

# Planning and Development (Materials Recovery Facility - Fyshwick) Scoping Document 2018

**Notifiable instrument NI2018–27**

made under the

**Planning and Development Act 2007, section 212 (Scoping of EIS)**

---

## **1 Name of instrument**

This instrument is the *Planning and Development (Materials Recovery Facility - Fyshwick) Scoping Document 2018*.

## **2 Commencement**

This instrument commences on the day after its notification day.

## **3 Scoping of EIS**

Under section 212 of the *Planning and Development Act 2007* (the Act), the planning and land authority has prepared the scoping document in the schedule.

Ben Ponton  
Chief Planning Executive  
19 January 2018



**ACT**  
Government

Environment, Planning and  
Sustainable Development

## Form

### Scoping Document

Under Part 8 of the *Planning and Development Act 2007*

APPLICATION NUMBER: 201700053		DATE OF THIS NOTICE: 15 January 2018
DATE LODGED: 4 December 2017		
PROJECT: Materials Recovery Facility		
BLOCKS: 9 & 11	SECTION: 8	SUBURB: Fyshwick
ADDRESS: 16 Ipswich Street & Lithgow Street Fyshwick		
APPLICANT: Capital Recycling Solutions Pty Limited		
LAND CUSTODIAN BLOCK 9: Capital Recycling Solutions Pty Limited		
LAND CUSTODIAN BLOCK 11: Transport Canberra and City Services		

#### SCOPING DOCUMENT:

The planning and land authority (the Authority) within the Environment, Planning and Sustainable Development Directorate received your application under Section 212(1) of the *Planning and Development Act 2007* (the P&D Act) for Scoping of an Environmental Impact Statement (EIS) for the above proposed development. Pursuant to Section 212(2) of the P&D Act, the Authority has:

- Identified the matters that are to be addressed by an Environmental Impact Statement (EIS) in the relation to the development proposal
- Prepared a written notice (the **scoping document**) of the matters.

*NB: This scoping document is final. The EIS must conform to the requirements of this scoping document. This document does not indicate approval, or support in any way, nor does it indicate approval in principle.*

#### TERM OF SCOPING DOCUMENT

Pursuant to Section 215 of the P&D Act, this Scoping Document is effective for 18 months from the day after the date of this notice.

#### FORM AND FORMAT OF EIS

The Authority requires that the Proponent engage a suitably qualified independent consultant to prepare an EIS OR the proponent submits, with the draft EIS, an independent review of the draft EIS undertaken by a suitably qualified consultant. The EIS must be in the following form and format:

- The EIS must be prepared in accordance with section 50 of the *Planning and Development Regulation 2008*
- The EIS document sized A4 with maps and drawings in A4 or A3 format
- The proponent must supply three (3) copies of the draft EIS and four (4) copies of the revised EIS

GPO BOX 1908, Canberra ACT 2601

[www.planning.act.gov.au](http://www.planning.act.gov.au)

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)



**ACT**  
Government

**Environment, Planning and  
Sustainable Development**

# Form

## Scoping Document

Under Part 8 of the *Planning and Development Act 2007*

---

- The EIS must be presented for circulation and web posting in an electronic format
- The Proponent must supply nine (9) CD/DVD copies of the draft EIS and three (3) CD/DVD copies of the revised EIS. Additional CD/DVD copies must be produced on request
- Digital files must not exceed 10 MB each
- The EIS must be written in plain English and avoid the use of jargon as much as possible
- The EIS is required to be provided in the same structure as described in this Final Scoping Document as closely as possible. A table that cross-references the EIS to the final scoping document must be included if the structure is different
- Additional technical detail, including relevant data, technical reports and other sources of the EIS analysis must be provided in appendices
- Maps, diagrams and other illustrative material should be included in the EIS to assist readers to interpret information.

### **COST OF PREPARATION OF EIS**

The proponent is responsible for the preparation of the draft and revised EIS and any related applications and associated costs. This includes additional copies of the draft and revised EIS and other associated documents as required by the Authority from time to time.

### **NEXT STEPS:**

Pursuant to Section 216(2) of the Act, you are now required to:

- a) Prepare a document (a ***draft EIS***) that addresses each matter raised in the scoping document for the proposal
- b) Pay the public notification fee once you receive the fee advice from Customer Services, EPSDD
- c) Prepare a document (a ***revised EIS***) that addresses each matter raised in the Authority's comments and the representations on the draft EIS
- d) Submit the revised EIS to the Authority for evaluation.

If you have any queries about the requirements outlined in this scoping document, please contact Tegan Liston to arrange a suitable time to discuss.

