



**J A C K S O N**  
**ENVIRONMENT AND PLANNING**  
STRATEGY | INFRASTRUCTURE | COMPLIANCE | PROCUREMENT



# Kariong Sand and Soil Supplies – SEAR's Preliminary Environmental Assessment Report

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## Executive Summary

A preliminary environmental assessment has been prepared for the proposed development of a resource recovery facility at Kariong Sand and Soil Supplies at 91 Gindurra Rd, Somersby.

Mr & Mrs Ray and Sue Davis are the owners of IN1 General Industrial zoned land at 90 Gindurra Rd, Somersby (Lot 4/DP227279). The site is currently used for storing and screening soil and sand, which is sold for landscaping. The site is referred to as the Kariong Sand and Soil Supplies (KSSS) site. The site was originally approved as a Sand and Metal Recycling Facility on 28/02/1992 (DA 15337). As part of the original approval, only the front section of the site was approved for this use.

The development consent permits only limited processing and storage at the site. The majority of the site is bushland, with two areas cleared in use. The original consent permitted an operational area of approximately 10,000 m<sup>2</sup>. An additional area of approximately 14,000 m<sup>2</sup> is currently being used as a processing and sorting area. Development approval is required to obtain consent to increase the permitted operational area to allow the design and construction of a resource recovery facility in line with best practice.

It is proposed that the KSSS site be developed to receive, process and store up to 200,000 tonnes per annum of soil, sand and building materials. The complete development would require: installation of security fencing; construction of a hardstand area for processing material; construction of storage bays for processed material; construction of on-site roads suitable for large vehicles; construction of a truck parking area; construction of an office, maintenance workshop and weighbridge.

The main operational area will be divided into two main areas; one for receiving and processing incoming material, and another area for storage of final product and sale of material to landscape supplies customers. It is anticipated that a total final area of the developed operational area on the site will be approximately 39,000 m<sup>2</sup>.

The update of the site will be conducted in two stages. The first stage will be construction work at the front of the site, involving demolition of the existing buildings, construction of a front office and workshop, front parking areas and install the security fencing. The second stage involves clearing of vegetation, earthworks to facilitate on-site drainage, construction of on-site roads, construction of a hardstand area, construction of a stormwater management system, construction of a noise barrier and construction of product storage bays.

The site is less than 250m from a residential dwelling. As such, under clause 32(1)(d)(vi) of Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*, the proposed development is considered designated development.

As discussed in this report, under Section 89(c) of the *Environmental Planning and Assessment Act 1979* and Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011*, the proposed development is considered to be a State Significant Development. The determining authority will be the Minister for Planning. As a result, KSSS would like to seek the Secretary's Environmental Assessment Requirements with respect to the proposed Environmental Impact Statement (EIS). An EIS will be required as part of the planning and approvals process for this project to comply with the requirements of Section 112 of the *Environmental Planning and Assessment Act 1979*.

A preliminary environmental assessment has been performed and is documented in this report to help inform the range of issues that will need to be considered in the EIS to ensure that human health and the environment are protected. The assessment has considered planning and legislative requirements, as well as

site conditions, topography, geology and soils, surface water management, groundwater, easements, licences and covenants, adjoining premises, nearest sensitive receptors, traffic, social and cultural environment, visual catchment, stakeholder and community consultation, and a stakeholder consultation strategy.

As part of this assessment, we have also considered the strategic drivers, including the NSW State Plan, State and Local Planning Policies. The preliminary environmental assessment has also considered the sustainability benefits of the project, including the environmental, economic and social benefits.

The preliminary environmental assessment found the proposed development will occur within the footprint of the existing facility, and consideration will need to be given to sensitive rural dwelling to the north east and neighbouring businesses that may be impacted by noise and dust.

Managing runoff and minimising its effect on water quality will be necessary to ensure that surrounding properties are not negatively impacted. And an increase in the number of vehicles entering the site must be carefully considered in order to avoid any impact on neighbours or on the local road network. The development will also need to consider appropriate design, given that the site is within a designated bushfire-prone area.

These factors and other issues raised by the Department of Planning and Environment and other regulatory authorities should be considered in the Environmental Impact Statement in order to ensure that the proposed upgrades are carried out to protect human health and the environment, while supporting the development of important recycling infrastructure for the Somersby and Central Coast community.

The proposed development will provide a broader range of recycling options and make progress towards the NSW Government's recycling targets. The project will create 5 jobs in construction over a 3 month period and 11 new permanent jobs, injecting more than \$73.8 million into the local economy over a 20-year period.

# CONTENTS

Executive Summary .....	1
1. Glossary .....	5
2. Introduction.....	6
2.1 Overview.....	6
2.2 Purpose of Report.....	6
2.3 The Proponent.....	6
2.4 Site Description.....	7
2.5 History & Approvals.....	11
3. Written and physical description of the project.....	13
3.1 Overview of proposed development.....	13
3.2 Power requirements.....	15
3.3 Water requirements .....	16
4. Planning and legislative requirements .....	17
4.1 Project Approval .....	17
4.2 Clause 23, Schedule 1, State Environmental Planning Policy (State and Regional Development) 2011 .....	18
4.3 NSW Statutory Legislation .....	18
4.4 Environmental Planning and Assessment Regulation 2000 .....	19
4.5 Environmental Planning Instruments .....	19
4.6 Commonwealth Policy and Legislation.....	20
4.7 Approvals/Licenses Required .....	21
4.8 Local Environmental Planning Instrument .....	22
4.9 Gosford development control plan 2013 .....	22
4.10 Other Relevant Local Policies and Documents .....	24
4.10.1 Draft Somersby Industrial Park Plan of Management.....	24
4.11 Other Applicable Legislation or strategies.....	24
4.11.1 NSW Waste Avoidance and Resource Recovery Strategy 2014–2021 .....	24
5. Project Justification .....	25
5.1 Strategic Drivers .....	25
5.1.1 NSW EPA’s Strategic Plan and the WARR Strategy 2014–21.....	25
5.2 Sustainability .....	25
5.2.1 Environmental .....	25

5.2.2	Economic Benefits .....	25
5.2.3	Social Benefits.....	25
6.	Existing Environment.....	26
6.1	Site conditions .....	26
6.2	Surface water management .....	26
6.3	Groundwater .....	26
6.4	Site topography .....	26
6.5	Geology and Soils.....	27
6.6	Vegetation .....	28
6.7	Easements, licences or covenants on site .....	30
6.8	Adjoining Premises and sensitive receptors.....	31
6.9	Social/Cultural Environment.....	33
6.10	Visual catchment .....	33
6.11	Stakeholder and community consultation .....	33
6.12	Stakeholder consultation strategy.....	33
7.	Capital investment value of project .....	35
8.	Conclusion .....	37
	Appendix 1 – Development Consent.....	38
	Appendix 2 – Kariong Sand and Soil Supplies – Concept Plans .....	39
	Appendix 3 – Extract from draft Somersby Industrial Park Plan of Management 2005 .....	40

# 1. GLOSSARY

KSSS – Kariong Sand and Soil Supplies.

C&I – commercial and industrial

C&D – construction and demolition

EPA – Environmental Protection Authority

MRF – materials recovery facility

NSW – New South Wales

PEA – Preliminary Environmental Assessment

POEO – Protection of the Environment and Operations

SEARs – Secretary’s Environmental Assessment Requirements

t – tonnes

WARR - Waste Avoidance and Resource Recovery

WHS – workplace health and safety

## 2. INTRODUCTION

### 2.1 OVERVIEW

This Preliminary Environmental Assessment (PEA) has been prepared for the proposed development of a resource recovery facility at 91 Gindurra Rd, Somersby (Lot 4 DP 227279).

KSSS is seeking to implement appropriate development consent for the site to enable the company to receive up to 200,000 tonnes of waste for recycling each year. Under Section 89(c) of the *Environmental Planning and Assessment Act 1979* and Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011*, the proposed development is considered to be a State Significant Development, requiring an EIS to be submitted with the development application.

Central Coast Council has also advised in a pre-lodgement meeting that under the *Protection of the Environment Operations Act 1997*, the proposed development will require concurrence and licensing from the NSW Environment Protection Authority.

The company is committed to complying with all laws that affect its operations and understands that development approval and appropriate licensing is required prior to the proposed development occurring. In this regard, pursuant to Part 2, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, KSSS, as the Proponent, seeks the Secretary's Environmental Assessment Requirements (SEARs) with respect to the proposed Environmental Impact Statement.

### 2.2 PURPOSE OF REPORT

The aim of this PEA is to provide the New South Wales Department of Planning and Environment (DP&E) with information about the development of KSSS's facility, and obtain the Secretary's requirements with respect to the necessary Environmental Impact Statement.

Pursuant to Part 2, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, '*...before preparing an environmental impact statement, the responsible person must make a written application to the Director-General (now the Secretary) for the environmental assessment requirements with respect to the proposed statement.*'

### 2.3 THE PROPONENT

Kariong Sand and Soil Supplies, owned by Mr Ray and Mrs Sue Davis, are the Proponents seeking a development consent to upgrade its existing Landscaping Supplies business to incorporate a Resource Recovery Facility, as described in this Preliminary Environmental Assessment (PEA).

The facility currently receives sand and soil, which it blends into specific landscape products.

The proposed development will seek to expand the current facility into a best-practice recycling plant that can process a range of sand, soil and building materials, and produce a wide range of landscape supplies. The proposed facility is ideally located to receive waste materials from the Central Coast region. This will assist in achieving the NSW Government's targets of an 80% rate for construction and demolition waste by 2021.



## 2.4 SITE DESCRIPTION

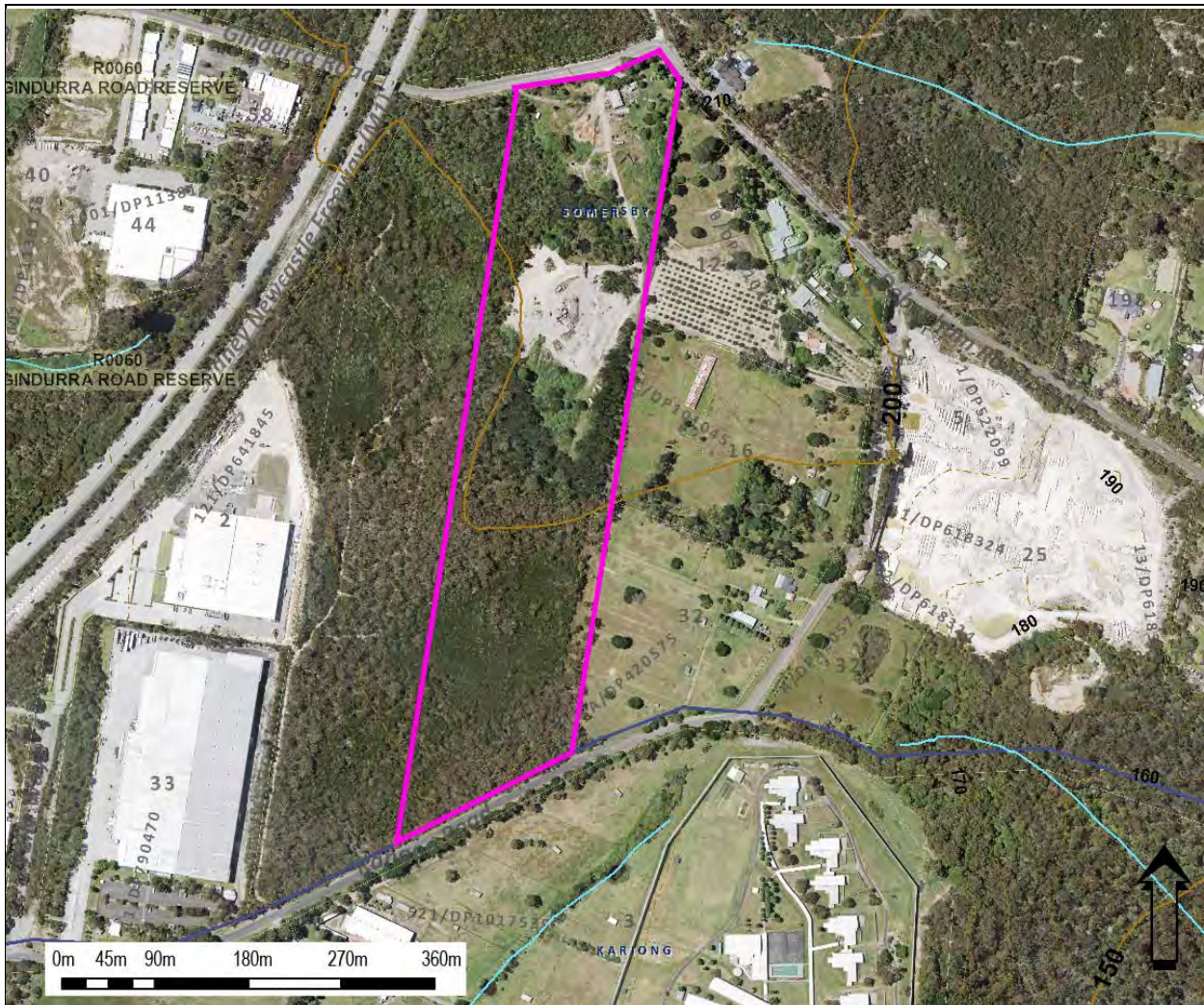
The KSSS site is currently operated as a soil and sand recycling business, located at 90 Gindurra Rd, Somersby, NSW. Recycled sand and soil is sold for landscaping. The site's current development approval and infrastructure limits the amount of material that can be accepted and processed (screened and sorted) at the site.

