ADW JOHNSON PTY LIMITED
ABN 62 129 445 398

Sydney
Level 35 One International Towers
100 Barangaroo Avenue
Sydney NSW 2000
02 8046 7411
sydney@adwjohnson.com.au

Central Coast
5 Pioneer Avenue
Tuggerah NSW 2259
02 4305 4300
coast@adwjohnson.com.au

Hunter Region
7/335 Hillsborough Road
Warners Bay NSW 2282
02 4978 5100
hunter@adwjohnson.com.au

Planning

Working Beyond Expectations

State Significant Development – Scoping Report

Resource Recovery Facility

Property:
Lot 13 DP 236073
509 Tomago Road, Tomago NSW

Applicant:
Recycled Concrete Products Pty Ltd

Date:
7th December 2022

Document Control Sheet

Issue No.	Amendment	Date	Prepared By	Checked By
A	DRAFT	May 2022	BSA	AC
B	FINAL	June 2022	BSA	AC
C	AMENDED	July 2022	BSA	BSA
D	AMENDED	September 2022	BSA	AC
E	AMENDED	December 2022	BSA	AC

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APPENDICES

1.0 Introduction

This Scoping Report is submitted to the NSW Department of Planning, Industry and Environment (DPIE) in support of a proposed "Resource Recovery Facility" at 509 Tomago Road, Tomago NSW (the site). The report seeks Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) that will accompany a State Significant Development Application.

The development is classified as State Significant Development pursuant to *Schedule 1 Section 23 (Waste and Resource Management Facilities)* of *State Environmental Planning Policy (Planning Systems) 2021*.

1.1 APPLICANTS DETAILS

This Scoping Report has been prepared by ADW Johnson on behalf of Recycled Concrete Products Pty Ltd (RCP):

Applicants Name: Recycled Concrete Products Pty Ltd
Applicants Address: C/- ADW Johnson Pty Ltd PO Box 3717 Tuggerah NSW 2259

1.2 SITE DETAILS

The subject site is identified as follows:

Site Address: 509 Tomago Road, Tomago NSW
Lot and DP: Lot 13 in Deposited Plan 236073

1.3 THE PROJECT

1.3.1 Project Description

The proponent seeks to develop a "Resource Recovery Facility" at 509 Tomago Road, Tomago, which will be capable of processing up to 250,000 tonnes of general solid waste (non-putrescible) per year, consisting of constructions waste such as soils, concrete, bricks, tiles, gyprock, metal, timber and asphalt. Approximately 50% (125,000 tonnes) of the waste will be received at the site via construction waste skip bins within a skip bin waste shed where the material will also be sorted whilst the remaining 50% will be received via trucks and the like unloading at the raw feed stockpile.

Establishment of the proposed facility will include:

- Minor regrading of the site, with importation of fill and construction of retaining walls where required;
- Provision of hard stand pavement;
- Decommissioning/filling in of the existing sediment basin;
- Installation of a Stormwater Management System generally within the centre of the site, including a stormwater basin, and rainwater tanks sited adjacent to existing buildings;
- Provision of a new weighbridge in addition to the existing weighbridge – providing separate weighbridges for vehicles entering and exiting the site;

- Provision of a wheel wash for all vehicles existing the site;
- Construction of a weighbridge office in association with the new weighbridge for vehicles entering the site;
- Construction of a 50m x 10m shed – with the shed to house construction waste skip bins, with the bins to be received and sorted within the shed;
- Establishment of a raw feed stockpile being 37,500m^3;
- Establishment of four (4) product stockpiles, including two (2) for aggregates being 6,592m^3 each, and two (2) for DGB/road base being 7,515m^3 each;
- Establishment of a rejects stockpile;
- Retention of the existing office / workshop area – with the workshop to service plant associated with the proposed resource recovery operations;
- Retention of the existing carpark – given the proposed operation of the resource recovery facility, the existing carpark will more than provide for the parking demand anticipated by the estimated 15 staff required to operate the proposed facility.

A copy of the Concept Layout of the site is provided as Appendix 1.

1.3.2 Objectives of the Development

The key objectives of the project are to:

- Provide adequate, safe and efficient recycling opportunities for general solid waste (non-putrescible), including construction waste such as soils, concrete, bricks, tiles, gyprock, metal, timber and asphalt;
- Reduce the pressure on landfills;
- Establish an operation of this scale within proximity of major planned road work projects so as to reduce transport and environmental costs associated with the re-use of such materials;
- Provide an environmentally sustainable alternative to landfilling; and
- Contribute to the NSW State Government's recycling goals set in the *NSW 2021* document and relevant waste strategies, and the 20-year Waste Strategy developed as part of the NSW Issues Paper *Cleaning up Our Act: The Future for waste and Resource Recovery in NSW*.

1.4 BACKGROUND TO THE DEVELOPMENT

1.4.1 Relevant History

The site currently operates as a Resource Management Facility, which was originally approved to recycle scrap metal. This facility was approved on 19th January 2005 under *DA 16/2004-342 – Waste or Resource Management Facility,* and amended on 23rd July 2014. The current consent provides for a maximum of 30,000 tones of recyclable dry solid waste to be received onsite per annum, and allows for operation of the facility Monday to Friday 7am-5pm, Saturday 7am-4pm, with no operations permitted on Sundays and Public Holidays. In many ways, the proposed facility will operate in much the same way as this existing facility, simply on a larger scale.

In addition to the existing facility on site, RCP also operate a number of resource recovery facilities throughout NSW, and have noted an increasing demand for additional facilities and recycling services. As such, and due to the growth in the recycling market and the NSW Governments strong initiative to reduce waste and move towards developing a circular economy; RCP seek to expand their operations by re-developing the site as a Resource Recycling Facility.

1.4.2 Capability of the Site to Increase from 30,000tpa to 250,000tpa

The current approved capacity for the site is not indicative of the potential capacity – rather, it is a hangover from the original consent which the proponent is currently operating under. This consent is almost 20 years old, and was initially issued for the purpose of metal recycling – with subsequent amendments approving the use as a "Waste or Resource Management Facility". The proposed increase in capacity is a factor of two (2) principal considerations, being the size of the site, and the machinery proposed to be used.

The site has the potential for a far greater level of production than that which is currently approved. In order to achieve a higher production level, a proportional increase in site area is not required. In considering this point, it should be noted that in the main, the finished product is exported from the site soon after production, as in many cases, product is produced to order. The existing site area is more than sufficient to accommodate the required raw feed; processing; and finished product storage areas.

In considering the type of machinery used, RCP's sister company 'Tricon Mining Equipment' is one of the largest suppliers of machinery for facilities such as that which is proposed, as well as for other larger scale mining developments. As such, RCP not only have access to the latest technology in the field, but also some of the largest machinery available.

