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Rutherford Tyre Recyclers Proposed Tyre Recycling Facility SEARs Scoping Report

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We declare that:

This SEARs scoping report contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and the information contained in this report is neither false nor misleading.

Report version	Authors	Date	Reviewer	Approved for issue	Date
DRAFT V1.0	V.Wilson	17/07/2023	Dr M.Jackson	Dr M.Jackson	20/07/2023
DRAFT V2.0	V.Wilson	21/07/2023	Dr M.Jackson	Dr M.Jackson	21/07/2023
FINAL V3.0	V.Wilson	05/09/2023	Dr M.Jackson	Dr M.Jackson	05/09/2023

EXECUTIVE SUMMARY

Rutherford Tyre Recyclers propose to establish a tyre recycling facility within an existing shed building located at 9 Burlington Place RUTHERFORD NSW 2320 (Lot 3005 DP1040568).

The Site is located in Maitland Local Council, zoned in an E4 General Industrial zone and is adjacent to RE2 Private Recreation zoned lands at the south-east corner. The Site is surrounded by other industrial sheds, with close proximity to cleared land to the South. The Site is located at a distance of ~875m from the nearest R1 residential zone and separated by a strip of RE1 Public Recreation zone. The RE2 Private Recreation zone adjoining the south-east corner of the site is developed as Oak Tree Retirement Village and is at a distance of approximately 257m.

The Site holds an existing development consent no. DA03/1383 for an individual storage shed.

The Site covers an area of 1,655m² and has a stormwater drainage easement of 2.5m along the eastern side of the property. The shed covers an area of approximately 640m², inclusive of an industrial area, awning area and office area. The industrial shed will be used for a tyre recycling production line, tyre storage area, crumb rubber storage area and rubber tile press production. The existing shed will require some alterations as part of the proposed development. Currently the industrial shed has an open awning towards the rear of the Site. This will be enclosed, the dividing wall removed, and two roller doors installed - to create a larger fully enclosed industrial shed on site. The Proposal will be subject to the fire safety provisions of *Fire and Rescue NSW (2014) Fire Safety Guidelines – Guideline for Bulk Storage of Rubber Tyres*.

The Site has a sealed hardstand covering most of the Site with some landscaping at the front of the Site and a small grass area at the back of the Site. The nearest water courses are two intermittent tributaries of Stony Creek are located at a distance of ~220m and ~225m from the eastern boundary of the site. Stony Creek flows west-east at a distance of ~720m to the South of the Site. All recycling works are proposed to be carried out within the shed. The storage of incoming tyres will occur in the shed.

It is noted that the Proposal is located approximately 257m from a nearby residential dwelling and is likely to trigger designated development under Clause 45(4)(f) of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*. The Proposal is characterised as a resource recovery facility that is permissible under the *Maitland Local Environmental Plan 2011*.

The Proposal will trigger the requirement for an EPA license because the waste storage activity will exceed 5 tonnes of waste tyres stored on the premises at any time. The Proposal will be under the limit for resource recovery and so not require an EPA license for this part of the Proposal.

This SEARs scoping report helps inform the range of issues that will need to be considered by the Proponent for a proposed development application. The assessment has considered planning and legislative requirements, as well as site conditions, topography, biodiversity, geology and soils, surface water management, groundwater, air quality, noise, traffic management, bushfire, 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 State and Local Planning Policies. The SEARs scoping report has also considered the sustainability benefits of the project, including the environmental, economic and social benefits.

The SEARs scoping report found that consideration will need to be given to air quality, noise, fire, traffic, parking, community consultation and stormwater and drainage to ensure that impacts on the environment and neighbouring properties are avoided and/or minimised as much as possible. This report will assist Department of Planning and Environment and agencies to prepare the SEARs requirements for the Proposal.

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1. Introduction

This SEARs scoping report has been prepared to request input from the relevant consent authorities for the proposed Development Application at 9 Burlington Place, RUTHERFORD NSW 2320 (Lot 3005 / DP1040568). The Proponent is Rutherford Tyre Recyclers.

1.1 Background

Rutherford Tyre Recyclers proposes to develop and operate a small tyre recycling facility from 9 Burlington Place, RUTHERFORD NSW 2320 (Site) located in Maitland City Council area. The Site is located in an E4 General Industrial zone and is adjacent to RE2 Private Recreation zoned lands at the south-east corner.

Rutherford Tyre Recyclers propose to set up and process approximately 4,500 tonnes of tyres per year. The industrial shed will be upgraded to meet with the requirements of operating the waste tyre recycling facility. All operations will be indoors, inside the industrial shed. The existing shed will require minimal alterations as part of the proposed development. Currently the industrial shed has an open awning towards the back. This will be enclosed, the dividing wall removed, and two roller doors installed to create a larger fully enclosed industrial shed on site.

