

Scoping Report

Resource Recovery Facility, Warnervale NSW

Prepared for NSW Department of Planning and Environment
May 2019

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Scoping Report

Resource Recovery Facility, Warnervale NSW

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Client

Tricon Mining Equipment

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1 Introduction

Tricon Mining Equipment (Tricon) are proposing to develop a resource recovery facility in Warnervale, NSW. A request for Secretary's Environmental Assessment Requirements (SEARs) for the proposed development was submitted to the Department in November 2018, and SEARs were subsequently issued on 12 December 2018 (SEAR 1276). This request was for a resource recovery facility to accept up to 95,000 tonnes per annum (tpa) of general solid waste (non-putrescible). Accordingly, and as described in the request for SEARs dated 9 November 2018, the development with a capacity of 95,000 tpa would be designated and integrated development.

Since this time, a review of the demand for, and design of, the proposed facility has been undertaken. As a result of this review, Tricon believes the site is suitable for a more intense use and are now seeking approval for a facility with a capacity to receive and process up to 250,000 tpa. As described in this scoping report, the development will therefore be State significant development (SSD), pursuant to the provisions of the State Environmental Planning Policy (State and Regional Development) 2011, as it constitutes a waste and resource management facility that will handle more than 100,000 tonnes per year of waste.

This document therefore requests revised SEARs for the proposed development.

2 Site and surrounds

2.1 The development site

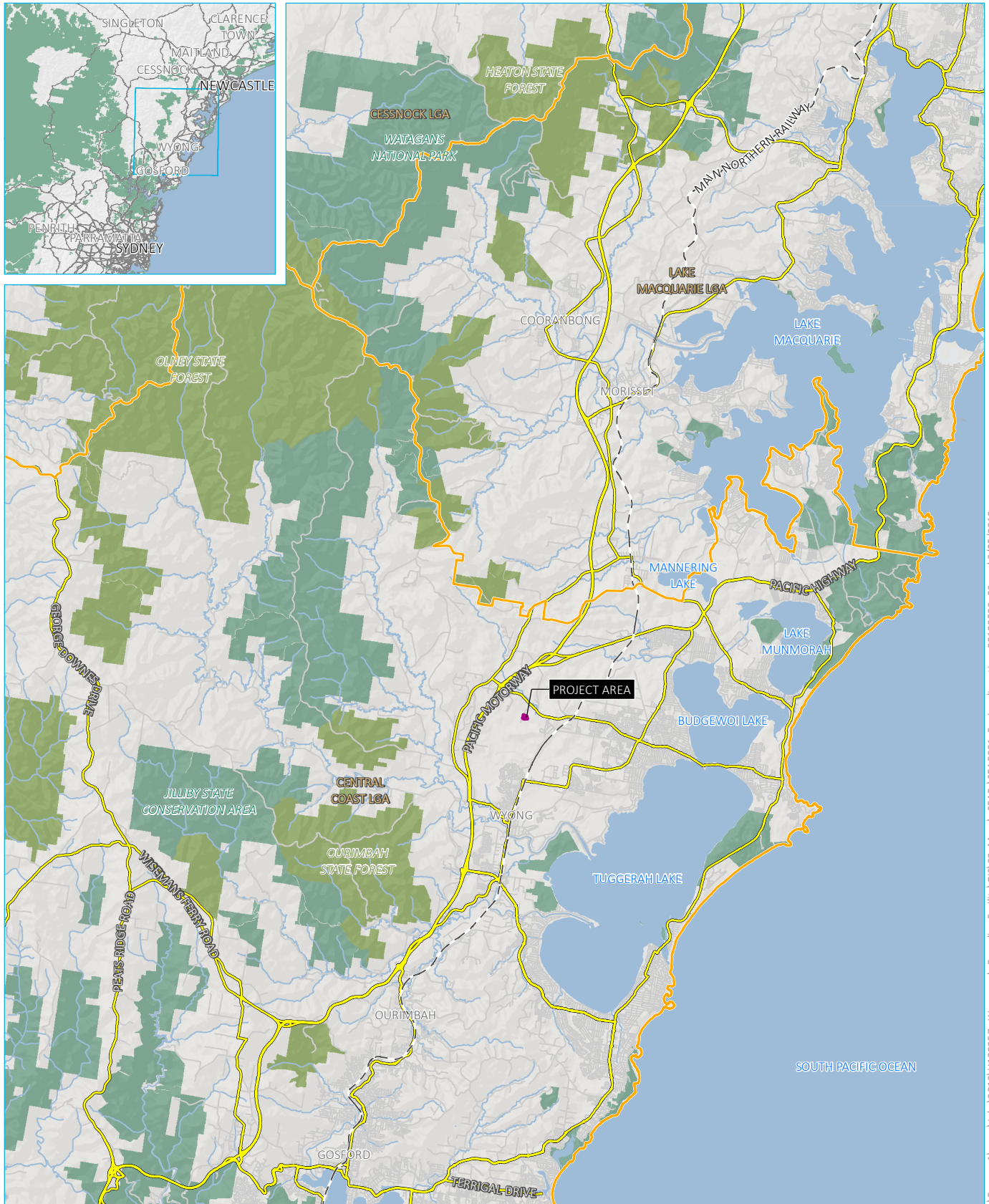
The development site is in the Central Coast Council local government area (LGA) at 20 Jack Grant Avenue, Warnervale, 2259 NSW. The legal property description for the site is Lot 9 Deposited Plan (DP) 240709. The Lot is approximately 10 hectares, and its regional location is shown in Figure 2.1. The relevant environmental planning instrument is Wyong Local Environmental Plan 2013 (WLEP 2013).

The site is currently accessed off Jack Grant Avenue (Photograph 1) and divided up into two distinct sections:

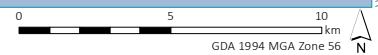
- the northern section (Photograph 2), which is zoned IN1 General Industrial under the WLEP, and is generally cleared and developed. This section will not form part of the proposed development application; and
- the southern section, which is partially zoned IN1 General Industrial and E2 Environmental Conservation.

Existing development within the northern portion of the site consists of a large shed (Photograph 2 and 3), internal tracks, some residual waste and a building material recycling depot. The site is currently serviced by electrical and reticulated water infrastructure. The site is not serviced by reticulated sewerage infrastructure.