While the existing facility processes just 30,000tpa, the existing machinery on site is capable of processing much larger amounts of material, up to and including the proposed 250,000 tpa. Therefore, the capability of the site to increase production from 30,000tpa to 250,000 tonnes will be more dependent on the hours of processing. For example – processing of feed material onsite generally occurs for two (2) hours per day (depending on demand). A simple doubling of those processing times can double the current production levels.

1.4.3 Key Strategies to Minimise Impacts

It is anticipated that many of the key strategies which are currently employed onsite for the existing operations will continue to be implemented for the proposed development (simply on a larger scale), in order to avoid or minimise the impacts of the project. These will include:

- Mitigation measures related to noise, vehicle movements and emissions, embedded into the design of the project to minimise environmental impacts – such as adhering to strict hours of operation, implementing a dust suppression system and appropriate stormwater pollution control devices;

- A robust Operational Plan of Management (OPoM) to mitigate environmental impacts related to noise, vehicle movement, emissions, stormwater runoff and staff hours.

2.0 Strategic Context

2.1 KEY FEATURES OF THE SITE AND SURROUNDS

The subject site is located on the southern side of Tomago Road, Tomago – 3.5km east of the Pacific Highway, 22km north-west of Newcastle, 13.5km south of Raymond Terrace and 2.4km west of Williamtown.

The subject site is located within the 'Tomago Industrial Site' – a regionally significant precinct, which contains existing industrial development, identified for expansion. The site adjoins:

- Existing industrial development to the east – with the land directly adjoining the site also owned by the applicant;
- Existing industrial development to the west;
- The Hunter River to the south;
- Tomago Road to the north and existing industrial development further afield – including Tomago Aluminium Smelter.

The closest sensitive receivers to the subject site are located over 5km south of the site within the residential areas of Mayfield West.

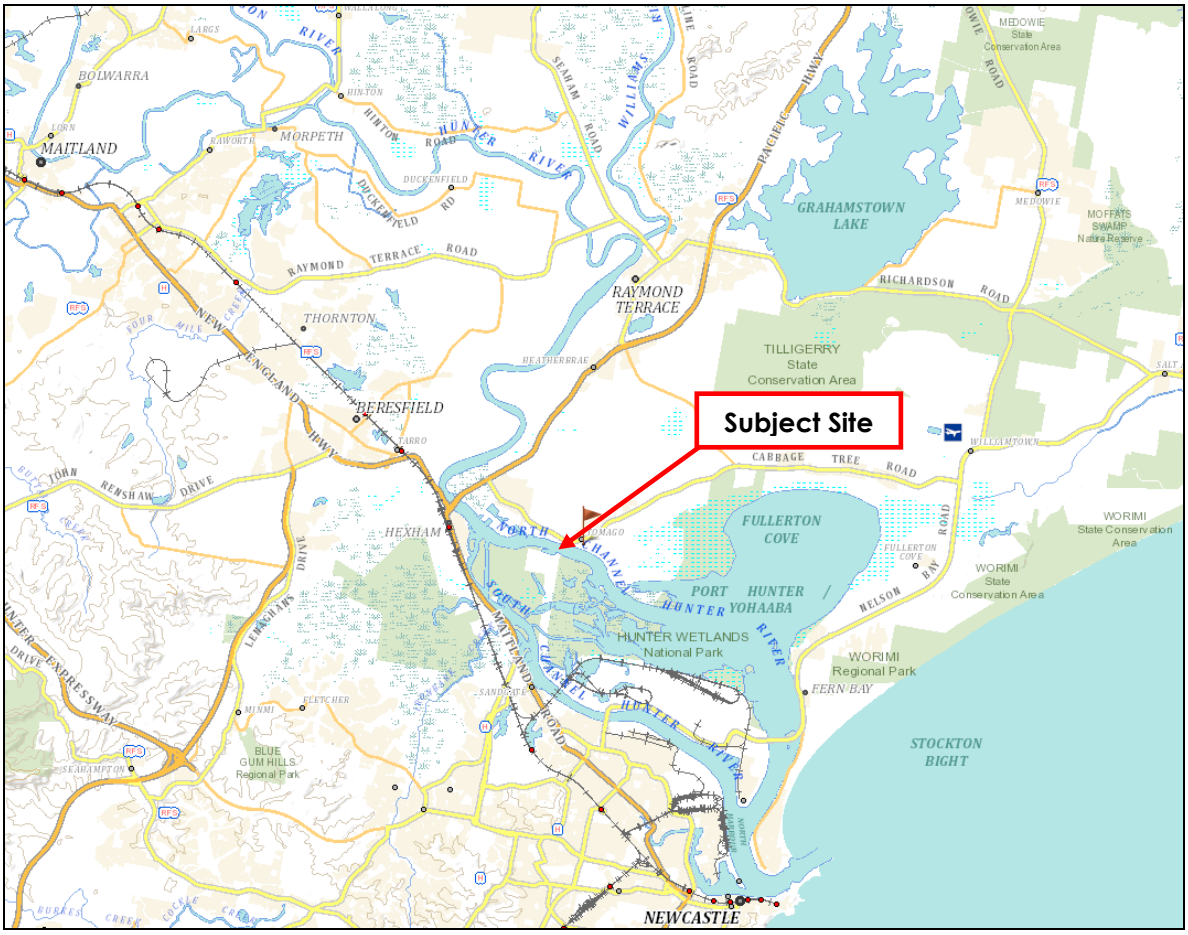

Figure 1: Wider Context of Subject Site (Source: Six Maps)

Figure 2: Aerial Image of Surrounding Development (Source: Near Maps)

2.1.1 Shape and Dimensions

The site is an irregular shaped piece of land totalling 3.44ha, with maximum dimensions of 240.041m and 105.794m (refer to Deposited Plan provided as Appendix 2).

2.1.2 Existing Structures/Use

The site currently contains an existing office/workshop and car parking area along the western boundary of the site, which is currently utilised for the existing Recycling Facility. The remainder of the site consists of vehicle movement areas, processing areas, stock piles, and disturbed vegetation.

2.1.3 Access

Access to the site is available via the existing concrete access from Tomago Road within the north-western corner of the site.

2.1.4 Topography

Due to the existing use of the site and previous development, the site is generally flat with the exception of stockpiles associated with the existing operations.

2.1.5 Vegetation

The majority of the site has been cleared/disturbed and is heavily managed as a result of industrial operations and materials storage. Vegetation is however, present within the southern/rear portion of the site along the Hunter River. It is noted that this appears to result from a Council mandated setback from the river as part of the current consent over the site.

