



2nd December 2020

Mr Chris Ritchie
Director, Industry Assessments
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

By email to: Industry.Assessments@planning.nsw.gov.au and
CC: deana.burn@planning.nsw.gov.au

Dear Mr Ritchie,

***Re: REMONDIS Tomago Resource Recovery Facility & Truck Parking Depot SSD 10447
Response to Adequacy Review of Draft Environmental Impact Statement***

Thank you for providing the Department's adequacy review comments on the draft Environmental Impact Statement (EIS) for the Tomago Resource Recovery Facility & Truck Parking Depot, as per your letter dated 14th October 2020.

These comments have been fully considered. The EIS and supporting studies have been updated to address all clarifications and requests for additional information.

A table has been prepared setting out how we have addressed the comments (Attachment 1). We trust that the Department is now satisfied that all adequacy review matters have been addressed, and the assessment phase can now commence for the development application.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,

Dr Mark Jackson B.Sc. (Hons), PhD, Grad. Cert. Mgmt., Exec. Masters Public Admin. (USYD)
Director

Jackson Environment and Planning Pty Ltd
Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060
T: 02 8056 1849 or M: 0411 060 478
E: mark@jacksonenvironment.com.au
W: www.jacksonenvironment.com.au

Attachments:

- 1. Overview of how the adequacy review comments have been addressed in the updated EIS package.

Attachment 1. Overview of how the adequacy review comments have been addressed in the updated EIS package.

No.	Issue	Comment	How has this comment been addressed?
1	Main EIS	Consider revising the Main EIS structure to reflect the requirements of the Department of Planning & Environment's Preparing an Environmental Impact Statement Draft Environmental Impact Assessment Guidance Series, June 2017 (available on the Department's website). Recommend removing duplication, summarising technical studies to remove repetition and putting large tables into appendices (such as the tables with agency requirements).	The EIS report has been reviewed. Some chapters have been reduced and more cross referencing to technical studies has been applied. Agency requirements have been appended to the EIS (Appendix U).
2	Main EIS	Confirm if the existing consents for the site will be surrendered, or if any consents or specific conditions are proposed to be retained, provide details and justification for retaining these consents.	The existing consent for the site will be surrendered. Section 1.4.1 added to the EIS to summarise this.
3	Main EIS	Include a brief explanation about the existing buildings, confirming there is no internal equipment to remove or demolish as part of this application.	Section 2.1 has been added to the EIS describing the existing infrastructure and there is no internal equipment to remove or demolish as part of this application.
4	Main EIS	Provide further details of the consistency of the proposal with the requirements of the Tomago Aluminium Corporation (TAC) smelter buffer area, e.g. confirm if the site will remain in TAC ownership, confirm the proposal can meet all environmental objectives of the buffer area (see comments on air quality below). Provide evidence of consultation with TAC to verify the project will not impact on their obligations for the buffer area.	This is further addressed in Section 1.5 of the EIS. We confirm that the ownership of the lands will transfer from TAC to REMONDIS on approval of the SSD, and the development will not impact on the buffer area. Owners consent letter has been updated to reflect this (Appendix V).
5	Main EIS	Provide an updated calculation of Capital Investment Value in accordance with the Department's Planning Circular <i>New Definition of Capital Investment Value</i> .	The CIV report has been updated however there is no change in Capital Investment Value (Appendix C).
6	Main EIS	Provide further details on the proposed use of Community Title land for construction of the weighbridge and if there are any specific conditions for the use of this land.	Section 2.27 has been updated in the EIS to note that the weighbridge is to be located on 21D School Drive (not Community Title lands). Architectural plans (Appendix B1) and turning path plans (Appendix H) have been updated to reflect changes. Community title land is to provide road access into site only.

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7	Main EIS	Ensure all landowners consents are provided as required by the <i>Environmental Planning & Assessment Act, 1979</i> , including the Community Title land.	Landholder consent letter has been updated for all lands subject to the proposal (Appendix V).
8	Main EIS	Clarify the proposed lot boundary readjustment and the status/timeframe of the application with Council to complete this.	Details have been added to Section 1.3 of the EIS. Progress on the boundary adjustment is included in a letter given in Appendix W.
9	Main EIS	Update the individual EIS chapters to address the comments on the technical appendices below.	The EIS report has been updated to address comments on technical appendices as required.
10	Main EIS	Correct grammatical errors and repeated sentences throughout the Executive Summary.	Complete.
11	Community and Stakeholder Engagement	The Consultation Report identified the requirements of Hunter Water Corporation (HWC) in relation to the Tomago Sand beds. Confirm the location of the sand beds in relation to the proposal, the measures to divert contaminated water away from the sand beds and confirm a hydraulic design assessment has been provided to HWC as requested.	<p>Section 11.2 has been updated in the EIS to note that the subject site is 650m from the Tomago sand beds.</p> <p>Measures are proposed to ensure contaminated water does not reach the groundwater catchment. This is addressed in Section 2.4 of the Soil and Water Management Plan by Northrop (Appendix J).</p> <p>As the existing supply of water through the 150mm Hunter Water main is expected to provide sufficient potable water supply to meet the demands on site, including the requirement to maintain an instantaneous flow of 20L/s for firefighting purposes, the Soil and Water Management Plan (Appendix J) has been updated to indicate that a detailed hydraulic assessment will be provided to Hunter Water Corporation post approval.</p>