The southern portion of the developed area of the site, known as 11 Jack Grant Avenue, contains the business Building Recyclers Depot; a building materials recycling facility (Photograph 4). The Building Recyclers Depot is open to the public for the purchasing of recycled building materials. The proposed development footprint will be largely contained within this already disturbed portion of the site.



Source: EMM (2019); DFSI (2017); GA (2015)



KEY

- Project area
- Local government area
- Rail line
- Main road
- Local road
- Named watercourse
- Waterbody
- NPWS reserve
- State forest

Regional context

Warnervale Resource Recovery Facility
Scoping report
Figure 2.1

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Photograph 1 Existing entrance to the northern section of the site off Jack Grant Avenue



Photograph 2 View towards the existing shed, northern portion of the site



Photograph 3 Existing shed, northern portion of the site



Photograph 4 Existing building materials recycling depot within the southern portion of the site— entrance off Jack Grant Avenue

2.2 The surrounding area

The site is located 500 m south-west of the intersection of Jack Grant Avenue and Sparks Road. Sparks Road is the main road connecting the M1 Pacific Motorway (M1) to communities around the Pacific Highway to the east of the site and Warnervale Airport to the west of the site.

The M1 is approximately 1.5 km to the north-west of the site. The M1 is the major regional connector in the area, linking Greater Sydney and Newcastle regional areas, the coast of NSW and Victoria to Queensland.

Warnervale Airport is immediately to the west of the site, separated by Jack Grant Avenue. Warnervale airport, zoned IN1 General Industrial, is operated by Council. Warnervale Airport does not operate regular commercial flights, but offers private aircraft hire, training, recreational flying, maintenance facilities and fuel.

10 Jack Grant Avenue (Lot 8 DP240709), the lot bordering the northern boundary of the site is also zoned IN1 General Industrial. Based on aerial imagery, the development on this site appears to be ad-hoc, partially demolished/dilapidated.

140 Sparks Road, the next lot to the north of the site, is also zoned IN1 General Industrial. Recent imagery has shown clearing on the site with a 14 m road constructed within the last year and a half. No structures are visible on the site.

The rest of the site is surrounded by vegetation (ie to the east and south), zoned as E2 Environmental Conservation.

Given the site is bounded by Warnervale airport to the west, industrial zoned land to the north and vegetated areas zoned E2 to the east and south, there are limited residences in proximity of the site. The nearest residences are on the far side of Albert Warner Drive, over 1 km east of the site (zoned R2 Low Density Residential). Lakes Grammar School, zoned SP2 Special Infrastructure (Educational Establishment), is located approximately 900 m south-east of the site, off Sparks Road and Albert Warner Drive.

3 Proposed Warnervale Resource Recovery Facility

Tricon proposes to develop a recycling facility on the southern portion of the site, referred to as the 'Warnervale Resource Recovery Facility' or 'the facility'.

The facility would import inert general solid waste (non-putrescible) as defined by the NSW *Protection of the Environment Operations Act 1979* (POEO Act) and the *Waste Classification Guidelines* (EPA 2014) (guidelines). Sources of waste would largely be major infrastructure projects (eg road and rail works), construction and demolition waste and selected commercial and industrial wastes, with the general public providing a minority of waste. Waste would be processed (eg crushing, shredding and sorting) to produce saleable recycled materials.

Primary recycled materials produced would include soils, crushed aggregate, road-base, and general fill. Secondary recycled material types would include wood, garden mulch, metals and dry paper/cardboard. These products will meet the relevant recycled recovery order specifications, allowing for the recovery of materials that would otherwise be disposed to landfill.

No special, liquid, hazardous, or restricted solid waste, as defined in the POEO Act or the guidelines would be accepted at the facility. All of the materials brought onto the site would be taken from the site as products or as rejects for disposal at an EPA licensed landfill. There would be no materials land-filled or otherwise disposed anywhere within the site as a result of this proposal.

3.1 Site components

The facility would include the following components (refer to Figure 3.1):

- site entrance comprising of a weighbridge, wheel-wash and demountable office;
- a hand unloading area;
- processing equipment (eg primary crusher and triple deck screen) located in the equipment area;
- twin shaft continuous material blender (for moisture treating materials and blending to RMS specifications for road base) in the equipment area;
- a stockpiling area (feed stockpile) for materials delivered to the site;
- segregated product storage area (stockpiles), including covered and banded stockpiles for green waste, timber and other organic waste and soils;
- dust suppression equipment;
- stormwater management system;
- access across an existing drainage line to the northern portion of the site; and
- general use areas, including internal roads.

As shown in Figure 3.1, the developed portion of the site will be sealed (eg hardstand or similar) as required. As shown on the conceptual design plan in Figure 3.1, the project design and layout has been developed to avoid any vegetation clearing where possible.

The resource recovery facility would occupy the southern half of the developed portion of the site. The northern half is subject to separate approvals and not included within the proposed scope of this application.

3.2 Site operations

3.2.1 Waste receipt

Approval will be sought for the facility to accept up to 250,000 tonnes per year of general solid waste (non-putrescible). As described above, no special, liquid, hazardous, restricted solid waste would be accepted at the site.

The site would accept inert waste from commercial and industrial sources, as well as the general public. Accordingly, waste would be delivered to site by a variety of vehicles including:

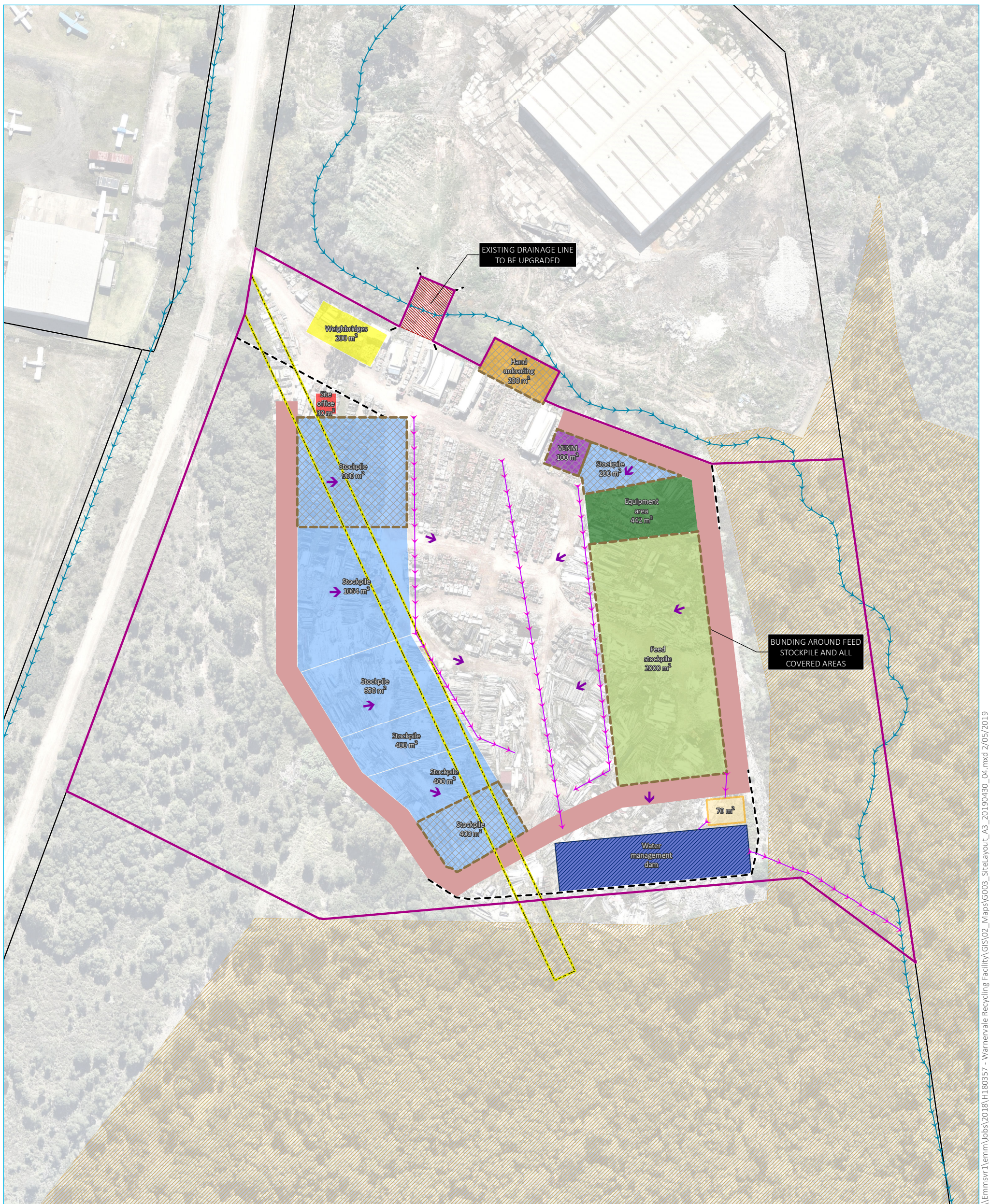
- light vehicles such as cars with box trailers and utilities;
- single axle heavy vehicles and skip-bin trucks; and
- multiple axle combination heavy vehicles such as 'truck and dogs.'

It is anticipated that an average of about 1,000 tonnes of waste per day would be delivered to the site. This would comprise a daily average of approximately 60 light vehicles (eg utes or passenger vehicles with trailers) and around 75 heavy vehicles (eg larger rigid commercial trucks and 19 m to 21 m combination articulated vehicles).

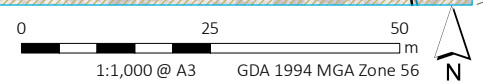
For external commercial reasons, variations around the precise mix of vehicles are expected on any given day.

While light vehicles are expected to represent approximately 50% of deliveries, it is anticipated that they would deliver less than 10% of the total tonnage received at the facility.

Waste would be inspected at the weighbridge and a tipping and spreading area prior to being accepted on site, and any loads suspected to contain contaminants (eg asbestos or hazardous waste) would be rejected.



Source: EMM (2019); DFSI (2017); Nearmap (2018); GA (2011)



| KEY | | Site features | | Feed stockpile | | Covered area | |
|-----|------------------------|---------------|----------------------|----------------|---------------------------|--------------|------------|
| | Project area | | Biodiversity values | | Feed stockpile | | CAD layout |
| | Drainage direction | | Creek crossing | | Equipment area | | Boundary |
| | Internal drainage | | Water management dam | | VENM | | Zone |
| | Existing drainage line | | Weighbridges | | Holding storage for water | | Easement |
| | Extent of hardstand | | Track (6 m wide) | | Stockpile | | Bunding |

Conceptual site layout

Warnervale Resource Recovery Facility
Scoping report
Figure 3.1

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3.2.2 Processing and dispatch

Waste processing would include sorting, picking, crushing (eg concrete and bricks) and shredding (eg timber).

A range of mobile plant (eg excavators, crushers, front-end loaders) and a picking line would be used to handle and process the waste and products. Processed material would then be stockpiled in segregated product bays prior to quality testing and dispatch.

Segregated heavy waste requiring crushing or shredding (eg concrete, bricks or timber) would be processed outside in a series of campaigns during the year, each lasting about two weeks. Additional mobile equipment would be brought to site during these campaigns.

Products recovered at the facility would primarily be used in local infrastructure projects, including road construction and maintenance. These products would include road base (including RMS spec DGB20), drainage aggregate and engineered fill.

Limited composting of green waste may be considered as part of the development application, with the option of composting to be considered and finalised through the EIS process. If composting is undertaken on site, it will be with the purpose of creating 'compost' as defined by the Compost Resource Recovery Order. A maximum composting stockpile will be defined and assessed in the EIS.

Some waste (anticipated to be less than 20%) will not be able to be recycled (referred to as 'rejects'). Rejects would be stockpiled prior to being sent for disposal at an EPA licensed facility.

Recycled products generally would be dispatched to customers in the Central Coast Region.

The dispatch of recycled products and rejects would require approximately 25 to 30 heavy vehicles when the facility is operating at maximum capacity.

3.2.3 Site storage and parking

Stacking areas would be provided for customer vehicles as they approach the weighbridge and inspection area. Appropriate parking will be provided on site.