The site currently has development consent as a 'Sand and Metal Recycling Facility', which was originally approved under DA 15337 on 28/02/1992 (See Attachment 1). The current consent permits the receiving of soil and sand, screening, landscaping material storage in outdoor concrete block bays and machinery parking at the front of the site. The site does not have an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*. There are some structures on the site.

The total site covers an area of approximately 10.8 hectares. However, only the front half of the site is in use. The remainder of the site is bushland. It is proposed that the back (Southern) half of the site remain bushland in the new development.



**Figure 2.1. Aerial view of the entire subject site at 91 Gindurra Rd, Somersby. Lot boundaries are shown in pink. Source: Central Coast Council.**



Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/05/17	Revision A	J. Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Aerial photograph with site boundary
				Source	Central Coast Council

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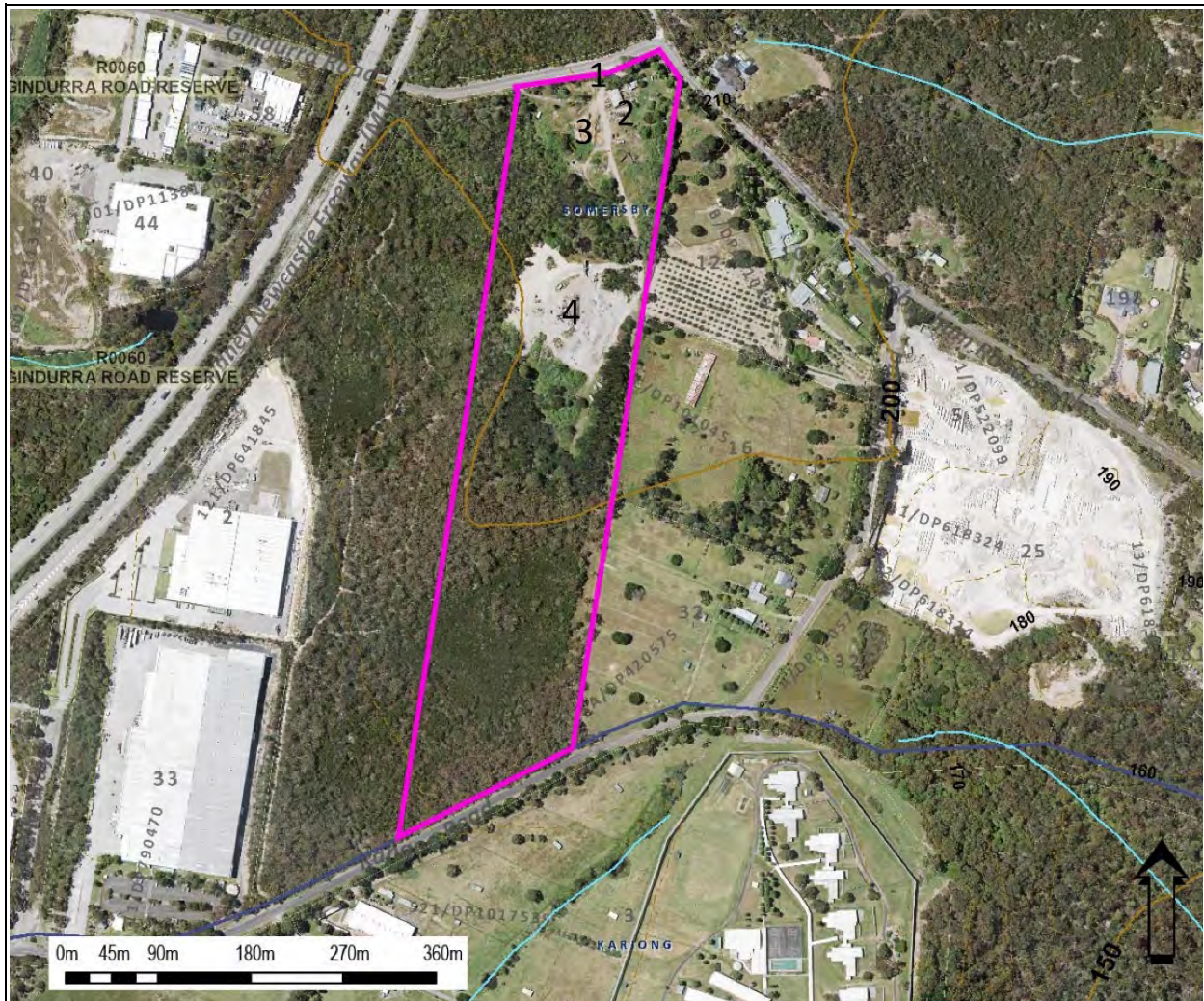
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**Figure 2.2. Aerial view of the site operated as a Landscaping and Resource Recovery Facility. Lot boundaries are shown in orange. 1, entry; 2, existing site buildings; 3, current product storage; 4, main processing area. Source: Central Coast Council.**



Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/05/17	Revision A	J. Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Aerial photograph with current operations marked
				Source	Central Coast Council

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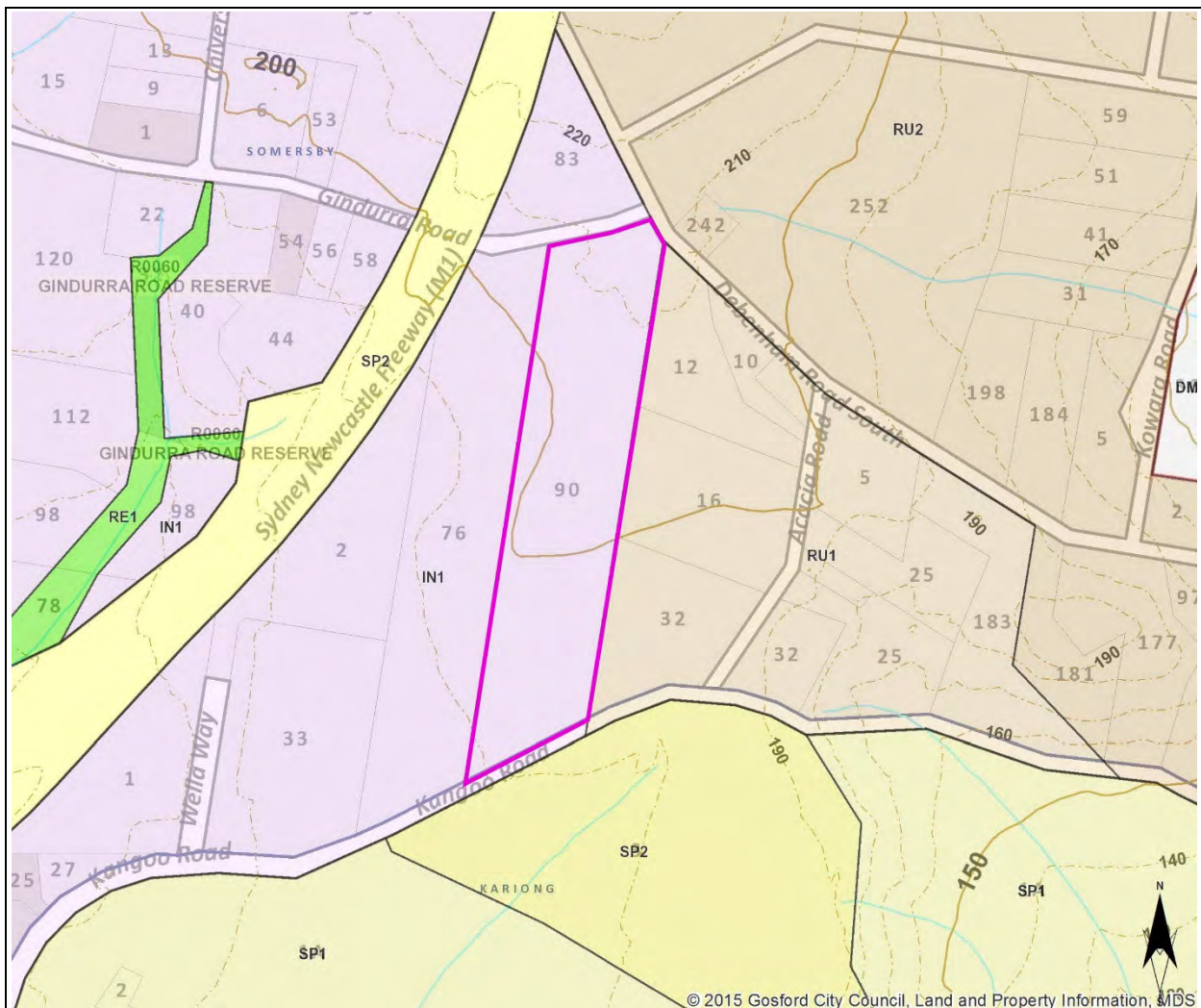
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**Figure 2.3. Land use zoning of the subject site, showing the area to be zoned IN1 General Industrial. Lot boundaries are shown in pink. Source: Central Coast Council.**



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Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/05/17	Revision A	J. Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Land use zoning
				Source	Central Coast Council

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## 2.5 HISTORY & APPROVALS

The site was approved by Gosford City Council in 1992 as Sand and Metal Recycling Facility (DA 15337). The Development Consent is provided as Attachment 1. In 1992, the site was owned by another party. The site was purchased by its current owners in January 2017.

Over the past 25 years, the site has undergone minimal development. The majority of the site is bushland, with two areas cleared and in use. The original consent permitted an operational area of approximately 10,000 m<sup>2</sup>. An additional area of approximately 14,000 m<sup>2</sup> was subsequently cleared and is currently being used as a processing and sorting area. The Development Consent does not specify a limit on the amount of material that can be received at the site. However, as the site is not covered by an Environment Protection Licence, and there is limited space for processing, development consent is required to expand the operations at the site.

The proposed redevelopment of the site seeks to modify the current Development Consent to increase the maximum tonnage of waste processing to 200,000 tonnes per year and to extend the range of materials able to be received at the site to include concrete, asphalt, brick, tiles, wood, timber and metals from building and construction activities in the region.

**Figure 2.6. Photo of the view from the existing site entrance (looking south).**





**Figure 2.7. Photo of the existing landscaping and building material storage area (North-East area of the site).**



**Figure 2.8. Photo of the existing site buildings (located at entrance to the site) – to be removed.**



## 3. WRITTEN AND PHYSICAL DESCRIPTION OF THE PROJECT

### 3.1 OVERVIEW OF PROPOSED DEVELOPMENT

The KSSS site is currently operated as a soil and sand recycling business, located at 90 Gindurra Rd, Somersby, NSW. Recycled sand and soil is sold for landscaping. The site's current development approval and infrastructure limits the amount of material that can be accepted and processed (screened and sorted) at the site. The site currently has development consent as a 'Sand and Metal Recycling Facility', which was originally approved under DA 15337 on 28/02/1992 (see Attachment 1). The current consent permits the receiving of soil and sand, screening, landscaping material storage in outdoor concrete block bays and machinery parking at the front of the site. The site does not have an Environment Protection Licence under the *Protection of the Environment Operations Act 1997*. There are some structures on the site.

The proposed development will allow a larger range and quantity to be received and processed at the site. In addition to sand and soil products, such as Virgin Excavated Natural Materials (VENM) and Excavated Natural Materials (ENM), the site will receive timber, metal and building waste. Concrete and bricks will be crushed to produce a recycled aggregate. Timber and woody stumps will be shredded to produce a landscaping mulch.

The development will consist of site improvement works to allow a greater range of materials to be processed on the site, and to enable up to 200,000 tonnes per annum to be received, processed and temporarily stored on the site. A summary of the site design features is listed as follows:

#### a) Operational layout design

A hardstand area, constructed of recycled concrete aggregate and recycled asphalt, will be constructed in the central area of the site. This will be used for processing material (sorting, screening and crushing). The central processing area would need to accommodate the operation of a mobile crusher, mobile screening plant, mobile shredder and up to three front end loaders. There would also need to be room for B-double vehicles to manoeuvre around the processing area to allow them to drop loads and to pick up product loads. The processing area would need to include a space for material to be dropped-off, an adjacent area where the material is spread out for inspection and six concrete bunkers to store final product.

There will be a separate area, also under hardstand, for the landscape supplies business. This will primarily consist of storage bunkers for finished product, and loading areas for landscape supply customers.

