based. Refer **Figures 2.4-2.5** and accompanying photographs.

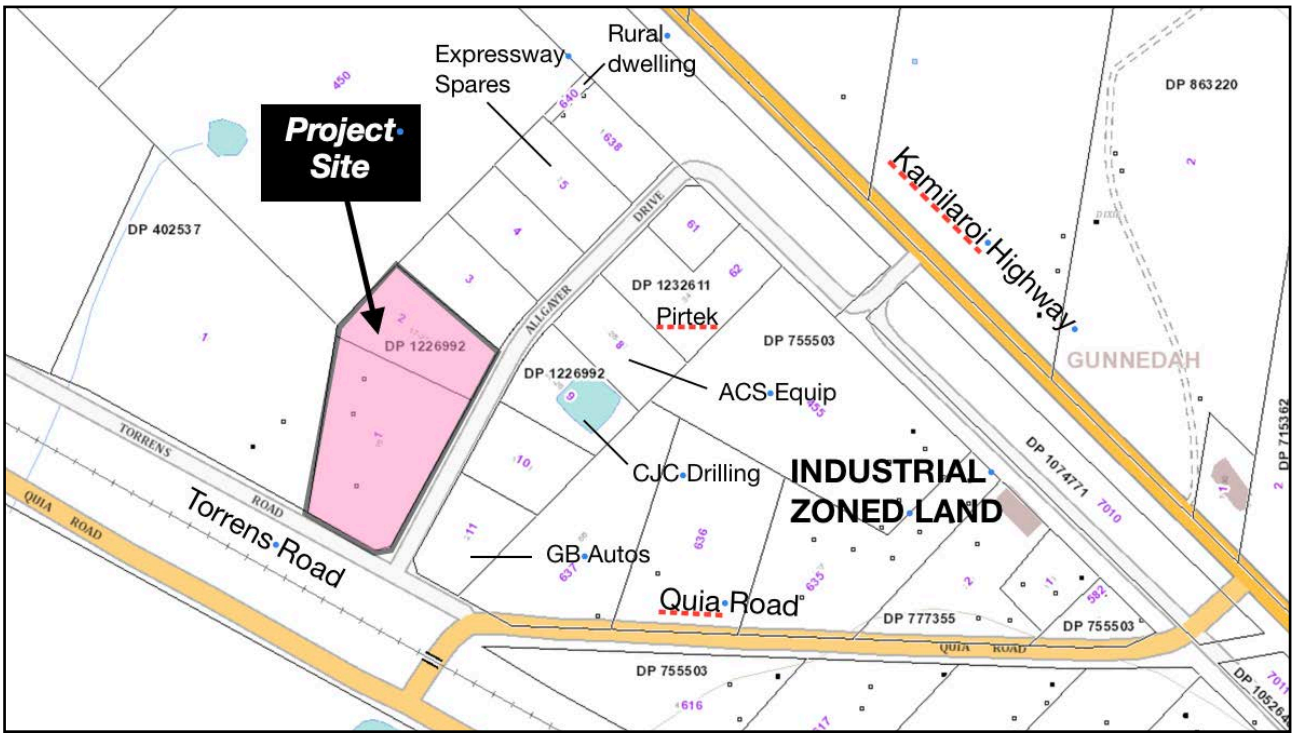

FIGURE 2.4: The Project Site and surrounding industrial uses

Source: SIX maps)

Surrounding development includes the following:

- Industrial premises associated primarily with servicing the coal-mining industry.
- Rural dwellings.To the west of the project site is a rural dwelling, located some 59 metres away from the western boundary of the project site, forming a part of a much larger property holding owned by Whitehaven Coal. A number of rural dwellings are located to the north of the site, the nearest being 230 metres from the project site. The next closest rural dwelling is located approximately 270 metres away from the northern boundary of the project site.
- Approximately 1.2km to the west of the project site is the huge coal handling facility owned and operated by Whitehaven Coal. It sits on a large property holding that stretches as far east as the common boundary with the project site. Refer **Figures 2.2** and **2.5**.
- In 2016 a a solar generation works was approved on land to the south of the project site, at No. 131 Quia Road, Gunnedah. This project has not proceeded to date.
- The nearest Residential (R5 large lot) zoned area is located approximately 1.15km away from the project site. Refer **Figure 2.65**.

FIGURE 2.5: Aerial/cadastral overlay showing Project Site and surrounding uses

Source: SIX maps)

3. Development Description

3.1 The Proposed Waste Facility

Development consent is sought for a waste management facility, including resource recovery and waste transfer facility ("waste facility") handling up to 250,000 tonnes per annum of waste for separating and sorting, processing or treating, temporary storage, or transfer or sale of recovered resources ("the Project") as set out in the following:

- **Excavated natural material that meet the CT1 thresholds as per the 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 about 50% of the intended waste stream ie. 125,000 tonnes per annum. [NOTE: Only soils and excavated natural material that meet the CT1 thresholds per the EPA's guidelines will be accepted].
- **Contaminated soils:** A smaller amount of waste to be accepted will be acid sulphate soils (PASS, ASS). It is tentatively estimated that this waste material would comprise up to about 10% of the intended waste stream ie. 25,000 tonnes per annum.
- **Co-mingled and segregated Construction and Demolition (C&D) waste**, tentatively estimated to comprise about 25-30% of the intended waste stream ie. 62,500-75,000 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 about 15% of the intended waste stream ie. 37,500 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.
- It is anticipated that small quantities only of appropriately sealed asbestos waste will be delivered to the proposed waste facility- up to about 1,000 tonnes per annum. The aim will be to to store this waste on site in separate, secured storage facilities until sufficient quantity is achieved (about 33-38 tonnes) in order that it be economically trucked to an authorised asbestos waste disposal facility elsewhere. Any unexpected finds asbestos will also be stored on site in a secure storage.
- It is proposed to receive and to store lithium batteries derived from waste received- a hazardous waste. It will be stored on site in a secure storage shed until sufficient quantity is achieved in order that it be trucked to an authorised waste disposal or recycling facility elsewhere. It is anticipated that very small quantities only of this waste will be delivered to the proposed waste facility- up to about 0.5 tonnes.
- 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. Many co-mingled C&D waste material loads will also have a soil component in them].

Refer **Figure 3.1**.

Refer to accompanying table which provides a summary of the project.

Project Element	***Description***
Wastes to be accepted at the waste facility	***General solid waste CT1 soils, contaminated soils, C&D waste, C&I waste, asbestos and lithium batteries- refer to details above.*** ***Hazardous waste:*** *Lithium batteries are also proposed to be stored at this proposed waste facility and until a sufficient quantity can be transported to a licensed landfill.* ***Special waste (asbestos):*** *Sealed asbestos to be stored on site. An unexpected finds protocol will apply to asbestos waste that is not identified at entry but found at the tip and spread area (ie. at the secondary inspection point). Such waste will be kept and stored on site until a sufficient quantity can be transported to a licensed landfill.* *No other types of hazardous or special waste will be accepted at the site.*
Amount of waste to be handled per annum	*Proposed to handle up to 250,000 tonnes of waste per annum.*
Existing development	*The Project Site forms a part of a recently developed industrial estate. The land has been cleared, levelled and developed for industrial uses. The land is currently used for hardstand, truck parking, offices, workshop, manager's residence and storage sheds. The project site is located in an industrial area and other industrial development is located in the vicinity.*
Area	*Approximately 2.77ha.*
Capital value	*The project has a capital value of approximately $2 million.*
Employment	*The waste facility would directly employ up to 18 on site staff onsite during the day-to-day operation of the facility, not including 12 truck drivers employed by the company to transport waste ie up to 30 employees.*
Plant and equipment	*Mobile excavators fitted with shearing and grabbing attachments, trommel, conveyors and screens, crushing equipment (to be used on a campaign basis) as well as office, amenities, workshop, covered sheds, stockpiles and storage areas.*
Infrastructure	*Existing office building and sheds to be used for an administrative headquarters and storage, respectively. Site preparation works would involve sealing of any unsealed working surfaces with concrete to form a continuous hardstand area. Upgrade of existing stormwater management infrastructure which would include pipe upgrades, construction of a first flush detention and installation of water quality treatment devices. No demolition proposed.*
Hours of Operation	*7.00 am and 6.00 pm Monday to Saturday, excluding public holidays.The operation of heavy machinery is only able to occur between 7.00am-5.00pm Monday to Friday. No waste facility operations to be undertaken on Sundays or public holidays. Construction hours would be 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays.*
Access and parking	*Vehicles carting waste would enter/exit the site from the existing main access on Torrens Road. Access is also available from two access points off Allgayer Drive for other vehicles, including access for fire fighting vehicles. These access points do not require upgrading. The existing car park and truck parking areas would continue to be be used for staff and visitor parking and heavy vehicle parking, respectively.*

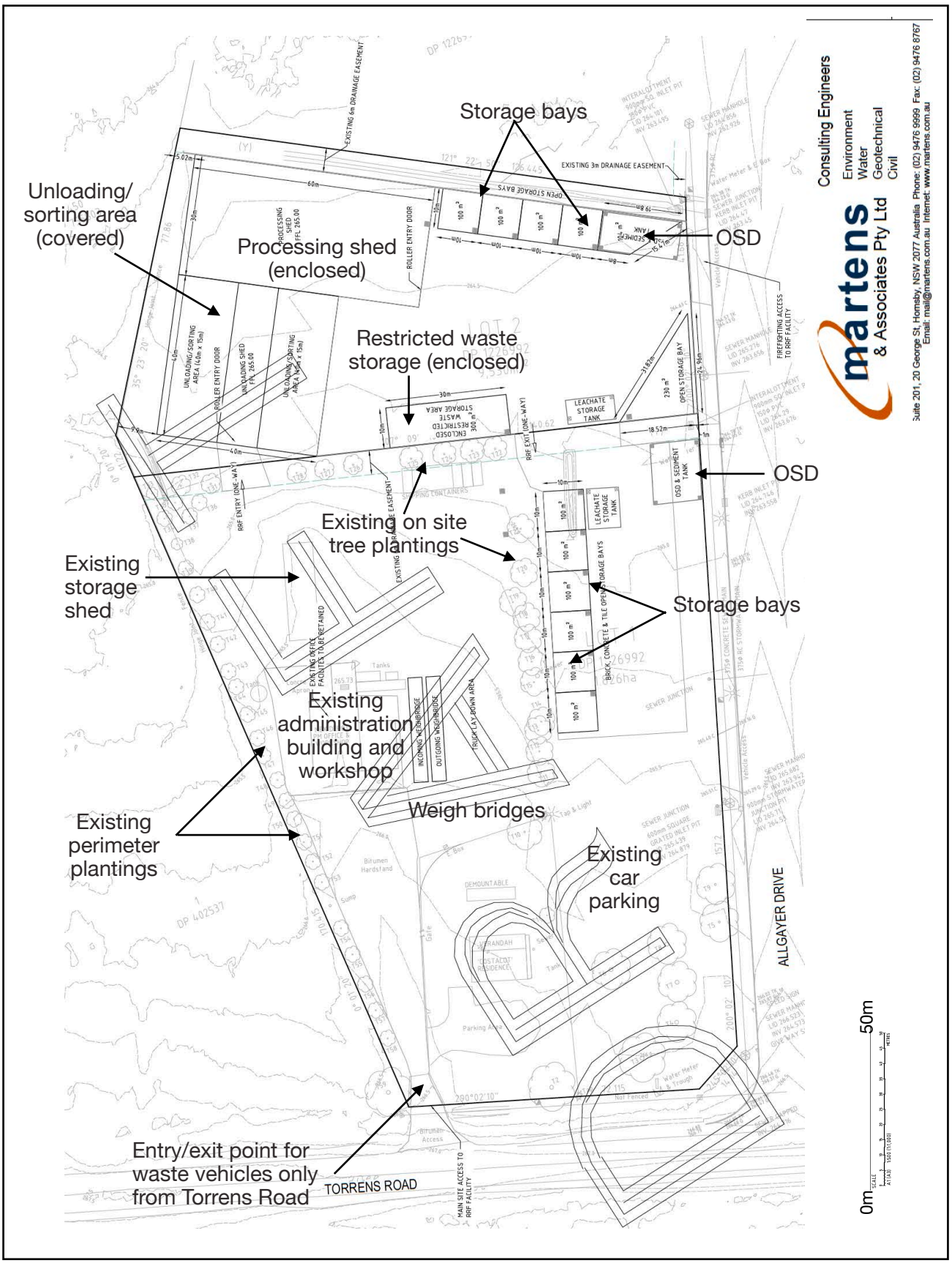

FIGURE 3.1: The proposed waste facility (concept)

(Source: Martens & Associates, consulting engineers)

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 proposed waste 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.