Figure 3: Aerial Image of Subject Site (Source: Near Maps)

2.2 POLICY CONTEXT

The NSW Government have developed several strategies which set objectives and targets for both commercial and industrial waste, construction and demolition waste streams. The proposed development is consistent with and will contribute to achieving the objects and targets set out in these strategies, which include the following:

- The *NSW 2021: A Plan to Make NSW Number One* sets the priorities for waste reform and commits to developing long term strategies that encourage resource recovery and prevent unnecessary waste. One of the targets for recycling in this plan was to increase levels of commercial and industrial waste to 63% and construction and demolition waste to 76% by the year 2014. While this target date has now passed, this plan is still used as a platform for many of the NSW EPA's strategies for waste reform.

- The *NSW Waste Avoidance and Resource Recovery Strategy 2014-21* (WARR 2014-21) was released in December 2014 and sets targets which align with the NSW Government's waste reforms in *NSW 2021: A plan to make NSW number one*. The WARR 2014-21 objectives and targets include that, by 2021–22, recycling rates increase for commercial and industrial waste from 57% (in 2010–11) to 70%, construction and demolition waste from 75% (in 2010–11) to 80% and increase the waste diverted from landfill from 63% (in 2010–11) to 75%. The proposed development will directly support these targets.

- *Waste Less, Recycle More, was released by the NSW Government in 2013.* Amongst other measures, the initiative aims to 'enhance recycling and alternative waste treatment infrastructure across NSW'. The document states that overall, an additional 1 million tonnes of waste needs to be recycled annually (based on 2010/2011 data) to achieve targets nominated in *NSW 2021: A plan to make NSW number one*. The proposed development throughout will equate to 25% of this target.

- *Port Stephens Local Strategic Planning Statement* provides a number of planning priorities for the local government area, including *Planning Priority 1 – Support the growth of strategic centres and major employment areas.* This priority notes that the Port Stephens economy has a diverse and growing industry and employment base, with major employment areas are located at Williamtown, Tomago, Heatherbrae and the Tomaree Peninsula. The proposed development will assist in growing the major employment area at Tomago, providing a facility that is in high demand and will provide additional employment opportunities within the area.

- *The Greater Newcastle Metropolitan Plan 2036* identifies Tomago as a 'Catalyst Area', and an immediate focus for employment and infrastructure investment. The Plan also identifies that a minimum 700 additional jobs are expected in the Tomago Industrial precinct by 2036, and that DPIE working with Council's plan to relate heavy industries away from urban areas to industrial precincts such as Tomago. In light of this, the proposed development offers the perfect opportunity to provide additional jobs to this area, whilst locating a much-needed resource recycling facility within an established industrial area specifically identified for heavy industries.

2.3 NEED FOR THE PROPOSAL

An issues paper "*Cleaning up Our Act: The Future for Waste and Resource Recovery in NSW*" was released for public consultation between 8th March – 8th May 2020, to help shape the development of the NSW 20-year Waste Strategy. This issues paper identifies a clear need for resource recovery facilities such as the proposed, in order to reduce waste and move towards developing a circular economy (see Figure 4).

The management of waste and recycling is one of our most pressing environmental and social challenges. It is a service we all rely on. The sector is undergoing significant change due to shifts in domestic and global markets, as well as community expectation about what happens to their waste. Over the next 20 years, waste generation will increase from 21 million tonnes a year to 31 million tonnes in NSW. This is a key issue in itself but is worsened by the fact that our landfills are expected to reach capacity in the next 10-15 years. More importantly, we do not yet have the processing capacity to recycle the 240,000 tonnes of waste we had been exporting each year.
Based on current trends, NSW will not (and has not) meet established targets to divert 75% of waste from landfills by 2021. In 2017–18, NSW generated 21.4 million tonnes of waste, with the majority of waste coming from the construction sector, representing 60% or 12.8 million tonnes. Only 65% of this waste was recovered, with 35% disposed as landfill.

If we don't act to disrupt this trend and ensure we have the infrastructure capacity needed to manage our waste, there is a risk that NSW's waste systems will not be able to cope.

Additional landfill capacity will be required in the next 20 years to respond to growing waste generation. The pressure on landfills can be managed, and the life of landfills extended, where efforts are made to slow the rate of landfilling. However, new and expanded recycling infrastructure will be key to enabling more resource recovery and landfill diversion.

Given the above statistics, and the NSW Governments direction (Direction 3) to provide additional infrastructure for resource recovery, it is evident that there is a clear need for the subject proposal.

Figure 4: Key Directions for achieving a Circular Economy (Source: March 2020 issues Paper – Cleaning up Our Act: The Future for Waste and Resource Recovery in NSW)

2.4 SITE SUITABILITY

The site is ideal for the proposed Resource Recovery Facility for the following reasons:

- It is zoned for industrial development;
- It is ideally located near the Pacific Highway;
- It is distant from sensitive residential land uses;
- It contains little to no environmental constraints;
- It is located within a regionally significant site – Tomago Industrial Site;
- It is located close to areas which are undergoing significant growth, generating considerable construction waste materials and subsequently demand for recycled construction products.

2.5 ALTERNATIVES

2.5.1 Alternate Site

As noted within the issues paper "*Cleaning up Our Act: The Future for Waste and Resource Recovery in NSW*"; waste and resource recovery infrastructure planning is complicated by high land costs, poor availability of suitable sites, the need for access to transport links etc. Furthermore; industry and local Councils have reported it is becoming increasingly difficult to find appropriately zoned land to build waste and resource recovery infrastructure.

Noting these facts; the sites' current use; and the reasoning provided within Section 2.3 above; the subject site is considered entirely suitable for the proposed Resource Recovery Facility. As such, consideration of alternate sites was not deemed to be relevant in this instance.

2.5.2 Alternate Design – Enclosed Processing

Alternate designs for the proposed facility, such as constructing an enclosure for the processing of concrete materials have been considered. This consideration took into account factors which are specific to this site – in particular, the distance of the operation from sensitive receivers. This is particularly relevant in this case, as the current operation, which is the same process but at a smaller volume, has the potential to generate dust and noise on any given day at a level which the proposed operation would. Despite this, there is no record of any complaints arising from the current operation. Beyond this, the mitigation measures such as active dust control which would be proposed would be sufficient to further reduce the potential for nuisance or impact to adjoining sites.

It is proposed however, to enclose the waste to be received at the site via construction waste skip bins, within a skip bin waste shed. Construction waste received within this building will be sorted and stored ready for processing. Due to the types of construction waste which could be received within the skip bins (such as Gyprock), it is appropriate to have this waste enclosed within a building and not out in the open subject to the weather.

2.5.3 'Do Nothing' Option

The NSW waste industry has been changing significantly over the last decade, with a greater push to establish additional recycling facilities, providing both environmental and economic benefits. As noted above, even the most recent documents from the NSW Government – "*Cleaning up Our Act: The Future for Waste and Resource Recovery in NSW* March 2020 – identify a clear need for resource recovery facilities such as the proposed, in order to reduce waste and move towards developing a circular economy.