#### **Delegate**

Brett Phillips  
Executive Director  
Planning Delivery Division  
Environment, Planning and  
Sustainable Development Directorate

#### **Contact**

Tegan Liston  
A/g Senior Manager  
Impact Assessment and Business Improvement  
Environment, Planning and  
Sustainable Development Directorate  
E: [tegan.liston@act.gov.au](mailto:tegan.liston@act.gov.au)  
T: (02) 6205 9649

GPO BOX 1908, Canberra ACT 2601

[www.planning.act.gov.au](http://www.planning.act.gov.au)

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

## GENERAL REQUIREMENTS FOR THE EIS

### 1 Cover Page

The cover page must clearly display the following:

- The name of the proposal (project title)
- The block identifier and street address for the proposal
- The date of the preparation of the document
- Full name and postal address of the designated proponent
- Name of the person/organisation who prepared the documents
- Address, telephone and email contact details for the person/organisation who prepared the document
- Name of person/organisation for whom the document was prepared.

### 2 Glossary

Provide a glossary of technical terms, acronyms and abbreviations used in the EIS.

### 3 Executive Summary

Provide a non-technical summary of the EIS including a description of the proposal, key findings and recommendations.

### 4 Introduction

Summarise the proposal background and justification for the proposal.

### 5 Proposal Details

#### 5.1 Project Description

Provide a description of the proposal, including:

- a) The objectives and justification for the proposal.
- b) The location of the land to which the proposal relates, including detailed maps
- c) If the land is leased – the lessee's name
- d) If the land is unleased or public land – the custodian of the land
- e) The purposes for which the land may be used
- f) If the land is leased –
  - a. The division name, and block and section number of the land under the *Districts Act 2002*
  - b. The volume and folio of the lease in the register under the *Land Titles Act 1925*.
- g) Clearly identify all lands subject to direct disturbance from the proposal and associated infrastructure and geomorphic features such as waterways and wetlands

- 
- h) An outline of any developments that have been, or are being, undertaken by the proponent, or other person(s) or entities, within the proposal area and broadly in the region. Describe how the proposal relates to those in the region affected by the proposal
  - i) A description of all the components of the proposal, including the proposal specifications, the predicted timescale for implementation (design, approvals, construction and decommissioning) and project life
  - j) A plan/description of the precise location of any works to be undertaken, structures to be built or elements of the proposal that may have relevant impacts
  - k) A description of the construction methodologies for the proposal.

## 5.2 *Alternatives to the proposal*

Provide details of any alternatives to the proposal considered in developing the proposal including a description of:

- a) Any alternatives to the proposal and provide reasons for selecting the preferred option with an analysis of site selection as an attachment to the EIS
- b) The criteria used for assessing the performance of any alternative to the proposal considered
- c) Any matters considered to avoid or reduce potential impacts prior to the selection of the preferred option
- d) Details of the consequences of not proceeding with the proposal.

## 6 **Legislative Context**

A description of the EIS process including any statutory approvals obtained or required for the proposal.

### 6.1 *Statutory requirements*

The description must include information on statutory requirements for the preparation of an EIS:

- *Planning and Development Act 2007*
- *Planning and Development Regulation 2008*
- Related statutory approvals.

### 6.2 *Other requirements*

The description must also include information on how each of the following has been considered in the preparation of the EIS:

- Territory Plan 2008
- National Capital Plan
- Sustainability Policy
- Sustainable Transport Plan
- Canberra Spatial Plan
- ACT Climate Change Strategy
- Other relevant planning and environmental guidelines and management plans.

### 6.2.1 Ecologically sustainable development

Provide a description of the proposed action in relation to the long-term and short-term considerations of economic development, social development and environmental protection. The proponent should ensure that the EIS adequately addresses the principles of ecologically sustainable development as defined by section 9 of the P&D Act.

### 6.2.2 Territory Plan strategic directions

A statement must be provided regarding the proposal's compatibility with the principles in the Statement of Strategic Directions in the Territory Plan 2008 (Section 2.1 - Strategic Direction).

## 7 Risk Assessment

### 7.1 Risk Assessment Methodology

Provide a risk assessment in accordance with the Australian and New Zealand Standard for risk management AS/NZS ISO 31000:2009 *Risk Management – Principles and guidelines*. The proposed criteria for determining which risks are potentially significant impacts must be described. This should be based upon the Preliminary Risk Assessment (PRA) submitted with your request for the scoping application.

Should any risk levels change during the preparation of the EIS or any new risks become apparent, these must be assessed and included within the EIS, and where relevant, the residual risk assessment.

