Mr Brent Lawson
The Trustee for Minto Property Trust
PO Box 7108
Silverwater New South Wales 2128

26 November 2020

Dear Mr Lawson

Minto Resource Recovery Facility (SSD-5339)
Response to Submissions

The exhibition of the State significant development (SSD) application, including the Environmental Impact Statement (EIS) for the above project ended on 19 Nov 2020. All submissions received by the Department during the exhibition of the proposal are available on the Department's website at https://www.planningportal.nsw.gov.au/major-projects/project/10526.

Please note that submissions have not been received from the Heritage NSW and Campbelltown City Council. These submissions will be forwarded to you when they are received.

The Department requires that you provide a response to the issues raised in those submissions, along with those matters raised by the Department in Attachment 1 to this letter, in accordance with clause 82(2) of the Environmental Planning and Assessment Regulation 2000. Please provide a response to the issues raised in these submissions Friday 26 February 2021.

Note that under clause 113(7) of the Environmental Planning and Assessment Regulation 2000, the days occurring between the date of this letter and the date on which your response to submissions is received by the Secretary are not included in the deemed refusal period.

If you have any questions, please contact Emma Barnet, who can be contacted on 92746412/ at emma.barnet@planning.nsw.gov.au.

Yours sincerely

Chris Ritchie
Director, Industry Assessments

as delegate for the Planning Secretary

ATTACHMENT 1

Air

- It is understood that the majority of waste crushing will occur via the jaw crusher which would be located within a shed and serviced by a baghouse. However, if the waste material is oversized, it will be processed by a mechanical pulverisor or hydraulic rock breaker. Please confirm whether the AQIA considered that any crushing via mechanical pulverisor or hydraulic rock breaker would not be connected to the baghouse. Furthermore, please confirm if Table 6-1 in the AQIA, which provides the PM_{10} emissions for each activity per year, includes the mechanical pulveriser and hydraulic rock breaker.
- The contemporaneous assessment data has been provided in graph form which appears to indicate additional exceedances of the criteria, please provide the results of the contemporaneous assessment in a table format.

Remediation

- The site is currently contaminated with asbestos containing material and a Remedial Action Plan has been prepared which proposes to remediate the site through the removal of asbestos contaminated soil. However, the RAP also states that on-site consolidation and or capping of impacted materials would be considered if economic constraints dictate. Please update the RAP to provide further details of the alternate remediation method including depth of the fill, consistency of marker later and details of any EMP to manage remaining on-site contamination. Please also provide a justification for using the encapsulation option.

Waste Management

- The Site Plan identifies numerous external waste and product stockpiles, please describe the stockpile management measures that would be implemented to ensure wastes are managed appropriately including maintaining their separation distances and heights.
- Please provide the size and volume of the individual stockpiles.
- The EIS explains that there would be some residual waste generated by the facility, and this waste would either be disposed of or sent for further processing. It is recognised that the metal waste storage area has been shown on the Site Plan, however, please also show where other wastes would be stored and explain how often they'd be taken offsite.
- The site plan shows one large stockpile for sand/sandstone and pugmilled material, please describe how this stockpile would operate to avoid the mixing of different products.

Soil and Water

- The EIS explains the site would discharge water to Bow Bowing creek in storm events greater than 1 in 10 ARI (southern catchment) or 1 in 100 ARI (northern catchment). It is noted the EIS states that, as sediments will be captured, water quality of Bow Bowing creek would not be affected. This must be quantified by characterising the water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria (including details of the contaminants of concern that may leach from waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters) and assessing impacts on Bow Bowing Creek.
- A water balance has been provided in Table 9 of Appendix 5 however, it does not provide a detailed break down of the water inputs and outputs. Provide a comprehensive water balance which includes water to be discharged to Bow Bowing creek.
- The EIS states that sediments captured by the sediment basins will be reused in the recycling process. Please describe how this would occur.

- Although it is acknowledged the northern and southern sediment basins are the same size, explain why in the southern catchment the pit/pipes are only sized for a 10 year ARI event whereas the northern pit and pipes are designed for the 1 in 100 year ARI event.

Traffic

- It is recognised the traffic assessment undertook a Sidra analysis of existing conditions with and without the development. Please also provide Sidra analysis for future conditions (2030) accounting for background traffic growth.
- It is noted that a one-way system for traffic has been provided, however, the swept path analysis Drawing PS02-DZ01 indicates heavy vehicles would occasionally undertake a U-Turn, please demonstrate that this movement will not interfere with the unloading/loading operations.
- Please clarify the time taken for waste drop off, as it appears to be underestimated. If a revised estimation is provided, please update the queueing assessment to demonstrate the site has capacity to accept 1 truck every 2 min 42 seconds in peak operating periods.
- The site has been designed to accommodate 19 m heavy vehicles yet it is acknowledged other vehicles would be used as well. Please quantify how many rigid vehicles would access the site.

Flooding

- Clarify whether the upgrade of the existing pipe within the presumably Council-controlled Drainage Easement (that drains Pembury Rd to Bow Bowing Creek), requires land owner's consent from the owners of 25 Pembury Road and consent from Council under s68 *Local Government Act 1993*.
- Explain how workers and drivers would be affected by deep flood water that occurs within Montore Road during the 100 year ARI flood. If the site is inaccessible at peak flood times due to excessive water depths and velocities as determined by the Floodplain Development Manual, provide details of an emergency flood management plan.

Noise

- It is understood that the majority of waste crushing would occur via the jaw crusher which would be located within a shed, however, if oversized, the waste would be first crushed by a mechanical pulverisor or hydraulic rock breaker. Please confirm whether the use of a mechanical pulverisor and hydraulic rock breaker been considered by the noise assessment.
- It is noted the stockpiles would range in size from 6 to 8 m. Please confirm whether any machinery be located or operate on top of the stockpiles. If so, please confirm this been accounted for by the noise assessment.
- Please provide a list the mitigation measures which would be implemented to manage noise impacts.

General

- It is noted that the development site requires remediation prior to construction, please describe how long remediation would take and how much contaminated soil would be removed. The EIS states that 500 vehicles would be required for fill removal, this number appears high, please clarify.
- Following remediation, how long would construction take and how much fill would be imported?
- Please provide landowner's consent for the site and clarify whether landowner's consent is required for the adjacent property to the south, which is the location of the proposed stormwater pipe upgrade.
- Please confirm that the technical assessments have been undertaken on the basis of worst case operation, that is the site would receive 2,500 tonnes of material and deliver 2,500 tonnes of material per day, as per the description in the Noise Impact Assessment.

Plans/Figures

- Although it is noted the Crushing Plant (Drw: 1509-0001) and Washing Plant (also Drw: 1509-0001) plans label individual stockpiles, the Site Plan does not, instead the stockpiles are labelled as uncrushed material and crushed material or sand/sandstone/pugmilled material. Please update the Site Plan to include accurate labels.
- The concrete block bays, which can be seen on the Site Plan are not labelled on the Site Plan or described, please address.
- It is noted a large stockpile of 'crushed material' would be located on the northern boundary of the site, please clarify why the stockpile covers the northern storage tanks and update the Site Plan to address.
- It is understood that a new driveway/access way would be required to accommodate the development. Please describe the new access and provide the relevant engineering drawings.
- Provide architectural drawings including elevations of the workshop, sand shed and any other permanent structure on site.
- Please label the tip and spread area on a plan to demonstrate that it will be separated from the larger waste stockpiles and that its size will be sufficient to meet the requirements of the EPA's *Standards for Managing Construction Waste*.