3.2.4 Operating hours and workforce

The facility would accept waste deliveries 24 hours per day, 7 days a week, to allow infrastructure projects operating on a similar basis, eg road works and rail corridor works, to deliver waste as it is generated.

It is anticipated that processing of waste material would be limited to 6 am to 10 pm, Monday to Saturday, although this will be reviewed if necessary, based on the results of air and noise modelling. Processing of waste material would not occur on Sundays or public holidays.

At this stage, it is believed that these operating hours will not result in unacceptable environmental impacts (eg noise, traffic and lighting). This will be considered in the EIS (see Section 4).

The facility is expected to be operated by approximately 15 full time employees.

3.3 Construction

Project construction would include:

- the removal of existing materials stockpiled on the site;
- establishing/repairing hardstand;

- establishing/upgrading internal roads;
- installing/repairing gates and fencing;
- installing the weighbridges and small demountable office;
- installation/construction of rainwater tanks, drainage, stormwater and sewage treatment facilities;
- installation of dust suppression measures (eg water sprays); and
- construction of the segregated product bays).

These would be associated with the establishment of hardstand and supporting infrastructure, and the installation of a water management dam.

It is anticipated that no power upgrade would be required as equipment used would be self-powered diesel driven units, and the weighbridge and wheel wash facilities would be added to the current supply.

4 Preliminary environmental review

A preliminary review of environmental issues associated with the development and operation of the proposed facility is provided in Table 4.1

Table 4.1 Preliminary environmental review

| Aspect | Preliminary environmental review | Proposed management in EIS |
|----------------------------------|--|--|
| Aboriginal heritage | <p>The AHIMS database search found no known Aboriginal items or cultural sites in or near the site, with an initial walkover of the site by an archaeologist not showing evidence of items.</p> <p>The development is not expected to impact on Aboriginal cultural heritage significance given the previous industrial use and accompanying extensive ground disturbance on the site.</p> | Aboriginal heritage will be addressed in the EIS through a due diligence process, with the AHIMS database search results presented. |
| European heritage | There are no items listed on the Wyong LEP within the site. | European heritage will be addressed in the EIS, with the findings of the Wyong LEP presented. |
| Noise | <p>The proposed 24/7 operations on the site will include equipment moving around and being used, and trucks delivering or transporting material.</p> <p>A single sensitive receiver is approximately 500 m to the north of the site, opposite Sparks Road. Additional sensitive receivers are approximately 1 km to the south-west of the site.</p> | Undertake a Noise Assessment to understand the noise levels and potential impacts. |
| Air quality and greenhouse gases | <p>Some of the proposed activities have the potential to produce airborne dust. However, dust emission levels are generally expected to be low with the use of water on site in crushing and hard stand watering.</p> <p>Given that no putrescibles would be accepted at the Resource Recovery Facility, significant odours are not expected to be generated at the site.</p> <p>The greenhouse gas (GHG) contribution from the facility to state and national GHG emissions will be minor.</p> | <p>An Air Quality assessment will be undertaken, including dispersion modelling, to understand potential dust emissions. A review of Scope 1 GHG generating activities will also be conducted.</p> <p>SEPP 33 screening (offensive or hazardous) assessment will be undertaken.</p> |
| Surface water and flooding | <p>Publicly available flood mapping indicates that the site is within the 1% AEP flood level. However, Council have advised that recent flood mitigation works undertaken for the neighbouring airport means that the site is no longer within this 1%AEP flood level. Flooding is therefore not anticipated to be an issue for the site.</p> <p>Contact water on the site will be contained and reused for dust suppression (where practicable). Drains and collection dams will be used on site to retain contact water.</p> <p>Clean water will be diverted from flowing onto the site where practicable.</p> | <p>A surface water and flooding assessment will be undertaken, which will include:</p> <ul style="list-style-type: none"> • a review of the site drainage and proposed site layout and design of a water management system that meets the regulatory requirements; • development of a surface water management plan to be included in the Construction Management Plan, which will be referenced; and • flood modelling conducted for the area will be reviewed to ensure that the design of the site layout gives regard to the 1:100 yr flood levels. Council's flood engineer will be consulted as part of the assessment. |
| Groundwater | The proposal is not anticipated to intersect or extract groundwater. | Any potential for groundwater contamination will be considered in the EIS. |

Table 4.1 Preliminary environmental review

| Aspect | Preliminary environmental review | Proposed management in EIS |
|-------------------------|--|--|
| Soils and contamination | <p>The site has not been identified as being contaminated. Minor excavation for the water management system may be required. Therefore, little or no sediment generation is anticipated.</p> <p>In relation to acid sulphate soils, a portion of the site is mapped as Class 5, the lowest risk type. However, no development is proposed in the affected area of the site.</p> | <p>A preliminary contamination assessment will be completed as required by the SEPP 55 guidelines.</p> <p>Reference to the development footprint of the site being outside of the Wyong LEP ASS map will be included in the EIS.</p> |
| Bushfire | <p>The site is currently relatively cleared and is inside a mapped Bushfire buffer zone for the neighbouring airport.</p> <p>Fire suppression systems to be used on the site include extinguishers and hose reels.</p> <p>The site will be maintained to manage bushfire risk to adjoining E2 zoned properties.</p> | <p>A bushfire assessment will be included in the EIS to address management and mitigation strategies. This chapter will also include fire and incident management. A 6 m wide track has been included in the project's concept design for firefighting/protection purposes.</p> |
| Visual | <p>The site is not visible to sensitive receptors such as residential properties due to location and surrounding bushland.</p> | <p>This will be referenced in the EIS.</p> |
| Ecology | <p>E2 zoned land has been marked by a surveyor and the site boundary has been delineated.</p> <p>The proposed development footprint is highly disturbed as a result of previous land uses.</p> <p>The proposed use is not expected to attract wildlife as it will involve the recycling of non-putrescible waste only.</p> <p>Where required, given the proximity to the airport, the Civil Aviation Guidelines around mitigation will be applied.</p> | <p>An inspection of any vegetation that may be cleared will be undertaken by an ecologist and assessed as required in accordance with <i>Biodiversity Conservation Act 2016</i>.</p> <p>The preparation of a Biodiversity Development Assessment Report (BDAR) waiver is currently being considered.</p> |
| Roads and traffic | <p>The development will result in increased heavy vehicle usage of Jack Grant Avenue which will involve interaction with airport traffic. There will also be an interaction with traffic turning from or onto Sparks Road. It is noted that Jack Grant Avenue was recently sealed by Council).</p> | <p>A traffic assessment for the development (including the suitability of Jack Grant Avenue and its intersection with Sparks Road) will be undertaken, and any findings and recommended mitigation measures incorporated into the EIS.</p> |
| Hazards | <p>No underground storage of chemicals / fuels is proposed, with best practice standards to apply to any fuel storage required.</p> <p>Any relevant findings of the Hazard Assessment will be incorporated into the site layout.</p> | <p>The EIS will determine if the Resource Recovery Facility would be a potentially hazardous or offensive development according to SEPP 33 – Hazardous and Offensive Development.</p> <p>A PIRMP will be developed as part of any EPL that would be issued post-approval.</p> |
| Waste | <p>The operation will need to put in place a waste management system to manage the wastes that are not recyclable.</p> | <p>Waste management considerations will be addressed in the EIS.</p> |