The recycled materials able to be produced include soils suitable for landscaping or rehabilitation purposes, and road-base.

The aim of the recycling process will be to produce end recycled products that meet recycled material specifications 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. With the exception of asbestos waste all other waste destined to landfill will be directed to a licensed landfill.

Material would be transported to the site by MEX or contractors and the general public. Prior to processing, delivered material would be inspected and unwanted items such as fuel, oil and other motor fluid from motor vehicles would be removed.

The proposed waste facility can utilise other existing facilities already owned and used by Mackellar Group, 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 crushing and screening plant- the latter from MacKellar Excavations' Mount Mary quarry operation.Processing would be undertaken with the above equipment.

▪ 3.2 Waste Process Proposed at Facility

3.2.1 Waste classification and Incoming Waste Quality Plan

Wastes to be accepted at the site are listed above. These wastes will be classified according to the *Waste Classification Guidelines - Part 1: Classification of Waste* (EPA 2014a).

The following wastes will not be accepted at the proposed waste facility:

- Special waste (including clinical waste, asbestos-contaminated C&D or C&I waste) but excluding sealed asbestos; or
- Anything classified as special waste under an EPA gazettal notice, as defined in EPA (2014a) Step 1;
- Liquid waste as defined in EPA (2014a) Step 2 eg. solvents, oils and greases;
- Wastes pre-classified as hazardous waste as defined in EPA (2014a) Step 3 eg. paints, dyes, pesticides[NOTE: with the exception of lithium batteries, which will be collected and stored until there is a sufficient quantity for transporting to a facility licensed to either process or dispose to landfill, or bituminous products (such as road sealing and asphalt) which are capable of recycling and re-use];

- General solid waste (putrescible) as defined in EPA (2014a) Step 3;
- Waste possessing hazards as defined in EPA (2014a) Step 4; or
- Waste that requires chemical assessment to determine its classification as defined in EPA (2014a) Step 5.
- Waste that readily decays under standard conditions or does emits offensive odours or is capable of attracting vermin or other vectors or decaying waste is not to be accepted as defined in EPA (2014a) Step 6.

The facility will adopt an Incoming Waste Quality Plan, to include the following key elements:

- Advising of the wastes to be accepted at the Torrens Road waste facility- refer to list above.
- Advising of the wastes that will not be accepted at the Torrens Road waste facility- refer to list above.
- Related to the above, a notice to staff will be given immediately if hazardous materials or conditions are found onsite that are in unprotected environments including the following:
    - Flammable or explosive liquids or gases.
    - Toxic materials.
    - Noxious or explosive chemicals.
- Installation of suitable warning signage at the Torrens Road entry to the site advising of the above restrictions regarding waste accepted and not accepted at the waste facility.
- Training staff who will be working on the site on waste inspection and asbestos awareness and management, as well as involving those staff in education programs at material source locations to minimise the risk of unwanted waste entering the waste supply chain and being accepted onto the premises. As part of any site induction and training staff will be trained in waste processing generally including the following:
    - Waste tracking.
    - Waste identification and classification.
    - Procedures for dealing with non-confirming waste.
- This training ensures that staff receive adequate training to be able to recognise and handle any hazardous or other prohibited waste.
- Setting down of contingency actions if unacceptable waste materials is identified, including preparation of a rejected load register and reporting to the EPA, or for other contingency events, including fires, spills or equipment failures.
- Empowering waste inspectors to reject loads considered ‘suspect’ or odourous.
- Products produced for direct sale will be tested in accordance with requirements of the relevant resource recovery exemption.
- Waste monitoring and reporting. Each weigh-bridge will record details of incoming and outgoing waste truck traffic including the following:
    - Date.
    - Vehicle Registration.
    - Customer.
    - Waste type including nature and origin of the waste, certification.
    - Gross and Tare Weight.

3.2.2 Resource recovery wastes

The resource recovery processes that would occur on the site are described below according to the waste type.On average, 905 tonnes per day of waste would be delivered to the Torrens Road Gunnedah site in a range of vehicles including 0.5-tonne domestic trailer loads, 8-tonne rigid trucks and 30 tonnes + heavy articulated trucks. Trucks are inspected and weighed on arrival (and departure, with the difference in weight being the waste payload). The trucks are then directed to unload in the covered unloading area where waste will be sorted, processed and prepared for transfer to the processing shed for further processing.

Excavated material that meets CT1 thresholds

This material would be mechanically sorted and shredded by front-end loader in the unloading shed prior to either crushing and/or screening in the processing shed. Then it would be mechanically screened by the trommel in the processing shed and blended for re-use, followed by transfer to the on site storage bins. Any contaminated residue would be removed for landfilling at a licensed facility.

Contaminated soils (ASS and PASS)

Acid sulfate soils (ASS) would be blended with lime on site, verified such that it is capable of reverting to GSW and ultimately disposed to landfill (unless an Exemption is granted), in accordance with the EPA's neutralising techniques outlined in the *ASS Manual* and *Waste classification guidelines: Part 4: Acid Sulfate soils* requirements. Following neutralisation, the waste must be chemically assessed to determine whether there are any other contaminants that may affect how the waste is classified for disposal. Any landfill will be informed that the actual ASS has been treated in accordance with the neutralising techniques outlined in the ASS Manual and that the waste has also been classified in accordance with Part 1 of the *Waste Classification Guidelines*. Potential acid sulfate soils (PAAS) will be treated in accordance with the same EPA requirements. Potential ASS must be kept wet at all times during excavation and subsequent handling, transport and storage, until they can be disposed of safely.

Construction and Demolition (C&D) waste

This material would be mechanically sorted and shredded by front-end loader in the unloading shed prior to either crushing and/or screening in the processing shed in accordance with the NSW EPA Minimum Standards for Managing Construction and Demolition Waste in NSW (October 2016). The resultant material would be separated into various components and stockpiled for either resale as a recycled product with material not suited to recycling removed to a licensed facility. Waste including concrete, bricks and tiles would be crushed on a campaign basis before being mechanically screened and stockpiled in the storage bins as aggregate, sand and road base for sale.

Commercial and Industrial (C&I) waste

The waste would be mechanically sorted and shredded by front-end loader in the unloading shed prior to either crushing and/or screening in the processing shed. The resultant material would be separated into its various components and stockpiled for either resale as a recycled product with material not suited to recycling removed for landfilling at a licensed facility. Bricks, concrete and tiles would be crushed on a campaign basis before being mechanically screened and stockpiled as aggregate, sand and road base for sale.

Asbestos and lithium batteries

These materials will be suitably stored in a stand-alone restricted waste storage facility. It is estimated that no more than about 33-38 tonnes of asbestos waste and about 0.5tonne of lithium batteries will be stored on site at any one time.

3.2.3 Resource recovery products

The proposed waste facility will unlock value by transforming the above waste into materials capable of use for a wide range of applications (refer **Figure 3.2** for examples), including but not limited to the following:

- **Road base (crushed concrete):** Suitable for use on roads where tradition quarried products would be applied. The material is compliant to Council specifications and RMS specification RMS 3051 for the supply of material as either a base course (DGB20) or sub-base (DGS40, DGS20) layer in pavements.
- **Road base (crushed concrete/brick/tile/asphalt (Rap)/ Cement fibre board):** Suitable for use on roads with a traffic loading of less than $1x10^6$ ESA as either a base course or sub-base.
- **Recovered railway ballast**.
- **General fill soil (ENM) or topsoil**.
- **Select Fill (capable of using all wastes including blends of material to comply with council and RMS specifications):** Material placed directly on the sub-grade to improve sub-grade performance. Can also be used as engineering fill to raise site levels, particularly in road embankments or beneath buildings. Engineered fill should have a CBR of at least 5%. This product could also be used as a capping material used for railway pavement applications.
- **Bedding Material (crushed concrete/brick/cement fibre board/ screened gravelly soil):** Screened material with about a 7mm maximum particle size used as a support for paving blocks, pipe bedding, concrete under slab fill, retaining walls, block infill, cycleways or on lightly trafficked access-ways.
- **Drainage medium (crushed concrete/brick):** Backfilling material for stormwater pipes, sewer pipes or sub-surface drainage lines.
- **General fill – Hardstand material:** All recycled materials crushed and screened to a sizing requirement for specific applications can be utilised as a general or engineered fill in road making applications. This includes soils/clay that have been processed screen to meet the requirements of NSW EPA recovered Fines or meet the definition of Excavated public road material.

DGB 20

Select fill

Recycled aggregate

FIGURE 3.2: Some of the typical recycling products- as described above

The recycled material above will be compliant with applicable NSW EPA orders including but not limited to the following:

- Cement Fibre Board.
- Coal ash.
- Excavated Natural Material (ENM).
- Excavated public road material.

- Mulch.
- Plasterboard.
- Reclaimed asphalt pavement.
- Recovered Aggregate.
- Recovered Fines.
- Recovered railway ballast.
- Recovered glass sand.

3.2.4 Transportation of waste

PHOTOGRAPH 3.1 (above): Typical large waste haulage vehicle- 8 axle truck and dog with a current lawful payload of up to 45 tonnes. View of MEX trucks in existing hardstand truck parking area on the project site, with existing landscaping in rear.

(Photograph taken 13 August 2019)

Waste will be delivered to site by a variety of small and heavy vehicles, ranging from car and trailer up to a 'truck and dog' and other multiple axle heavy vehicles, the latter carrying loads in excess of 32 tonnes per load. Refer Photograph 3.1.

Vehicles will access the site from the Oxley Highway, Kamilaroi Highway Quia Road and Torrens Road, all of these routes being suitable for heavy vehicles. Trucks are not expected to remain on the site for any extended period of time as the trucks would be processed as they come in. Therefore, parking for trucks would not be required. Furthermore, the site layout has been designed using *AustRoads Design Vehicles and Turning Path Templates* and to accommodate worst case queuing of trucks entering the site. Refer **Figure 3.3** for truck turning templates for the largest truck likely to use the site- a B double.

It is estimated that delivery of waste to the site should take between an estimated 14-16 minutes, which allows for an incoming vehicle entering the site and be weighed and checked, travel to the unloading area, weighing and invoicing at the outgoing weigh bridge and departing the site. Similarly, it should take

between an estimated 14-16 minutes for the dispatching of waste loads, including allowance for an incoming empty vehicles entering the site and weighing at the weigh bridge, loading of material from the stockpile bays, and weighing of outgoing vehicles. Refer to section 3.2.5 for further details.

3.2.5 Inspection and unloading of unprocessed waste

The layout of the proposed waste facility is illustrated in the accompanying **Figure 3.1**. Vehicles transporting waste would enter the project site from the Torrens Road entry and make their way to the weigh-bridge for weighing and inspection and classification, prior to unloading. There will be two main screening points for identification of the type of waste received at the waste facility:

- At the weigh-bridge. The operator of the weigh-bridge will seek details from the waste truck driver as to contents of load, certification of the incoming waste material if required, as well as a visual inspection of the load, if necessary, before directing the vehicle to enter the unloading facility. All incoming waste will be inspected against a proposed incoming waste quality management plan prior to being accepted.
- In the initial unloading area the operator of the front end loader will inspect the waste as it is discharged from the waste truck, to check for non-conforming waste and easily extractable, bulk recyclable waste.