#### b) Site levels, drainage design and stormwater treatment

Prior to any construction, areas of the site will need to be cleared and contoured to provide adequate drainage to the existing stormwater detention pond. Civil site works will need to ensure that there is appropriate drainage and stormwater capture at the site. There is an existing stormwater dam at the site. If possible, the owner would prefer to retain this as a point of stormwater capture (along the western boundary of the site). The two dams located in the centre of the site shall be filled. The captured stormwater would be used for operational purposes at the site. This needs to be considered in the stormwater management system design. The design will consider best practice guidelines in:



- Landcom (2004). *Managing Urban Stormwater – Soils and Construction*. Published by the NSW Government.  
Internet publicaton: <http://www.environment.nsw.gov.au/resources/water/BlueBookV1Chapters.pdf>
- Department of Environment and Conservation (2006). *Managing Urban Stormwater – Harvesting and Reuse*. Published by the NSW Department of Environment and Conservation, Internet: <http://www.environment.nsw.gov.au/resources/stormwater/managestormwater060137.pdf>

c) Roads and pavement design

The preliminary site concept plan shows the envisaged main traffic flow paths for the site (see Appendix 2). The roads and pavement would be constructed of recycled crushed concrete and crushed used asphalt, in accordance with the NSW EPA's *Specification for Supply of Recycled Material for Pavements, Earthworks and Drainage 2010*. The roads will need to be suitable for use by B-doubles (2-3 per day) and large mobile equipment (mobile crusher, mobile screen, mobile shredder, front end loaders).

d) Noise barriers

There is currently a stockpile of soil near the eastern boundary of the site. This stockpile will be reformed to construct a noise barrier along the eastern boundary, to inhibit noise affecting a nearby residential property.

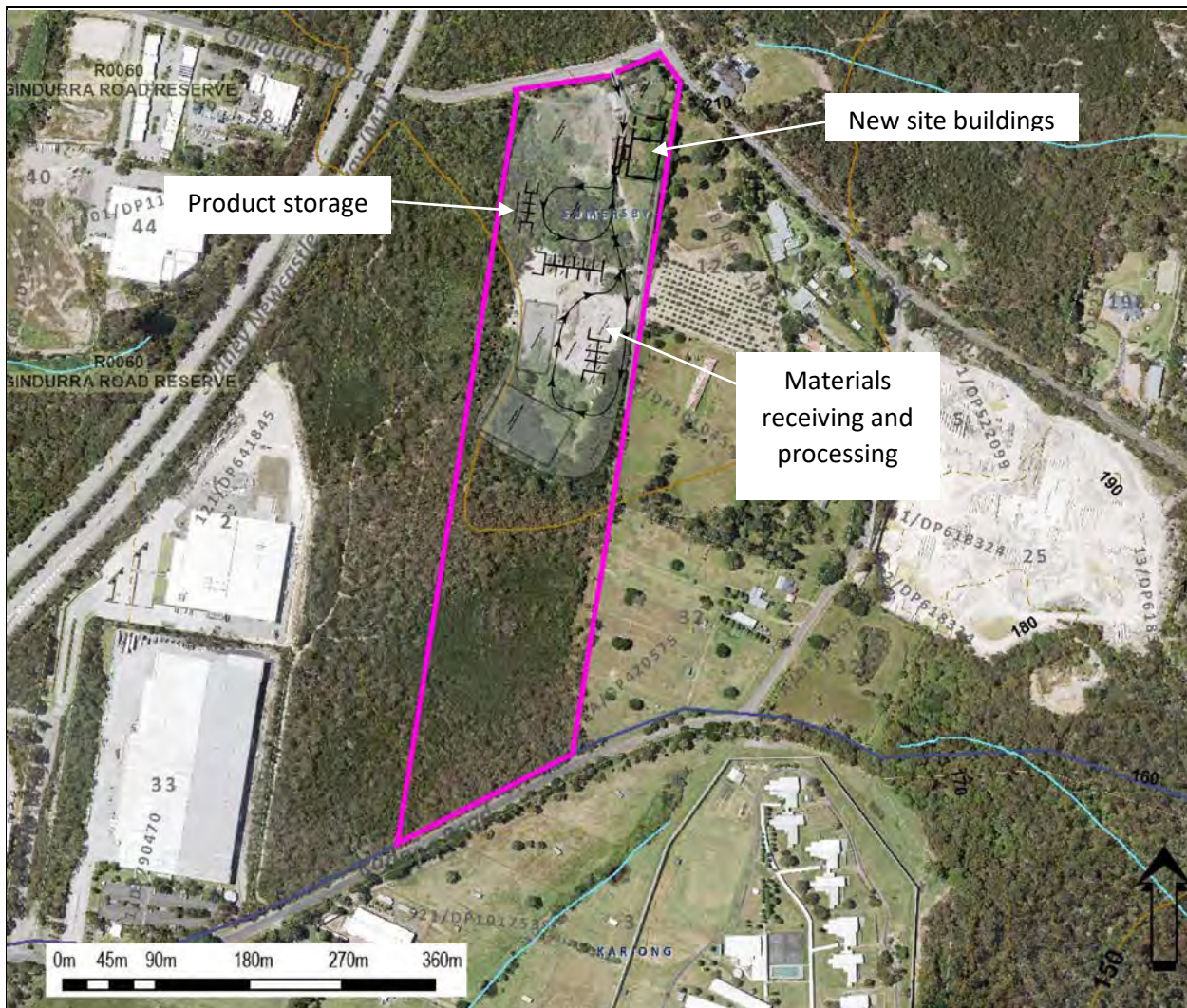
e) On-site sewage treatment

The site is currently not connected to the sewerage system. There is currently no on-site sewage treatment system. A new on-site sewage treatment system (including an irrigation area) will need to be incorporated into the design prior to the development approval application being submitted to Council.

A proposed site layout and concept plan is provided at Appendix 2. Figure 3.1 shows the proposed preliminary site layout superimposed on the aerial view of the site. The proposed development will cover approximately half the site, leaving the Southern half of the site as undisturbed bushland. The main processing (such as crushing, shredding and screening) will occur at the Southern end of the development, in the middle of the site. This should minimise the impact of noise and dust from these activities on the neighbouring properties.



**Figure 3.1. Aerial view of the site with preliminary concept site layout overlay (site boundary in pink).**



Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/06/17	Revision A	J. Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Aerial view with preliminary site layout
				Source	Central Coast Council

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## 3.2 POWER REQUIREMENTS

Power for the existing Resource Recovery Facility will need to be supplied. Consideration of power requirements for the new buildings will need to be considered as part of the planning for the proposed development.

### 3.3 WATER REQUIREMENTS

Water-sensitive urban design features will be considered as part of the development, and rainwater harvesting from stormwater will be assessed and modelled to determine overall contribution to water requirements. Water usage is likely to increase at the site, with the construction of an on-site office and increased operations.

## 4. PLANNING AND LEGISLATIVE REQUIREMENTS

### 4.1 PROJECT APPROVAL

The proposed development will involve modification of the current Development Consent conditions. The maximum waste processing capacity will increase from approximately 6,000 to 200,000 tonnes per annum, and extend the range of materials that are able to be processed by including the following:

- Sand and soil products, such as Virgin Excavated Natural Materials (VENM) and Excavated Natural Materials (ENM);
- Metal and building waste;
- Asphalt;
- Concrete and bricks;
- Timber and stumps; and
- Mixed construction and demolition waste (masonry, concrete, brick, tiles, wood, timber and metal) from building and construction activities in the region and from the Northern suburbs of Sydney.

The proposed development also has the following aims:

- Clear vegetation from the front half of the site;
- Conduct civil and drainage works to ensure the site directs stormwater into a catchment dam;
- Re-develop the existing stormwater catchment dam;
- Install a hardstand across the operational areas of the site;
- Allocate two areas for vehicle parking and manoeuvring;
- Construct a warehouse and office building
- Install a weighbridge;
- Install storage bunkers for receiving incoming material for processing and bunkers for storing processed products ready for sale;
- Install crushing and shredding machinery;
- Use aggregate product to construct a noise barrier along the Eastern boundary of the site.

KSSS is seeking to obtain development consent for the site to enable the company to receive up to 200,000 tonnes of material (including C&D waste for recycling) each year. Under Section 89(c) of the *Environmental Planning and Assessment Act 1979* and Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011*, the proposed development is considered to be a State Significant Development, requiring an EIS to be submitted with the development application.

Central Coast Council, in a pre-lodgement meeting on 6 July 2017, advised that the proposed development will require concurrence and licensing by the NSW Environment Protection Authority.

The company is committed to complying with all laws that affect its operations and understands that development approval and appropriate licensing is required prior to the proposed development occurring. In this regard, pursuant to Part 2, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, KSSS, as the Proponent, seeks the Secretary's environmental assessment requirements, with respect to the proposed Environmental Impact Statement.

## 4.2 CLAUSE 23, SCHEDULE 1, STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Clause 23 of the *SEPP (State and Regional Development) 2011* defines the following waste and resource management facilities as State Significant Development. Clause 23(3), in particular, applies to the proposed development:

### 23 Waste and resource management facilities

(1) Development for the purpose of regional putrescible landfills or an extension to a regional putrescible landfill that:

- (a) has a capacity to receive more than 75,000 tonnes per year of putrescible waste, or
- (b) has a capacity to receive more than 650,000 tonnes of putrescible waste over the life of the site, or
- (c) is located in an environmentally sensitive area of State significance.

(2) Development for the purpose of waste or resource transfer stations in metropolitan areas of the Sydney region that handle more than 100,000 tonnes per year of waste.

(3) Development for the purpose of resource recovery or recycling facilities that handle more than 100,000 tonnes per year of waste.

(4) Development for the purpose of waste incineration that handles more than 1,000 tonnes per year of waste.

(5) Development for the purpose of hazardous waste facilities that transfer, store or dispose of solid or liquid waste classified in the Australian Dangerous Goods Code or medical, cytotoxic or quarantine waste that handles more than 1,000 tonnes per year of waste.

(6) Development for the purpose of any other liquid waste depot that treats, stores or disposes of industrial liquid waste and:

- (a) handles more than 10,000 tonnes per year of liquid food or grease trap waste, or
- (b) handles more than 1,000 tonnes per year of other aqueous or non-aqueous liquid industrial waste.

Under these circumstances, it is evident that the proposed development, is a project to which Part 4, Division 4.1 State Significant Development of the *Environmental Planning and Assessment Act 1979* applies. Under S78A of the Act, an Environmental Impact Statement, in the form prescribed by the Regulations, must accompany the development application.

The proposed State Significant Development requires an Environment Protection Licence from the NSW Environment Protection Authority, pursuant to the provisions of the *Protection of the Environment Operations Act 1997*.

## 4.3 NSW STATUTORY LEGISLATION

The relevant NSW legislation includes:

- *Environmental Planning and Assessment Act 1979*;
- *Environmental Planning and Assessment Regulation 2000*;



- *Protection of the Environment Operations Act 1997;*
- *Waste Avoidance and Resource Recovery Act 2001;* and
- *Water Management Act 2000.*

## 4.4 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The proposed development is to be considered to be a designated development, and may require an Environmental Impact Statement. The facility triggers Clause 32(1)(b)(iii) and Clause 32(1)(d)(iv) of Schedule 3 of the Regulation (see clauses below).

Clause 32: Waste management facilities or works:

1) Waste management facilities or works that store, treat, purify or dispose of waste or sort, process, recycle, recover, use or reuse material from waste and:

(b) (iii) that have an intended handling capacity of more than 30,000 tonnes per year of waste such as glass, plastic, paper, wood, metal, rubber or building demolition material.

Or for developments that are located:

(d)(i) in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area, or

(ii) in an area of high water table, highly permeable soils, acid sulphate, sodic or saline soils, or

(iii) within a drinking water catchment, or

(iv) within a catchment of an estuary where the entrance to the sea is intermittently open, or

(v) on a floodplain, or

(vi) within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the opinion of the consent authority, having regard to topography and local meteorological conditions, are likely to significantly affect the amenity of the neighbourhood by reason of noise, visual impacts, air pollution (including odour, smoke, fumes or dust), vermin or traffic.

As described in Section 3.1, the facility will process up to 200,000 tpa and the nearest residential dwelling is located less than 250m away from the site entrance. As such, the proposed project would constitute a designated development.

## 4.5 ENVIRONMENTAL PLANNING INSTRUMENTS

Relevant NSW Planning Instruments include:

- State Environmental Planning Policy No 33: Hazardous and Offensive Development.
- *State Environmental Planning Policy (Infrastructure) 2007* Reg 120 Division 23 – Waste or resource management facilities.
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).

Note that the Infrastructure SEPP applies to the Resource Recovery Facility.

‘Resource Recovery Facility’ is defined in the SEPP as:

... a facility for the recovery of resources from waste, including such works or activities as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from waste gases and water treatment, but not including re-manufacturing of material or goods or disposal of the material by landfill or incineration.

It is noted that the proposed development is permitted with consent under Section 121 of the *State Environmental Planning Policy (Infrastructure) 2007*.