Based on current trends as reported at the time, NSW will not meet established targets to divert 75% of waste from landfills by 2021. In 2017–18, NSW generated 21.4 million tonnes of waste, with the majority of waste coming from the construction sector, representing 60% or 12.8 million tonnes. Only 65% of this waste was recovered, with 35% disposed as landfill.

If we do not act to disrupt this trend and ensure we have the infrastructure capacity needed to manage our waste, there is a risk that NSW's waste systems will not be able to cope.

Additional landfill capacity will be required in the next 20 years to respond to growing waste generation. The pressure on landfills can be managed, and the life of landfills extended, where efforts are made to slow the rate of landfilling. However, new and expanded recycling infrastructure will be key to enabling more resource recovery and landfill diversion. The subject site is considered as an ideal opportunity to upgrade an existing facility to take full advantage of the attributes already identified and discussed above.

The 'Do Nothing' Option would not support the Governments initiatives, would be inconsistent with multiple strategies of the NSW Government, and would not result in a positive environmental or economic outcome.

2.6 BENEFITS OF THE PROPOSAL

The proposed Resource Recovery Facility will have multiple benefits, including:

- Contribution to with the NSW State Governments initiatives and strategies for waste;
- Assisting to achieve a sustainable, reliable and affordable resource recovery system in NSW;
- Cost savings and conservation of natural resources – The NSW Environmental Protection Authority's (EPA) website notes that using recovered concrete, bricks, and asphalt materials for the construction of pavements, earthworks and drainage has several advantages, including potential cost savings and conserving natural resources. Recycled materials can perform as well as, and in some cases better than, virgin materials;
- Socioeconomic benefit – The NSW waste management sector is valued at around $1.5 billion. It employs more than 10,000 people and there is scope for this to grow, particularly in regional NSW. Maximising the use and value of resources brings major economic, social and environmental benefits. It contributes to innovation, growth and job creation, while reducing our impact on the environment. The proposed facility will facilitate the needs of the local community and wider region through the use of sustainable resource recovery, and will provide local full time job opportunities;
- Proximity to growth areas and projects which will generate demand for the finished product, as well as the raw materials.

2.7 CUMULATIVE IMPACTS

The site is located within an established industrial precinct, including the immediately surrounding land. A desktop search was undertaken to identify existing, approved and likely future developments within the locality which may be relevant in the cumulative impacts assessment of the proposal. No major developments were identified that would contribute to a cumulative impacts assessment, beyond Tomago Aluminium Smelter.
The potential cumulative impacts of the project will be addressed in the EIS in accordance with the DPIE "*Assessing Cumulative Impacts*" guidelines.

2.8 AGREEMENTS WITH OTHER PARTIES

The applicant is not seeking to enter into any agreements with other parties to facilitate the approval of the proposed development.

3.0 Project

3.1 DEFINITION

Under the Standard Instrument and the *Port Stephens Local Environmental Plan 2013*, a "Resource Recovery Facility" is defined as:

> ***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.*
>
> *Note: Resource recovery facilities are a type of waste or resource management facility.*
>
> ***Waste or resource management facility*** *means any of the following:*
> *a) A resource recovery facility,*
> *b) A waste disposal facility,*
> *c) A waste or resource transfer station,*
> *d) A building or place that is a combination of any of the things referred to in paragraph (a)-(c)*

3.2 DESCRIPTION

3.2.1 Overview

The proposed development will have the capacity to process up to 250,000 tonnes of non-putrescible waste (consisting of constructions waste such as soils, concrete, bricks, tiles, gyprock, metal, timber and asphalt), for reuse in secondary markets.

The boundaries of the subject site and development footprint are illustrated in Figure 5 and Appendix 1, noting that the proposed works are located within the area already utilised for the above-described purposes. The southern portion of the site along the Hunter River, is not proposed to be used as part of the proposal.