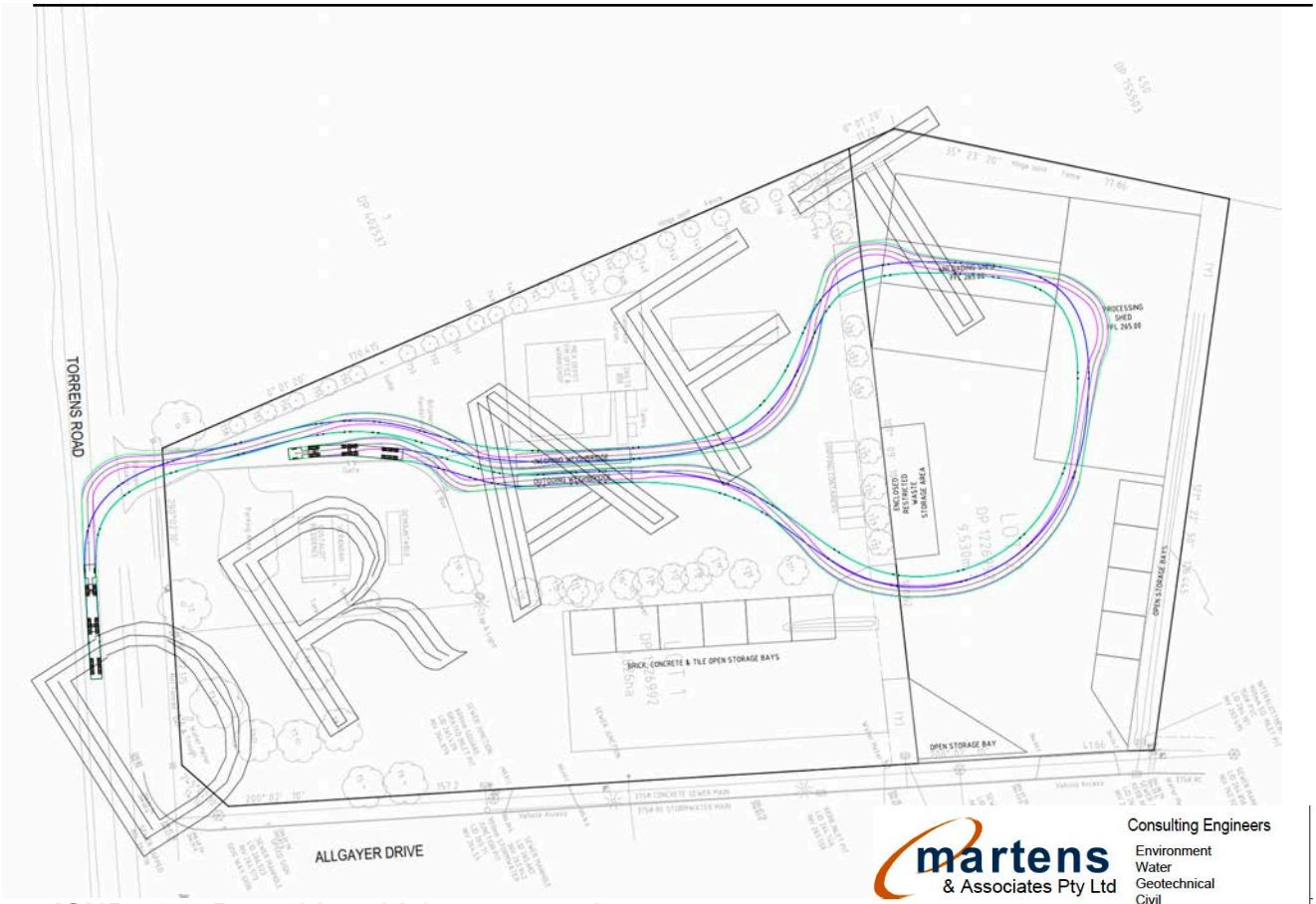

FIGURE 3.3: B Double vehicle swept path

(Source: Martens & Associates, consulting engineers)

The weigh-bridge will be the primary source within the waste facility for tracking waste, including monitoring the quantity, type and source of waste received on site, and the quantity, type and quality of the outputs produced on site.

The driver will then deliver the waste to the nominated waste unloading or storage area where it will be tipped and further inspected prior to the load being accepted and the vehicle being directed back to the weigh-bridge area. All operations, including stockpiling, screening, picking, pre-sorting, and sorting of unprocessed waste will occur within theses covered sheds.

At the site entry all loads will be inspected by trained staff who will conduct a preliminary inspection for contaminants (e.g. asbestos). If these loads are initially accepted and contaminated asbestos material is found after unloading the contaminated material will be transferred direct to a secure shed for storage and ultimate disposal to a landfill licensed to accept such material.

If a load of non-conforming waste is identified prior to unloading, the vehicle would be directed to an appropriate disposal facility elsewhere. Trucks would then exit the project site accessing the a proposed new weigh-bridge and wheel-wash facility before exiting the project site. Trucks exiting the site will be re-weighed as they leave the site to determine the mass of the load delivered. Any rejected loads will be immediately reloaded for removal from the site and recorded in a 'rejected load' register.

A range of mobile plant (eg. screen/trommel, crushing plant, excavator, front-end loader) and a screening/ picking line, will be used to handle and process the waste for each waste type.

Some waste will not able to be recycled onsite. This waste material will be stockpiled prior being sent for further offsite recycling or disposal at a licensed facility. Recycled products generally will be dispatched by heavy vehicle for sale or further processing at another facility. Non-recyclable residues will generally be dispatched to a licensed landfill by heavy vehicle.Waste processing will include sorting, screening and blending (of soil).

3.2.6 Main processing area

With the exception of tyres and asbestos waste, all other sorted material will then be processed in the main processing shed using a mobile, diesel-powered trommel. A trommel is a mechanical screening machine used to separate materials, including the solid-waste processing industries. It consists of a perforated cylindrical drum that is normally elevated at an angle at the feed end which will screen waste to various specifications depending on intended final use.

Trommel screens are widely used for wood chips, soil, solid waste, rock and aggregates accurate sizing and separation. Refer **Photograph 3.3**.

Unprocessed waste material is initially fed by front-end loader into the feed chute of the trommel (refer Photograph 3.1), where it then enters the drum screen, and due to the inclination and rotation of the roller device, the material on the screen surface will turn over and roll, so that the qualified (processed) end product will be discharged through the outlet at the bottom of the drum, with the unqualified (reject) material discharged through the outlet at the side of the drum.

Different screen materials can be used according to intended end-use requirements. The roller device adopts an effective fully sealed structure, which is dust-free.

A crusher will be brought in from the Mackellar group's Marys Mount quarry on a campaign basis to crush waste material when required.

PHOTOGRAPH 3.3 (above): Loading of waste into an Anaconda 516R tracked trommel. The trommel itself is on crawler tracks and can be easily moved if required. To the left and right of the trommel are the conveyors, which deposit processed waste into stockpiles.

(Source: Anaconda website)

3.2.7 Waste management

Only sealed asbestos will be accepted on site. Minimal quantities only of asbestos is expected, save for unexpected finds- the latter activating asbestos handling protocols. It is difficult to determine how much asbestos will be handled in any one year, most likely something of the order of 1-5 tonnes.

Similarly, the quantity of lithium ion batteries would be expected to be minimal, most likely something of the order of 1 tonnes pa.

Much will depend on the market for either waste material, which will only be determined once the waste facility commences.To set upon some absolute minimum or maximum tonnage would be most premature.

3.2.8 Surface water

All of the operating waste facility will have a sealed surface: the truck movement areas having an asphalt seal, with the processing, unloading and storage areas having a concrete surface. Lots 1 and 2 both have drainage easements 6m wide along their northern boundaries.

Two(2) on-site detention (OSD) basins are planned, one collecting stormwater runoff from the proposed waste facilities on Lot 2, the other collecting stormwater runoff from the proposed waste facilities on Lot 1. The site will be graded to allow runoff from the external hardstand areas to flow overland to the two OSD pits. Clean runoff from the roof of the processing and unloading area will be collected into water reuse tank storage. Importantly, no runoff from the site would flow onto adjacent sites. Bunds are to be installed on the site boundaries to prevent runoff from flowing onto adjacent sites.

A leachate collection system is also proposed to collect wastewater from processing areas and from the restricted waste storage area. Refer **Figure 3.4** and **Figure 3.5**.

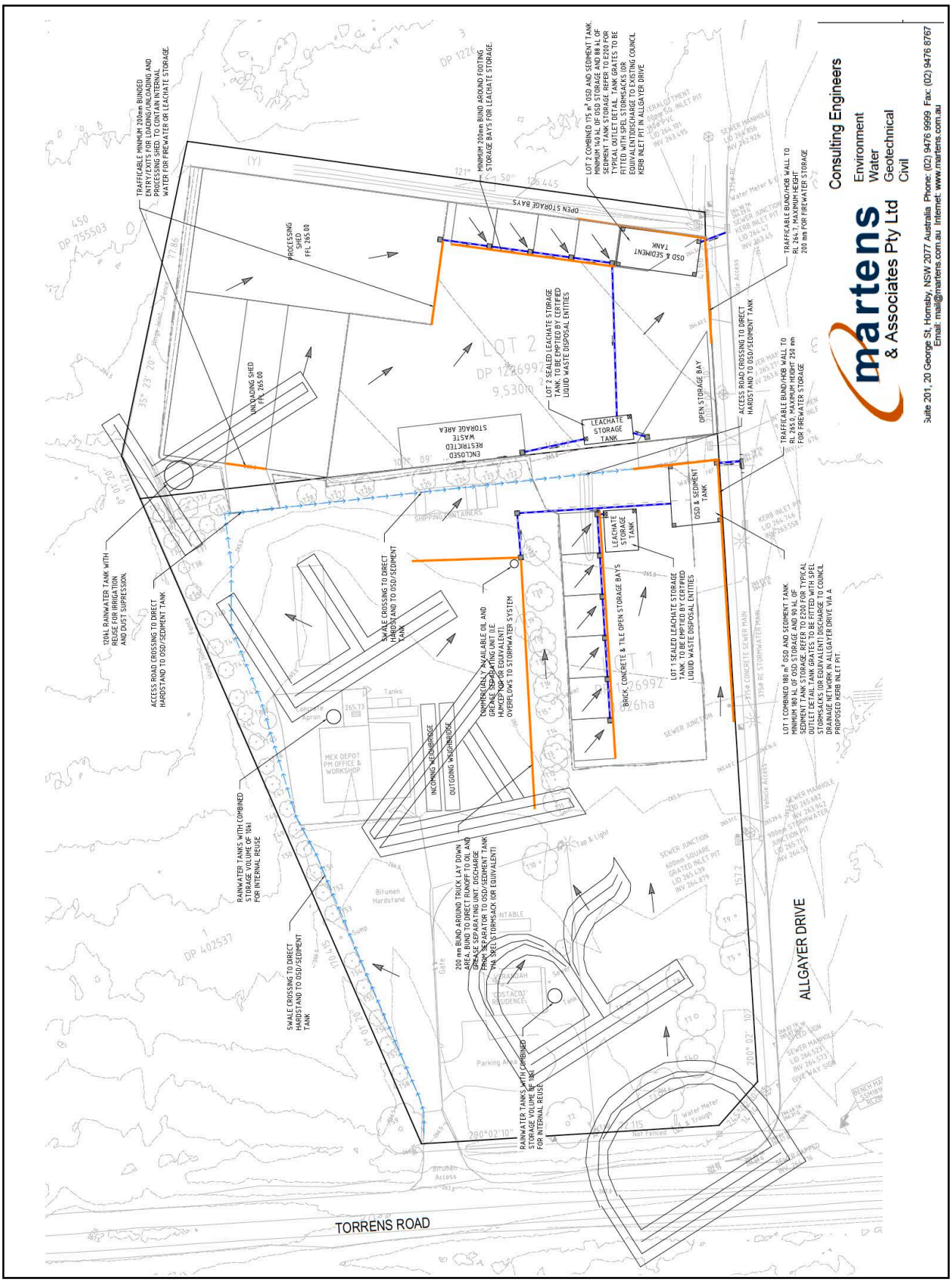

FIGURE 3.4: Proposed drainage system for the waste facility (concept)