-Assessment guide-			
Provide a table with the headings below to describe the risks identified and the original risk rating without any mitigation strategies in place. This table format is one option, however alternative formats can be used provided the methodology is clearly described and in accordance with AS/NZS ISO 31000:2009 <i>Risk Management – Principles and guidelines</i>			
Risk	Likelihood	Consequence	Risk rating

## 8 Assessment of Impacts

Sufficient information is required to provide the Authority with an adequate understanding of the environmental impacts associated with the proposal. Each potentially significant impact rated with a risk rating of medium and above as identified in the risk assessment must be addressed with the information required by sections 8.1.1- 8.1.11 of this scoping document.

Table 1 identifies the issues that the Authority has identified as potentially significant risks, and the relevant sections of the scoping document that must be addressed in the EIS. The risks and their associated risk levels were determined from the information submitted with the PRA, comments received from entities on the request for scoping document application and the Authority's assessment.

**Table 1 – Identified impacts and requirements to be addressed in the EIS**

Environmental Theme	Risk identified	See section/s below for further detail
Planning and land status	<ul style="list-style-type: none"> <li>• Sterilisation of surrounding land uses</li> </ul>	8.1.1
Traffic and transport	<ul style="list-style-type: none"> <li>• Traffic increase during construction</li> <li>• Increased road traffic such as deliveries, employee movements and trucks being diverted from Mugga to site during operation</li> <li>• Increased rail movements</li> </ul>	8.1.2
Utilities	<ul style="list-style-type: none"> <li>• Impacts on existing infrastructure</li> </ul>	8.1.3
Materials and waste	<ul style="list-style-type: none"> <li>• Increased waste to landfill during construction</li> <li>• Spread of waste to other sites</li> <li>• Excess stockpiling during operation and cleanup when operation ceases</li> <li>• Waste being spread during transport</li> <li>• Storage and disposal of non-recyclable waste received at the facility</li> </ul>	8.1.4
Landscape and visual	<ul style="list-style-type: none"> <li>• Visual impacts on the surrounding area such as building bulk and scale, stockpiling and lighting the facility</li> </ul>	8.1.5
Soils and geology	<ul style="list-style-type: none"> <li>• Potential existing contamination of soils and groundwater</li> <li>• Potential spills contaminating soil</li> </ul>	8.1.6
Water quality and hydrology	<ul style="list-style-type: none"> <li>• Untreated stormwater or wastewater impacting on receiving land and water (including groundwater)</li> <li>• Risk to Jerrabomberra Creek and wetlands</li> </ul>	8.1.7
Climate change and air quality	<ul style="list-style-type: none"> <li>• Dust from construction activities</li> <li>• Odour from transport and processing of waste</li> <li>• Cumulative impacts of the development on air quality in the locality</li> <li>• Hazardous emissions from the plant including cumulative impacts with other developments in the air shed</li> <li>• Impacts on climate change</li> <li>• Poor quality waste material or dangerous contaminants in waste material impacting on operations and air quality</li> </ul>	8.1.8/8.1.9
Socio-economic and health	<ul style="list-style-type: none"> <li>• Facilities and materials storage providing harbour to vermin and pest animals which impact on health and amenity</li> <li>• Generation and disposal of any hazardous waste received at the facility that poses a risk to the environment or human health</li> </ul>	8.1.9

Environmental Theme	Risk identified	See section/s below for further detail
Noise, vibration and lighting	<ul style="list-style-type: none"> <li>Noise during construction</li> <li>Noise from operation of the facility and vehicle movements (including trains)</li> </ul>	8.1.10
Hazard and risk	<ul style="list-style-type: none"> <li>Fire or explosion originating in the facility impacting on surrounding land uses and human health</li> <li>Risk of bushfire or fire on neighbouring sites impacting the proposed facility</li> <li>Insufficient water supply from tanks and mains for fire suppression in the event of an emergency</li> <li>Hazard to aircraft operations from MRF vent plume</li> <li>Critical infrastructure failure</li> <li>Safety of workers</li> </ul>	8.1.8/8.1.9/8.1.11

### 8.1 Required detail for addressing impacts (Table 1)

The following items (sections 8.1.1 - 8.1.11), relate to the potentially significant environmental impacts identified in Table 1. They must be addressed in detail in the EIS.

**NOTE:** The information provided under the following headings is not an exhaustive list of matters that may be required to accurately detail the assessment scenarios.

#### 8.1.1 Planning and land status

- Include a description of planning context of the area where the project will be located
- Describe planning and development status of any land or project relevant to the proposal
- Describe land use of the proposed land and any land to be affected (including, but not limited to, zoning, lessee(s) or custodian of the land, the permissibility of the proposed use defined in the Territory Plan)

#### 8.1.2 Traffic and transport

- Describe arrangements for the transport of construction materials, equipment, products, wastes and personnel during both the construction phase and operational phase of the development proposal
- Include a description of the volume of traffic generated during construction and operation.
- Include details of vehicle traffic, transit routes and transport of heavy and oversize loads (including types and composition)
- A comprehensive Traffic Impact Assessment (TIA) must be prepared in accordance with the TCCS TIA Guideline.