## 4.6 COMMONWEALTH POLICY AND LEGISLATION

Relevant Commonwealth Policy includes:

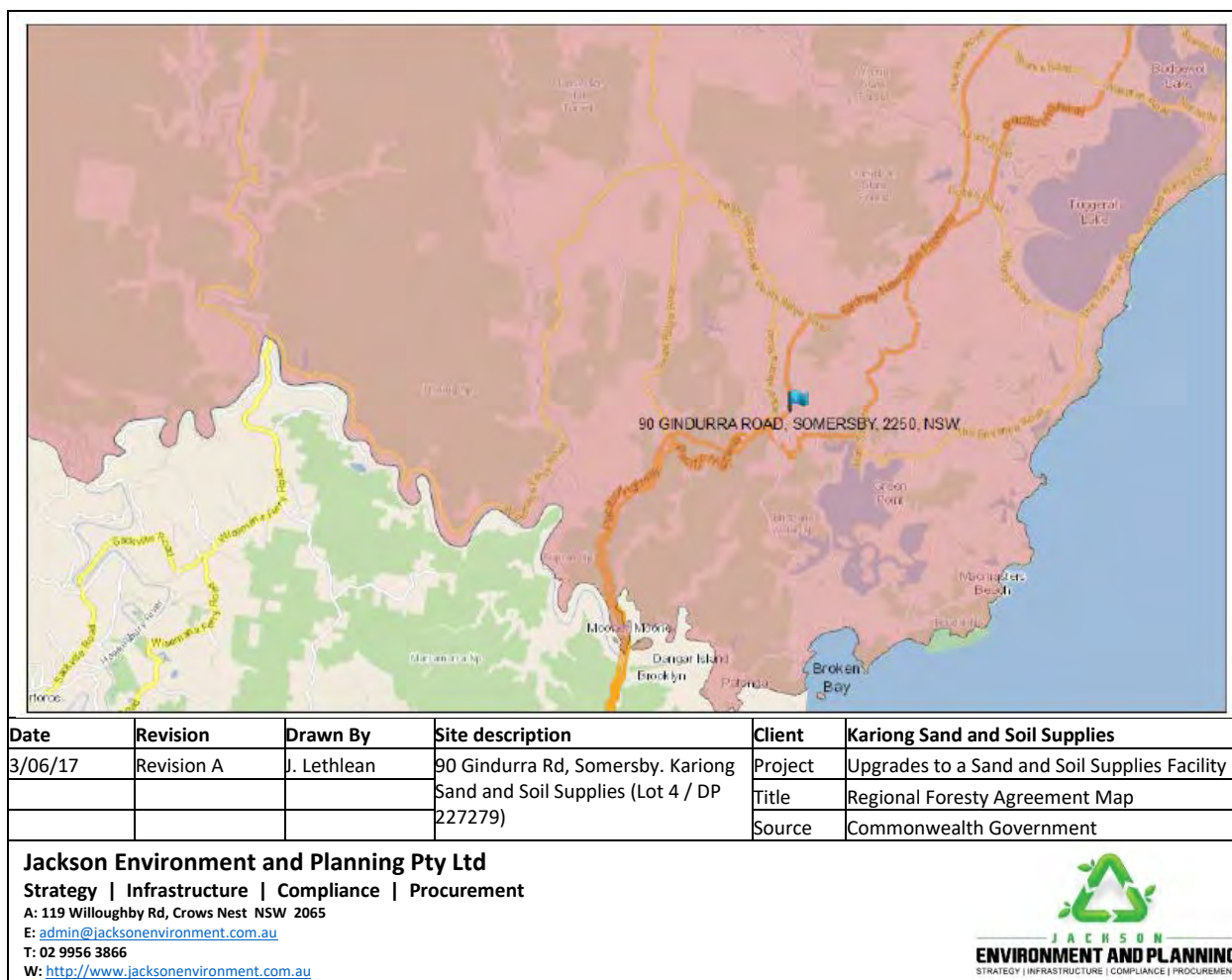
- *The National Waste Policy, 2009*

Relevant Commonwealth legislation includes:

- *Environmental Protection and Biodiversity Conservation Act 1999*

The subject site is not listed as a national heritage place and the proposed development would not impact on any national heritage places. The site is within the region covered by the North East NSW Regional Forest Agreement (Lower North East Region). However, it does not appear to be within any formal reserve.

**Figure 4.1. Map of Regional Forest Agreement area near the development site. Regional Forest Area coloured pink. Source: Commonwealth Protected Matters Search Tool, accessed 3 June 2017.**



While there is no evidence at this stage that the requirements of this legislation will be triggered, it will need to be addressed in the Environmental Impact Statement (EIS) for the site.

## 4.7 APPROVALS/LICENSES REQUIRED

The development is considered to be a State Significant Development under Schedule 1 of *State Environmental Planning Policy (State and Regional Development)* 2011.

State Significant Development is development for which a development application is to be submitted to the Minister for Planning with an Environmental Impact Statement (EIS). Under Clause 89D of the *Environmental Planning and Assessment Act* 1979, the Minister may delegate the function of consent authority to the Planning Assessment Commission, the Secretary of the NSW Department of Planning and Environment or to any other public authority.

As part of the development assessment process, it is understood that an Environment Protection Licence (EPL) for the site will be required under the *Protection of the Environment Operations Act* 1997. As part of the approvals process, the Proponent will apply for an EPL that reflects the waste materials that can be lawfully received on site for



recycling, total annual processing limit, the authorised amount (that is, the amount of waste that can be stored on-site at any one point in time) and environment protection licence discharge limits.

## 4.8 LOCAL ENVIRONMENTAL PLANNING INSTRUMENT

The proposed development of the KSSS Resource Recovery Facility is permitted under the *Gosford Local Environmental Plan* 2014 with consent. The proposed development will focus on upgrading the resource recovery activities on land zoned as IN1 General Industrial. The objectives of the IN1 zoning are as follows:

- 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 promote ecologically, socially and economically sustainable development.
- To ensure that retail, commercial or service land uses in industrial areas are of an ancillary nature.
- To ensure that development is compatible with the desired future character of the zone.

## 4.9 GOSFORD DEVELOPMENT CONTROL PLAN 2013

The purpose of the *Gosford Development Control Plan* 2013 is:

- To identify Council's expectations and requirements for development within Gosford local government area and build upon the Gosford LEP 2014, the Gosford Planning Scheme Ordinance and Interim Development Order No. 122 by providing detailed objectives and controls for development;
- To ensure that all development is consistent with the desired character for the surrounding neighbourhood;
- To identify approaches and techniques which promote quality urban design and architectural outcomes in Gosford local government area;
- To promote best practice and quality environmental outcomes.

The development is required to demonstrate full compliance with the following elements of the *Gosford Development Control Plan* 2013.

1. Chapter 3.11 Industrial Development: This chapter sets out constraints for industrial developments, including lot sizes, road widths, stormwater drainage, setbacks, building height, carparks, landscaping and pollution control.
2. Chapter 6.1 Acid Sulphate Soils: Under this chapter, a preliminary soil assessment to determine the extent of acid sulfate soils at the site will be required. If acid sulfate soils are present, an Acid Sulfate Soils Management Plan will need to be prepared for submission with the development application.
3. Chapter 6.3 Erosion Sedimentation Control: Under this chapter an Erosion and Sediment Control Plan (ESCP), developed to the Soils and Construction Managing Urban Stormwater Standards (Landcom 2004) standards, will be required to gain development consent or building approval. The ESCP must be approved before commencement of site works.
4. Chapter 6.5 On-site Effluent and Greywater Disposal: This chapter outlines the requirements for any on-site waste water treatment systems. This includes the requirement for systems to comply with

*AS1547 On-site Domestic-Wastewater Management* and *Gosford City Council On Site Sewage Guidelines and Policies*. Any report to Council needs to be prepared by a suitably qualified engineer.

5. Chapter 6.6 Preservation of Trees or Vegetation: This chapter sets out when Council consent or permission is required to remove trees in areas not already defined as protected by other legislation. The flora and fauna study will need to comply with this chapter, and assess the vegetation on the site against criteria listed in this chapter of the DCP.
6. Chapter 6.7 Water Cycle Management: This chapter requires a Water Cycle Management Plan strategy to be prepared to address the management of all water on site, including stormwater and waste water. The Water Cycle Management Plan strategy must incorporate water sensitive urban design principles and development control targets.
7. Chapter 7.1 Car Parking: This chapter sets out the required number of carparking spaces and the design criteria for carparking areas.
8. Chapter 7.2 Waste Management: Under this chapter, a Waste Management Plan is required to be prepared. The Waste Management Plan is to be submitted with the development application, and is to cover the construction and ongoing operational phases of the development.

The following studies and supporting documentation will need to be prepared for the proposed development. Minimum requirements are:

- Streetscape perspective
- Landscape concept plan and report
- Arborist report
- Noise impact assessment report
- Geotechnical Report
- Preliminary Soils Assessment or Acid Sulfate Soil Management Plan
- Drainage Management Plan
- Erosion and Sediment Control Plan
- Traffic impact assessment report
- Heritage impact assessment report
- Aboriginal archaeological assessment report
- Bushfire assessment report
- Flora & Fauna Impact Assessment Report
- Threatened species impact assessment report
- Flood study
- Demolition work plan
- On-Site Wastewater Disposal Report
- Water Cycle Management Plan
- Waste management plan.

## 4.10 OTHER RELEVANT LOCAL POLICIES AND DOCUMENTS

### 4.10.1 Draft Somersby Industrial Park Plan of Management

The draft Somersby Industrial Park Plan of Management<sup>1</sup> was prepared for the City of Gosford in 2005. The Plan identifies key environmental values in the Somersby area, and identifies areas that should be protected.

The draft Plan identifies a small area of land on the adjacent lot that is an Aboriginal management zone. However, this should not be impacted by the proposed development.

Appendix B of the draft Somersby Industrial Park Plan of Management contains a series of maps showing various key environmental values within the Somersby study area. The draft Plan identifies much of the existing vegetation on the proposed development site as being significant habitat. However, the recommended management areas are confined to the back area of the site, which would be unaffected by the proposed development (see Figures 4.1, 4.1a and 4.9 in Appendix B of the draft Plan, which are provided as Appendix 3).

## 4.11 OTHER APPLICABLE LEGISLATION OR STRATEGIES

### 4.11.1 NSW Waste Avoidance and Resource Recovery Strategy 2014–2021

The *NSW Waste and Resource Recovery Strategy 2014–21* was released in December 2014. It sets clear directions for a range of priority areas over the next seven years and aligns with the NSW Government's waste reforms in *NSW 2021: A plan to make NSW number one*.

The strategy seeks to support investment in much-needed infrastructure, encourage innovation and improve recycling behaviour. The strategy also seeks to facilitate the development of new markets for recycled materials and reduce litter and illegal dumping.

The strategy sets the following targets for 2021–22:

- avoiding and reducing the amount of waste generated per person in NSW
- increasing recycling rates to:
  - 70% for municipal solid waste
  - 70% for commercial and industrial waste
  - 80% for construction and demolition waste
- increasing waste diverted from landfill to 75%
- managing problem wastes better, establishing 86 drop-off facilities and services across NSW
- reducing litter, with 40% fewer items (compared to 2012) by 2017
- combating illegal dumping, with 30% fewer incidents (compared to 2011) by 2017.

The new strategy provides a clear framework for waste management to 2021–22 and provides an opportunity for NSW to continue to increase recycling across all waste streams.

The proposed development will increase and expand recycling infrastructure in the Central Coast area and will make an important contribution to increasing the recycling rate of construction and demolition waste from 75% (in 2010–11) to 80% by 2021.

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<sup>1</sup> As defined in Connell Wagner Pty Ltd (2005). *DRAFT Plan of Management Somersby Industrial Park*. NSW Premier's Department and Gosford City Council. June 2005.

## 5. PROJECT JUSTIFICATION

### 5.1 STRATEGIC DRIVERS

#### 5.1.1 NSW EPA's Strategic Plan and the WARR Strategy 2014-21

In NSW, the State Government has committed to ambitious targets for recycling across the State. These targets are published in the NSW Waste Avoidance and Resource Recovery Strategy. By 2021–22, the NSW Government intends to increase recycling rates for:

- Municipal waste from 52% (in 2010–11) to 70%;
- Commercial and industrial waste from 57% (in 2010–11) to 70%; and
- Waste diverted from landfill from 63% (in 2010–11) to 75%.

A critical pathway to achieving these recycling targets is investment in new infrastructure. To encourage investment in new recycling facilities, the NSW Government is investing \$465.7 million between 2012 and 2017 to build new recycling facilities. This investment is required to capture an additional 3.3 million tonnes of waste per year and have this material sustainably diverted from landfill<sup>2</sup>.

### 5.2 SUSTAINABILITY

#### 5.2.1 Environmental

The proposed development will consider environmental best practice and sustainability to reduce the impact of the development on the environment. The following features will be built into the design of the proposed upgrade of the site:

- Noise barrier to reduce the impact of noise on the nearest residences.
- Upgrading the stormwater management system on site to protect surface water quality and avoid impacts on receiving waterways.
- Providing strategically located C&D recycling facility to service the Central Coast and the Northern suburbs of Sydney.

#### 5.2.2 Economic Benefits

The facility upgrade will represent an important piece of infrastructure that will assist in creating jobs within the Central Coast region. The project has the capacity to inject \$73.8 million into the local economy over the twenty-year life of the project (comprising capital and operating expenditure from the plant, and product revenue).