(Source: Martens & Associates, consulting engineers)

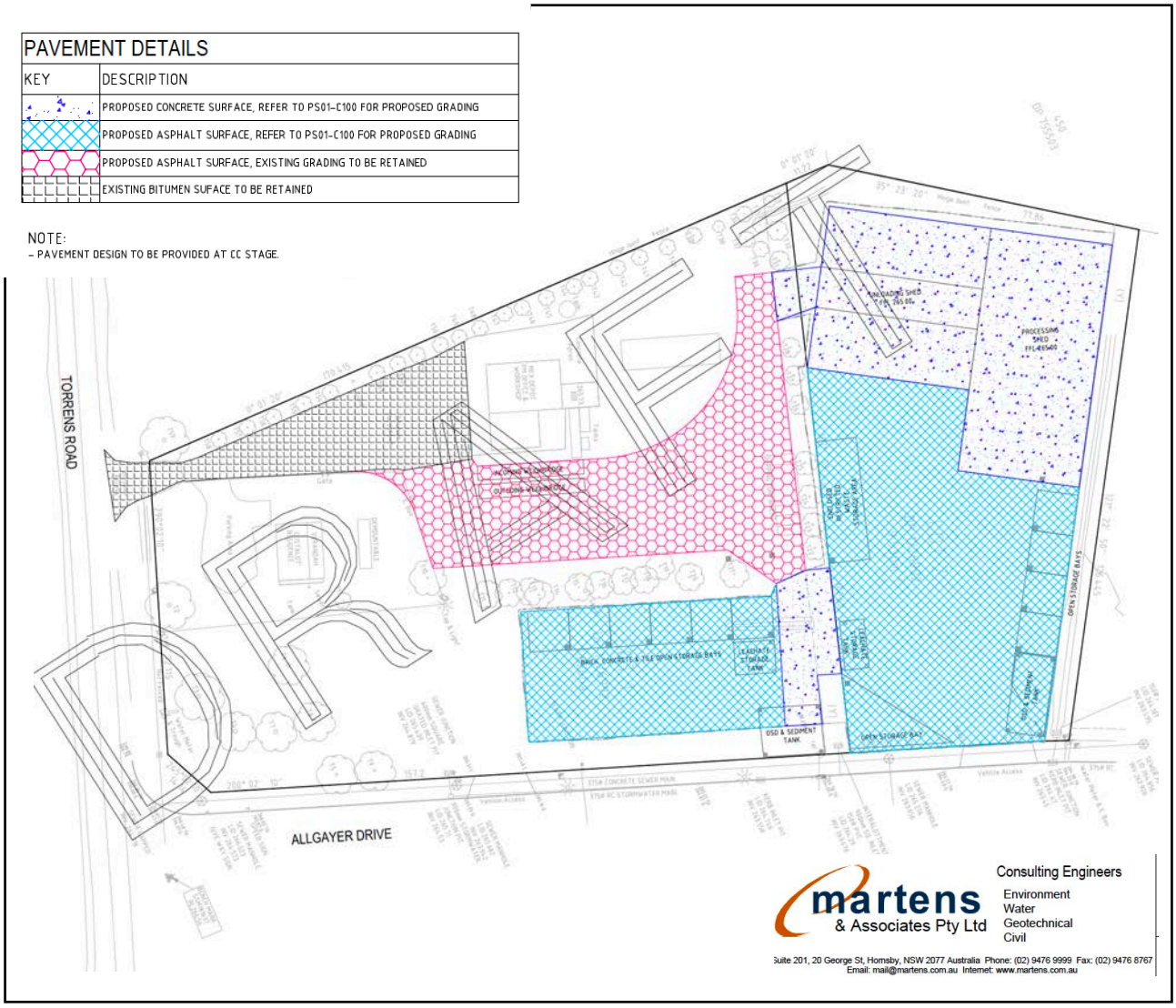

FIGURE 3.5: Proposed pavement plan for the waste facility (concept)

(Source: Martens & Associates, consulting engineers)

3.3 Fire Safety Measures

3.3.1 Existing fire safety measures in place

The existing Mackellar Group operations on site incorporate the following fire safety measures, provided within the existing main office building and adjoining workshop:

- Perimeter vehicle access for emergency vehicles around the building for emergency vehicles.
- Two (2) fire hydrants fronting Torrens Road, with fire hydrants currently provided on land on the opposite side of Allgayer Drive.
- Two (2) fire hose reels serving the front and rear respectively of the office/workshop building.
- Portable fire extinguishers serving the workshop areas as well as the main office, with an additional CO2 fire extinguisher also provided.
- Smoke detectors to be installed, designed so the smoke layer does not descend below 4 m above floor level.

3.3.2 Additional fire safety measures proposed

Following consultation with Fire and Rescue NSW, the proposed waste facility incorporates the following relevant additional 'acceptable solutions' per the NCC and Appendix A of the 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]. The 'acceptable solution' applies to the case of a typical waste facility that handles unprocessed co-mingled recyclable waste material.

The following additional fire safety measures are proposed to service the proposed waste facility:

- Vehicle access for emergency vehicles around the building for emergency vehicles, enabling emergency vehicles to travel in a forward direction. Adequate firefighter access is provided to the building, fire safety systems and equipment.
- Two (2) additional fire hydrants to be provided on the site, fronting Allgayer Drive, with potential booster if required. To be located at least 10m clear of any storage bins/stockpiles.
- A fire hose reel system to be installed to Australian Standard AS 2441 providing coverage for both internal and external storage bins/stockpiles.
- Portable fire extinguishers provided, including a CO2 fire extinguisher. To be provided to serve the waste facility in accordance with the relevant provisions of BCA Clause E1.6 and AS 2444-2006.
- A fire detection and alarm system is installed to *Australian Standard AS 1670.1* and designed for the fire scenarios and environment (e.g. visual flame detectors, infrared detectors, heat detectors/probes). Manual alarm points are installed for staff to initiate alarm of fire.
- Misting spray to be provided in main processing shed instead of water sprinklers.
- 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.
- The fences or walls should be of sufficient height to prohibit unauthorised persons from entering.
- 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.
- The individual storage bays that contain the different waste product (as identified above) shall be separated by concrete construction. Those storage bays containing combustible materials (i.e. timber, plastics, and paper / cardboard) shall not be located next to each other.
- Suitable provisions shall be provided for the retention of contaminated water run-off.
- A system of emergency lighting and exit signs shall be throughout the building in accordance with the relevant provisions of BCA Part E4 and AS 2293.1-2005.
- An automatic smoke exhaust system to be provided to serve any building in accordance with the relevant provisions of BCA Specification E2.2b and AS/NZS 1668.1-2015. Further, smoke reservoirs may be required at roof level to contain smoke at designated internals, including above the processing area.

- Each of the combined OSD/sediment tanks is proposed to be fitted with an automatic shut-off valve on the OSD outlet. In the event of a firefighting emergency the shut-off valve will prevent any water being released from the OSD/sediment tanks and they will act as firewater storage tanks.
- An operations plan is to be documented and implemented for stockpile management and a copy is be included within the Emergency Services Information Package. An emergency plan is to be provided for staff and other persons at the waste facility in the event of fire.

▪ 3.4 Monitoring and Recording of Operation of Waste Facility

3.4.1 Monitoring records generally

The results of any monitoring required under the terms of any subsequently issued EPL will be recorded and retained.

3.4.2 Monitoring soil loads

The operator of the waste facility will keep record of each load of soil received a the site, with records kept of the following, including but not limited to:

- A copy of the waste classification report in accordance with the EPA's *Waste Classification Guidelines*.
- The quantity (in tonnes) of the soil received and the date and time that the soil was received.
- The registration number of the vehicle transporting the soil to the site, as well as the name and contact details of the company or individual delivering the soil to the site and the source(s) and address from where the soil was received.

3.4.3 Recording of pollution complaints

The operator of the waste facility will keep a legible record of all complaints made in relation to pollution arising from any activity to which any subsequently issued EPL applies.

▪ 3.5 Leachate Management

Surface water and leachate from the proposed waste facility will be managed by the surface water management system- refer to **Figure 3.4** and **Figure 3.5**. OSD storage has been modelled to limit post development peak discharge for storms up to the 1% AEP.

Extensive hardstand areas are proposed, with concreting of the unloading and processing sheds. As a consequence, there will be negligible transport of pollutants from the site surface into the groundwater.

The installation of the OSDs and sediment basins will require excavation of relatively small areas of the site.

Stormwater runoff from all open storage bays with potential leachate will be collected by a separate drainage system and discharged to the proposed leachate tanks.

The processing shed and enclosed restricted waste shed, being roofed, are expected to require only a minimal amount of leachate storage, as water from dust suppression is unlikely to form runoff. Any residual internal runoff would be contained by a proposed bund at the access point and collected by a sump pit connecting to the external leachate storage tanks.

During the first 12 months of operation the leachate tanks are to be monitored to determine what contaminates, if any, are found within the leachate.

▪ 3.6 Construction of the Project

It is proposed that a Construction Management Plan be prepared prior to any on site construction works commencing. The project site is already partly developed for industrial purposes, however, the additional works will be required in order to facilitate the Project, including construction of the following:

- Record the date and time of the complaint and the method by which the complaint was made.
- The nature of the complaint and any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect.
- The action taken by the operator in relation to the complaint, including any follow-up contact with the complainant.
- If no action was taken by the licensee, the reasons why no action was taken.
- Records of any complain to be kept for at least 4 years after the complaint was made.
- The record of any complaint to be produced to any authorised officer of the EPA who asks to see them.

The majority of unprocessed waste tipping, storage and processing will occur within the unloading/tipping shed, the processing shed and waste storage shed, to be constructed as part of the site establishment works. The main processing shed and storage shed will be fully enclosed. By enclosing these facilities, air quality, noise and surface water impacts will be significantly mitigated.

The processing shed will be a fully enclosed building with roller doors open during the day. Keeping doors open during operational hours will have benefits for the site, including natural lighting for site employees, natural ventilation, temperature control and general worker amenity. The unloading shed will have a roof and sides facing the site boundary, but will be open to the internal operating area. The waste storage shed will be fully enclosed and closed for all but unloading and loading purposes. All sheds will be built in colorbond steel.

▪ 3.7 Workforce and Hours of Operation

The proposed waste facility will normally operate and accept waste deliveries between 7.00 am and 6.00 pm Monday to Saturday, excluding public holidays. The operation of heavy machinery is only able to occur between 7.00am-5.00pm Monday to Friday. No waste facility operations to be undertaken on Sundays or public holidays. Construction hours would be 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturdays.public).

Once production is at full capacity, the waste facility is expected to be operated by up to 18 on-site employees, as follows:

- Two (2) staff in the administration building.
- One (1) weigh bridge operator.
- Four (4) employees for sorting and picking.
- One (1) site supervisor.
- Two (2) mechanics.
- Four (4) sales staff for product in and out.
- One (1) safety officer.
- One (1) compliance and quality officer.

This does not include the existing twelve (12) drivers ie. Up to 30 employees. There are no contractors expected to work onsite except for service suppliers and possible additional maintenance and repair workers.

▪ 3.8 Plant and equipment

Indicative plant and equipment to be used at the Torrens Road waste recycling and transfer facility is listed in the accompanying table. This information has been used in noise and air quality assessments. The actual equipment used may vary but Mackellar Equipment Hire Pty Ltd will ensure that noise and air quality compliance requirements are met.