#### 8.1.3 Utilities

- Describe the existing utilities located on the land subject to this proposal
- Describe any new utilities, removal or realignments required as a result of this development



---

#### 8.1.4 Materials and waste

- *Describe the nature, sources, location and quantities of all materials to be handled, including the storage, stockpiling and disposal of materials and waste*
- *Describe any hazardous materials and dangerous chemicals to be used or stored on site during construction and operation*
- *Provide further advice on waste management, including assessment, management and disposal*
- *Describe mitigation measures to reduce potential of waste spreading to the surrounding area*
- *Outline management procedures in case of oversupply of waste and any consideration to the measures in place when/if the facility ceases operation*

#### 8.1.5 Landscape and visual

- *Undertake a visual assessment of the site and surrounds to describe the current landscape character of the area*
- *Identify important view sheds and significant views and vistas to and from the site*
- *Conduct a visual impact analysis that details predicted impacts the proposal may have on the landscape character of the site and surrounds*
- *Provide perspectives and/or a visual analysis of the proposal from local vantage points*
- *Describe measures that are to be adopted to reduce the visual impact from the building bulk and scale, any stockpiling that may be required and lighting the facility*

#### 8.1.6 Soils and geology

- *Describe the soil and geology features of the area*
- *Discuss any contamination impacts that are present at the site (soil and groundwater), and how the site will be remediated (if required)*
- *Discuss the potential impacts associated with soils and geology on the proposed site and surrounding areas*
- *Provide information on measures to limit impact from spills*
- *Provide information on methods of impact reduction and rehabilitation associated with soils and geology*

#### 8.1.7 Water quality and hydrology

- *Describe the current groundwater quality and measures proposed to maintain and monitor ground water quality*
- *Describe the present and potential water uses and users within the affected catchment of the proposal. Include a map of the catchment*
- *Outline any potential impacts on Jerrabomberra Creek and wetlands*
- *Provide information on stormwater/waste water management both during construction and operation including any on site detention, treatment systems and water quality protection measures*

#### 8.1.8 Climate change and air quality

- *An air quality and odour impact assessment must be completed by a suitably qualified environmental consultant*
- *The air quality and odour impact assessment should consider the ACT Government's proposed East Lake residential development and other surrounding development*
- *An assessment of the effect the proposal may have on climate change and how the proposal is consistent with associated ACT and national policies*

---

#### 8.1.9 Socio-economic and health

- *Provide a formal Health Impact Assessment (HIA) that includes an analysis of the potential impacts on human health and any measures incorporated into the development to mitigate these impacts*
- *The HIA will investigate all positive and negative health implications including consultation with relevant stakeholders that may be impacted by the proposal*
- *Provide maps showing impacts on the surrounding sensitive receivers*
- *Detailed discussion of the potential social and economic impacts associated with the proposal*
- *Describe the suitability of the land for the type of proposal described in terms of socio-economics and health*
- *Outline risk and mitigation measures relating to potential health impacts associated with harbouring vermin and pest animals*

#### 8.1.10 Noise, vibration and lighting

- *An acoustic impact assessment must be completed by a suitably qualified acoustic consultant.*
- *The acoustic impact assessment should consider the ACT Government's proposed East Lake residential development and other surrounding development*
- *Identify any potentially sensitive receivers (including residential dwellings and road users) which may be affected by the construction and operation of this proposal*
- *Discuss the types, magnitude, duration and frequency of any noise and/or vibration during operation phases of the proposal including noise from operation of the facility and vehicle movements (including trains)*

#### 8.1.11 Hazard and risk

- *Preliminary Risk Screening – A preliminary risk screening must be undertaken in accordance with NSW Government "State Environment Planning Policy 33 - Hazardous and Offensive Development Application Guidelines" (SEPP 33). If the screening finds the development is potentially hazardous, a Preliminary Hazard Analysis (PHA) will be required to be prepared in accordance with the NSW Government "Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis".*
- *Provide examples of other similar developments within Australia including:*
  - *A comparative technology review*
  - *Processing capacities and proximity to other developments and sensitive receivers*
  - *Impacts or failures that they have encountered*
  - *Current status of the operations*
- *Describe the potential for hazard and risk associated with the construction and operation of the project including flooding, vandalism and accidents*
- *Describe how the site is suitable for the proposed use by considering identified hazards and risks including risk of fire and adequate fire suppression*
- *Describe management of risk in relation to fire in stockpiled material*
- *Outline impacts on aircraft from the MRF vent plume*

## 8.2 Investigating impacts (Table 1)

Each potentially significant environmental impact identified within Table 1 should be addressed/structured as per sections 8.2.1 - 8.2.5.