The project will create 5 jobs in construction over a 3 month period, and 11 new jobs. The project will provide resource recovery options for local businesses who currently have limited access to these facilities in the area.

#### 5.2.3 Social Benefits

The project will create 11 new local employment positions within the community. The Central Coast region has an unemployment rate of 5.44%, according to the ABS March 2017 Labour Force Survey. The project will help create additional jobs to assist in maintaining low unemployment in the region. The project will also deliver educational, training and demonstration opportunities for the promotion of sustainable waste management practices.

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<sup>2</sup> NSW EPA (2014). *NSW Waste Avoidance and Resource Recovery Strategy: 2014 – 2021*. Internet publication: <http://www.epa.nsw.gov.au/wastestrategy/warr.htm>

## 6. EXISTING ENVIRONMENT

### 6.1 SITE CONDITIONS

This is an existing facility located at 90 Gindurra Rd, Somersby, located within the Central Coast Council local government area. The site is a single lot at Lot 4, DP 227279. The lot is located to the North of the suburb of Kariong.

The site is largely undeveloped, with only approximately a quarter of the site area cleared (see Figure 2.2).

### 6.2 SURFACE WATER MANAGEMENT

Surface water management has been identified as a key issue for the development. The preliminary civil works plan outlines the necessary steps for developing a comprehensive surface water management plan.

It is envisaged that stormwater from the site will be directed towards a water detention pond on the Western boundary of the site. The pond will be surrounded by vegetative swales. Captured water can be used for operational purposes, such as dust suppression.

The *Gosford Local Environment Plan 2014* does not identify any flood prone areas on or near the site. Further, the area on the site where the proposed development will occur is elevated above the surrounding area.

### 6.3 GROUNDWATER

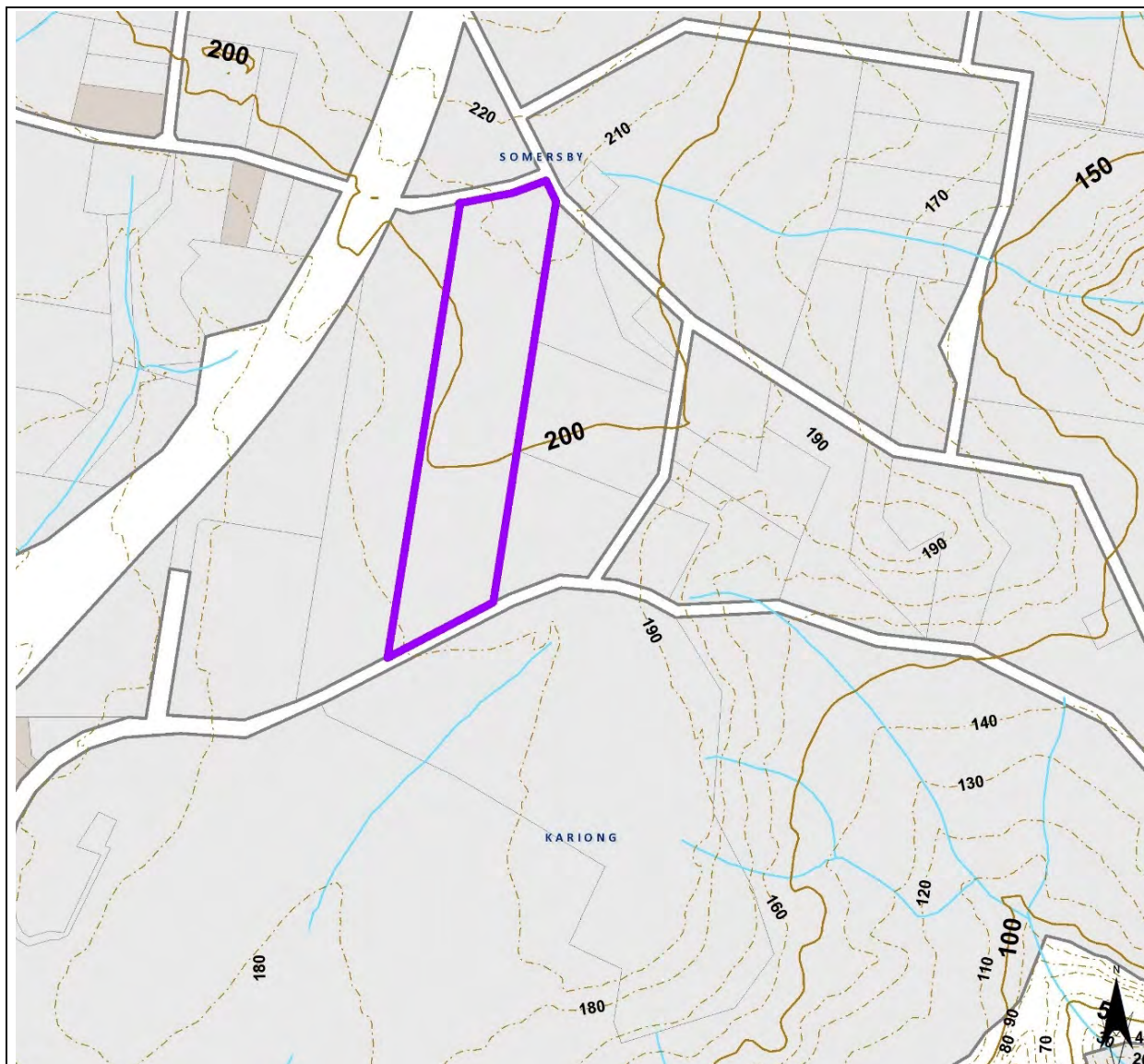
The subject site has not been identified as an area having a high groundwater table. The site is close to the Mangrove Mountain Groundwater zone. Further investigations in relation to groundwater will be undertaken as part of the Environmental Impact Statement.

### 6.4 SITE TOPOGRAPHY

The site is unsealed. Relatively level at the front, the site slopes gently to the South-West. A topographic map of the site is given in Figure 6.1. The site level ranges from 210m near the entrance to 190m towards the back of the site.



Figure 6.1. Topography of 90 Gindurra Rd, Somersby. Source: Central Coast Council.



Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/06/17	Revision A	J. Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Site topography
				Source	Central Coast Council

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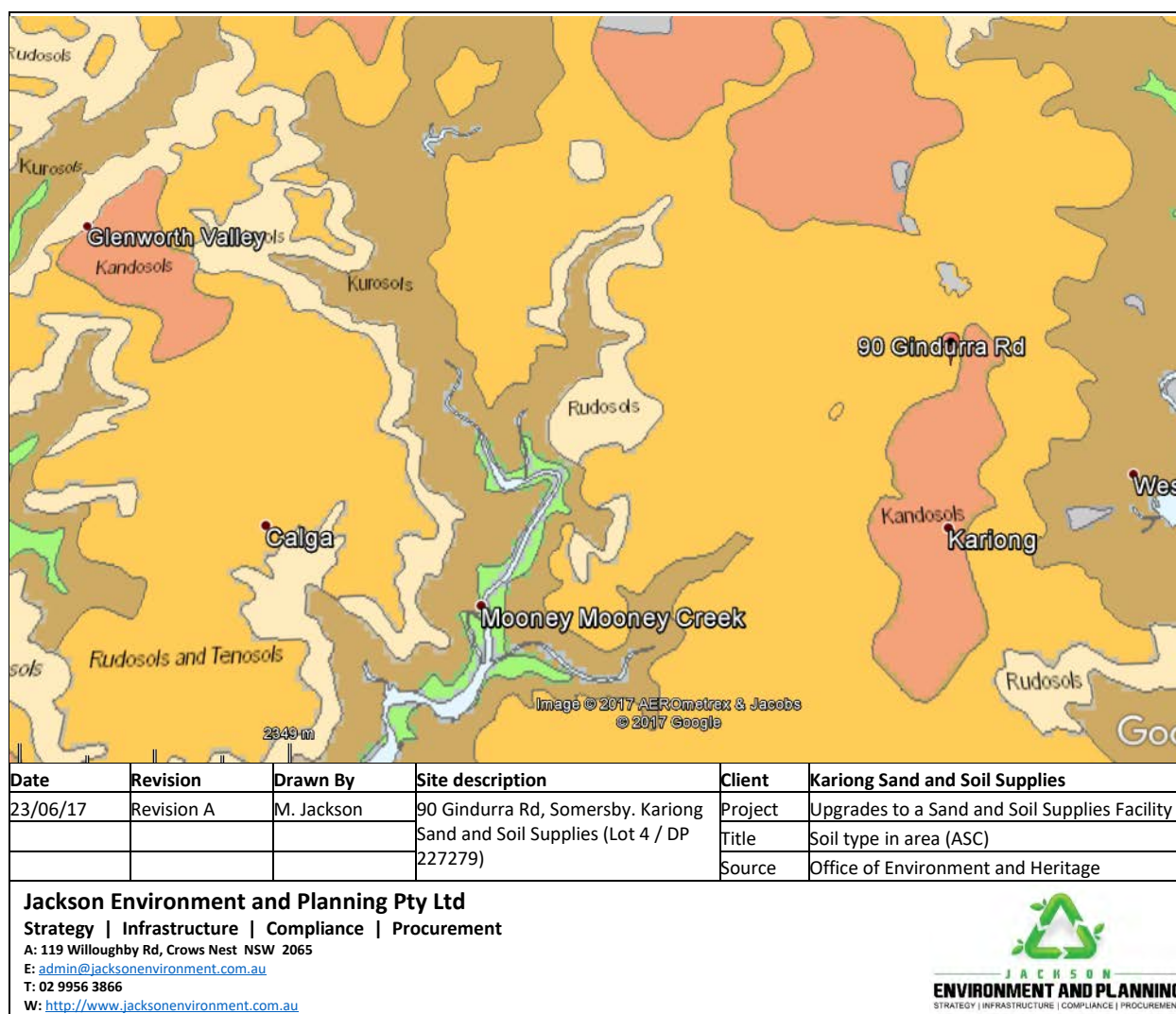
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## 6.5 GEOLOGY AND SOILS

According to the *Gosford Local Environmental Plan 2014*, the subject site is classified as being Class 5 for acid sulfate soils. Therefore, a soil investigation will be required prior to development of the site.

As can be seen from Figure 6.2, the primary soil types identified at the site are Rudosol, Tenosol and Kandosol. The Rudosol order “is designed to accommodate soils that have negligible pedologic organisation. They are usually young soils in the sense that soil forming factors have had little time to pedologically modify parent rocks or sediments.” The Tenosol order “This order is designed to embrace soils with generally only weak pedologic organisation apart from the A horizons. It encompasses a rather diverse range of soils”. The Kandosols order “accommodates those soils which lack strong texture contrast, have massive or only weakly structured B horizons, and are not calcareous throughout.”<sup>3</sup>

**Figure 6.2. Soil map of the subject site and surrounding area (Site address marked). Source: NSW Office of Environment and Heritage (2016)<sup>4</sup>.**



## 6.6 VEGETATION

There are large sections of undisturbed bushland on the site and on the neighbouring lot to the West (see Figure 6.3). The proposed development will require clearing of vegetation at the site. A flora and fauna study of the site

<sup>3</sup> Australian Soil Classification (online). Internet publication: [http://www.clw.csiro.au/aclep/asc\\_re\\_on\\_line\\_V2/soilkey.htm](http://www.clw.csiro.au/aclep/asc_re_on_line_V2/soilkey.htm)