Use on site	*Description*
Haulage vehicles	*On average, 905 tonnes per day of waste would be delivered to the Torrens Road Gunnedah site in a range of vehicles including 0.5-tonne domestic trailer/ute loads, 8-tonne rigid trucks and 30 tonnes + heavy articulated trucks. Larger truck loads are possible if road trains are used to haul waste material.*
Weigh-bridge	*Use of two weigh-bridges, one for weighing incoming trucks carrying waste, the other weigh-bridge for outgoing vehicles (with wheel-wash), with optional third weigh-bridge should demand warrant.*
Trommel	*Mobile screening machine used to separate/screen, blend and to sort waste materials. It consists of a perforated rotating cylindrical drum. Diesel powered. Anaconda TD516R tracked trommel or similar. Refer to* ***Figure 3.7*** *showing the technical specifications for this machine and Refer Photograph 3.3. The trommel will not operate at the same time as the crushing plant ie. only one of these mobile plants to be used at any one time.*
Front end loader/ excavator	*Unloading and loading trucks. Moving waste and products. Two(2) Caterpillar 972M loaders or similar. Refer Photograph 3.7 showing an existing Mackellar group owned Caterpillar front-end loader loading a truck.*
Water cart	*Refer to Photograph 3.7 for typical water cart. The water cart would have a capacity of 9,000 litres.*
Fork lift	*Used to move waste material, including sealed asbestos.*
Crushing plant	*Mobile crushing plant (McCloskey J50 or similar) used to crush waste materials- refer* ***Figure 3.6****. This plant will be required on a campaign basis (say once per month) to crush concrete, bricks, tiles and the like into end/recyclable products.The crushing plant will not operate at the same time as the trommel ie. only one of these mobile plants to be used at any one time.*

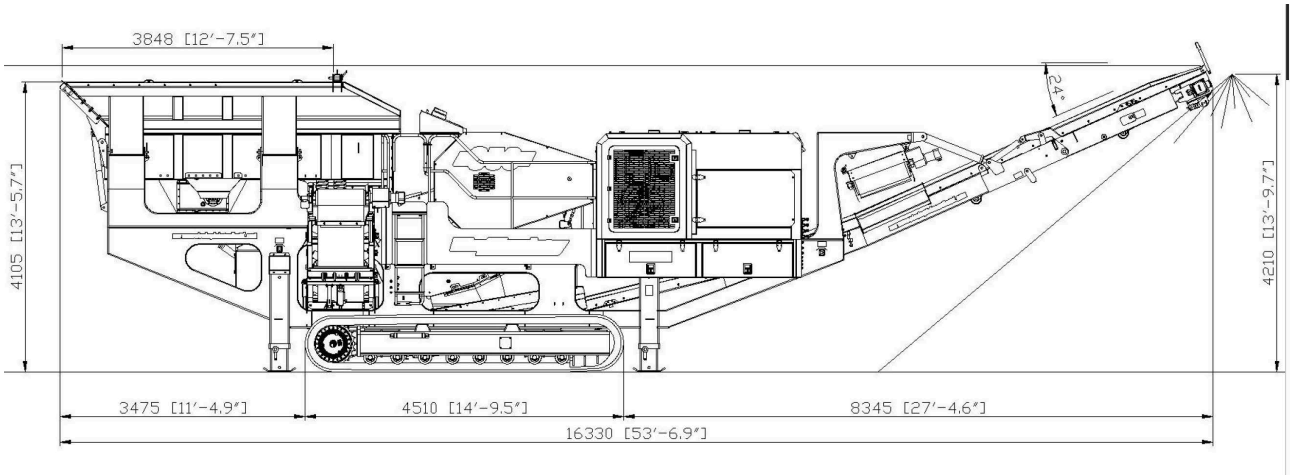

FIGURE 3.6: The McCloskey mobile crusher has an overall length of 16.3m extended

(Source: McCloskey crusher specifications)

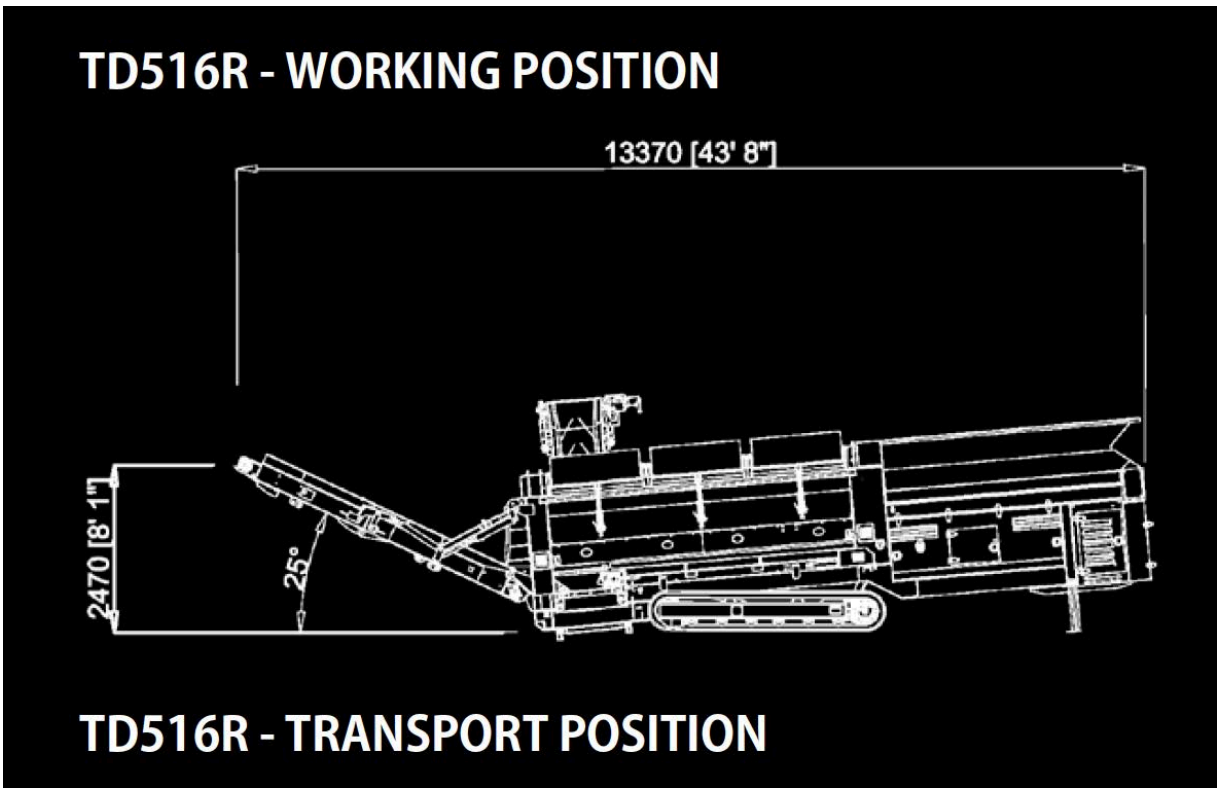

FIGURE 3.6: The Anaconda TD516R mobile trommel has an overall length of 13.37 metres

(Source: Anaconda website)

4. Statutory Planning

4.1 Overview

4.1.1 Need for an EIS

"Development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste" is classified as State significant development (SSD) under the Environmental Planning and Assessment Act 1979 (EP&A Act) as it meets the criteria in Clause 23(3) of Schedule 1 in State Environmental Planning Policy (State and Regional Development) 2011. A waste facility handling less than 100,000 tonnes per annum is regional development for the purposes of the above SEPP.

State Environmental Planning Policy (State and Regional Development) 2011 relies on the definition of a resource recovery or recycling facility as that defined in the Standard Instrument, as follows:

> "***resource recovery facility*** *means a building or place used for the* ***recovery of resources from waste****, including works or activities such as* ***separating*** *and* ***sorting****,* ***processing*** *or* ***treating*** *the waste, composting,* ***temporary storage****,* ***transfer or sale of recovered resources****, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration."*[our emphasis]

The activities forming a part of the Project are highlighted in bold, above. The above definition embraces all of the activities proposed to be carried out as a part of the Project.

The Project will involve the separating, sorting and storage of all waste handled by this waste facility, with further processing proposed for much of this overall waste stream.

As the proposed waste facility seeks development consent to handle 250,000 tonnes of waste per annum the Minister for Planning is therefore the consent authority for this proposed development.

Section 4.12(8) of the EP&A Act requires that an application for State Significant Development (SSD) must be accompanied by an Environmental Impact Statement (EIS). It states:

> "*(8) A development application for State significant development or designated development is to be accompanied by an environmental impact statement prepared by or on behalf of the applicant in the form prescribed by the regulations*."

4.1.2 Integrated development

Under the provisions of the EP&A Act, the development would not be 'integrated development' by virtue of being SSD.

4.1.3 State Environmental Planning Policy (Infrastructure) 2007

Pursuant to clause 121(1) of State Environmental Planning Policy (Infrastructure) 2007 the waste facility, defined as a 'waste or resource management facilities', is permitted in a prescribed zone, which includes land zoned IN1 General Industrial.

▪ 4.2 Local Planning Considerations

4.2.1 Zoning of the Project Site & IN1 zone objectives

Gunnedah Local Environmental Plan (LEP) 2012 is the comprehensive environmental planning instrument applying to the site at No.16 Torrens Road, Gunnedah. Pursuant to the provisions of the Gunnedah LEP 2012 the project site is zoned IN1 General Industrial- refer **Figure 4.1**.

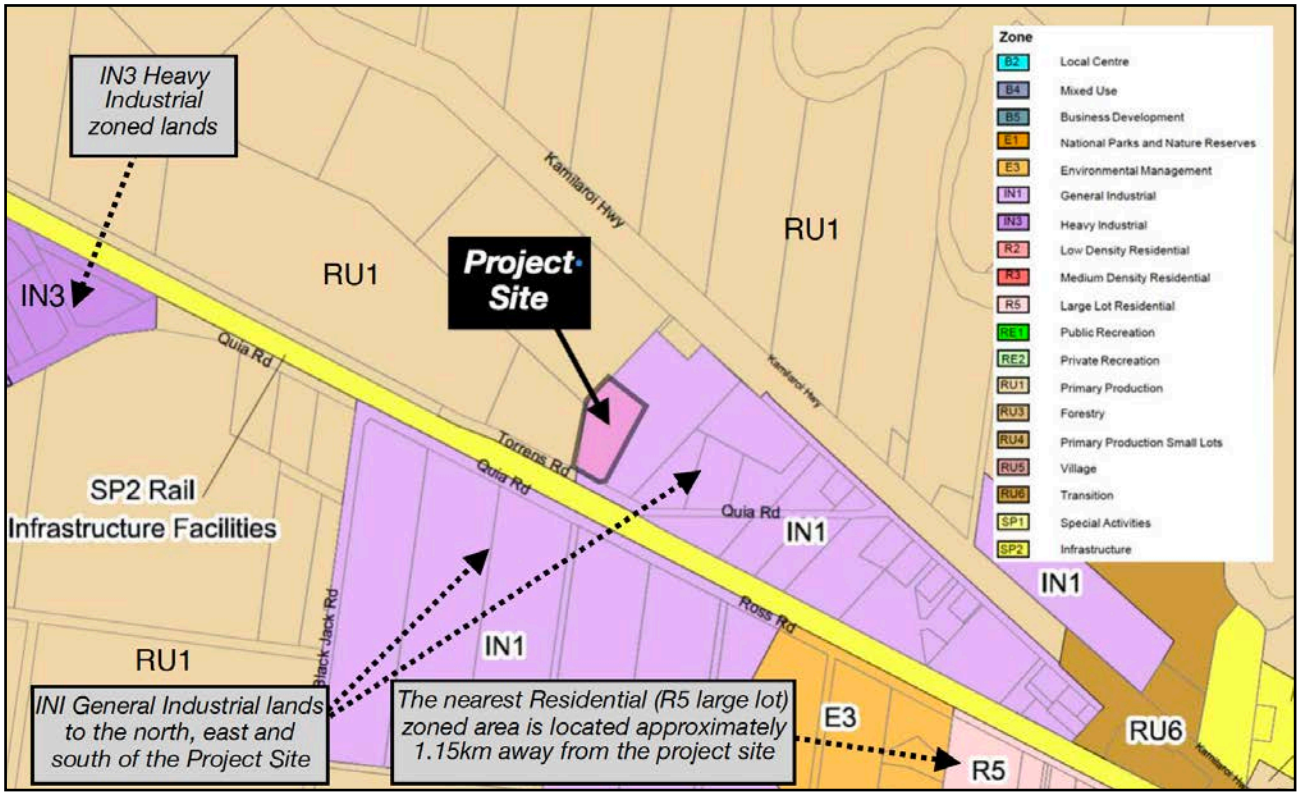

FIGURE 4.1: A waste facility is a permissible use in the IN1 General Industrial zone - the zoning applicable to the Project Site

(Source: Gunnedah Local Environmental plan 2012 Land Zoning map-Sheet LZN_005A)

The compliance of the project with the objectives of the IN1 General Industrial zone are set out in Table 4.2.