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12	Air quality and odour	Provide further design details and predicted odour control efficiency of the proposed odour control unit for the food waste processing facility and holding tank.	Section 9 of the Air Quality and Odour Impact Assessment by ANE has been updated to note the likely odour control efficiency (Appendix F). Section 7.10 of the EIS has been updated.
13	Air quality and odour	Provide a contemporaneous assessment of PM ₁₀ and PM _{2.5} emissions to verify there would be no additional exceedances of the 24-hour criteria, in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants.	Section 8 of the Air Quality and Odour Impact Assessment by ANE has been updated to address this matter (Appendix F). Section 7.9 of the EIS has been updated.
14	Air quality and odour	Provide a cumulative assessment of sulfur and fluoride emissions to verify the report conclusions, that the development would have negligible emissions and therefore have no impact on the TAC buffer area.	Section 8 of the Air Quality and Odour Impact Assessment by ANE has been updated to address this matter (Appendix F). Section 7.9 of the EIS has been updated.
15	Water Quality	Verify the adequacy of the existing stormwater treatment system to service this development. It is not sufficient to assume it is compliant, as stated in Appendix J.	Section 2.2.1 of Soil and Water Management Plan by Northrop (Appendix J) has been updated and provides an assessment of the performance and adequacy of the existing treatment train. The assessment found that the existing treatment train still achieves the required load reduction targets and is considered adequate. Section 11 of the EIS has been updated.
16	Water Quality	Address the requirements of Hunter Water Corporation in relation to the Tomago Sand beds (as noted above).	This has been addressed in comment 11 above.
17	Water Quality	Provide further details of the measures to ensure there is adequate stormwater detention for all assessed flood events. It is not sufficient to rely on increased infiltration rates if these have not been verified.	Section 2.2.1 of the Soil and Water Management Plan has been updated to address this matter (Appendix J).
18	Water Quality	Provide a flooding assessment to confirm the proposed filling for the truck parking depot will not have an adverse flooding impact on neighbouring	Section 3.1 of Soil and Water Management Plan by Northrop (Appendix J) has been

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		properties.	updated to state detailed flood model is not required as per DCP for assessing impacts of storms >1% AEP.
19	Water Quality	Appendix J Section 4.3 refers to contamination on site not exceeding criteria for commercial/industrial land use. This seems to contradict the findings of Appendix M – Detailed Contamination Assessment.	Section 4.3 of the Soil and Water Management Plan by Northrop has been updated (Appendix J).
20	Water Quality	Appendix J references a groundwater assessment undertaken by GHD in 2012 but does not provide a copy of this report. Updated groundwater sampling is required to confirm if groundwater is contaminated and if there is any migration of contamination off-site.	A new groundwater assessment was undertaken by JM Environments as part of their Remedial Action Plan (Appendix M3). This is noted in Section 4.4 of the Soil and Water Management Plan (Appendix J).
21	Contamination	Confirm the adequacy of the cap and contain strategy for managing the heavy metal contamination on the site. Confirm if the strategy been discussed in principle with Port Stephens Council and/or the Environment Protection Authority.	JME Environments in Appendix M3 (Remedial Action Plan) note that capping and containment strategy is considered adequate. JME have also advised the Port Stephens Council and EPA have been consulted, and they will review the strategy in detail once the DA is submitted.
22	Contamination	Provide updated groundwater sampling to verify if the groundwater is contaminated and if any contaminant migration is occurring off-site.	This has been addressed in comment 20.
23	Traffic	Provide additional SIDRA modelling for other intersections potentially impacted by the development, including the Pacific Highway/Tomago Road and Pacific Highway/Old Punt Road intersections, as requested by Transport for NSW.	Section 4.4.2 of the Traffic Impact Assessment by SECA was updated to discuss other intersections, with additional SIDRA modelling provided (see Appendix H).
24	Hazards and Risk	Provide an indicative drawing or describe where the various dangerous goods materials will be stored or processed within the hazardous waste recycling facility. Confirm that incompatible waste materials will not be stored together.	A floor plan providing an overview of storage arrangements of waste materials in the Hazardous Waste Materials Recycling Facility is provided in Appendix B1 (Plan A-102B). This plan has been prepared in accordance with the <i>Australian Code for the Transport of Dangerous Goods by Road & Rail (2020)</i> to ensure that no incompatible chemicals are stored with each other.

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			Section 2.8 of the EIS has been updated.