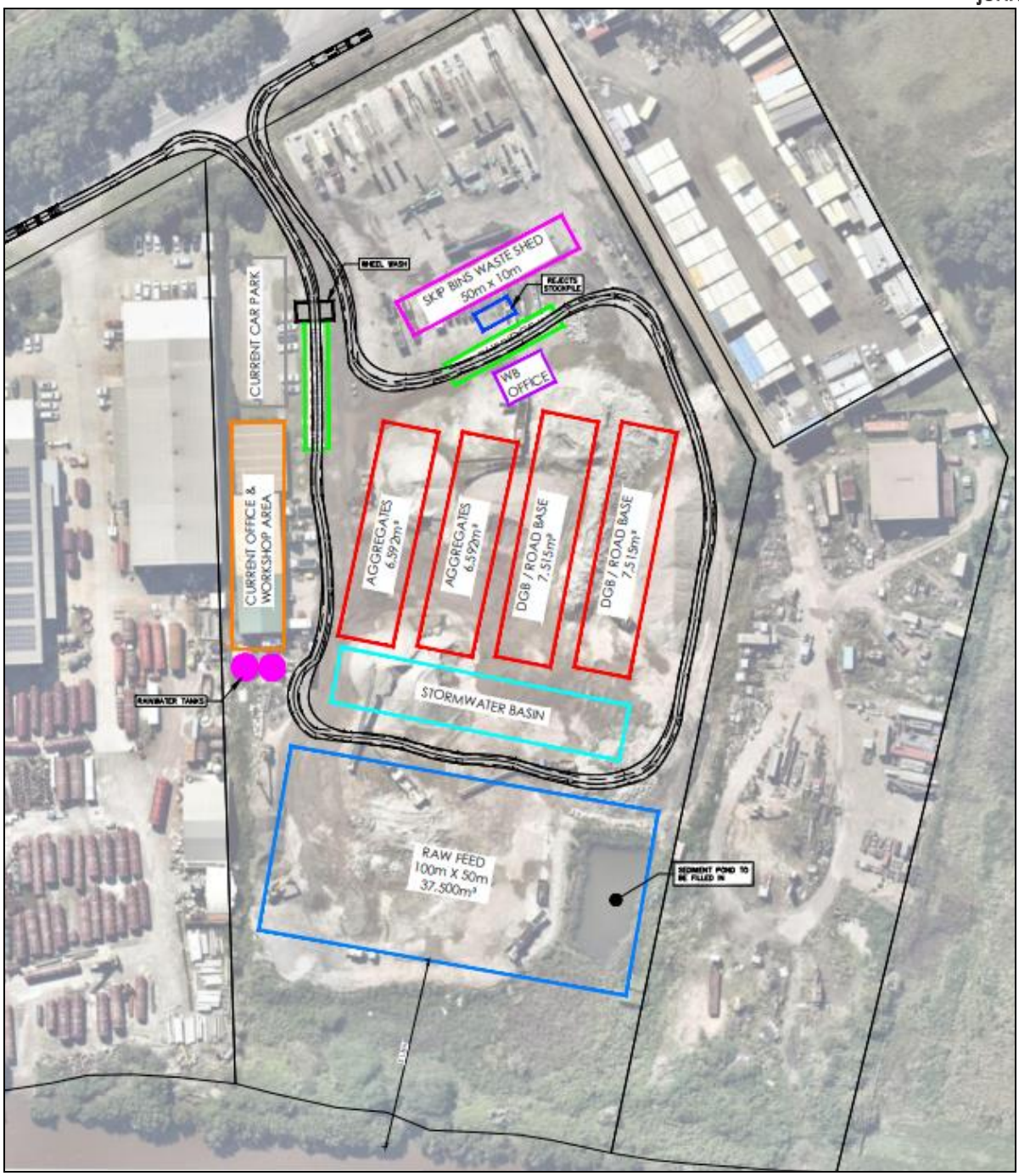

Figure 5: Concept Site Plan

3.2.2 Waste Management

Waste Management

The proposed facility will recycle and process waste produced by the construction, demolition, commercial and industrial sectors to produce products for resale. Strict quality control will ensure the quality of materials received by the facility, which in return will guarantee the quality of the final saleable product. In particular this quality control will:

- Ensure the quality of materials received by the facility (incoming/feed material);
- Avoid raw material stockpile cross contamination; and

- Allow for the tracking of materials.

It is intended that the proposed facility will primarily accept the following waste streams:

- Building and demolition waste, as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997 (POEO Act 1997);*

  building and demolition waste *means unsegregated material (other than material containing asbestos waste or liquid waste) that results from—*
  (a) the demolition, erection, construction, refurbishment or alteration of buildings other than—
  (i) chemical works, or
  (ii) mineral processing works, or
  (iii) container reconditioning works, or
  (iv) waste treatment facilities, or
  (b) the construction, replacement, repair or alteration of infrastructure development such as roads, tunnels, sewage, water, electricity, telecommunications and airports,
  and includes materials such as—
  (c) bricks, concrete, paper, plastics, glass and metal, and
  (d) timber, including unsegregated timber, that may contain timber treated with chemicals such as copper chrome arsenate (CCA), high temperature creosote (HTC), pigmented emulsified creosote (PEC) and light organic solvent preservative (LOSP),
  but does not include excavated soil (for example, soil excavated to level off a site prior to construction or to enable foundations to be laid or infrastructure to be constructed).

- Excavated soil as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997 (POEO Act 1997):*

  virgin excavated natural material *means natural material (such as clay, gravel, sand, soil or rock fines)—*
  (a) that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities, and
  (b) that does not contain any sulfidic ores or soils or any other waste,
  and includes excavated natural material that meets such criteria for virgin excavated natural material as may be approved for the time being pursuant to an EPA Gazettal notice.

- Concrete waste from concrete batching plants;

- Bricks, tiles and masonry (including seconds direct from the manufacturer).

Recycled products will be sold back into the construction industry along with other markets. The produced materials are expected to include aggregates, pipe bedding, engineered and non-engineered fill, engineered and non-engineered road base and other stabilised products. Additional products may be produced depending on demand and changes in technology and material specifications.

Discovery of Non-Conforming Waste

The proposed development will not accept any other form of waste, including hazardous materials such as asbestos (either loose or bonded) or chemical waste.

RCP will implement appropriate management procedures, through the establishment of inspection and receival protocols.

All RCP staff working on such facilities are required to undertake asbestos awareness training as part of their inductions and ongoing training. All loads will be checked by the weighbridge operator, followed by a secondary check at the raw material discharge point. In addition to this double check procedure; raw material testing will be conducted in accordance with the NSW EPA's *Recovered Aggregate Order 2014*, which includes testing for eight (8) heavy metals, electrical conductivity, and foreign material.

From time to time, the site will need to reject a load of inbound waste. It is essential that prohibited material is detected prior to entry to site and tipping to prevent potential contamination of other waste. Visual inspection of waste is a continuous process on site. Staff are to be constantly on the lookout for problematic and prohibited materials and these materials must be rejected where they are prohibited. This may include:

- Prohibited Materials Detected Prior to Weighbridge – Where prohibited material is found or suspected (in the case of asbestos), the driver will be advised that the load is being rejected and of the reason for rejection.

- Prohibited Materials Detected at the Weighbridge – Where prohibited material is found or suspected (in the case of asbestos), the driver will be advised that the load is being rejected and of the reason for rejection.

- Prohibited Material Detected after tipping within Raw Materials Stockpile – Where prohibited material is found or suspected (in the case of asbestos), the driver will be advised that the load is being rejected and of the reason for rejection. If the material is suspected asbestos – site asbestos procedures are to be followed. The material is to be reloaded by the site loader into the vehicle it arrived on site in. If hazardous or dangerous items are detected; each item is to be dealt with according to the level of risk assessed at the time. The Site Supervisor is to be called to determine if the entire load is to be rejected or just the hazardous or dangerous item.

3.2.3 Project Layout and Design

Figure 5 and Appendix 1 illustrate the extent of the subject site and the proposed development area. The proposed facility will require separate areas for flexible unloading, processing, storage and despatch. All manoeuvring and stockpile areas will be on compacted base or concrete slab.

Vehicles with incoming loads will enter through the site access, procced to the weighbridge for initial load inspection, before moving through to the internal road network. From this point the incoming vehicles will proceed as directed to the drop-off point for secondary inspection and unloading. Unless these vehicles are then backloaded with product, they will then proceed to exit the site, utilising the internal road network.
Raw materials will be temporarily stockpiled as raw feed material, with processing to occur as required. Processing may consist of a variety of blending, crushing and screening, stabilisation or a combination of all processes, depending upon the type of raw feed, its characteristics and the desired end product specifications. Separate stockpiles will be formed for the various end products, from which each will be dispatched. Vehicles collecting end product loads will enter through the site access, proceed to the weighbridge and then enter the internal road network. After receiving a load, vehicles will then proceed back to the weighbridge, and exit the site.

Due to the nature of the recycling business, incoming waste volumes and types vary over time, as does the demand for end products. In order to operate a resource recovery facility efficiently, maximum flexibility must be maintained in terms of the sites' ability to store and process raw feed material, and to store and dispatch end products. As such, the operational rhythm and stockpile sizes will vary over time.

3.2.4 Plant and Equipment

The following plant and machinery are intended to be utilised at the proposed facility:

- Front end loaders;
- Medium excavators (with buckets and attachments);
- Mobile crushing and screening plant (with active dust suppression measures);
- Mobile stabilisation plant (with associated horizontal or vertical silo) that will be moved around the site as required;
- Water carts.

3.2.5 Access and Parking

Access to the site is available from the existing site access from Tomago Road. All vehicles will enter and exit the site across the weighbridge at the site access.