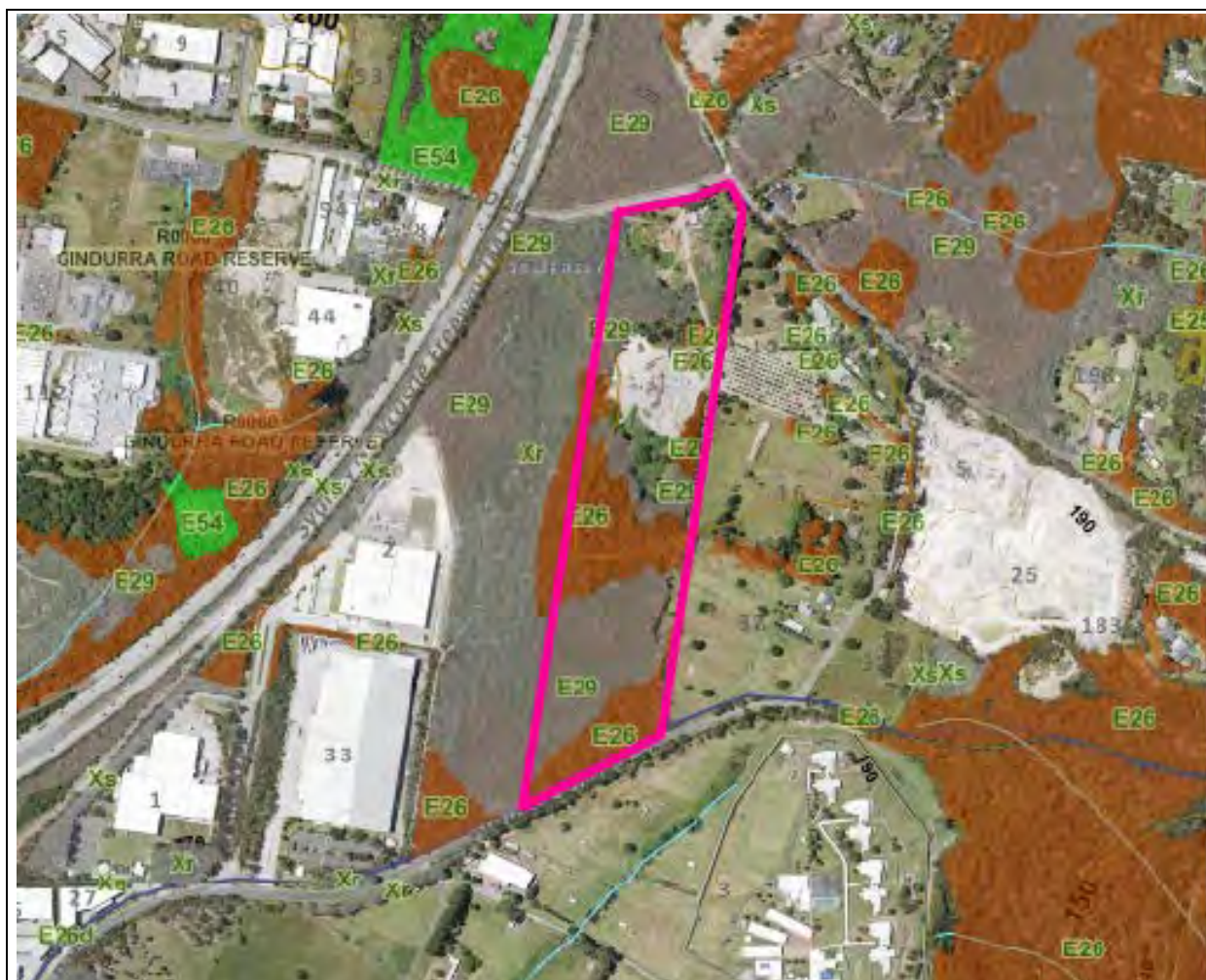
<sup>4</sup> NSW Office of Environment and Heritage (2016). Internet publication: <http://www.environment.nsw.gov.au/soils/>



will be conducted as part of the preparation of the Development Application. However, the areas proposed for clearing have not been identified as protected areas or endangered ecologies.

The draft Somersby Industrial Park Plan of Management does identify management zones at the rear of the lot. These are Sub-Zone 1(b) *Prostanthera junonis* Significant Habitat and Sub-Zone 1(d) *Hibbertia procumbens* Significant Habitat (see map at Appendix 3). However, these areas will not be affected by the proposed development.

**Figure 6.3. Vegetation on and near the site (site boundary in pink). E26 = Exposed Hawesbury Woodland; E29 = Hawesbury Banksia Scrub. Source: Central Coast Council.**




Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/06/17	Revision A	J Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Vegetation map of area
				Source	Office of Environment and Heritage

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The subject site is also designated as bushfire-prone, as defined in the *Gosford Local Environmental Plan 2014*, due to the areas of vegetation on and near the site. Bushfire-prone areas are shown in Figure 6.4.

Figure 6.4. Location of bushfire-prone land associated with the proposed site (lot boundary in pink; bush fire prone land in red shading as per Gosford LEP 2014). Orange shading represents major sources of vegetation potentially subject to bushfires. Source: Central Coast Council.



Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/06/17	Revision A	J Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Bushfire prone areas near site
				Source	Central Cosat Council
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				 <b>JACKSON</b> ENVIRONMENT AND PLANNING STRATEGY   INFRASTRUCTURE   COMPLIANCE   PROCUREMENT	

## 6.7 EASEMENTS, LICENCES OR COVENANTS ON SITE

No easements or covenants are currently known to impact the subject site. Further investigations will be done in consultation with Central Coast Council as part of the Environmental Impact Statement process.

The site is not currently licensed by the NSW Environment Protection Authority under the *Protection of the Environment Operations Act 1997*. The NSW Environment Protection Authority will be consulted as part of the Environmental Impact Statement process. An Environment Protection Licence will be obtained as part of the development approval process.

The site is currently not connected to the sewerage system. As such, on-site options for sewage and waste water treatment will need to be considered as part of the development application. These will be in accordance with State licensing requirements, as well as requirements under the *Gosford Development Control Plan 2013*.

## 6.8 ADJOINING PREMISES AND SENSITIVE RECEPTORS

The nearest sensitive receptor is a residential property, which is located approximately 100m to the North-East of the site's entrance. The site is primarily surrounded by a mix of bushland and rural properties. Adjoining premises are shown in Figure 6.5.

The lot to the West of the site is undeveloped. Under the *Gosford Local Environmental Plan 2014*, the following land uses are permitted with consent:

- Depots;
- Freight transport facilities;
- Garden centres;
- General industries;
- Hardware and building supplies;
- Industrial training facilities;
- Landscaping material supplies;
- Light industries;
- Neighbourhood shops;
- Places of public worship;
- Restaurants or cafes;
- Roads;
- Rural supplies;
- Timber yards;
- Vehicle sales or hire premises; and
- Warehouse or distribution centres.

Recreational areas are permitted without consent.

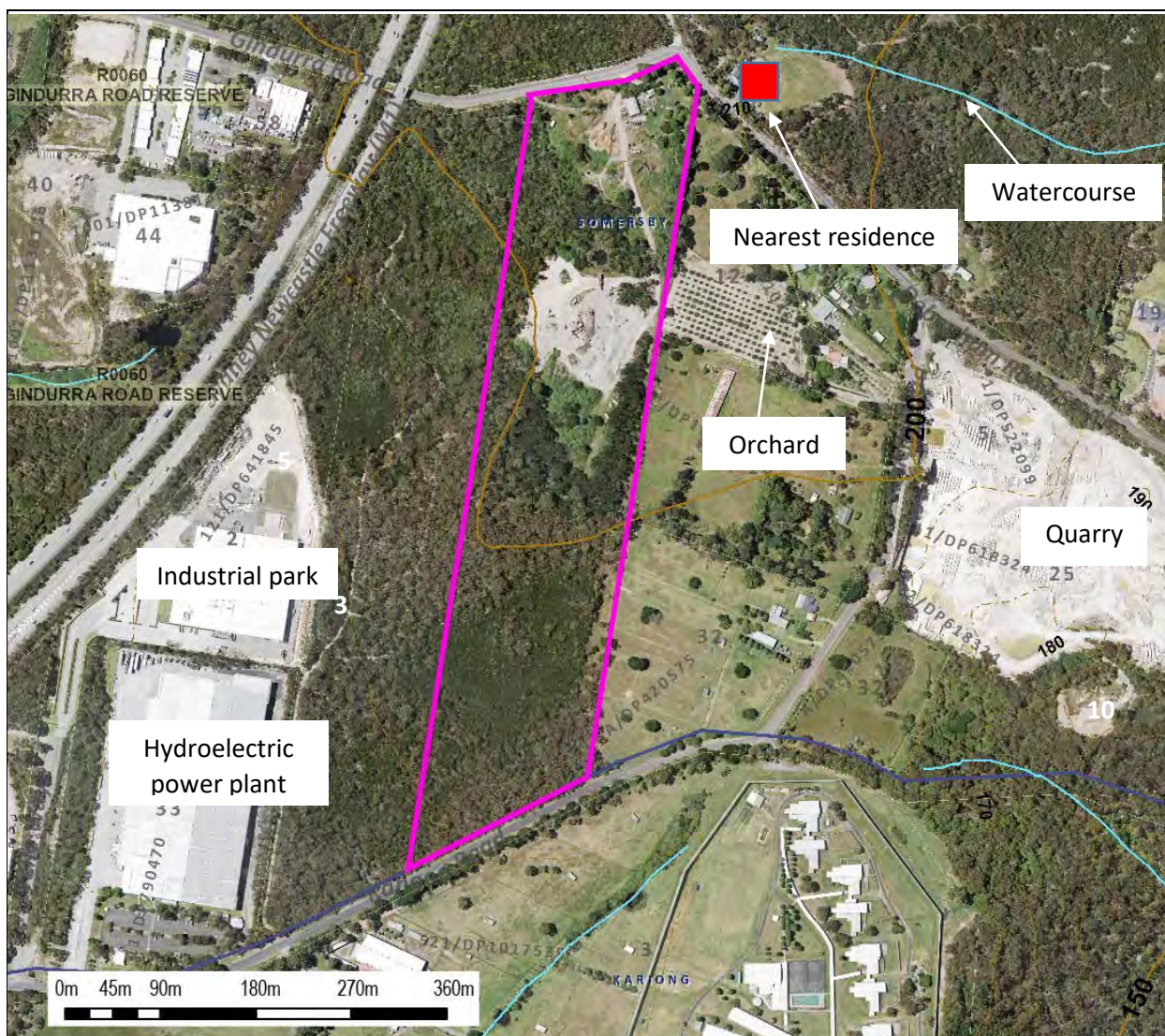
It should be noted that a large proportion of the neighbouring property to the West of the site has been identified as "management areas" in the draft Somersby Industrial Park Plan of Management<sup>5</sup>. This would restrict the development that could occur on this lot.

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<sup>5</sup> As defined in Connell Wagner Pty Ltd (2005). *DRAFT Plan of Management Somersby Industrial Park*. NSW Premier's Department and Gosford City Council. June 2005.



Figure 6.5. Map of premises adjoining the subject site at 90 Gindurra Rd, Somersby, and potential sensitive receptors.



Date	Revision	Drawn By	Site description	Client	Kariong Sand and Soil Supplies
10/06/17	Revision A	J Lethlean	90 Gindurra Rd, Somersby. Kariong Sand and Soil Supplies (Lot 4 / DP 227279)	Project	Upgrades to a Sand and Soil Supplies Facility
				Title	Adjoining premises
				Source	Central Coast Council

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The nearest sensitive receptor is a residential property to the North-East of the site entrance. As discussed above (see section 4.4), this means that the development would be a designated development, requiring the preparation of and Environmental Impact Statement for the development application.

The residence is over 250m from the main processing area. However, the proposed significant increase in processing capacity and throughput at the site may impact the amenity at this residence. The most likely impact will be noise, and possible dust. Both noise and dust can be managed to minimise the impact on surrounding properties.

It is anticipated that the additional traffic that will be generated by this development will be well within the capacity of the existing roads. A qualified traffic engineer will prepare a Traffic/Parking Impact Assessment Report for submission as part of the Environmental Impact Statement.

Car parking will be considered in the site plans to ensure it is consistent with the *Gosford Development Control Plan 2013*.

## 6.9 SOCIAL/CULTURAL ENVIRONMENT

There will be no change to the impact of the development on the social and cultural environment. Nevertheless the EIS will address this in more detail.

### 6.10 VISUAL CATCHMENT

As part of the proposed development, the front (Northern) boundary of the site will be fenced with colourbond fencing. This will limit the visual impact of the site from Gindurra Rd. Screening vegetation will be maintained along the Eastern and Western boundaries. The Southern half of the site will remain undisturbed bushland.

Specific visual catchment issues will be addressed in detail in the Environmental Impact Statement.

### 6.11 STAKEHOLDER AND COMMUNITY CONSULTATION

As part of the Environmental Impact Statement investigations, detailed stakeholder and community consultation will be performed to ensure the proposed development is executed in a manner that protects both the environment and human health, and provides value in the shape of an important recycling facility for the Central Coast community.

Key stakeholders identified include:

- Local residents
- Adjoining businesses and residents
- Government agencies
- Central Coast Council

As part of the development approval process and the preparation of an EIS, the Proponent would seek to consult with the relevant government agencies and stakeholders, including:

- NSW Department of Planning and Environment
- NSW Environment Protection Authority
- NSW Roads and Maritime Services.

### 6.12 STAKEHOLDER CONSULTATION STRATEGY

Consultation will be based on the strategy shown below in Table 6.1, in accordance with Council Policy and statutory requirements. The primary focus of the stakeholder consultation strategy is to consult with all relevant stakeholders to ensure that the proposed development is conducted to meet all community and regulatory concerns.

**Table 6.1. Stakeholder consultation strategy.**

Organisation or Group	Reason for Involvement	Description of their Interest	Type of Engagement	Is this an Existing Relationship	Tools
Central Coast Council Planning Department	EIS consultation, compliance with LEP and DCPs	Statutory	Involve, Consult	Yes	Development application and EIS
CCC Mayor and Councillors	Political, organisational	Policy and community support	Empower	Yes	Reports, briefings
NSW EPA	Administration of the POEO Act	Statutory	Consult	Yes	Development assessment EPL variation
NSW Department of Planning and Environment	Administration of the <i>Environmental Planning &amp; Assessment Act 1979</i> (as amended); <i>Environmental Planning and Assessment Regulation 2000</i>	Statutory	Consult	Yes	State Significant Development planning approval
Adjoining Businesses	Local business interest	Potential to be impacted by the development	Consult	Yes	Direct mail, interviews, public exhibition of EIS
Local Residents	Local community interest, support for recycling	Potential to be impacted by the development	Consult	No	Direct mail, interviews, public exhibition of EIS



## 7. CAPITAL INVESTMENT VALUE OF PROJECT

The capital investment required for the upgrades to KSSS site is given in Table 7.1. Note that the budget has been prepared based on quotations from contractors, plant suppliers, mobile equipment suppliers and builders. Note that in some cases, the capital estimates are based on previous development projects planned by KSSS.