Table 4.2: Compliance of the Project with IN1 General Industrial Zone Objectives

IN1 Zone Objectives	*Compliance*
"To provide a wide range of industrial and warehouse land uses"	*Yes. The Project site is currently used for industrial purposes. The project seeks development consent for the establishment of another industrial use on the land, namely, that of a resource recovery facility.*
"To encourage employment opportunities"	*Yes. The Project will provide full-time and part-time employment for up to 6 persons.*
"To minimise any adverse effect of industry on other land uses"	*Yes. The project site is within an established industrial estate, with a zoning that enables the establishment of a broad range of general industrial uses. The project will support the future industrial development in the Gunnedah region, including the immediate surrounds, without significant adverse environmental impacts.*

"To support and protect industrial land for industrial uses"	*Yes. The proposed waste facility is for an industrial use.*
"To enable development that is associated with, ancillary to, or supportive of industry or industrial.."	*The proposed waste facility is proposed on a site that currently houses the main office, manager's residence along with associated storage sheds, truck parking and access, fuelling point and workshops associated with the Mackellar Group of companies.*

4.2.2 Other Gunnedah LEP 2012 Provisions

The following Table 4.3 summarises the compliance of the proposed modification with other relevant provisions of the Gunnedah LEP 2012.

Table 4.3: Compliance of the Project with other relevant provisions of the Gunnedah LEP 2012

Gunnedah LEP 2012 provision	Compliance
Clause 1.9 Application of SEPPs	*Various state environmental planning policies prevail over the LEP as provided by section 36 of the Act. In particular, the provisions State Environmental Planning Policy (Infrastructure) 2007 applies. Refer also to Section 2.3 of the EIS for further details*
Clause 4.1 Minimum subdivision lot size	*No lot size restrictions apply to land zoned IN1 Heavy Industrial (source: Gunnedah LEP 2012 Lot Size Map - Sheet LSZ_005A).*
Clause 4.3 Height of buildings	*No height of buildings restrictions apply to land zoned IN1 General Industrial (source: Gunnedah LEP 2012 Clause 4.3).*
Clause 4.4 Floor space ratio	*No floor space ratio (FSR) restrictions apply to the site (source: Gunnedah LEP 2012 Lot Size Map - Sheet Floor Space Ratio Map-Sheet FSR_005A).*
Clause 5.1 Acquisition	*No part of the project site or immediate surrounds is identified in the LEP for acquisition (source: Gunnedah LEP 2012 Land Reservation Acquisition Map - Sheet LRA_001).*
Clause 5.2 Preservation of trees or vegetation	*The LEP provides: "This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council." No such DCP controls or descriptions apply, the existing Council DCP 2012 silent on this issue.*
Clause 5.10 Heritage Conservation	*No part of the project site is listed as a heritage item or known archaeological site. The project site is not identified as an Aboriginal place of heritage significance. As such, the provisions of clause 5.10 of the LEP, Heritage Conservation, do not apply.*
Clause 5.11 Bush Fire Hazard Reduction	*No part of the project site, proposed to accommodate the waste facility, is. mapped as being bushfire prone land. (source: NSW Rural Fire Service website accessed January 2020 + NSW Government eplanning spatial viewer Property Report March 2020- attached).*
Clause 6.1 Flood planning	*No part of the project site, proposed to accommodate the waste facility, is identified as "Flood planning area" on the Flood Planning Map (source: Gunnedah Local Environmental Plan 2012 Flood Planning Map - Sheet FLD_ 002). Refer* ***Figure 2.2****.*
Clause 6.5 Essential services	*Previously considered by Council prior to granting consent to the establishment of an industrial estate over what is now known as Allgayer Drive.* *The industrial estate, including the project site, is provided with full urban services.* *All stormwater runoff from activities associated with the the waste facility is to be suitably detained on site. The project site has suitable access to the regional road system via the existing approved access points.*

The development of the Allgayer Drive industrial estate, which included the project site, was found by Gunnedah Shire Council to be an appropriate use in this location prior to being approved by Council in December 2015.

In addition to the above, the LEP mapping also shows that the project site is free from the following planning or environmental constraints:

- Flooding (Source: Gunnedah Local Environmental plan 2012 Flood Planning map Sheet FLD_005A).
- Drinking water catchment.
- Wetlands, riparian lands or other lands with a high ecological or environmental value.
- Scenic protection.
- Terrestrial biodiversity.
- Heritage-listed features, including Conservation Area, Aboriginal Place of Heritage Significance or Conservation Area- Landscape or like designations.

■ 4.3 Gunnedah Development Control Plan 2012

In addition to the Gunnedah LEP 2012, the provisions of Gunnedah Development Control Plan 2012 also apply to the project site. The relevant provisions of DCP 2012 applicable to the proposed waste facility not inconsistent with any environmental planning instrument, include the following:

- Side and rear building boundary setbacks are to comply with the BCA (clause 4.1 of the DCP).
- A 7.5m primary and secondary road building setback applies (clause 4.1 of the DCP). In this regard the project complies with this requirement. Refer to Section 3 of this EIS for further details.
- "*Building elevations to the street frontage or where visible from a public road, reserve, railway or adjoining residential area are to incorporate variations in façade treatments, roof lines and building materials*" (clause 4.2 of DCP 2012). The buildings proposed reflect the intended industrial use ie. a waste facility, with landscaping employed to maintain an attractive appearance from nearby public roads.
- "*Industrial development proposed in close proximity to non-industrial uses must be compatible on both visual and operational grounds*" (clause 4.2 of DCP 2012). In this regard the project complies with these requirements.
- "*Applications must demonstrate adequate provision for storage and handling of solid wastes*." (clause 4.3 of DCP 2012). In this regard the project complies with these requirements.
- A Traffic Assessment is required to demonstrate the adequacy of roads, pavement impacts, site access, loading/unloading, as well as on-site manoeuvring for the largest design vehicle (clause 4.4 of DCP 2012). In this regard the development application complies with this requirement.
- Parking for a waste facility of this size would be based on predicted peak vehicle use (clause 4.5 of DCP 2012). In this regard the project complies with these requirements.
- Landscaping is required (clause 4.6 of DCP 2012).In this regard the project complies with these requirements.
- Fencing required under certain circumstances (clause 4.7 of DCP 2012).
- Adequate loading and unloading facilities are to be provided on site.Adequate space and facilities are required to be provided wholly within the site (clause 4.8 of DCP 2012).

- Outdoor lighting to comply with AS 4282 Control of Obtrusive Effects of Outdoor Lighting (clause 4.9 of DCP 2012). In this regard it is intended that lighting will comply with this requirement.
- "Windows, doors and other wall openings shall be arranged to minimise noise impacts on residences where proposed within 400m of a residential zone" (clause 4.11 of DCP 2012). In this regard the project site is located 1.119km from the nearest residential (R5) zone.

[**NOTE**: Under the provisions of clause 11(a) of *State Environmental Planning Policy (State and Regional Development) 2011* development control plans do not apply to State Significant Development.]

▪ 4.4 Compliance with State Planning Policies

The accompanying Table 4.4 provides a summary of the compliance with and/or applicability of the relevant State Environmental Planning Policies to the proposed new waste facility development.

Table 4.4: Compliance of the Project with State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy	Summary of SEPP provisions	Applicability to proposed waste facility
SEPP (Infrastructure) 2007	*Provides a consistent planning regime for infrastructure and the provision of development, across NSW and need for consultation with RMS re: traffic.*	*Yes. The Project is consistent with Clause 123 of State Environmental Planning Policy (Infrastructure) 2007. Consultation is required with RMS pursuant to the provisions of clause 101 of the SEPP.*
SEPP No. 33- Hazardous & Offensive Development	*The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy.*	*No. The Project is considered to be not potentially hazardous or offensive and is generally consistent with the aims, objectives and requirements of SEPP No.33.*
SEPP (Vegetation in Non-Rural Areas) 2017	*Not applicable. The NSW Government's "FAQ Vegetation SEPP 2017" dated September 2017 states: "The Vegetation SEPP will regulate clearing of native vegetation on urban land and land zoned for environmental conservation/ management that does not require development consent".*	*No. Any clearing of vegetation on the project site will be assessed as part of this DA, and not under this SEPP.*
SEPP (Koala Habitat Protection) 2019	*Encourages the conservation and management of natural vegetation areas that provide habitat for koalas*	*Yes, however, the site has been assessed as not comprising core koala habitat for the purposes of clause 9 of the SEPP.*
SEPP No.55 - Remediation of Land	*Introduces state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated*	*No. The project site comprises land that forms a part of the Allgayer Drive industrial estate, completed in early 2016. The site and surrounds have been disturbed and are currently used for industrial purposes. A Stage 1 contamination assessment is currently underway.*
SEPP (State and Regional Development) 2011	*Defines certain developments that are projects of state significance or involving State significant infrastructure.*	*Yes. The project is of a type that triggers the relevant criteria for State significant development requiring consent from the Minister for Planning.*

▪ 4.5 Strategic Context

The NSW Government has identified a series of state priorities: to grow the economy; deliver infrastructure; protect the vulnerable; and improve health, education and public services across NSW. It also includes creating jobs and keeping our environment clean. The proposed new waste facility is consistent with a number of key planks of the above State priorities, as summarised in the accompanying table.

Table 4.5: NSW State Priorities and the Project

NSW State Priorities	How the Project Satisfies State Priorities
Grow the economy, creating jobs	*The proposed waste facility will deliver:* ▸ *A new waste-related 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.* ▸ *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.* ▸ *It has a capital investment value of $2 million and would directly employ an additional 6 people on site during operation.* ▸ *An ability to service local and regional industries eg. rehabilitation of soils used in the coal industry.*
Deliver infrastructure, transport	*The proposed waste facility will deliver:* ▸ *A new waste facility to the Gunnedah region, within an already established, recently constructed fully serviced new industrial estate on the western periphery of Gunnedah township.* ▸ *Construction of a facility that aims to work in tandem with a proposed landfill project at Marys Mount quarry, to the west of Gunnedah.* ▸ *The project site is located within an existing industrial area, area, and is not considered likely to result in excessive cumulative air, noise, stormwater or traffic impacts. It has excellent direct access to local and regional road links.*
Keeping our environment clean	*The proposed waste facility will deliver:* ▸ *The protection of water quality in downstream environments.* ▸ *The protection of our environment through restricting the range of waste that will be handled at the facility.* ▸ *Avoiding dust potential by not locating any crushing facilities on the project site.* ▸ *Appropriate environmental mitigation measures are proposed.* ▸ *The proponent will keep the site in clean and tidy order during the operation of the Project.* ▸ *The proposed development will not have any significant environmental impacts.*
Waste avoidance and resource recovery	*The proposed waste facility will deliver the following:* ▸ *Significantly contribute to the NSW Government's Policy on Waste Reduction. The facility will be able to accept up to 250,000 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.* ▸ *Related to the above, the establishment of a waste facility that will be run in conjunction with a proposed landfill facility operation at Marys Mount quarry, also run by interests associated with the Mackellar family companies (EIS in preparation).*

NSW 2021 is the NSW Government's strategic business plan for setting priorities for action and guiding resource allocation. The proposed waste facility accords with this State plan and will provide public benefits to the wider community through the generation of new jobs and investment in infrastructure.