The existing carpark within the north-western corner of the site will be retained and utilised for the proposed development. As a result of the way in which the proposed facility operates, no parking is required for customers of the proposed facility – who will drive in, empty their load at the designated hand unloading or feed stockpile and then exit the site. Therefore, the only parking required and to be provided for the proposed facility is staff parking. With approximately 15 staff anticipated to operate the proposed facility, the existing carpark can more than cater for the anticipated demands for parking onsite.

3.2.6 Hours of Operation and Staffing

The proposed facility will accept waste deliveries, and dispatch materials 24 hours per day, seven (7) days per week; however, processing of waste material will be limited to 7am – 6pm Monday to Friday and 7am – 4pm Saturdays. No processing is proposed on Sundays or Public Holidays. Approximately 15 staff are anticipated to operate the proposed facility.

Table 1: Proposed Hours of Operation

Operation	Days	Hours
Waste Deliveries / Dispatch	**7 days**	24 hours
Waste Processing	**Monday**	7:00am – 6:00pm
	Tuesday	7:00am – 6:00pm
	Wednesday	7:00am – 6:00pm
	Thursday	7:00am – 6:00pm
	Friday	7:00am – 6:00pm
	Saturday	7:00am – 4:00pm
	Sunday/Public Holidays	No Processing

3.2.7 Stormwater Management

The proposed operation requires a considerable amount of water for use in dust suppression as well as for conditioning of road base materials. Total water management will be considered during the design and modelling of the proposed facility so as to incorporate water retention or reuse measures to reduce the demand on potable water.

The significant demand for water on site for moisture conditioning of materials as well as dust control will be offset by utilising the proposed stormwater basin and tanks as much as possible for providing water for this purpose. Further, the reuse of water on-site also allows existing flow regimes to be maintained as best as practical to minimise any potential impacts on the Hunter River.

3.2.8 Leachate

Impacts from leachate may be generated by recycled concrete aggregates, both from transport of metals to water sources and high pH leachate. The application of best management practices (BMPs) and proactive construction and design controls at facilities storing RCA stockpiles have generally been able to mitigate these environmental concerns.

Employee training and education along with proper housekeeping are one of the more critical BMPs to reduce environmental impacts of concrete recycling and production. The placement of the RCA in a stockpile should be designed with water protection in mind (i.e. distance from the waterway and redundant BMPs). For example; diverting RCA impacted stormwater runoff using conventional BMPs such as straw bales, grass/filter channels, and berms around stockpiles; maintaining a perimeter around and covering stockpiles; and treatment of the water as needed.

Mitigation strategies for the reduction of the total suspended and dissolved solids in the stormwater runoff from RCA stockpiles include the use of bioswales, hardy vegetation, and "floc" logs. The use of pH "shock" logs or pH logs, pH adjustment technology, carbon dioxide bubblers, and chemical addition are also suggested to help neutralise the alkaline pH leachate. Such BMPs will be investigated as part of the detailed investigations for the design of the proposed facility and implemented during operation.

3.2.9 Dust Suppression

A dust suppression system will be established on the site consisting of sprinklers for stockpile bays. The spray system will be linked to a weather station which sends the site manager an alert email when certain criteria are reached (i.e. wind speed, temps, rain etc) so the system can be activated as required. Active dust suppression measures are also utilised on the crushers.

All dust control measures will be consistent with documented best practice dust control measures for the resource recovery and waste industry.

3.2.10 Flood Risk

Whilst the NSW ePlanning Portal mapping does not identify site as flood prone land, and as only containing 'Levee' area along the site's frontage to the Hunter River; a Flood Certificate has been obtained from Port Stephens Council which confirms the property is located within a 'flood prone area' (refer to Appendix 6). The certificate identifies the site as 'High Hazard Floodway' and a flood planning level of 4.1m AHD.

As identified by Figure B1 of the Port Stephens DCP – "*Suitable land uses by flood hazard category (as identified on a flood certificate)*": the proposal is not one which is deemed as "unsuitable" due to this constraint. The DCP provides that a performance-based solution may be provided to demonstrate that the proposed land us is suitable for the sites high hazard floodway.

The nature of the proposed use is such that the flood category does not present an unreasonable risk to life, or of property damage in the event of a flood. A flood assessment is proposed to be prepared in support of the application which will assess these factors, along with overall flood impacts associated with the proposal.

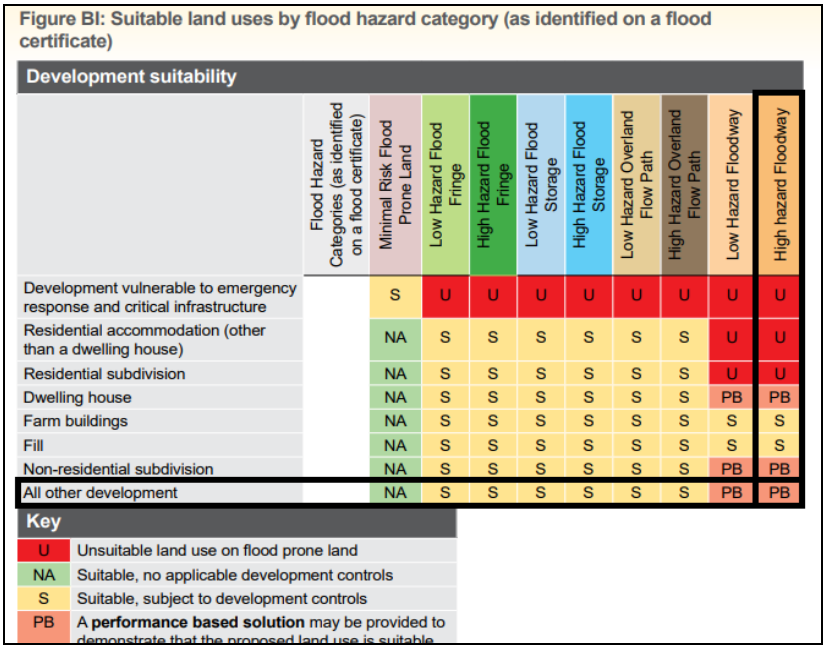

Figure BI: Suitable land uses by flood hazard category (as identified on a flood certificate)

Development suitability

	Flood Hazard Categories (as identified on a flood certificate)	Minimal Risk Flood Prone Land	Low Hazard Flood Fringe	High Hazard Flood Fringe	Low Hazard Flood Storage	High Hazard Flood Storage	Low Hazard Overland Flow Path	High Hazard Overland Flow Path	Low Hazard Floodway	High hazard Floodway
Development vulnerable to emergency response and critical infrastructure		S	U	U	U	U	U	U	U	U
Residential accommodation (other than a dwelling house)		NA	S	S	S	S	S	S	U	U
Residential subdivision		NA	S	S	S	S	S	S	U	U
Dwelling house		NA	S	S	S	S	S	S	PB	PB
Farm buildings		NA	S	S	S	S	S	S	S	S
Fill		NA	S	S	S	S	S	S	S	S
Non-residential subdivision		NA	S	S	S	S	S	S	PB	PB
All other development		NA	S	S	S	S	S	S	PB	PB

Key

U	Unsuitable land use on flood prone land
NA	Suitable, no applicable development controls
S	Suitable, subject to development controls
PB	A **performance based solution** may be provided to demonstrate that the proposed land use is suitable

Figure 6: Port Stephens DCP Extract

Figure 7: Flood Planning Map and Hunter Valley Flood Mitigation Scheme Development Consent Area (NSW ePlanning Portal)

3.3 TIMING AND DELIVERY OF PROJECT

The proponent wishes to deliver on the project as soon as possible, and has indicated that they would wish to be in production on the site within nine (9) months of receiving consent. Given the fact that the site currently operates as a resource recovery facility (albeit at a lower capacity), it is anticipated that disturbances to operations will be minimised as far as possible during construction.