Based on the proposed development requirements, the total capital value of the project is estimated to be \$1.648 million. This is a significant capital investment by a family owned company, which will create an estimated 5 jobs in construction (over a 3 month period), providing benefits to the environment and local economy of Somersby and the Central Coast.

**Table 7.1. Estimated capital investment for the upgrades to the Karong Sand and Soil Supplies facility.**

Stages	Detailed Cost Breakdown	Category	Total Budget (ex. GST)
<b>Stage 1</b>	<b>Environmental studies, planning investigations, EIS, detailed facility design</b>		
1.1	Site concept and detailed designs, engineering and construction drawings	Contractors	\$50,000
1.2	Environmental studies, planning investigations, preparation of EIS and EPA licence application and approvals	Contractors	\$120,000
<b>Sub-Total</b>			<b>\$170,000</b>
<b>Stage 2</b>	<b>Site civil works, relocation of water quality ponds, drainage works, roads and pavements</b>		
2.1.	Construction of new dam / water quality pond and vegetated swales	Contractors	\$30,000
2.2	Draining pipes and pits across site	Contractors	\$35,000
2.3	Construction of levels and recycled asphalt pavement associated with the earthmoving equipment storage area	Contractors	\$40,000
2.4	Construction of levels and recycled concrete pavements associated with product supplies storage area	Contractors	\$35,000
2.5	Construction of levels and recycled concrete pavements associated with waste receival, processing and blending area	Contractors	\$20,000
2.6	Construction of all internal access roads	Contractors	\$50,000
2.7	Construction of noise attenuation barrier along eastern boundary	Contractors	\$8,000
<b>Sub-Total</b>			<b>\$218,000</b>
<b>Stage 3</b>	<b>Construction of landscaping supplies storage area</b>		
3.1	Supply and installation of 20 concrete block bays for storage of recycled aggregate, sand, soil and landscape product storage	Plant/Equipment	\$35,000
<b>Sub-Total</b>			<b>\$35,000</b>
<b>Stage 4</b>	<b>Construction of waste receival and storage area</b>		
4.1	Supply and installation of 8 concrete block bays for storage of recycled aggregate, sand, soil and landscape product storage	Plant/Equipment	\$15,000
<b>Sub-Total</b>			<b>\$15,000</b>



Stages	Detailed Cost Breakdown	Category	Total Budget (ex. GST)
Stage 5	<b>Supply of mobile plant and equipment</b>		
5.1	Front end loaders (x3)	Plant/Equipment	\$600,000
5.2	Crusher / grinder	Plant/Equipment	\$300,000
5.3	Shredder	Plant/Equipment	\$300,000
<b>Sub Total:</b>			<b>\$1,200,000</b>
Stage 6	<b>Landscaping</b>		
6.1	Landscaping across the upgraded site	Contractors	\$10,000
<b>Sub Total:</b>			<b>\$10,000</b>
<b>ESTIMATED CAPITAL INVESTMENT VALUE (ex. GST)</b>			<b>\$1,648,000</b>

## 8. CONCLUSION

A preliminary environmental assessment has been prepared for the proposed development of a Resource Recovery Facility and Landscape Supplies business at 90 Gindurra Rd, Somersby.

Mr & Mrs Ray and Sue Davis are the owners of IN1 General Industrial zoned land at 90 Gindurra Rd, Somersby (Lot 4/DP227279). The site is currently used for storing and screening soil and sand, which is sold for landscaping. The site is referred to as the Kariong Sand and Soil Supplies (KSSS) site. The site was originally approved as a Sand and Metal Recycling Facility on 28/02/1992 (DA 15337). As part of the original approval, only the front section of the site was approved for this use.

The development consent permits only limited processing and storage at the site. The majority of the site is bushland, with two areas cleared in use. The original consent permitted an operational area of approximately 10,000 m<sup>2</sup>. An additional area of approximately 14,000 m<sup>2</sup> is currently being used as a processing and sorting area. Council development approval is required to obtain consent to increase the permitted operational area to allow the design and construction of a resource recovery facility in line with best practice.

It is proposed that the KSSS site be developed to receive, process and store up to 200,000 tonnes per annum of soil, sand and building materials. The complete development would require: installation of security fencing; construction of a hardstand area for processing material; construction of storage bays for processed material; construction of on-site roads suitable for large vehicles; construction of a truck parking area; construction of an office, maintenance workshop and weighbridge.

The main operational area will be divided into two main areas; one for receiving and processing incoming material, and another area for storage of final product and sale of material to landscape supplies customers. It is anticipated that a total final area of the developed operational area on the site will be approximately 39,000 m<sup>2</sup>.

The update of the site will be conducted in two stages. The first stage will be construction work at the front of the site, involving demolition of the existing buildings, construction of a front office and workshop, front parking areas and install the security fencing. The second stage involves clearing of vegetation, earthworks to facilitate on-site drainage, construction of on-site roads, construction of a hardstand area, construction of a stormwater management system, construction of a noise barrier and construction of product storage bays.

The site is less than 250m from a residential dwelling. As such, under clause 32(1)(d)(vi) of Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*, the proposed development is considered designated development.

As discussed in this report, under Section 89(c) of the *Environmental Planning and Assessment Act 1979* and Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011*, the proposed development is considered to be a State Significant Development. The determining authority will be the Minister for Planning. As a result, KSSS would like to seek the Secretary's Environmental Assessment Requirements with respect to the proposed Environmental Impact Statement (EIS). An EIS will be required as part of the planning and approvals process for this project to comply with the requirements of Section 112 of the *Environmental Planning and Assessment Act 1979*.

The proposed development will provide a broader range of recycling options and make progress towards the NSW Government's recycling targets. The project will create 5 jobs in construction over a 3 month period and 11 new permanent jobs, injecting more than \$73.8 million into the local economy over a 20-year period.

## APPENDIX 1 – DEVELOPMENT CONSENT

61243231907

FAX → RAY DAVIS  
**FAXED**  
28.10.03. ✓

25 8222

Mr Michael Holton  
RMB 3969 Gindurra Road  
SOMERSBY NSW 2250

T14293  
DA 15337  
Miss Saltmarsh/km

FAX → LIZIE TAYLOR  
28.10.03

Development Application No 15337 proposed Sand and Metal Recycling Facility on Lot 4 DP 227279  
Gindurra Road Kariong.

Dear Mr Holton

Pursuant to Section 92 of the Act, the above development application has been determined by granting of consent subject to the conditions attached.

The reasons for the conditions are to ensure that the development is carried out in the public interest in accordance with those matters referred to in Section 90 of the Environmental Planning and Assessment Act, 1979.

Date of Consent - 28.2.92

Please note that a Building Application will not be considered for approval until all documentation, plans, etc. marked \*\* in this Development Approval are received by Council.

In addition, all DA contributions payable must be paid prior to the issue of a Building Approval.

Your attention is drawn to your right to appeal against the conditions to the Land and Environment Court of NSW.

You are advised that this approval, valid for a period of 24 months for commencement of the development relates to planning control only, and that any other necessary approvals are to be obtained from the appropriate departments of Council or any other relevant authority.

Yours faithfully

Keith Dedden  
City Manager

Per: *shy*

Date: 28.2.92

DEVELOPMENT ASSESSMENT UNIT	
APPROVED PURSUANT TO	
COUNCIL RESOLUTION BY COUNCIL	
FIG	<i>E. J. Fuller</i> 28/2/92
H. R.	<i>Keith Taylor</i> 28/2/92
T. P.	<i>[Signature]</i> 28/2/92
DATE	

## CONDITIONS OF DEVELOPMENT CONSENT

Development Application No 15337 proposed Sand and Metal Recycling Facility on Lot 4 DP 227279  
Gindurra Road Kariong.

- 1 No filling or debris is to be placed within any watercourse or drain.
- 2 No building materials are to be stored within the road reserve.
- 3 All trees exceeding three (3) metres in height, or any species of mangrove of any height are to be retained on the property unless -
  - i individual trees or area to be cleared have been delineated on the approved plan, in which case this consent may be taken as consent under the Tree Preservation Order in respect of the trees or area so delineated. No tree specifically designated on the approved plan as being required to be retained, shall be removed.
- 4 No bunting is to be erected on the site.
- 5 Any lighting on the site is to be directed in such a manner so that no nuisance is caused to adjoining properties or to drivers on surrounding streets.
- 6 Loading and unloading operations being confined to within the property.
- 7 Retailing is an activity which the Council is not empowered to consent to in this zone. However, it is accepted that some sales of goods manufactured on the premises is ancillary to the principal use.

As a matter of policy, the Council has determined that it will allow some minor retail sales, and only where:

- i the goods sold are manufactured on the premises, and
  - ii the area used for retailing and display of goods does not exceed ten per cent (10%) of the floor area.
- 8 No signs other than a 'Commercial Sign' as defined in Council's Advertising Code are to be displayed or erected until a formal application has been submitted to Council, a licence issued, and the required fee paid.

(Note 'Commercial Sign' means a sign which only indicates an affiliation with a trade, profession or other association relevant to the business conducted on the premises upon which such a sign is displayed. Such a sign shall have an outline that would fit a rectangular figure 1.2m in length and 0.6m in height.)

- 9 Development being generally in accordance with plan(s) numbered sheet 1 and 2, undated, submitted/drawn by Michael Holton, or where modified by any conditions of this consent.
- 10 All trees along the front boundary of the site are to be retained to provide screening for the proposed development.
- 11 The driveway area is to be properly constructed, graded, drained and sealed with an impervious all-weather material.
- 12 Landscaping with a depth of ten (10) metres is to be carried out and continually maintained along the boundary fronting Gindurra Road.



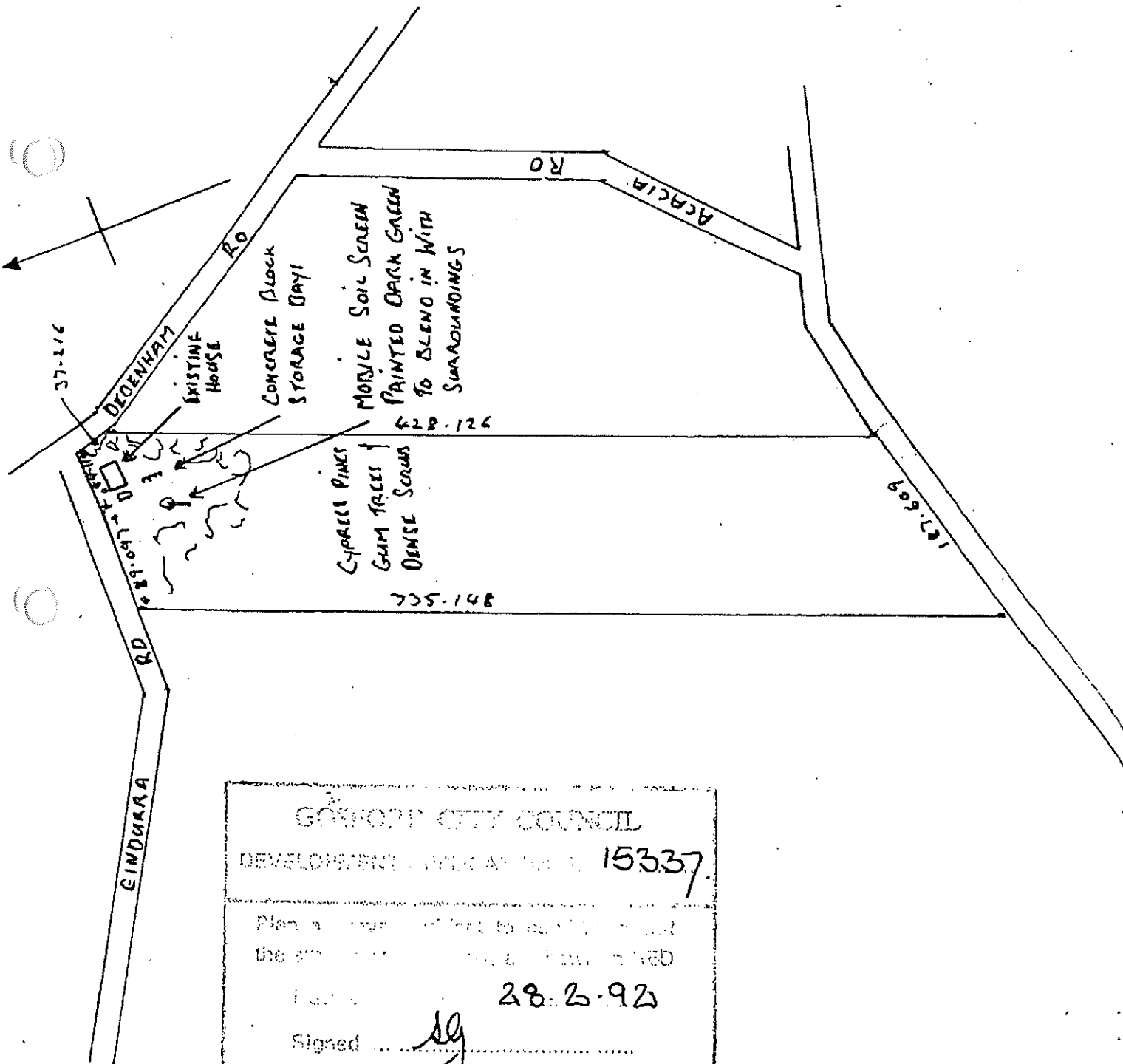
61243231907

R.M.B. 3969

GINDURRA RD

SOMERSBY

SCALE 1 CM : 50 METRES



GOSFORD CITY COUNCIL

DEVELOPMENT APPLICATION NO. 15337

Plan is correct as submitted to Council and the site is as shown on the plan.