It is considered that it is appropriate to address the following environmental aspects in the EIS as described in Table 4.1:

1. traffic and transport;
2. air quality and odour;
3. noise and vibration;
4. surface water and flooding;

5. bushfire management;
6. biodiversity (pending consideration of a BDAR waiver);
7. contamination; and
8. waste management (for residual waste streams).

Other matters such as visual amenity and heritage will also be addressed in the EIS; however, given the nature of the site, it is not anticipated that these aspects will require separate technical studies.

5 Planning framework

The proposed facility is in Warnervale, within the Central Coast LGA. The site's address is 20 Jack Grant Avenue, Warnervale (Lot 9/Plan DP 240709) and is subject to the provisions of WLEP 2013.

Further details are provided in Wyong Council's Planning Certificate issued on 31 October 2016 under section 149(2) of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act) for the site (Appendix A).

A summary of legislation (including planning instruments) and policies relevant to the development is provided below.

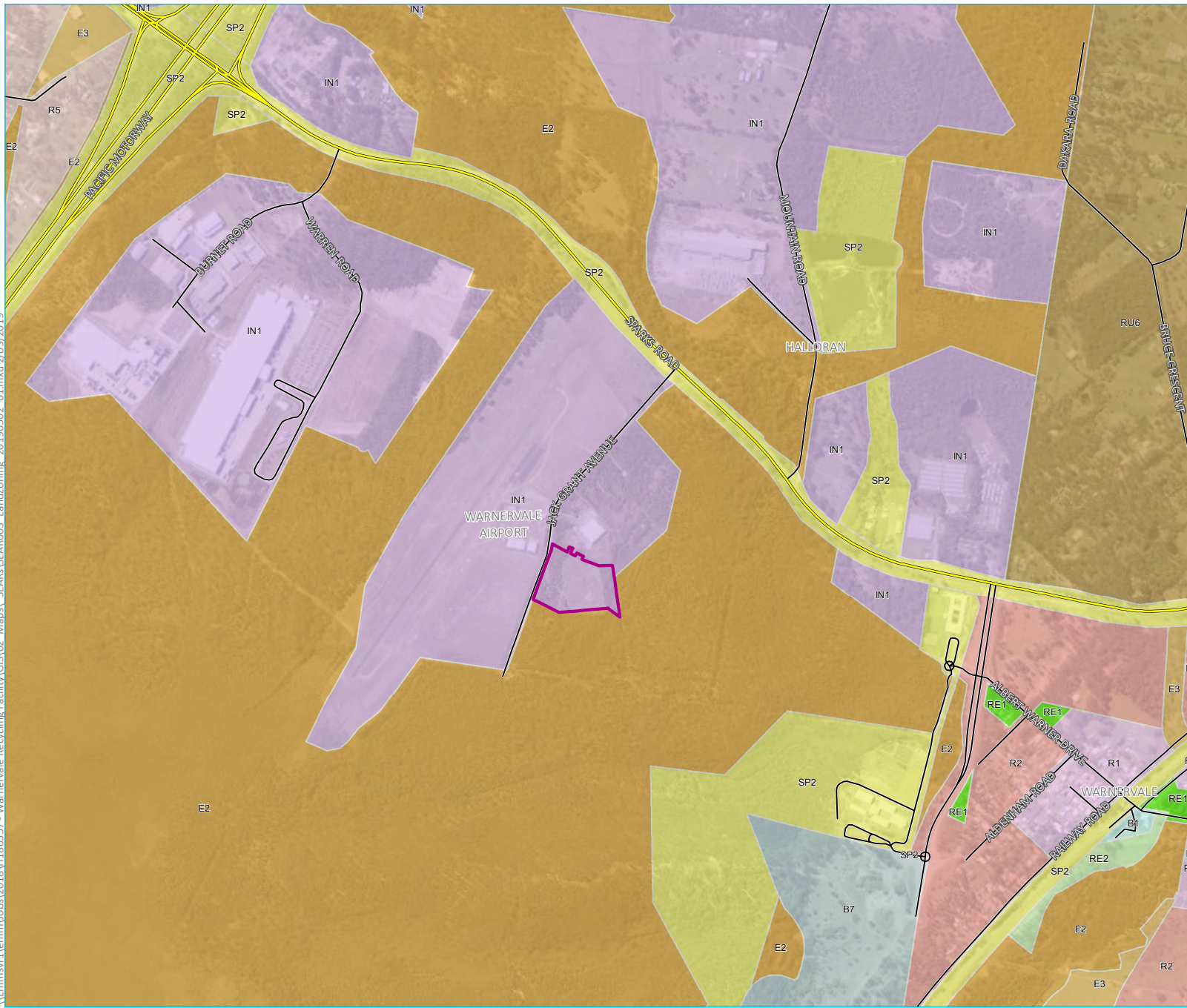
Table 5.1 Legislation relevant to the development