▪ 4.6 NSW Fire Safety in Waste Facilities Guideline

The proponent proposes various to make adequate provision for fire safety as prescribed by this guideline and meet the relevant 'acceptable solution' as described Appendix A of Fire and Rescue NSW *Fire safety in waste facilities* guideline.

The compliance of the proposed waste facility with the key parts of the *Fire safety in waste facilities* guideline are summarised in the accompanying table.[NOTE: The waste facility proposes to handle limited quantities only of combustible material. For instance, contaminated soil is planned to make up a large proportion (approximately 50%) of the intended waste facility waste stream].

Table 4.6: Fire Safety in Waste Facilities Guideline and the Project

NSW Fire Safety in Waste Facilities Guideline	***How the Project Satisfies Fire Safety in Waste Facilities Guideline***
Development and Planning (Section 7 of Guideline)	*The proposed waste facility achieves the following:* ▸ *The development complies with Clauses E1.10 and E2.3 of the NCC regarding combustible waste (sub-clause 7.2.1 of guideline).* ▸ *The Project makes adequate provision for fire safety and meets the 'acceptable solution' defined in Appendix A of the guideline- refer Section 3 for details (sub-clause 7.2.2 of guideline).* ▸ *Hazards have been identified- refer Section 2.3.3 of this EIS for details (sub-clause 7.2.3 of guideline).* ▸ *Combustible materials with a high fire risk (ie. plastic, rubber) will be present in the waste matrix, however, they will make up a small proportion only of all waste proposed to be handled by this waste facility. Adequate fire safety measures are proposed to process waste containing this material and to temporarily store any such waste, prior to disposal to a licensed landfill facility (sub-clauses 7.2.5-7.2.7 of guideline).* ▸ *The proposed waste facility will provide a safe, efficient and effective access, with access for firefighting vehicles available from both Torrens Road as well as from two access points on the Allgayer Drive street frontage. The Project will access to a adequate fire hydrant system (sub-clauses 7.4.1-7.5.8 of guideline).* ▸ *An automatic fire sprinkler system will be installed in the main processing shed, having a floor are greater than 1,000m^2 (sub-clause 7.6.1 of guideline).* ▸ *The waste facility is to have a fire detection and alarm system installed (clause 7.7 of guideline).* ▸ *The storage areas containing combustible waste will have an automatic smoke hazard management system installed (clause 7.8 of guideline).* ▸ *The waste facility will have an effective and automatic means of containing fire water run-off. The containment system is to be impermeable (i.e. sealed) and prevent fire water run-off from entering the ground or any surface water course. Bunding will be provided where necessary. Pollution control equipment such as stormwater isolation valves, water diversion booms, drain mats, shall be provided as necessary for the facility's emergency response procedures, and be kept readily accessible for the event of fire (clause 7.9 of guideline).*

Facility Operation and Management (Section 8 of Guideline)	*The Project will deliver:* ▸ *Storage and stockpiles shall be limited in size to reduce fire hazard. with the maximum height of any stockpile, loose piled or baled, not to exceed 4m, with storage bays separated by walls of at least 1m above the design height of any stockpile (clause 8.2 of guideline).* ▸ *Stockpiles of combustible waste material should be rotated to dissipate any generated heat and minimise risk of auto-ignition as required (clause 8.3 of guideline).* ▸ *The maximum width of stockpiles to be 20m if fire brigade vehicle access is provided down both sides of the stockpile, and 10 m if access is provided down one side of the stockpile only, with adequate separation between high fire risk and ordinary fire risk stockpiles. Lesser separation distances for smaller stockpiles.External stockpiles to be maintained so that all required fire brigade vehicle access (e.g. around buildings, between stockpiles and to hardstand areas) is always kept clear and unobstructed (clause 8.4 of guideline).* ▸ *Internal stockpiles of combustible waste material are to be maintained as determined by the operations plan, and appropriate to the building size/layout, compartmentation, installed safety systems, process equipment and plant etc. (sub-clause 8.5.1of guideline).* ▸ *An operations plan to be prepared (clause 8.6 of guideline).*
Workplace Fire Safety (Section 9 of Guideline)	*The proposed project will deliver:* ▸ *The waste facility operator to provide information, instruction and training to employees and other persons as necessary to ensure health and safety (sub-clause 9.2.1 of guideline).* ▸ *The waste facility operator to provide management procedures for general safety (sub-clause 9.2.2 of guideline).* ▸ *The waste facility operator to ensure adequacy for emergency access, the regular cleaning of the site, the regular control ignition sources (including vehicles and machinery), adequacy of stored combustible materials, signage and security measures to restrict unauthorised access and deter arson (sub-clauses 9.2.3-9.2.8 of guideline).* ▸ *The waste facility operator to to develop an emergency plan for the waste facility, which is done in accordance with AS 3745–2010 Planning for emergencies in facilities (clause 9.3 of guideline).* ▸ *An Emergency services information package will keep the site in clean and tidy order during the operation of the project, as detailed in FRNSW guideline Emergency services information package and tactical fire plans, should be developed and provided by the waste facility operator (clause 9.4 of the guideline).* ▸ *Once the project is approved, the waste facility operator will have fire safety systems inspected and maintained by a competent fire safety practitioner, then issue a fire safety statement to the local Council and provide a copy to FRNSW, as required by clause 177 and 180 of the EPA Regulation (clause 9.5 of the guideline).*

▪ 4.7 New England North West Strategic Regional Land Use Plan

The *New England North West Strategic Regional Land Use Plan* was released by the Department of Planning Industry and Environment in September 2012. The *New England North West Strategic Regional Land Use Plan* aims to provide a framework for growth, environmental protection and dealing with competing land uses over the next 20 years. It is focussed around eight key areas each with several underlying objectives.

The proposed waste facility would be consistent with the *New England North West Strategic Regional Land Use Plan*, and in particular in terms of the following:

- Deliver a new industry to the Gunnedah region, namely a waste facility, with flow-on employment and economic benefits (Direction 6).
- The establishment of a new industry within an existing, serviced and established industrial-zone (Directions 6 and 16).
- The proposed waste facility sits on land that is flood-free (Direction 12).
- The Project is situated on industrial land with excellent transport links to local and regional markets (Direction 13). Gunnedah is highly accessible to regional markets, including markets in Sydney as well as Brisbane.
- Related to the above, no agricultural land, including mapped biophysical strategic agricultural land, is lost to the proposed waste facility (Direction 3).
- The Project adopts mitigation and management measures that will act to ensure that local amenity and the environment is afforded an acceptable level of protection. Moreover, and given that the project site forms a part of a recently developed industrial estate, the proposed waste facility will not impact on any known Aboriginal sites or significant habitats (Directions 11, 23 and 24).

■ 4.8 Protection of the Environment Operations Act 1997

The granting of development consent under the EP&A Act for the application to develop the proposed waste facility does not exhaust the approvals process necessary for the commencement of a waste recycling operation. The development will also require an environment protection licence (EPL) issued by the NSW Environment Protection Authority (EPA).

The *Protection of the Environment Operations Act, 1997* and and the NSW *Protection of the Environment Operations (General) Regulation 2009* provides an integrated system of licensing for industries, like waste facilities.

Under the provisions of clause 34 of Schedule 1 of the *Protection of the Environment Operations Act, 1997* 'resource recovery' operations, which includes the recovery of waste tyres, must hold an Environment Protection License (EPL). This includes the following activities relevant to the project:

- Having on site at any time more than 2,500 tonnes or or 2,500 cubic metres of waste.
- Processing more than 12,000 tonnes per year of waste.
- Involves having on site at any time more than 200 kilograms of hazardous and other waste.
- Waste involves having on site at any time (other than in or on a vehicle used to transport the tyres to or from the premises) more than 5 tonnes of waste tyres or 500 waste tyres, or involves processing more than 5,000 tonnes of waste tyres per year.

ss7 (1) and 50 (2) of the *Protection of the Environment Operations Act, 1997* makes it clear that the *Protection of the Environment Operations Act, 1997* and the EP&A Act (under which this DA is to be determined) are interlocking, parallel schemes of regulation.The interlocking nature of the scheme is even more evident when the EP&A Act is considered, in particular Division 5 of Part 4 concerning integrated development (which applies here).

The scheme envisages that the requirements of the EP&A Act would need to be first obtained: *Newcastle & Hunter Valley Speleological Society Inc v Upper Hunter Shire Council and Stoneco Pty Limited (No2) [2010]* NSWLEC 104 per Preston CJ, and most recently by the NSW Court of Appeal in *Hunter Industrial Rental Equipment Pty Ltd v Dungog Shire Council* [2019] NSWCA 147 decision dated 20 June 2019.

Once a development consent has been obtained, the proposed waste facility would then to obtain and to operate under the terms and requirements of the issued consent together with the requirements of an Environment Protection License (EPL), the latter issued by the NSW EPA. This made clear by the NSW Court of Appeal in the matter of a quarry operation (at Martins Creek, in the Hunter Valley region of NSW) in *Hunter Industrial Rental Equipment Pty Ltd v Dungog Shire Council* [2019] NSWCA 147 at [166] and [177] states, inter alia:

> *"166. Land usage is subject to a range of statutory controls which, in broad terms, operate cumulatively. Thus, for the purposes of the operations carried out at Martins Creek, the appellants needed development consent under the Planning Act and also a licence under the Protection of the Environment Operations Act 1997 (NSW) (the 1997 Act).*
>
> *.....*
>
> *177. The evident purpose of s 50, and indeed s 58(6) of the* [Protection of the Environment Operations Act 1997: "the 1997 Act"], *is to ensure that the* [EP&A Act] *and the 1997 Act operate in tandem and do not result in conflicting permissions. Thus, if consent is required under the [EP&A Act], and has not been obtained, the EPA cannot grant a licence under the 1997 Act."*

Moreover, and related to [177] above, an EPL variation cannot be lawfully issued if it is inconsistent with the issued development consent per the decision of Justice Pain in *Hy-Tec Industries (Queensland) Pty Ltd v Tweed Shire Council* [2019] NSWLEC 175 dated 14 November 2019.

▪ 4.9 Water Management Act

The *Water Management Act 2000* governs the issue of new water licences and the trade of water licences and allocations for those water sources (rivers, lakes and groundwater) in NSW where water sharing plans have commenced. The object of the *Water Management Act 2000* is to provide for the sustainable and integrated management of the water sources of the State for the benefit of both present and future generations.

The *Water Management Act 2000* also regulates the use of land where there may be interference with groundwater or where it involves works within 40m of of a watercourse.

The project site is more than 40m away from the nearest watercourse. Moreover, the Project does involves minor changes only to the existing landform and will not interfere with any groundwater. None of the preceding statutory triggers are thus activated by the proposed development.

▪ 4.10 Planning for Bushfire Protection 2019

The NSW Rural Fire Service's (RFS) *Planning for Bushfire Protection* 2019 is a document prepared by NSW Rural Fire Service (NSW RFS) that sets out the bushfire management requirements for developing on bushfire prone land. The project site is not identified as being bushfire prone land.

