

14 April 2020

NSW Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

APPLICATION NO: SSD 10447 (Our Ref. 25-2020-3-1)

PROPOSAL: Tomago Resource Recovery Facility and Truck Depot

PROPERTY: 21D School Drive TOMAGO, 21F School Drive TOMAGO LOT: 11 DP: 270328, LOT: 8
DP: 270328

Dear Bianca,

Thank you for your correspondence dated 2 April 2020 requesting Council's input to the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Tomago Resource Recovery Facility and Truck Depot (SSD 10447), located at 21D School Drive TOMAGO, 21F School Drive TOMAGO 2322, currently lodged with the Department of Planning, Industry and Environment (DPIE).

On the 4th February Council held a pre-lodgement application meeting with the applicant regarding the proposed development. At this time, Council understood the development to be classified as Designated Development under clause 23(6b) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011. During the meeting, a number of key issues relating to the proposal were identified and discussed. Council requested these issues to be addressed in any future application.

Council understands the project is classified as State Significant Development under clause 23(6b) of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011, and therefore requires the submission of an Environmental Impact Statement and the issuing of SEARs.

Council has given consideration to the likely impacts of the proposal and makes the following comments.

Planning Matters

Operational Details

The application should identify the following operational details with regard to waste management:

- Detail the type, quantity and classification of waste to be received at the site;
- Details of the resource outputs and any additional processes for residual waste;
- Details of waste handling including, transport, identification, receipt, stockpiling and quantity control.
- Details of the truck depot, and its use in conjunction with the resource recovery facility, including the number of trucks and parking location.
- Hours of operation in regards to both the resource recovery facility and the depot.

Building Design and Layout

It is noted that the majority of the facility is to be located within the existing buildings. As such it is required that architectural plans be further developed to highlight any proposed additions, alterations or internal works.

The architectural plans for the truck depot should be further developed to include any additional hardstand areas, driveway access, landscaping and fencing. Truck parking external to buildings must be sighted to avoid adverse visual impact when viewed from the street.

Although it is noted that 21G School Drive won't be included in the current proposal, any application should consider impacts to future development on this site, including provision of appropriate setbacks and site landscaping where appropriate. If 21G School Drive is intended to be purchased by the proponent, consideration should be given to future preservation of connectivity between the sites.

Bushfire Hazard

The site is located within Bushfire Prone land, and as such a Bushfire Threat Assessment is required to be submitted as part of the proposal.

Acid Sulfate Soils

The site is located within class 4 Acid Sulfate Soils. As such, consideration of clause 7.1 of the Port Stephens Local Environmental Plan 2013 will be required. Any works more than 2 meters below ground level will require an Acid Sulfate Soils Management Plan (ASSMP). The need for this plan may be mitigated if a preliminary geotechnical investigation is provided identifying that it is unlikely that Acid Sulfate Soils will be disturbed.

Environmental Health Matters

SEPP 33 – Hazardous and Offensive Development

The Preliminary Environmental Assessment Report notes that the proposal will include the storage of hazardous wastes. As such, a Preliminary Risk Screening is required to identify the class, quantity and location of all dangerous goods and hazardous materials associated with the development. The risk screening must be undertaken in accordance with SEPP 33 and 'Applying SEPP 33 - Hazardous and Offensive Development Application Guidelines' (DOP 2011).

SEPP 55 – Remediation of Land

The Phase 2 Contamination Report (GHD, dated 2011) included with the appended documentation references a series of documents that have all been revised and updated since it was written.

It is appropriate that the proposed development is considered under existing contamination legislation and guidelines and reports updated. It is possible that criteria used in the sampling, analysis and assessment have changed from previous versions.

Given the history of previous potentially contaminating uses of the site, a Preliminary Site Investigation will be required to be submitted with the application. The preliminary investigation will detail whether a phase 2 assessment is needed and if so, will be required to be submitted with the application prior to determination.

Tomago Aluminium Buffer Area

The proposal is located within the Tomago Aluminium buffer area. The buffer area was established as part of the 1981 approval and 1991 expansion (as modified) of the Tomago Aluminium Smelter. The buffer area was identified land likely to be affected by Sulphur (SO₂) and Fluoride emissions from the Smelter. As such, the application should identify whether the development would result in the release of any sulphur. It is expected this will be addressed as part of an Air Quality Impact Assessment.

Air Quality

An Air Quality Impact Assessment is required where the development has potential to adversely impact surrounding areas in terms of air quality under section B3 of the Port Stephens Development Control Plan 2014 (PS DCP). This will also need to identify if there is any sulphur produced given the sites location within the Tomago Aluminium Buffer, as noted above.

Waste Management

Detail of the proposed waste management system will need to be provided.

The site does not have access to reticulated sewer and it is understood that there is an existing on-site sewer management system for 21D School Drive. Details of servicing, including any proposed changes to current utilities will need to be included as part of the application. Any proposed OSMS for 21F School Drive will also need to be addressed within the application. A Waste Management Report, prepared by a suitably qualified person will need to be provided, demonstrating that the proposed sewage and trade waste are appropriate for the proposed development.

Traffic

In accordance with section B9 Road Networking and Parking of the PSDCP, a Traffic Impact Assessment is required to be submitted with the application, detailing the traffic impacts associated with the resource recovery facility and the truck parking depot.

Further to this, information will need to be provided showing that the proposed parking will be sufficient for the proposed uses.

Flooding

The site is listed as flood prone, it is recommended that further information be sought from Council to obtain the relevant flood levels for the site. This information will need to be considered within the proposal, and any relevant requirements within Chapter B5 of the PSDCP.

A flood study is required to be submitted as part of the EIS, and include a survey of the floor levels of the existing buildings.

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Stormwater Drainage and Water Quality

In accordance with Section B4 Drainage and Water Quality of the PSDCP, a Stormwater Drainage Plan may be required if there is an increase in impervious surfaces or drains to the public drainage system.

The proposal will also need to demonstrate that compliance with the Water Quality targets can be met. Any existing water quality measures currently in place on the site will also need to be addressed.

Thank you for the opportunity to comment on the proposed development. If you wish to discuss the matters raised above or have any questions, please contact me on the below details and I will be happy to assist.

Yours Sincerely,

Dylan Mitchell
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Development Assessment and Compliance
Port Stephens Council
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