| Legislation/instrument | Relevant section | Comment |
|---|--|---|
| <i>Protection of the Environment Operations Act 1997</i> (POEO Act) | Schedule 1 | Proposed activities at the development are listed under Schedule 1 of the POEO Act as 'resource recovery' and 'waste storage' activities. Accordingly, an environment protection licence will be required under Clause 48 of the Act. |
| <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) | Division 4.7 | Division 4.7 of the EP&A Act identifies that a SEPP may declare any development to be SSD. Where a development is declared SSD the Minister (or their delegate) is the consent authority. The proposed development, as SSD pursuant to the State and Regional Development SEPP (see below), will require development consent under Part 4, Division 4.7 of the EP&A Act. |
| SEPP (State and Regional Development) 2011 | Schedule 1 State significant development—general | The development will be SSD pursuant to Schedule 1 of the State and Regional Development SEPP as it constitutes a waste and resource management facility that handles more than 100,000 tonnes per year of waste. |
| State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) | Division 23 | The development is classified as a resource recovery facility, a type of waste or resource management facility and is within land zoned as IN1 General Industrial, a prescribed zone. As such the Infrastructure SEPP permits the development with consent. |
| State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33) | - | SEPP 33 applies to development of potentially hazardous industry. It requires the consent authority to consider whether an industrial development is a potentially hazardous industry or a potentially offensive industry. The EIS will consider if the development will be a potentially hazardous industry. |
| State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) | Clause 7 | The historical use of the site could be defined under SEPP 55 Guideline Table 1 as 'scrap yard' or 'waste storage and treatment.' As such, the consent authority will likely need to consider a preliminary assessment, as defined by the SEPP 55 Guidelines. |

Table 5.1 **Legislation relevant to the development**

| Legislation/instrument | Relevant section | Comment |
|---|--|--|
| SEPP 71 (Coastal Protection) | | The site is within the coastal zone as defined by the NSW <i>Coastal Protection Act 1979</i> . There are no notices under Sections 38 or 39 of the Act. The facility will not impact any previously un-impacted areas in the coastal zone. The matters in SEPP 71 will be considered in the EIS. |
| WLEP 2013 | Land use zones | The area within the site to be developed is zoned IN1 General Industrial (refer to Figure 5.1). |
| | Land use table | The development is permissible with consent within the proposed development footprint. |
| | Part 6 | The land is mapped as an Urban Release Area. WLEP 2013 requires a specialised development control plan (DCP) to be prepared for the site in order for consent to be provided. Council has not prepared a DCP that specifically includes the site. As such, the Part effectively prohibits any development to be approved on the site. As such, development consent will be sought via the Infrastructure SEPP, discussed above. |
| | 7.1 Acid sulfate soils | A portion of the site is mapped as Class 5, the lowest risk type. However, no development is proposed in the affected area of the site. |
| | 7.2 Flood Planning 7.3 Floodplain risk management | Development is to be compatible with the flood hazard of the land. |
| Wyong Development Control Plan 2013 (WDCP 2013) | - | While not legislation, WDCP 2013 contains various provisions that will be considered and accounted for as the application is finalised, including requirements for industrial development and development on a floodplain. |

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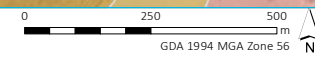
- KEY**
- Project area
 - Main road
 - Local road
- Land zoning (Wyong LEP, 2013)
- B1 Neighbourhood Centre
 - B7 Business Park
 - E2 Environmental Conservation
 - E3 Environmental Management
 - IN1 General Industrial
 - R1 General Residential
 - R2 Low Density Residential
 - R5 Large Lot Residential
 - RE1 Public Recreation
 - RE2 Private Recreation
 - RU6 Transition
 - SP2 Infrastructure

Land Zoning

Warnervale Resource Recovery Facility
Scoping report
Figure 5.1



Source: EMM (2019); DFSI (2017); GA (2015); WRF (2018); DPE (2017)



6 Consultation

6.1 Consultation to date

Tricon recognises the value of engagement with the community and other stakeholders and that earlier and increased engagement provides opportunities for stakeholders and the community to learn about the proposed activity and to identify matters of concern, providing greater certainty and transparency of the EIS. Accordingly, stakeholder engagement will form an integral part of the approval process.

As mentioned in Section 1, SEARs were originally sought for a designated development application, relating to a facility with a processing capacity of up to 100,000 tpa. The consent authority for this proposed development would be Central Coast Council. Accordingly, a pre-DA meeting was held with Council on 15 January 2019. This meeting was attended by Central Coast Council's Senior Development Planner and Principal Development Design Engineer. The purpose of the meeting was to brief Council on the proposed development.

Since this meeting, the decision was made by Tricon to seek approval for a facility with a greater per annum throughput (250,000 tpa), which means that the development will be SSD pursuant to Schedule 1 of the State and Regional Development SEPP. Accordingly, a scoping meeting was held between Tricon and officers from DPE on 4 April 2019 to:

- introduce the proposed development to DPE;
- discuss the assessment pathway;
- have a preliminary discussion about the relevant matters to be considered in the EIS; and
- discuss the proposed approach to engaging with the community and other stakeholders.

Since the scoping meeting, the initial proposed site layout has been amended. One of these amendments was the removal of the northern portion of the site from the area subject to the development application.

6.2 Proposed consultation for the EIS

At this stage in the process, Tricon has identified relevant community and other stakeholders to be consulted with during preparation of the EIS. Government agencies to be consulted with include the DPE, the NSW Environment Protection Authority (EPA), NSW Roads and Maritime Services (Roads and Maritime), NSW Office of Environment and Heritage (OEH), and Central Coast Council.

Tricon will also engage with local residences and businesses via newsletters to inform them of the proposed development, and to provide contact details should any residents wish to discuss any concerns or queries. Tricon will also contact Lakes Grammar, a K-12 school approximately 1 km directly east of the proposed development site, to discuss the proposed development.

The EIS will report on community and other stakeholder participation including:

- an overview of how the required outcomes from participation have been achieved;
- a list of the community and other stakeholder groups contacted;
- the issues raised, and detail on how these have been addressed through project amendments where applicable and where issues raised have not been addressed and why not; and

- the planned approach to engaging the community and other stakeholders throughout construction and operation, if the proposed project is approved.

Additionally, the public exhibition process will also allow community members to make a submission on the EIS.

