

Regulatory, Planning and Assessment.MBisson/GMansfield
Reference: SDC2021/0005.01
Phone: 02 4974 2000

4 June 2021

Katelyn Symington
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Reply by email: <https://www.planningportal.nsw.gov.au/major-projects>

Dear Ms Symington

1A MCINTOSH DRIVE MAYFIELD WEST - RESOURCE RECOVERY FACILITY (SSD-7698-MOD 1)

I refer to the Department's electronic notification of 17 May 2021 advising Benedict Recycling Pty Ltd has submitted a Section 4.55 (1A) application seeking consent to modify the development consent for the above development and requesting City of Newcastle (CN) to provide advice.

The submitted documentation has been reviewed and the following advice is provided for your consideration:

1. Section 4.55(1A) application

It is recommended that the applicant is required to provide supplementary information which addresses the following:

- An explanation as to why the proposed extension to the heavy material stockpile area is required given that the amended proposal does not involve any changes to the processing capacity or waste activities of the facility.
- Details of the activities to be carried out in the proposed Maintenance Shed and how they are associated with the waste recovery facility. It being noted that the submitted environmental impact assessment does not address the activities of the shed.
- The supporting report (Section 3.3 Pg. 9) states '*We now wish to modify the arbitrary boundary within the site and incorporate the proposed areas to stockpile recovered segregated waste materials, but not unsorted, co-mingled waste and the hand unload precinct.*' The proposed adjustment to the boundary as indicated in Figure 2 of the report appears to include land proposed to be used by all of the above activities.

2. Contamination

CN records Site Audit Statement (SAS) No.GN 397 (10 November 2009) is applicable to the site. This SAS certifies that the site is suitable for commercial / industrial uses subject to compliance with the following environmental management plan (EMP):

- Site Management Plan for Subsurface Disturbance Activities, Delta EMD Australia Pty Ltd, McIntosh Drive, Mayfield, NSW dated 2 October 2009 by AECOM

The EMP (also referred to as an SMP) is required to be referenced and implemented prior to disturbance of the site's subsurface. Disturbance is described as including a variety of activities which may be associated with the proposed amended development.

It is recommended the applicant consider the EMP and determine the applicability of its recommendations to the proposed activities.

3. Environmental Impacts

The operations on the site are licensed by the NSW Environment Protection Authority and the Authority is the appropriate *regulatory authority* for the activities on the site. In this regard, the Authority will have a greater understanding of the current environmental aspects and impacts of the existing operation and the significance of the proposed modification.

The supporting report considers and provides comment on a range of environmental impacts, including air quality. However, it does not provide an explanation of the emissions calculated for stockpile wind erosion, particularly in reference to the second table and the relative increase in emissions. This should be addressed by the applicant.

4. Section 7.12 Local Infrastructure Contribution

The submitted application does not indicate whether the proposed modified development involves an increase in the cost of the development, as approved. Please confirm.

If you have any questions in relation to the various matters raised in this letter, please contact Geof Mansfield Principal Planner on 4974 2767 or by email on gmansfield@ncc.nsw.gov.au.

Yours faithfully



Michelle Bisson
MANAGER REGULATORY, PLANNING AND ASSESSMENT