The Council of Australian Governments has implemented a ban on the export of whole used tyres from 1 December 2021. Rutherford Tyre Recyclers is seeking approval to develop and operate a new crumb rubber production plant that will allow them to increase their tyre recycling capabilities in lieu of the tyre export ban.

1.2 Planning Pathway Overview

Rutherford Tyre Recyclers seek to set up and process 4,500 tonnes of tyres per year. The Site is located in Maitland City Council area, zoned E4 General Industrial under the *Maitland Local Environmental Plan 2011*. The Site is in close proximity to the RE2 Private Recreational zone is at a distance of ~257m, from the south-east corner of the property, and 875m from the nearest residential zoned across from Racecourse Road. Racecourse road merges into the New England Highway, a major arterial road. Towards the Southern end of the Site is the Main Northern Railway line connecting the Site via rail and road infrastructure.

It is noted that the Proposal is located approximately 257m from a nearby retirement village and is likely to trigger designated development under Clause 45(4)(f) of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*. This is considered a designated development because of potential impacts the Proposal could have in relation to noise and air quality for residents of the retirement village.

The Proposal is characterised as a resource recovery facility that is permissible under the *Maitland Local Environmental Plan 2011*.

1.3 Purpose of Report

The aim of this SEARs scoping report is to provide the Department of Planning and Environment (DPE) and the relevant Consent Authorities with information about the any identified environmental impacts for the Proposal. Rutherford Tyre Recyclers is committed to complying with all laws that affect its operations and understands that development approval is required prior to the proposed development occurring.

1.4 Site Description

The entire lot is 1,655m² in area. The Site has one existing shed, an open awning, a concrete sealed hardstand and a small amount of landscaping located at the front and back of the site. The existing shed is ~638m², with a ~35 m² office attached, as well as two bathrooms, an office and a foyer. The existing shed will be used as the Tyre Recycling Facility. A total of 5 car park spaces are available on site.

The Site is located at a distance of ~875m from the nearest R1 residential zone and separated by a strip of RE1 Public Recreation zone. The RE2 Private Recreation zone to the south-east corner of the Site is developed as Oak Tree Retirement Village and is at a distance of approximately 257m. The nearest water courses are two intermittent tributaries of Stony Creek are located at a distance of ~220m and ~225m from the eastern boundary of the site. Stony Creek flows west-east at a distance of ~720m to the South of the Site.

The Site is adjacent to the industrial sheds at Northeast, East and South. To the west of the Site is the RSPCA offices and shelter. Maitland City Council’s urban release areas are at distances of ~1,055 m to the South, ~855 m to the North and ~830 m to the West of the Site. The Maitland City Council’s designated flood planning area is located at a distance of ~650 m to the northeast of the Site. The Biodiversity Values land is located at a distance of ~710 m to the South. The buffer zone of the bushfire prone lands is at a distance of ~575m from the site.

The general locality of the Site with an aerial view is shown in Figure 1.1. The land use zoning of the Site and surrounds is shown in Figure 1.2. Figure 1.3 shows a close aerial image of the site.

1.5 The Proponent

The proponent is Rutherford Tyre Recyclers who also operate a tyre retailing and fitting business located at 14 Racecourse Road, Rutherford (Tyres & More). The proposed development will enable the receipt, processing and recycling of tyres principally from Tyres & More, with the tyres currently transported out of the Hunter Valley for processing and recycling. The benefit of this Proposal is that local tyre recycling infrastructure will be developed, providing a local solution for beneficial tyre recycling.

1.6 Site History and Approvals

The Site received development approval in 2003 for an industrial shed, with development consent issued under DA03/1383. The Site contains a single storey industrial shed with vehicular access. There is an outdoor concrete hardstand covering most of the Site with landscaping at the front of the Site and a small grass area at the back of the Site.

A summary of the development approvals currently applying to the property are listed in Table 1.1.