5. Likely Planning & Environmental Impacts

5.1 Summary

The proposed waste facility complies with with the objects of the EP&A Act, which governs planning and the assessment of development projects in New South Wales, including resource recovery and waste facilities.A summary of the overall compliance of the proposed waste facility development with s.4.15 heads of consideration matters for consideration is set out in the accompanying Table 5.1.

Table 5.1: Compliance 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	*Under the provisions of Gunnedah Local Environmental Plan (LEP) 2012 a 'waste or resource management facility' is a permitted use in the IN1 General Industrial zone. Moreover, Clause 121(1) of State Environmental Planning Policy (Infrastructure) 2007 has the effect of rendering development for the purpose of a waste facility permissible in a 'prescribed zone', which includes land zoned IN1 General Industrial- the current zoning of the project site.*
Any proposed planning instrument	*Complies.*
Any development control plan	*Complies. The applicable development control plan is the Gunnedah Development Control Plan 2012. [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 (to the extent that they prescribe matters for the purposes of this paragraph)	*Complies.*
(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	*Complies. The proposed waste facility is confined to land developed recently for the purposes of an industrial estate: Allgayer Drive.* *No additional land clearing or loss of habitats arise from the project. 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	*Complies. The project site forms part of land that has been specifically developed to accommodate industrial uses. It has no 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, it is adequately separated from sensitive receivers to enable potentially adverse environmental impacts (ie air and noise) to be adequately managed and/or mitigated.*
(d) Any submissions made in accordance with this Act or the regulations	*Comments will also be received during the EIS exhibition process.*
(e) The public interest	*Complies.*

▪ 5.2 Waste Management

The design of the waste facility incorporates waste management measures proposed to minimise hazards to a satisfactory degree, including unintentional or accidental emissions. No dangerous goods are proposed to be stored on site besides those already stored on site, associated with the existing approved transport depot and workshops.

Waste management measures proposed at the site will include the following:

- Measures for acceptance, unloading, processing, storage and ultimate disposal of waste received at the waste facility.
- Ongoing maintenance and operation of equipment and the keeping of all equipment in good working order.
- Waste recycling.
- Monitoring and reporting.
- Unexpected finds protocol for asbestos waste.
- Worker safety.
- Corrective action should there be an incident.

▪ 5.3 Hazards and Risk

A preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 - Hazardous and Offensive Development finds that the Project is neither 'potentially hazardous' or 'potentially offensive'. Importantly, no thresholds are triggered. Nonetheless, appropriate management of dangerous goods on the site will be undertaken in accordance with relevant quarry health and safety requirements.

Diesel fuel is currently stored on site, however, given the internal bunding provided and setbacks from existing residences, it can continue to be safely stored in accordance with industry best practice. As such, risks associated with the storage of diesel on site are considered to be acceptable.

Provided the proposed mitigation measures are implemented, no identified risks pose any significant off-site impacts.

The proponent will expand upon existing worker safety and training measures currently applying to the existing operations on site in the work place, with the inclusion of safety procedures in the handling of wastes generally, as well as the inspection and assessment of loads entering the site. The proponent will be required to continue to comply with the relevant occupational, health and safety provisions.

It is noteworthy that a development approval was granted by Gunnedah Council for the 'Costalot' subdivision, creating Allgayer Drive, at which stage the requirements of clause 7 of SEPP 55, relating to contamination and remediation to be considered in determining development application, would have been met. Therefore, by virtue of the subdivision and subsequent construction of the of industrial subdivision in which the project site is contained, it is considered that if the land had been contaminated, sufficient remediation would have been undertaken to render it suitable for industrial purposes.

In any case, there will be minimal soil disturbance and no groundwater interaction during the construction of the proposed waste facility-refer to EIS Section 3 for details. Therefore, there is very minimal potential for exacerbation of any potential soil contamination.

Based on the above, it is concluded that no further assessment under the provisions of SEPP 55 is warranted and the development is a permissible form of development, with consent, in accordance with clause 8(1) of SEPP 55.

▪ 5.4 Fire and Incident Management

Fire and incident management can be managed to a satisfactory degree given the following.

As the project site is not mapped as being bushfire prone land there is no need for the dedication of any asset protection zones (APZ) in accordance with NSW Rural Fire Service guidelines.

The design and mitigation measures proposed will ensure that there is an adequate level of provision of environmental protection provided at the proposed waste facility in terms of air, water and noise controls, spill cleanup equipment, fire management (including the location of fire hydrants) and containment measures, the sizing and location of stockpiles to minimise fire spread and facilitate emergency vehicle access.

Various measures are to be be implemented to ensure that the proposed waste facility accords with the NSW Fire and Safety guidelines document entitled *Fire Safety in Waste Facilities,* dated October 2019.

▪ 5.5 Air Quality

An air quality impact assessment is currently under preparation, by Vipac Engineers and Scientists.

Importantly, and in the interests of minimising dust and air-borne pollutants, no crushing of waste is proposed on the project site. All processing of waste will be undertaken within covered sheds, in the main being enclosed/semi-enclosed sheds.

▪ 5.6 Noise and Vibration

A noise/vibration impact assessment is currently under preparation, by Vipac Engineers and Scientists.

Importantly, and in the interests of minimising noise, shielding of noisy activities from neighbouring uses is proposed on the project site.

The *Noise Policy for Industry* (2017) will be applied to any new Environment Protection Licence (EPL) issued following the grant of any development consent.

▪ 5.7 Soil and Water

A soil and water management plan is is currently under preparation, by Martens & Associates, consulting engineers. The aim will be to ensure that site soil and water management will be designed to satisfactorily accommodate the potential soil and water impacts associated with the proposed waste facility.

No part of the project site, proposed to accommodate the waste facility, is identified as “Flood planning area” on the Flood Planning Map (source: Gunnedah Local Environmental Plan 2012 Flood Planning Map - Sheet FLD_ 002).

The 'dirty' water catchment will be designed to collect and convey all stormwater runoff from disturbed areas and convey it to the on site detention pit within the site. The dirty water catchment drains and on site detention will be designed to convey and store flows in accordance with *Managing Urban Stormwater- Soils and Construction (DECC, 2008)*.

▪ 5.8 Transport and Traffic

Currently being assessed by traffic consultants Streetwise.

The Project is located in an existing industrial estate on the western outskirts of Gunnedah. Surrounding uses are generally industrial in nature. The project site has access to the subregional and regional road network via Torrens Road and Quia Road, established access roads that already accommodate predominantly industrial traffic. The industrial nature of the this part of Gunnedah provides a road network suitable for heavy vehicles and even the Allgayer Drive are wider than standard.

The access for both inbound and outbound vehicles to the proposed waste facility will be from an existing, lawful access point from the site onto Torrens Road. The project site also enjoys a further two access points to Allgayer Drive, however, these will not be relied on by vehicles delivering or leaving with waste material. These access points will, however, be used by vehicular traffic associated with the existing Mackellar Group transport depot, including storage facilities, truck and car parking, as well as refuelling, offices and workshop operations.

The Torrens Road access point to the site can be accessed by either eastbound or westbound inbound trucks. Outbound vehicles can either exit and turn left, travelling further along Torrens Road or they can turn right and join with Quia Road. It is expected that Quia Road will be the main route travelled by inbound or outbound vehicles.

The local road network and key intersections operate at a good level of service, having significant spare capacity. The intersections have relatively low peak traffic flows and good geometry and sight distances, with moderate turning demands, operating at a high level of service.

The proposed weigh bridge system will record both inbound and outbound movements associated with the waste facility. The waste facility will accept small trailer loads of waste from the public, as well as truck and dog configurations. It is anticipated that the majority of truck movements to and from the waste facility will be concentrated between later morning and mid-afternoon.

▪ 5.9 Biodiversity

The project site is located within a recently developed industrial estate precinct and does not form a part of any critical habitat or is land mapped as being of biodiversity significance in the Gunnedah LEP 2012. The project site has been disturbed by extensive site works and establishment of hardstand areas and construction of sheds, buildings and other structures over most of the project site.

A BDAR waiver is currently being prepared.

The Mackellar group has planted out much of the western boundary with tree plantings, as well as within the site itself including along the northern boundary of Lot 1. A few trees on Lot 1 will be removed to make way for vehicular movement corridors, however, most of the existing tree plantings will be retained.

The three (3) existing trees on Lot 2 will be removed, to make way for works associated with the proposed waste facility. None of this tree clearing affects any vegetation of significance to koalas.

▪ 5.10 Visual

The proposed development has a height bulk and scale in keeping with the industrial character of the surrounds. Existing tree plantings will assist in screening views of the proposed waste facility from adjacent public viewing points.

▪ 5.11 Heritage

The project site is already highly disturbed and is also predominantly covered in existing structures and hard surfaces. It forms a part of an industrial estate completed in 2016. It is also relevant that prior to the grant of development consent to the 'Costalot' industrial estate, which includes the project site, Council would have been under an obligation to consider the heritage requirements of the Gunnedah LEP 2012. Therefore, by virtue of the subdivision and subsequent construction of the of industrial subdivision, involving extensive site disturbance, the likelihood of encountering heritage items is considered to be, at best, slight. In any case, there will be minimal soil disturbance during the construction or operation of the proposed waste facility-refer to EIS Section 3 for details. Therefore, there is very minimal potential for the discovery of Aboriginal sites. Notwithstanding the above, an unexpected finds protocol for Aboriginal sites forms a part of the proposed development.

An ACHARS assessment is already underway.

▪ 5.12 Suitability of the Site

The Project Site is suitable for the proposed waste facility development having regard for a range of factors including but not limited to the following:

- The project site forms part of an industrial subdivision at Allgayer Drive. The project site is cleared and developed, in the main, for industrial purposes. The subdivision is fully serviced and has bitumen sealed road and and kerb and guttering. It is reasonably buffered from surrounding residential uses. [NOTE: effective controls are also proposed to prevent any environmental nuisance or loss of amenity.]
- Related to the above, the project site is located within a zoned industrial area. A waste facility is a permissible use in the IN1 General Industrial zone.
- The project site is within close proximity and has ease of access to major transport routes. Moreover, the proposed waste facility will have good road access that does not pass through urban residential or other sensitive areas such as schools and hospitals.
- The site is flat and well suited to use for ongoing industrial purposes, with more than sufficient space to accommodate the proposed waste facility, with minimal earthworks required.
- The project site is not identified as comprising bushfire prone land, nor is it identified in the Gunnedah LEP as comprising flood prone land, with no known ecological or archaeological potential. The project site is already disturbed by industrial development uses.

▪ 5.13 Consultation

This is well progressed, with two briefings held with Gunnedah Shire Council officers to date, and with follow up consultation already undertaken with the EPA, RMS, Aboriginal groups and other agencies, as well as with landowners. It is proposed that a Fact Sheet is to be distributed to all neighbouring properties within a 1km radius of the site seeking comments on the project.

As per the Departments advice at our Scoping Meeting, our client has since commissioned an Aboriginal Cultural Heritage Assessment Report (ACHAR).

6. Supporting Deliverables with the EIS

To assist in addressing the SEARs and to provide adequate information to assess the SSD proposed, the following deliverables are proposed for inclusion:

- Quantity Surveyors Report.
- Site Survey.
- Engineering Drawings, including stormwater design.
- Traffic Impact Assessment.
- Noise Impact Assessment.
- Air Quality Impact Assessment.
- SEPP Koala Habitat Protection Assessment.
- Stage 1 contamination assessment.
- BDAR exemption.
- ACHARS assessment.

7. Conclusion

Currently an EIS is in preparation for a proposed waste facility on the project site handling up to 90,000 tonnes of waste per annum, relying an earlier SEARS issued on 15 October 2019 (SEARS 1380).

This document is a written application requesting the provision of the Secretary's Environmental Assessment Requirements (SEARS) for a State Significant Development for a waste facility handling up to 250,000 tonnes of waste per annum.

The SEARS request has also has provided a summary of the key issues required to be addressed for the assessment of the State Significant Development Application.