4.0 Statutory Context

The following section outlines the key legislation and planning instruments relevant to the proposed development, which include:

- *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act);*
- *Environmental Planning and Assessment Act 1979 (EPA Act);*
- *Protection of the Environment Operations Act 1997 (PoEO Act);*
- *Biodiversity Conservation Act 2016 (BC Act);*
- *Waste Avoidance and Resource Recovery Act 2001 (WARR Act);*
- *Water Management Act 2000 (WM Act);*
- *State Environmental Planning Policy (Planning Systems) 2021;*
- *State Environmental Planning Policy (Precincts – Regional) 2021;*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021;*
- *State Environmental Planning Policy (Resilience and Hazards) 2021;*
- *Port Stephens Local Environmental Plan 2013.*

The following table categorises and summarises the relevant requirements in accordance with the DPIE guidelines and confirms the planning pathway for State Significant Development. Each of these matters will be address in further detail within the future EIS.

STATUTORY REFERENCE	REQUIREMENTS	RELEVANCE
Power to Grant Consent		
Environmental Planning and Assessment Act 1979	The proposed development is declared to be State Significant Development in accordance with Section 4.36(2) of the Act. The Minister for Planning or the Independent Planning Commission will be the relevant consent authority for the proposal in accordance with clause 4.5(a).	The proposed development is declared State Significant Development pursuant to the SEPP(PS) 2021. Development consent is sought from the Minister for Planning or delegated consent authority.
SEPP (Planning Systems) 2021	The proposed development is State Significant Development in accordance with Schedule 1.	The development is categorised as a waste and resource management facility that has a processing capacity of 250,000TPA.
Permissibility		
SEPP(Precincts – Regional) 2021	The site is zoned IN1 in accordance with the Appendix 2 – Tomago Industrial Site. The objectives of the zone are summarised below: (a) to provide for a wide range of industrial, warehouse and related land uses, (b) to provide suitable areas for those industries that need to be separated from other	The proposed "Resource Recovery Facility" is a type of waste or resource management facility and is defined by the standard instrument and Port Stephens LEP as: ***Resource recovery facility*** *means a building or place used for the recovery of resources from*

	land uses, (c) to encourage employment opportunities, (d) to minimise any adverse effect of industry on other land uses and the environment, (e) to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.	*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.* ***Waste or resource management facility*** *means any of the following:* *a) A resource recovery facility,* *b) A waste disposal facility,* *c) A waste or resource transfer station,* *d) A building or place that is a combination of any of the things referred to in paragraph (a)-(c)* A Resource Recovery Facility is listed as permitted with consent in the IN1 zone in accordance with Appendix 2 of SEPP (P-R). The proposed development is consistent with the objectives of the IN1 zone. The scale and nature of the proposed development is consistent with the surrounding industrial area and will provide employment opportunities. The proposed development can be sited and designed to minimise adverse effects on surrounding land users and the natural environment.

SEPP (Transport and Infrastructure) 2021	Under Division 23 Waste and resource management facilities, 'prescribed zone' means any of the following land use zones: (a) RU1 Primary Production, (b) RU2 Rural Landscape, (c) IN1 General Industrial, (d) IN3 Heavy Industrial, (e) SP1 Special Activities, (f) SP2 Infrastructure	In accordance with Division 23, Section 2.152 (1), development for the purpose of waste or resource management facilities, other than development referred to in subsection (2), may be carried out by any person with consent on land in a prescribed zone. As the site is zoned IN1 (prescribed zone), the proposed development is permitted with consent.
Other Approvals		
Environmental Protection and Biodiversity Conservation Act 1999	The EPBC Act aims to protect matters of national environmental significance. It seeks to promote ESD through conservation and ecologically sustainable use of natural resources and promote the conservation of biodiversity.	An assessment will be undertaken as part of the required Ecological assessment. A BDAR Waiver has however, already been prepared and is provided as Appendix 5.
Protection of the Environment Operations Act 1997	The PoEO Act seeks to reduce risks to human health and prevent the degradation of the environment from development activities. The POEO Act applies to development in NSW and is administer by the Environment Protection Authority (EPA).	Environment Protection Licences (EPLs) are required to be obtained under Chapter 3 to carry out certain work or conduct certain polluting activities that may relate to management of waste, air quality emissions, noise emissions and quality of water. Where required, EPLs are to be obtained following development consent and the licence conditions must be complied with during all activities and operations.
Biodiversity Conservation Act 2016	The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.	A BDAR Waiver has however, already been prepared and is provided as Appendix 5.
Waste Avoidance and Resource Recovery Act 2001	The WARR Act and associated Strategy seek to encourage the most efficient use of resources and to reduce environmental harm in accordance with the principles of ecologically sustainable development.	The proposal will be designed to be consistent with the requirements of the NSW EPA Strategy and WARR Act.
Pre-condition to Exercising the Power to Grant Approval		
SEPP (Transport and	Section 2.121: Development with a frontage to a classified road	Tomago Road is a classified road and accordingly, these provisions

Infrastructure) 2021	requires the consent authority to be satisfied the matters listed in Section 2.121 have been addressed.	will apply to the proposed development. The proposal will be assessed having regard to the classified road, including the retention of the existing vehicle access arrangements and the impacts of the proposed development on safety and efficiency of vehicle movements.
SEPP (Resilience and Hazards) 2021	Chapter 2 Coastal Management	The site is mapped as coastal environment area and coastal use area. A detailed assessment against the matters for consideration under Section 2.10 and 2.11 of SEPP (R&H) 2021 will be prepared as part of the EIS.
	Chapter 3 Hazardous and Offensive Development - aims to ensure a minimum level of assessment is applied to hazardous and offensive industries and their potential impacts.	The proposed development may be categorised as a potentially hazardous industry. Development proposals for a potentially hazardous industry require a preliminary hazard analysis (PHA) to be prepared by a suitably qualified consultant and submitted with the relevant planning application for approval. Further, the consent authority must consider the matters specified in Section 3.12.
	Chapter 4 Remediation of Land - requires a consent authority to assess the potential for land to be contaminated and the works required to remediate the land to ensure it is suitable for its intended use.	It is expected that a Preliminary Site Investigation is required to understand whether the previous or current land use activities associated with the operations at the site require further assessment and/or remediation in accordance with the contaminated land planning guidelines.