7 Project justification

The NSW Government has committed close to \$500 million to transform waste and recycling in NSW. The *Waste Less, Recycle More: A Five-year \$465.7 million Waste and Resource Recovery Initiative* (EPA 2013) states that “[m]ore effort is needed to continue increasing the recycling rate for waste from households, business and industry” and further that “significant infrastructure investment is required in order to keep up with the increasing waste generation rates and meet the NSW recycling targets.”

Tricon Equipment supports these strategies and their ongoing implementation.

The facility would contribute to meeting the NSW Government’s recycling strategies and targets. The site is ideally located for the proposed resource recovery facility because:

- it is readily accessible by roads suitable for heavy vehicle use. At approximately 1.5 km from the M1, with minimal sensitive receivers between the site and the M1, the site is ideally suited to serve the regional area with minimal local amenity impacts;
- it is within a designated urban release area, and will facilitate the development of future land releases by allowing for shorter trips to deliver waste and to access recovered materials for site works;
- it will lower costs for local public infrastructure development by providing a local destination for waste, reducing costs associated with fuel and driving times;
- it is within a short driving distance to established residential and commercial areas, providing safe and legal alternatives to littering and illegal dumping, while improving recycling rates in the local area;
- the site is bounded by either other industrial uses or vegetated land, minimising land use conflict;
- the proposed activities are not expected to be visible from any residential areas;
- development of the facility would provide an economic and social benefit from the site that is only suitable to a small range of uses.

8 Closing

Revised SEARs are requested for a proposed State significant development at 20 Jack Grant Avenue, Warnervale. The proposed development involves the establishment and operation of a resource recovery facility with a capacity of 250,000 tpa. The development is proposed on a site that is highly disturbed and well suited to the proposed use. Tricon is an established resource recovery facility operator, having operated a similar facility at West Gosford, and is in a position to start development of the facility as soon as the required approvals are obtained.

Appendix A

Planning certificate



ABN 73 149 644 003
Certificate No:8359
Reference No: 00563:94659

InfoTrack Pty Ltd
DX 578
SYDNEY

SECTION 149(2) PLANNING CERTIFICATE

This Planning Certificate is issued on 31 October 2016 in respect to the land described below, pursuant to s.149 of the Environmental Planning and Assessment Act 1979

Fee paid: \$53.00
Receipt No:
Receipt Date: 28 October 2016

DESCRIPTION OF LAND COUNTY OF NORTHUMBERLAND

Property Address: 20 Jack Grant Avenue, WARNERVALE NSW 2259
Property Description: Lot 9 DP 240709
Property Owner: Mr G Adams

1 RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS

1.1 Environmental Planning Instruments which apply to the land

Wyong Local Environmental Plan 2013

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy No 30 – Intensive Agriculture

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy No 64 – Advertising and Signage

State Environmental Planning Policy No 21 – Caravan Parks

State Environmental Planning Policy No 62 – Sustainable Aquaculture

State Environmental Planning Policy (State Significant Precincts) 2005

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy No 44 – Koala Habitat Protection

State Environmental Planning Policy (Affordable Rental Housing) 2009

State Environmental Planning Policy No 36 – Manufactured Home Estates

Wyong Office: 2 Hely St / PO Box 20 Wyong NSW 2259 | P 02 4350 5555 | DX 7306 Wyong

Gosford Office: 49 Mann St / PO Box 21 Gosford NSW 2250 | P 02 4325 8222

E ask@centralcoast.nsw.gov.au | W www.centralcoast.nsw.gov.au | ABN 73 149 644 003

State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
State Environmental Planning Policy No 50 – Canal Estate Development
State Environmental Planning Policy No 55 – Remediation of Land
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004

1.2 Proposed Environmental Planning Instruments which will apply to the land and is or has been the subject the subject of community consultation or public exhibition

The land is not subject to any Draft Local Environmental Plans.

1.3 Development Control Plans

Development Control Plan 2013 applies to this land.

2 ZONING AND LAND USE

a Identity of the Zone

Lot 9 DP 240709

IN1 General Industrial
Lot 9 DP 240709

E2 Environmental Conservation

For each of the environmental planning instruments referred to in clause 1, please refer to the attached land use table to determine (b), (c) and (d) listed below:

- b development that may be carried out within the zone without the need for development consent,
- c development which may not be carried out within the zone except with development consent and
- d development which is prohibited within the zone

e Development Standards applying to the land

Development standards applying to the land fix minimum land dimensions for the erection of a dwelling-house on this land.

The minimum land dimension so fixed is 40ha.

f Critical Habitat

Nil

g Conservation Area

Nil

h Environmental Heritage

Nil

2A ZONING AND LAND USE UNDER STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

Not applicable

3 COMPLYING DEVELOPMENT

Whether or not the land is land on which complying development can be carried out under each of the codes for complying development because of the provisions of clause 1.17A (c) and (d) and 1.19 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*?

1. PART 3 – GENERAL HOUSING CODE

- a Complying Development under the General Housing Code **may** be carried out on the land.

2. PART 3A – RURAL HOUSING CODE

- a Complying development under the Rural Housing Code **may** be carried out on the land providing the land is not less than the minimum lot size for the erection of a dwelling house under the Wyong Local Environmental Plan 2013.

3. PART 4 – HOUSING ALTERATIONS CODE

- a Complying development under the Housing Alterations Code **may** be carried out on the land.

4. PART 4A – GENERAL DEVELOPMENT CODE

- a Complying development under the General Development Code **may** be carried out on the land.

5. PART 5 – COMMERCIAL AND INDUSTRIAL ALTERATIONS CODE
 - a Complying development under the Commercial and Industrial Alterations Code **may** be carried out on the land.

6. PART 5A – COMMERCIAL AND INDUSTRIAL (NEW BUILDINGS AND ADDITIONS) CODE
 - a Complying development under the Commercial and Industrial (New Buildings and Additions) Code **may** be carried out on the land.

7. PART 6 – SUBDIVISIONS CODE
 - a Complying development under the Subdivisions Code **may** be carried out on the land.

8. PART 7 – DEMOLITION CODE
 - a Complying development under the Demolition code **may** be carried out on the land.

9. PART 8 – FIRE SAFETY CODE
 - a Complying development under the Fire Safety Code **may** be carried out on the land.

4 COASTAL PROTECTION ACT 1979

This land is within the coastal zone as defined by the Coastal Protection Act however there are no notices under Sections 38 or 39 of this Act.