-Assessment Guide-		
<b>Assessment Scenarios:</b> Proponent should describe and use baseline case, application case and planned development case in their EIS to describe and address impacts at all stages of the project (construction, operation, decommissioning and reclamation)		
<b>Baseline case</b> The baseline case establishes and describes the conditions that exist prior to the development or if the project were not developed. Describe the environmental conditions that include the effects of existing land uses of the area.	<b>Application case</b> The application case describes the baseline case with the effects of the proposal added. Information is provided to allow regulators to determine how project operations should be controlled and how adverse effects can be mitigated and managed.	<b>Planned development case</b> The planned development case describes the environmental conditions of the project when integrated with the existing conditions and any other planned projects which can be reasonably expected to occur.

### 8.2.1 Environmental conditions and values

Describe the environmental conditions and identify the environmental values for the environmental themes identified in Table 1. This section should discuss the baseline conditions for the area.

### 8.2.2 Investigations

Identify the findings and results of any environmental investigation in relation to the land to which the proposal relates.

### 8.2.3 Impacts

Describe the effects of the environmental impact as a result of construction and operation for the environmental themes identified in Table 1 (including cumulative, consequential and indirect effects) on physical and ecological systems and human communities. Particular emphasis should be placed on the potentially significant impacts identified in the risk assessment. Include a discussion of the timeframes of impacts i.e. short or long term, their nature and extent and whether they are reversible or irreversible, unknown or unpredictable. Include an analysis of the significance of the relevant impacts. Information must include any technical data and other information used or needed to make a detailed assessment of the relevant impacts.

### 8.2.4 Mitigation

Discuss the proposed safeguards and mitigation measures proposed to be taken for the environmental management of the land to which the proposal relates for the environmental themes identified in Table 1. This is to include:

- A description and an assessment of the proposed impact prevention, mitigation or offsetting measures to deal with the environmental impact of the proposal
- A description of the expected or predicted effectiveness of the mitigation measures.
- Any statutory or policy basis for the mitigation measures

- d) An outline of an environmental management plan (EMP) that sets out the framework for continuing management, mitigation and monitoring programs for the relevant impacts of the action, including any provisions for independent environmental auditing
- e) The frequency, duration and objectives of monitoring proposed
- f) The name of the agency responsible for endorsing or approving each mitigation measure or monitoring program
- g) A description of the cost effectiveness of environmental mitigation or rehabilitation measures proposed and the expected or predicted effectiveness of those measures.

### 8.2.5 Residual risk

Provide a table that details the residual risk for the potentially significant impacts identified for the environmental themes in Table 1. A residual risk assessment is only required where the significance of impact is determined as medium or above. The calculation of the residual risk should take into account the influence of implementation of mitigation or offsetting measures on the impacts identified by the risk assessment. A discussion of how the calculations were determined should also be included.

-Assessment Guide-				
Provide a table with the headings below to describe the risks identified and the original risk rating without any mitigation. The residual risk assessment will include the consideration of management, mitigation and monitoring strategies applied to each risk identified. The residual risk rating describes the final risk with the mitigation measures in place.				
Risk identified in Section 7.1	Original risk rating from items identified in 7.1	Residual likelihood	Residual consequence	Residual risk rating

## 9 Community and stakeholder consultation

### 9.1 Consultation must be undertaken with:

- Lease holders and land managers of land potentially impacted by the proposal
- Any recreational groups which will be affected by the proposal
- Any volunteer conservation, landscape management or land care groups active in the area to be effected by the proposal
- The local community.

### 9.2 Describe the community consultation undertaken (methodology and criteria for identifying stakeholders and the communication methods used).

### 9.3 Describe how any concerns have been considered in light of the proposal and any future development planned.

### 9.4 Please note, in addition to undertaking consultation, at the revised EIS stage, the revised EIS must include the representations received, issues raised in the representations and a response to the issues and values identified. The summary response must clearly identify the representation(s) to which the responses relate.

---

**10 Recommendations**

- 10.1 Provide a summary of any commitments to impact prevention, mitigation measures, offsetting measures and other actions within the EIS.
- 10.2 Describe the monitoring parameters, monitoring points, frequency, data interpretation and reporting proposals.

**11 Other relevant information**

The proponent may wish to include issues outside the scope of the EIS as a separate section of the EIS. This allows the proponent to identify matters not required to be addressed in the EIS, but that would be subject to development assessment consideration and notification. This can provide additional context for members of the public regarding management of environmental issues, by ensuring that the public is aware that these issues will be addressed in the detailed design of the proposal.

