

## Attachment 2 – Environmental Planning and Assessment Act Assessment 1979 (Integrated Development)

### Section 4.46 of the Environmental Planning and Assessment Act 1979

The proposed waste management facility carries out two scheduled activities being *metallurgical activities* and *waste storage* which are listed within Schedule 1 of the Protection of Environment Operations Act 1997 (PEO).

In accordance with Schedule 1 Scheduled Activities of the PEO Act 1997, *metallurgical activities* are defined as follows:

<b>26 Metallurgical activities</b>	
<b>Clause</b>	<b>Comment</b>
<p>(1) This clause applies to the following activities:</p> <p><b>aluminium production (alumina)</b>, meaning the refinement or processing of mainly alumina to produce aluminium products.</p> <p><b>aluminium production (scrap metal)</b>, meaning the refinement or processing of mainly scrap aluminium to produce aluminium products.</p> <p><b>iron or steel production (iron ore)</b>, meaning the refinement or processing of mainly iron ore to produce iron or steel products.</p> <p><b>iron or steel production (scrap metal)</b>, meaning the refinement or processing of mainly scrap iron or steel to produce iron or steel products.</p> <p><b>metal coating</b>, meaning the coating of metal by any method (including spray painting, powder coating, enamelling, electroplating, anodising and galvanising, but not the coating of metal on vehicles or vessels).</p> <p><b>metal processing</b>, meaning the processing of metals by heating, rolling, melting or casting metal otherwise than in the course of some other activity to which this clause applies.</p> <p><b>metal waste generation</b>, meaning any activity that involves—</p> <p style="margin-left: 20px;">(a) the refinement, processing or coating of metal, and</p> <p style="margin-left: 20px;">(b) having on site any prescribed waste (that is, hazardous waste, restricted solid waste or liquid waste, or any combination of them).</p> <p><b>non-ferrous metal production (ore concentrates)</b>, meaning the refinement or processing of mainly ore concentrates (including copper, zinc and lead ores, but not iron ore or alumina) to produce non-ferrous metal products.</p> <p><b>non-ferrous metal production (scrap metal)</b>, meaning the refinement or processing of mainly scrap metal (including copper, zinc and lead, but</p>	<p>The applicable scheduled activity carried out by the proposed facility under this schedule is <b>scrap metal processing</b>.</p> <p>Scrap metal accepted by the proposed facility will be sorted at the site. The main stockpile of scrap metal will be removed daily from the site by a metal recycler. Some material will be compacted or sorted for resale to a metal recycler.</p> <p>Copper cable insulation waste will be stored in storage bays within the building and removed by a licensed waste contractor for recycling overseas.</p> <p>No aluminium, iron or steel production activities are proposed by the facility.</p> <p>No metal coating, processing or production activities are proposed by the facility.</p> <p>No smelting of scrap metal is proposed to be carried out at the facility.</p>

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<p>not iron, steel or aluminium) to produce non-ferrous metal products.</p> <p><b>scrap metal processing</b>, meaning the crushing, grinding, shredding or sorting (but not smelting) of scrap metal of any kind.</p>							
<p>(2) Each activity referred to in Column 1 of the Table of this clause is declared to be a scheduled activity if it meets the criteria set out in Column 2 of that Table.</p> <table border="1" data-bbox="209 562 783 837"> <tr> <th colspan="2">Table</th></tr> <tr> <th>Column 1</th><th>Column 2</th></tr> <tr> <td>Scrap metal processing</td><td>capacity to process more than 150 tonnes of scrap metal per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors)</td></tr> </table>	Table		Column 1	Column 2	Scrap metal processing	capacity to process more than 150 tonnes of scrap metal per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors)	<p>As detailed above, the scheduled activity carried out by the proposed facility is <i>scrap metal processing</i>.</p> <p>The estimated incoming quantity of scrap metal processed by the proposed facility is 20,000 tonnes per year, which is below the metallurgical activities threshold under Schedule 1 of the PEO Act 1997 requiring a licence.</p> <p>Conditions are also imposed in the Draft Notice of Determination restricting the total quantity of scrap metal waste received to not exceed 20,000 tonnes per year.</p>
Table							
Column 1	Column 2						
Scrap metal processing	capacity to process more than 150 tonnes of scrap metal per day or 30,000 tonnes per year (if not carried out wholly indoors) or 50,000 tonnes per year (if carried out wholly indoors)						

In accordance with Schedule 1 Scheduled Activities of the PEO Act 1997, *waste storage* is defined as follows:

42 Waste storage	
Clause	Comment
<p>(1) This clause applies to <b>waste storage</b>, meaning the receiving from off site and storing (including storage for transfer) of waste.</p>	<p>Subclause (1) and (1A) is applicable to the proposal as waste is received and stored at the premises.</p>
<p>(1A) Waste is taken to be stored at premises for the purposes of this clause even if the waste is only being transferred at those premises between units of rolling stock, motor vehicles or trailers.</p>	
<p>(2) However, this clause does not apply to any of the following:</p> <p>(a) the storage of stormwater,</p> <p>(b) the storage of up to 60 tonnes at any time of any of the following kinds of waste (but not when accompanied by any other kind of waste):</p> <ul style="list-style-type: none"> <li>(i) drilling mud,</li> <li>(ii) grease trap waste,</li> <li>(iii) waste lead acid batteries,</li> <li>(iv) waste oil,</li> </ul> <p>(c) the storage of sewage within a sewage treatment system,</p> <p>(d) the storage and transfer of liquid waste that is generated and treated on site prior to sewer discharge, or lawful discharge to waters.</p>	<p>Subclause (2) is not applicable to the proposal.</p>
<p>(2A) This clause also does not apply to the receiving of waste from off site and its storage if:</p> <p>(a) the waste is to be sold or supplied from those premises as landscaping material (that is, as lawful soil amendments or for landscape gardening) and nothing else occurs in respect of</p>	<p>Waste received and handled by the proposal will not be stored, sold or supplied from the premises as landscaping material.</p>

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<p>the waste at the premises other than storage of the waste for the purpose of that sale or supply, and</p> <p>(b) the waste is virgin excavated natural material or meets all of the conditions of a resource recovery order (made under clause 93 of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>) at the time it is received, and</p> <p>(c) the waste does not include any liquid waste or biosolids that are not general solid waste (non-putrescible), and</p> <p>(d) no other activity is carried out at the premises that would result in the premises being a scheduled waste facility within the meaning of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>.</p>	<p>The proposal will receive, handle, and sort scrap metal and as such waste received is not virgin excavated natural material (VENM). Liquid or biosolids are not received by the proposal.</p> <p>The proposed facility will process scrap metal below the scheduled activities threshold and as such the premises will not be deemed as a scheduled waste facility within the meaning of the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>.</p>
<p>(2B) This clause also does not apply to the receiving of virgin excavated natural material from off site and its storage if the only waste received is virgin excavated natural material.</p>	<p>VENM material is not received or stored on site.</p>
<p>(2C) This clause also does not apply to the receiving of waste at premises from off site and its storage if the only waste received from off site is untreated wood waste (other than sawdust or wood shavings) and that wood waste has been cut or split into smaller pieces (other than by chipping) as firewood.</p>	<p>The premises does not only receive untreated wood waste that would become firewood.</p>
<p>(3) The activity to which this clause applies is declared to be a scheduled activity if:</p> <p>(a) more than 5 tonnes of hazardous waste, restricted solid waste, liquid waste or special waste (other than waste tyres) is stored on the premises at any time, or</p> <p>(b) more than 5 tonnes of waste tyres or 500 waste tyres is stored on the premises at any time (other than in or on a vehicle used to transport the tyres to or from the premises), or</p> <p>(c) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) are stored on the premises at any time:</p> <p>(i) in the case of premises in the regulated area—more than 1,000 tonnes or 1,000 cubic metres,</p> <p>(ii) in the case of premises outside the regulated area—more than 2,500 tonnes or 2,500 cubic metres, or</p> <p>(d) more than the following amounts of waste (other than waste referred to in paragraph (a) or (b)) is received per year from off site:</p> <p>(i) in the case of premises in the regulated area—6,000 tonnes,</p> <p>(ii) in the case of premises outside the regulated area—12,000 tonnes.</p>	<p>The subject site is located within a regulated area.</p> <p>The proposed facility is expected to store up to 100 tonnes of scrap metal at any one time. Conditions are also imposed in the Draft Notice of Determination restricting that no more than 80 tonnes of waste shall be stored on site at any one time, noting the designated storage bays within the building have a capacity to store a maximum of 72 tonnes of material.</p> <p>Conditions are imposed in the Draft Notice of Determination requiring waste receipts detailing the quantity and type of waste received by the facility to be recorded and provided to Council upon request, to ensure that the total quantity of all waste processed at the facility does not exceed 20,000 tonnes per year, which is contrary to 3(d), however below the threshold specified for scrap metal processing as detailed above.</p>
<p>(4) For the purposes of this clause, 1 litre of waste is taken to weigh 1 kilogram.</p>	<p>Noted.</p>

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Noting the above, the proposed development is not classified as 'Integrated Development' pursuant to Clause 4.46 of the EP & A Act.