Dated 28.2.92

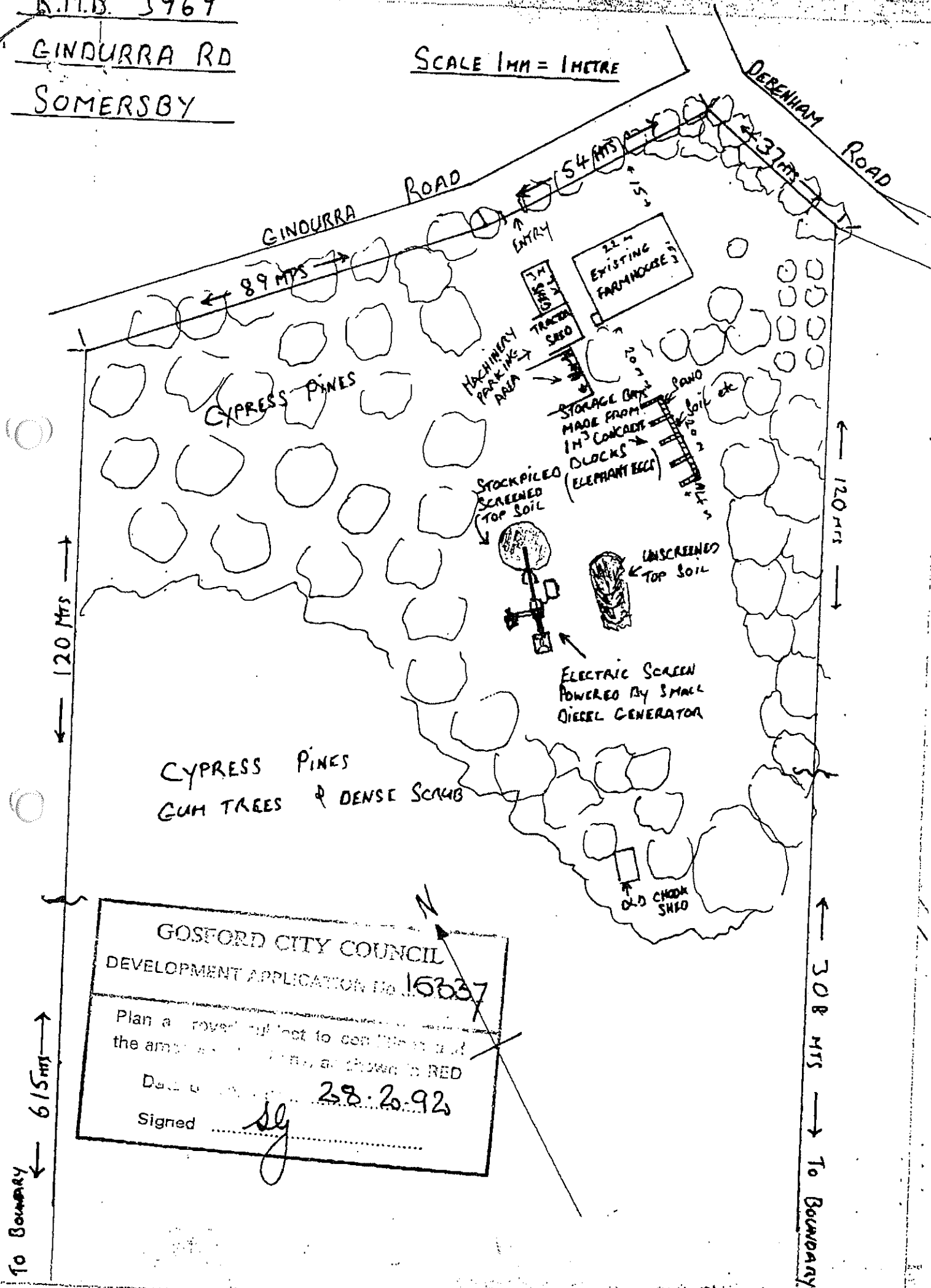
Signed *sg*

R.M.B. 3969

GINDURRA RD

SOMERSBY

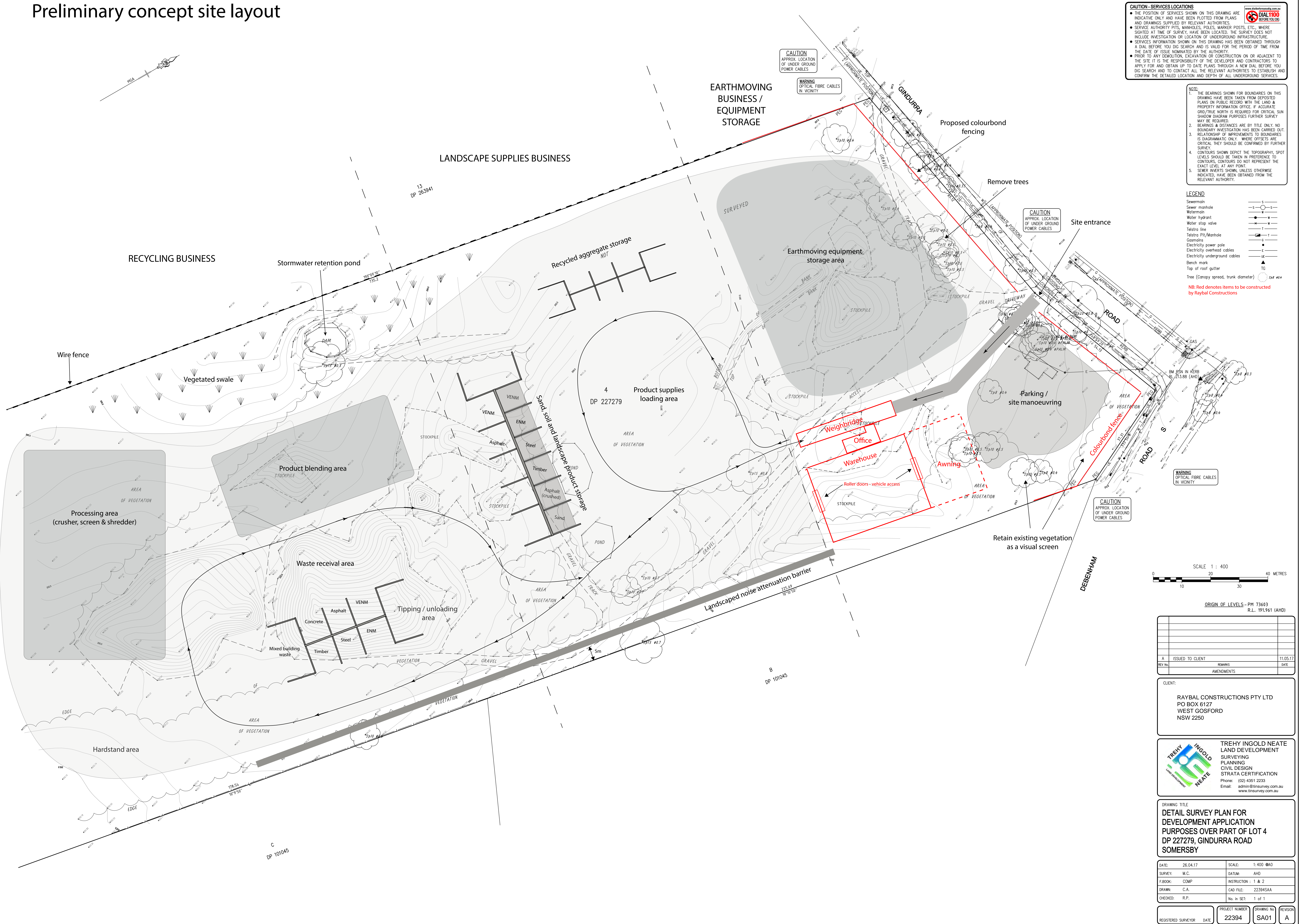
SCALE 1mm = 1metre



## APPENDIX 2 – KARIONG SAND AND SOIL SUPPLIES – CONCEPT PLANS



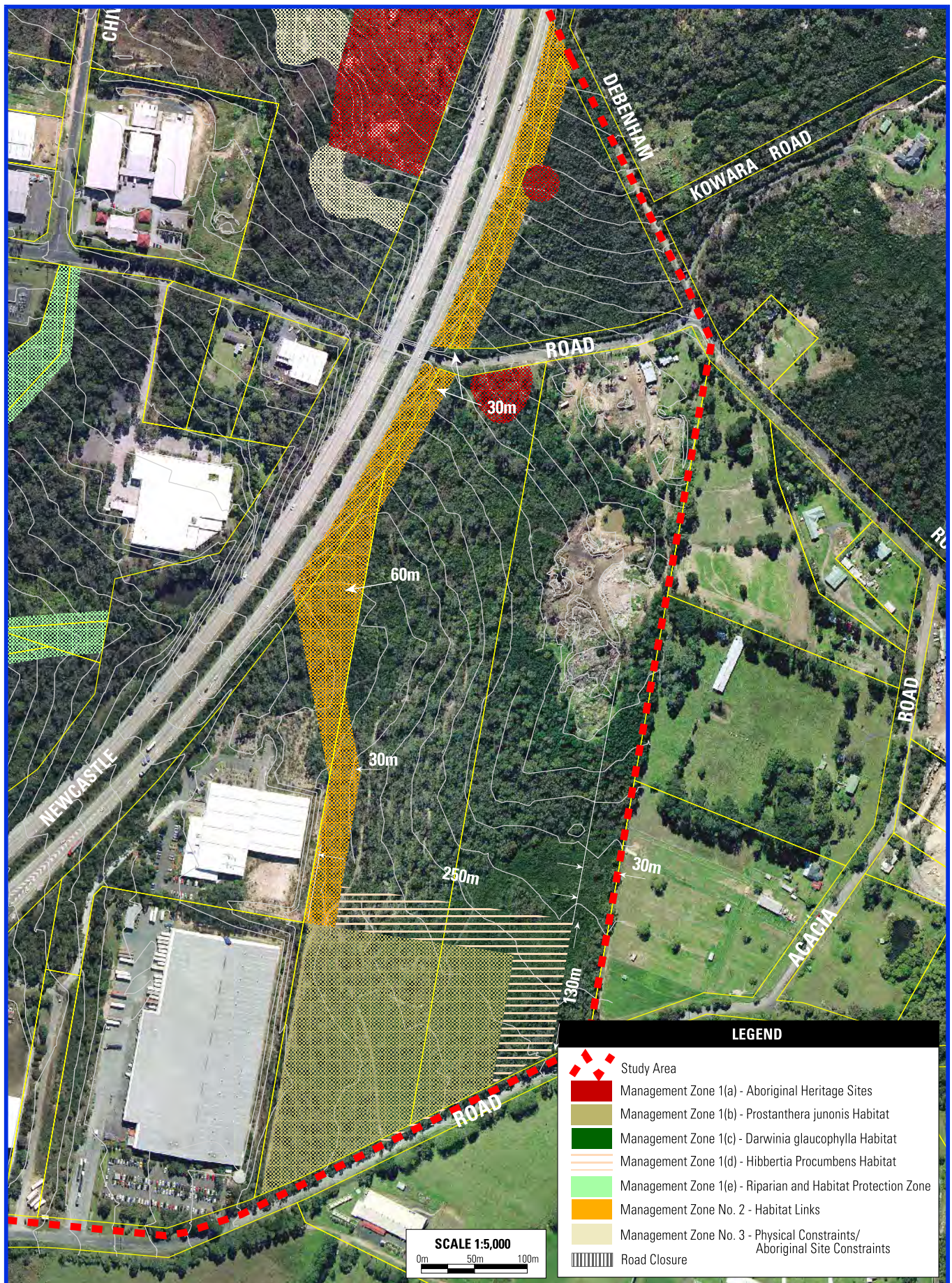
## Preliminary concept site layout





## APPENDIX 3 – EXTRACT FROM DRAFT SOMERSBY INDUSTRIAL PARK PLAN OF MANAGEMENT 2005





SOMERSBY INDUSTRIAL PARK  
1144.01.GP



**FIGURE 4.9**  
**PROPOSED MANAGEMENT ZONES**  
**(AREA 7)**