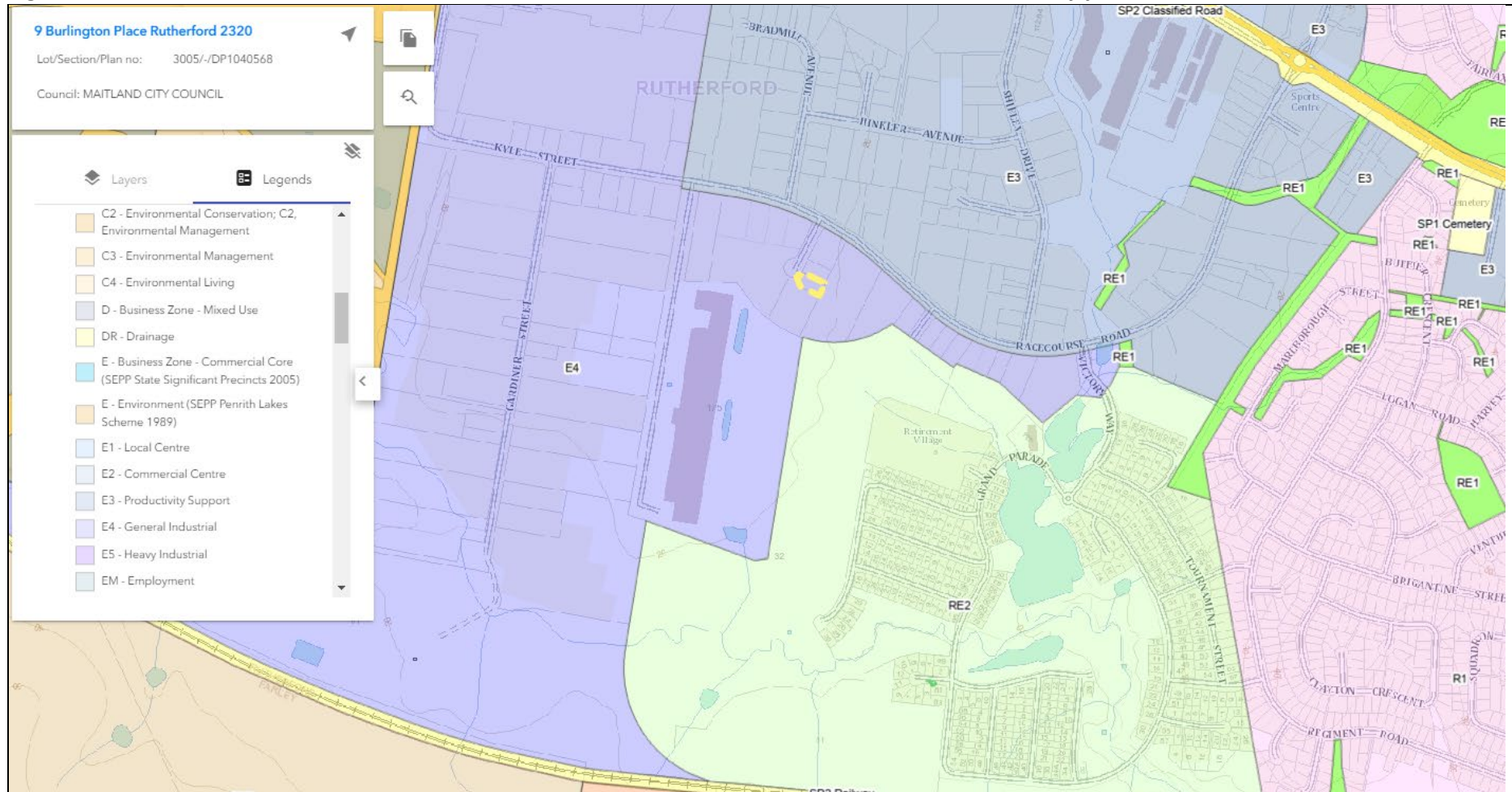
Table 1.1. List of development approvals that exist on the property.

DA number	Description	Date approved	DA status
DA03/1383	Industrial Building and First Use Storage of Earth Moving Equipment/Crane and General Fabrication	2003	DA implemented

Figure 1.1. Aerial map of site location at 9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568). Approximate Lot boundaries are shown in yellow. Note: Near maps note the Site as 9 Burlington Close RUTHERFORD NSW 2320.



Figure 1.2. Site is located in Land use zone E4 General Industrial under Maitland LEP 2011. Site is bounded by yellow dashes.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd	 <p>JACKSON ENVIRONMENT AND PLANNING STRATEGY INFRASTRUCTURE COMPLIANCE PROCUREMENT</p>	Client	Rutherford Tyre Recycling Facility
24/05/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Project	SEARs Scoping Report
						Title	Land uses, ePlanning Spatial Viewer
						Scale	As shown
						Source	Department of Planning and Environment - ePlanning Spatial Viewer

Figure 1.3. Aerial view of 9 Burlington Place, RUTHERFORD, NSW 2320 (Lot 3005 / DP1040568). Approximate site boundaries shown in red.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd		Client	Rutherford Tyre Recyclers
13/07/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Project	SEARs Scoping Report
						Title	General Locality Aerial Map
						Scale	n/a
						Source	Nearmaps

2. Description of the project

2.1 Overview of proposed development

The Proposal will involve the fit out of the existing shed with plant and equipment for tyre recycling. The tyre recycling process consists of shredding and granulation of waste tyres. Thermomoulding process will be used to produce rubber matting and rubber pavers on the premises from the crumb rubber. The recovered products from waste tyre are crumb rubber, recovered steel and cotton. The proposed development will create a range of materials which will be sold into a range of markets. The materials produced will be crumb rubber, recovered steel, cotton, rubber pavers and rubber matting.