Mandatory Considerations		
Environmental Planning and Assessment Act 1979	Section 1.3 - The consent authority is to consider the objects of the EP&A Act.	Noted – these will be addressed in the future EIS.
	Section 4.15 - In determining a development application, a consent authority is to take into consideration such matters that are of relevance to the development subject of the development application, as stipulated in section 4.15.	Noted – these will be addressed in the future EIS.
	Section 4.38 - Section 4.38 contains the provisions for determining a State Significant Development.	Noted – these will be addressed in the future EIS.
	Section 4.41 - Section 4.41 identifies specific authorisations are not required for State Significant Development.	Noted – these will be addressed in the future EIS.

5.0 Engagement

5.1 KEY STAKEHOLDERS

The following government departments and authorities will be consulted in relation to the proposed development, as key stakeholders:

- Environmental Protection Authority;
- Office of Environment and Heritage;
- Department of Primary Industries;
- Transport for NSW;
- Rural Fire Service;
- Port Stephens Council.

5.2 OTHER INTERESTED STAKEHOLDERS

The identification of additional stakeholders will be targeted to include surrounding land owners/tenants.

5.3 COMMUNITY ENGAGEMENT

The following will be undertaken to keep the community informed regarding the project, obtain feedback from the community on the project and engage with stakeholders on the detailed assessment of key matters:

- A dedicated engagement strategy will be prepared following the issue of SEARs;
- Door knocks with surrounding land owners/tenants will be undertaken to discuss the proposal and any concerns;
- Additional consultation actions may be identified following further engagement with key stakeholders and DPIE.

The proposed actions are consistent with the community participation objectives in the *Undertaking Engagement* guidelines for SSD as summarised below:

- Engagement will occur in a timely manner, before the submission of the EIS;
- The scale of engagement will reflect the scale and context of the proposal, noting the site is located within an established industrial precinct;
- Engagement will be clear, made publicly available and allow for direct engagement with targeted stakeholders.

The engagement consultant will be responsible for monitoring, reviewing and adapting the effectiveness of the engagement strategy to encourage community participation in the project.

6.0 Proposed Assessment of Impacts

This Section identifies the key impacts which will be further investigated and assessed within the EIS.

6.1 HAZARDOUS AND OFENSIVE DEVELOPMENT

The proposed development may be classified as hazardous and offensive development. As such, a Preliminary Hazard Assessment Screening Test will be prepared to determine if the proposed facility and associated operation are in fact potentially hazardous or offensive.

It is noted that the proposed facility will not accept any hazardous waste (such as asbestos) or chemical waste. RCP will implement appropriate management procedures, through the establishment of inspection and receival protocols, to ensure no such waste enters the site.

6.2 BUSHFIRE

The site is identified as bushfire prone land and as such, a Bushfire Threat Assessment will be prepared for the proposed development. It is anticipated that any protection measures that may be required, will be able to comply with the requirements of *Planning for Bushfire Protection 2019*.

6.3 AIR QUALITY

The proposed development has the potential to generate air quality impacts. The EIS will include a detailed Air Quality Impact Assessment of the proposed development against the relevant controls for air quality. As part of the assessment, data will either be collected from similar operations or from specific data collected from a similar facility. The air quality consultant will determine the most appropriate modelling technique for assessment of the proposal.

6.4 NOISE AND VIBRATION

The proposed development has the potential to generate noise and vibration impacts. The EIS will include a detailed Noise and Vibration Impact Assessment of the proposed development against the relevant controls for noise and vibration. As part of the assessment, data will either be collected through the placement of noise monitors at nearby receivers, with the most appropriate locations to be determined by the acoustic consultant.

6.5 SITE CONTAMINATION

A Preliminary Site Investigation will be undertaken as part of the EIS to advise on the geotechnical and contamination conditions of the site. The EIS will include a detailed assessment of the proposed development and consider cumulative impacts. The assessment will be performed in general accordance with SEPP (Resilience and Hazards) 2021 and Council's policies.

6.6 HYDROLOGY

A Stormwater Management Plan will be designed for the proposed development as part of the EIS. The stormwater engineer will prepare the design in conjunction with the preparation of Civil Design Plans and will meet the engineering requirements of Port Stephens Council.

6.7 TRAFFIC AND TRANSPORT

A Traffic and parking Impact Assessment will be prepared as part of the EIS. The assessment will consider the existing access to the site, vehicle swept paths, loading areas, and vehicle queuing – whilst considering weighing times, the number of trucks etc. A parking assessment will also be conducted by the traffic consultant whilst noting that the only parking required onsite is for staff of the proposed facility.

6.8 BIODIVERSITY

The impacts of the project must be assessed under the Biodiversity Offsets Scheme (BOS) subject to consideration of triggers. A BDAR Waiver has been prepared an is provided as Appendix 5.

6.9 HERITAGE

An AHIMS search has been prepared, which identified no Aboriginal sites or places as having been recorded in or near the subject site (Appendix 4).

Given the above, and due to the current use and disturbed nature of the site, there is considered to be a low potential for archaeological deposits. As such the following is recommended:

- In accordance with the due diligence guidelines, the proposed activity can proceed with caution, with no further Aboriginal archaeological investigation, assessment or mitigation measures required unless the SEARs require an ACHAR and Aboriginal consultation. If so, it may be possible to contact submit an application Heritage NSW for their consideration to provide a waiver to the requirements for an ACHAR.

- Unexpected Aboriginal objects remain protected by the National Parks and Wildlife Act 1974. If any such objects, or potential objects, are uncovered in the course of the activity, all work in the vicinity should cease immediately. A qualified archaeologist should be contacted to assess the find and NSW Heritage, DPC and Deerubbin LALC must be notified.

6.10 SOCIAL IMPACT

A Social Impact Assessment will be prepared as part of the EIS. The assessment will detail the likely social impacts of the development on the local and regional community in accordance with the *Social Impact Assessment Guideline for State Significant Projects'*.

7.0 Conclusion

This Scoping Report has been prepared for the proposed 'Resource Recovery Facility' at 509 Tomago Road, Tomago.

This report has outlined the relevant environmental, social and economic matters associated with the proposal, which will be investigated and mitigated as part of the preparation of an Environmental Impact Statement.

The proposal is important for waste recovery in the local area and NSW in general, providing significant environmental benefits that arise from recycling, such as greenhouse gas reductions, water consumption reduction, preservation of raw materials and reduction in