**12 References**

A reference list using standard referencing systems must be included.

**13 Required Appendices***13.1 Final scoping document for the EIS*

A copy of the final scoping document should be included in the EIS. Where it is intended to bind appendices in a separate volume from the main body of the EIS, the final scoping document should be bound with the main body of the EIS for ease of cross-referencing.

*13.2 Scoping Document Reference*

Include a table that cross-references the EIS to the scoping document.

*13.3 Proponent's Environmental History*

Provide details of any proceedings under a Commonwealth or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against:

- The person proposing to take the action
- For an action for which a person has applied for a permit, the person making the application.

If the person proposing to take the action is a corporation, then provide details of the corporation's environmental policy and planning framework. Enough information is required to satisfy s136(4) of the EPBC Act.

*13.4 Information Sources*

For information given the following must be stated:

- The source of the information
- How recent the information is
- How the reliability of the information was tested
- What uncertainties (if any) are in the information.

### *13.5 Study team*

The qualifications and experience of the study team and specialist sub-consultants and expert reviewers must be provided.

### *13.6 Specialist studies*

All reports generated based on specialist studies undertaken as part of the EIS are to be included as appendices.

### *13.7 Research*

Any proposals for researching alternative environmental management strategies or for obtaining any further necessary information should be outlined in an appendix.

## Attachment A

### ENTITY REQUIREMENTS

Where not otherwise identified as a potentially significant impact, provide information in accordance with the requirements of the entities. If the issues raised by entities have been addressed in other sections of the EIS, this must be cross referenced in this section.

#### A1. ACT Health

*The Health Protection Service (HPS) requests that the EIS for the project consider the following:*

- *Any influence upon the existing air quality, particularly the likelihood of cumulative effects of the development within the locality including on surrounding businesses*
- *Potential dust generation or dust movement while the site is under construction*
- *Potential for harbourage of vermin and pests at the facility.*
- *Details on waste storage and management in the event that there is an oversupply of waste and mitigation measures proposed to manage the risk of fire in the stockpiled material.*
- *All health implications, both positive and negative. The HPS therefore requests that a formal health impact assessment (HIA) is carried out as part of the process.*

*As the proposed development is located within proximity to residential and industrial mixed zone areas, the conduct of a formal HIA would facilitate the appropriate avoidance or mitigation of any identified negative health impacts as well as the promotion of subsequent positive impacts. The risk assessment process would include assessing the severity and likelihood of the identified negative and positive impacts, determining if these have direct or indirect impacts, and assessing the distribution of impacts.*

*The community and stakeholder concerns regarding the proposal should also be considered, as part of the HIA process. Community consultation and identification of the potentially affected population as well as risk management options are the important segments of the process.*

#### A2. Environment Protection Authority (EPA)

*The EPA would require the following matters to be considered in the EIS:*

**Land contamination** – *Environment Protection Authority (EPA) records indicate that the sites were formerly occupied by the Shell Canberra depot and associated rail siding and contained extensive fuel storage facilities and EPA records indicate that hydrocarbon related impacts to soil and groundwater have been identified at the sites. This issue must be included in the EIS.*

*Please note that as part of the Development Application process, the subject site must be assessed and remediated by a suitably qualified environmental consultant and these works independently audited by an EPA approved contaminated land auditor prior to any change of use. The auditor's findings into the site's suitability from a contamination perspective for its proposed and permitted uses under the Territory Plan must then be reviewed and endorsed by the EPA prior to the commencement of development works and prior to the site being used for other purposes.*

**Air quality and odour impacts** – *An air quality and odour impact assessment must be completed by a suitably qualified environmental consultant.*

**Noise impacts** – *An acoustic impact assessment must be completed by a suitably qualified acoustic consultant.*

**Water quality impacts** – *The potential for water quality impacts must be assessed in the EIS.*

---

**Preliminary Risk Screening** – A preliminary risk screening must be undertaken in accordance with NSW Governments “State Environment Planning Policy 33 - Hazardous and Offensive Development Application Guidelines” (SEPP 33). If the screening finds the development is potentially hazardous, a Preliminary Hazard Analysis (PHA) will be required to be prepared in accordance with the NSW Governments “Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis”.

**A3. Transport Canberra and City Services**

1. A comprehensive Traffic Impact Assessment (TIA) must be prepared in accordance with TCCS TIA Guideline.
2. Any impacts on existing stormwater asset and easement through block 9 and 11 must be investigated and any changes must be endorsed by TCCS.