4A CERTAIN INFORMATION RELATING TO BEACHES AND COASTS

1. An order has not been made under Part 4D of the Coastal Protection Act 1979 on this land or on any public land adjacent to this property in relation to temporary coastal protection works. If an order has been made previously, Council is fully satisfied that the order has been complied with.

2. Council has not been notified under section 55X of the Coastal Protection Act 1979 that temporary coastal protection works have been placed on the land or public land adjacent to this property.

4B ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

The owner (or any previous owner) of the land has not consented in writing to the land being subject to annual charges under section 496B of the Local Government Act 1993 for coastal protection services that relate to existing coastal protection works.

5 MINE SUBSIDENCE

The land is not within a proclaimed Mine Subsidence District.

6 ROAD WIDENING OR ROAD ALIGNMENT

1. DIVISION 2 OF PART 3 OF THE ROADS ACT 1993

The land is not affected by road realignment or road widening under the above.

2. ENVIRONMENTAL PLANNING INSTRUMENT

The land is not affected by road widening or road re-alignment under the above.

3. COUNCIL RESOLUTIONS

The land is not affected by road widening or road re-alignment under the above.

7 COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES TO RESTRICT DEVELOPMENT DUE TO RISK

This land is affected by a policy adopted by the council or other public authority that restricts the development of the land because of the likelihood of risk restrictions. This land is affected because:

The land is classed as being Acid Sulfate Soil Class 5

7A FLOOD RELATED DEVELOPMENT CONTROLS

1. Development on this land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or senior housing) and for other purposes are subject to flood related development controls.
2. Development on this land or part of the land for any other purpose is subject to flood related development controls.

A word or expression used in this clause has the same meaning as it has in the *Floodplain Development Manual* (ISBN 0 7347 5476 0), published by the NSW Government in April 2005, unless it is otherwise defined in this Plan.

8 LAND RESERVED FOR ACQUISITION

The following environmental planning instruments and proposed environmental planning instruments make provisions for the acquisition of land by a public authority as referred to in Section 27 of the Act:

Nil

9 CONTRIBUTION PLANS

The land is subject to Section 94 Contributions Plan – Warnervale District.

This land is subject to the Section 94 Contributions Plan for Wyong Shire No. 11 - Shirewide Infrastructure, Services and Facilities – July 2007.

This land is subject to the Wyong Shire Section 94A Levy Development Contributions Plan.

9A BIODIVERSITY CERTIFIED LAND

The land **is not** biodiversity certified land within the meaning of Part 7AA of the *Threatened Species Conservation Act 1995*.

10 BIOBANKING AGREEMENTS

Council has not been notified by the Director-General of the Department of Planning and Environment of an agreement issued under Part 7A of the Threatened Species Conservation Act 1995.

11 BUSHFIRE PRONE LAND

The information currently available to Council indicates **some** of the land is shown as bush fire prone land according to the Act.

12 PROPERTY VEGETATION PLAN

This land is not subject to a property vegetation plan under the Native Vegetation Act 2003.

NOTE: The advice provided in this section is based on notification by the Local Land Services - Greater Sydney of the approval of a plan. Further information about property vegetation plans should be obtained from that Authority.

13 ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Council has not been notified of an Order issued under the Trees (Disputes between Neighbours) Act 2006.

NOTE: This advice is based on information provided by the Land and Environment Court.

14 DIRECTIONS UNDER PART 3A

Not Applicable

15 SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING

Council is not aware of there being a valid Site Compatibility Certificate issued by the Director-General of the Department of Planning and Environment in respect of the land.

NOTE: This advice is based on information provided by the NSW Department of Planning and Environment.

16 SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE

Council is not aware of there being a valid Site Compatibility Certificate issued by the Director-General of the Department of Planning and Environment in respect of the land.

NOTE: This advice is based on information provided by the NSW Department of Planning and Environment.

17 SITE COMPATIBILITY CERTIFICATES FOR AFFORDABLE RENTAL HOUSING

Council is not aware of there being a valid Site Compatibility Certificate issued by the Director-General of the Department of Planning and Environment in respect of the land.

NOTE: This advice is based on information provided by the NSW Department of Planning and Environment.

18 PAPER SUBDIVISION INFORMATION

1. THE NAME OF ANY DEVELOPMENT PLAN ADOPTED BY A RELEVANT AUTHORITY THAT APPLIES TO THIS LAND OR THAT IS PROPOSED TO BE SUBJECT TO A CONSENT BALLOT.

Nil

2. THE DATE OF ANY SUBDIVISION ORDER THAT APPLIES TO THIS LAND.

Not applicable

Words and expressions used in this clause have the same meaning as they have in part 16C of this Regulation.

19 SITE VERIFICATION CERTIFICATE

Council is not aware of a Site Verification Certificate having been issued by the Director-General of the Department of Planning and Environment in respect to this land.

Note: A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land—see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

20 LOOSE-FILL ASBESTOS INSULATION

This land does not include any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) that are listed on the register that is required to be maintained under that Division. That register lists residential premises that contain or have contained loose-fill asbestos insulation.

21 CONTAMINATED LAND MANAGEMENT ACT 1997

Not Applicable

For any enquiries regarding this Certificate please contact Council's Customer Contact Centre on 4350 5555.



Toni Blenheim
Signed on Behalf of Council

LAND USE TABLE

Zone IN1 General Industrial Wyong Local Environmental Plan 2013

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Food and drink premises; Freight transport facilities; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm Buildings; Forestry; Function centres; Heavy industries; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Public administration building; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

LAND USE TABLE

Zone E2 Environmental Conservation Wyong Local Environmental Plan 2013

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect endangered ecological communities, coastal wetlands and littoral rainforests.
- To enable development of public works and environmental facilities if such development would not have a detrimental impact on ecological, scientific, cultural or aesthetic values.

2 Permitted without consent

Nil.

3 Permitted with consent

Eco-tourist facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Recreation areas; Research stations; Roads; Water reticulation systems.

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3.