**A4. Environment, Planning and Sustainable Development Directorate**

***Environment Protection Policy***

*The proposed site was a former Shell fuel depot with associated rail infrastructure. Fuel depots and rail activities are associated with potential land contamination and in accordance with the Contaminated Sites Environment Protection Policy 2017 made under the Environment Protection Act 1997 which regulated potentially contaminated sites, the site should be assessed, remediated (if required) and independently audited as suitable for the proposed use.*

*The Environment Protection Act 1997 (the Act) also regulates activities that have the potential to cause significant environmental harm with certain activities required to hold an environmental authorisation (EA) under the Act. Schedule 1 of the Act details activities requiring an EA including the operation of a waste transfer station receiving 30 000t or more of waste each year.*

*The Act also regulates emissions and an assessment of the noise emission from the proposed facility and associated activities at the site should be undertaken to demonstrate compliance with the applicable industrial land use noise zone standard as detailed in the Environment Protection Regulation 2005.*

*The scoping documents indicates the facility will emit odours. In accordance with the general environment duty under the Act, which details that a person must take the steps that are practicable and reasonable to prevent or minimise environmental harm or environmental nuisance caused, or likely to be caused, by an activity conducted by that person, the proponent should undertake an odour air quality assessment to demonstrate the facility will not adversely affect neighbouring sites and any sensitive receptors nearby i.e. residential uses.*

*Due to the nature of the waste activities at the site details of the waste water treatment systems to manage waste water discharges from the site should also be included in the EIS assessment to ensure discharges to stormwater are appropriately managed and meet the water quality criteria detailed in the Environment Protection Regulation 2005.*



---

**Sustainability and Climate Change**

*Information is needed on which materials will be sorted for recycling and what will be produced at the facility (e.g. will the facility be exporting refuse-derived fuel?)*

*It is unclear in the document how much of the 300,000 tonnes could be diverted by the facility. On page 7 of the report it is stated that the facility could divert up to 90% of the Municipal Solid Waste (MSW) and Commercial and Industrial (C&I) waste streams, while on page 32 of the report there is mention of over 20% resource recovery. Further detail and evidence to support a claim on estimated recovery rates is needed.*

*To reduce greenhouse gas emissions from landfill it is important to divert organic materials from landfill. According to the waste hierarchy materials should be diverted to their highest value use. In the case of organics, research suggests the highest value use of materials is achieved through source separation of organics for processing, rather than processing with MSW. Issues of contamination have plagued facilities that process organics extracted from mixed MSW, often resulting in an end product of limited value. There is a risk that this facility would discourage source separation of organic materials. If the facility proposes to have capacity to process source-separated organic materials clarification is required. A comment on page 7 of the report indicates the company's interest in processing organic materials in MSW:*

*"Importantly, the CRS proposal does not impose a change to the way households and businesses dispose of their waste. CRS contends that imposing further burdens on the users of the waste disposal system opens the system up to error. An example stated previously is the addition of kitchen waste to the green bin trial. As seen in the European example, errors can result in compost which is unsuitable for its intended use. CRS believes that the better option is to sort this waste at the proposed MRF rather than relying on all individuals to use a new system correctly."*

*The report mentions exporting 'inert and non-combustible materials' from the site. Further information is required on where these materials are proposed to go and for what purpose so that we can consider lifecycle impacts and benefits.*

**Strategic Planning**

*The proposed noise and odour assessments to be undertaken for nearby residential areas needs to be expanded to include the ACT Government's proposed East Lake residential development and surrounding development.*

---

**FOR NOTING BY THE PROPONENT ONLY****B1. Evoenergy [formerly ActewAGL (electricity)]**

*Evoenergy have no objections to this proposal. The feeder in the vicinity of the block currently has approx. 1MVA spare capacity available which could be used to supply the recycling facility, though this will depend on the actual load required.*

**B2. ACT Heritage Council**

*The council advises that no places or objects subject to Heritage Act 2004 provisions are located within the subject area; and that unrecorded heritage places and objects are unlikely to occur, given the prior development of the locality.*

*In this context, no heritage assessment requirements are identified for inclusion in the EIS scoping document.*

*However, it is noted that the EIS should include an 'Unanticipated Discovery Protocol' for any heritage places and objects that may be encountered during construction works. This Protocol should include the following, at minimum, to reflect Heritage Act 2004 obligations:*

- 1. Stop works at the heritage site, to allow for assessment and management in accordance with Sections 74 and 75 of the Heritage Act 2004;*
- 2. Report the discovery to the site supervisor immediately;*
- 3. Define an exclusion zone around the heritage site, within which no works or related activities (such as vehicle parking and stockpiling) is to occur. If needed, temporary fencing should be installed to define the exclusion zone;*
- 4. Engage heritage advisors to assess the nature of the heritage site and its potential heritage significance. Advisors should have expertise in the type of heritage encountered, and where an Aboriginal place or object has been found, Representative Aboriginal Organisations should be consulted;*
- 5. Report the find to the ACT Heritage Council on 13 22 81 or [heritage@act.gov.au](mailto:heritage@act.gov.au) within 5 working days in accordance with section 51 of the Heritage Act 2004; and*
- 6. Seek ACT Heritage Council advice on Heritage Act 2001 approvals or further advice required prior to commencement of works.*

**B3. Conservator of Flora and Fauna**

*The Conservator's office indicated that there aren't any major flora and fauna issues with this proposal.*

**B4. Emergency Services Agency (ESA)**

*ACTF&R has reviewed the EIS Scoping Document titled "Capital Recycling Solutions 'Advanced waste management for the ACT' Scoping application" dated Nov 2017 and has no special considerations or objection at this time.*

**B5. National Capital Authority (NCA)**

*This site is partially situated within 200 m of the centreline of the Monaro Highway which is defined as an Approach Route under the National Capital Plan (The Plan). The NCA has taken the view that this site doesn't front the Approach Route so will not require a Development Control Plan.*

**B6. Office of the National Rail Safety Regulator (ONRSR)**

ONRSR has no comment at this stage of the proposal. As a general comment it is a requirement that all Railway Operations (which includes the construction of a railway tracks and associated structures and the maintenance, repair, modification, installation and operation of rail infrastructure) are carried out in accordance with the Rail Safety National Law.

**B7. Queanbeyan-Palerang Regional Council (QPRC)**

QPRC has no comment at this stage of the proposal.

**B8. Utility Technical Regulation, Access Canberra**

The proponent should contact Utilities Technical Regulation within Access Canberra on 02 6207 0362 or by email at [Techregulator.Utilities@act.gov.au](mailto:Techregulator.Utilities@act.gov.au) and provide further information regarding the proposed facility.

As described in the scoping document, there is a possibility that the proposed facility may constitute a regulated utility service and require an operating certificate.

**B9. Waste Policy (TCCS)**

Waste policy has no comment at this stage of the proposal.

**B10. Jemena**

Jemena has no comments at this stage of the proposal.

**B11. Canberra Airport**

We note that there are no waste furnaces to be included and that the waste arriving at the site will be processed as follows:

- Recyclables extracted
- Residues transported to Woodlawn Bioreactor at Tarago

On this basis, Canberra Airport has no objection to the proposal.

**B12. Icon Water**

All connections to sewer that are classified as Liquid Trade Waste must apply to Icon Water for approval before connection to sewer.

Liquid Trade Waste is generally defined as waste that is not domestic in nature (i.e. waste not typically produced in the course of daily residential living). Generally, any activity that is commercial will likely need Icon Water Approval to discharge to sewer. Further information on classifying this waste can be found on the Icon Water website [www.iconwater.com.au/tradewaste](http://www.iconwater.com.au/tradewaste)

Icon Water Liquid Trade Waste team contact information; Email: [Trade.Waste@iconwater.com.au](mailto:Trade.Waste@iconwater.com.au)  
Phone: 02 6248 3222

Should any water or sewerage infrastructure be placed within potential or actual contaminated land, Icon Water must be notified prior to connection to the existing network and/or asset handover to Icon Water.

---

**Attachment B****GLOSSARY**

**Controlled Action (EPBC):** An action defined under the EPBC Act, section 67.

**Development application (DA):** Application for development as defined under the P&D Act.

**Environment:** As defined under the *Planning and Development Act 2007* (the P&D Act), each of the following is part of the environment:

- (a) the soil, atmosphere, water and other parts of the earth;
- (b) organic and inorganic matter;
- (c) living organisms;
- (d) structures, and areas, that are manufactured or modified;
- (e) ecosystems and parts of ecosystems, including people and communities;
- (f) qualities and characteristics of areas that contribute to their biological diversity, ecological integrity, scientific value, heritage value and amenity;
- (g) interactions and interdependencies within and between the things mentioned in paragraphs (a) to (f);
- (h) social, aesthetic, cultural and economic characteristics that affect, or are affected by, the things mentioned in paragraphs (a) to (f).

**Environmental Impact Statement (EIS):** As defined under the P&D Act.

**Impact Track:** An assessment track that applies to a development proposal defined under the P&D Act, section 123.

**Long term:** Greater than 15 years duration.

**Medium term:** Greater than three (3) years to 15 years duration.

**P&D Act:** *Planning and Development Act 2007* (ACT).

**Regulated waste:** waste defined under the *Environment Protection Act 1997*

**Scoping:** The process of identifying the matters that are to be addressed by an EIS in relation to the development proposal - see the P&D Act, Section 212 (2).

**Short term:** Zero to three (3) years duration.

**Socio-economic:** Involving both social and economic factors.