The Site contains an existing shed that will be used to house the tyre recycling production line. This shed contains an industrial area, office area and staff amenities area. Currently this shed is being used for storage with a proposed change of use to become a tyre recycling facility. The existing shed will require minimal alterations as part of the proposed development. The industrial shed has an open awning towards the back. This will be enclosed, the dividing wall removed, and two roller doors installed to create a larger fully enclosed industrial shed on site.

The proposed site layout plan shown in Figure 2.1. This production line would be capable of producing 1,000kg of rubber crumb per hour. The overview of what will be involved for the waste tyre production line is outlined in Section 2.2. It is envisaged that the facility will receive and process up to 4,500 tonnes of tyres per year.

Rutherford Tyres Recyclers have been working to identify a way they can recycle used tyres into crumb rubber. Additionally, materials that can be created on-site from this newly generated crumb rubber have been identified as rubber matting and tiles. Various other end users for crumb rubber have also been identified, as well as the waste nylon/cotton and steel retrieved during the processing of tyres. Crumb rubber is useful in asphalt production and soft-fall material for children's playgrounds. The recovered steel can be recycled by steel manufacturers, and the recovered nylon can be used in glue production.

In 2019, the Council of Australian Governments (COAG) agreed to ban the export of a range of waste types including whole tyres (except truck, bus and aviation tyres being exported for re-treading) commencing on 1 December 2021. The ban will increase the volume of waste material remaining in the country to be recycled and repurposed and aims to boost innovation and job creation within the waste management sector. As a result of the ban on tyre export, there is an immediate need to develop local tyre recycling and reuse infrastructure.

Rutherford Tyre Recyclers are seeking to expand into the crumb rubber production through the purchase of one crumb rubber production plant. This plant will sit in an existing industrial shed alongside a tyre storage space and a rubber tiles production line. The crumb rubber production plant and rubber tiles production line are located in the front half of the shed. The whole tyre storage space is a maximum of 30m² and located adjacent to the crumb rubber production line towards the middle of the shed. Crumb rubber will be stored in 1 tonne bulka bags within the designated crumb rubber storage area, located towards the back of the shed with a maximum storage space of 30m². All rubber tiles and mats produced on-site will be stored on pallets in the designated crumb rubber storage area to a maximum height of 3.7m. These are temporarily stored on-

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site before being sold and transported from the Site. Refer to Figure 2.1. and Appendix 1 for the location of the production and storage areas mentioned above.

Incoming waste tyres will be received primarily from Tyres & More in Rutherford.

2.2 Waste Tyre Recycling Production Line

The crumb rubber production plant will have an efficiency of 98%, with only 2% of the tyres unable to be recycled using this technology. The proposed tyre recycling process comprises seven steps to produce tyre crumb from whole tyres¹. Refer to Figure 2.1 and Appendix 1 for the plans of the tyre recycling production line within the existing shed.

2.2.1 Step 1: Tyre de-beader

The first step in tyre recycling is de-beading, which is the process of removing the bead wires from inside the tyre's sidewalls. This is an important step because it allows the shredding process later down the production line to produce a cleaner product. Another benefit of de-beading is that the shredder is not having to shred metal material, resulting in less wear.

The proposed machine for this development is a single hook tire de-beader which has a capacity of 20-40 tyres an hour, capable of a maximum tyre diameter of 1200mm. The dimensions are length - 4500mm, width - 900mm and height - 2350mm.

2.2.2 Step 2: Tyre Strip Cutter

Once the tyre has been de-beaded, the tyre cutter machine is used to cut the tyre into a long rubber strip with a width of between 3-8mm. The machine is comprised of two circle knives that are capable of cutting through the tyre, creating one long rubber strip.

2.2.3 Step 3: Whole Tire Shredder

The whole tyre shredder machine has input and output conveyor belts. The tyres are placed on the input conveyor belt to be transported into the whole tyre shredder machine. The proposed machine will result in 60x60mm rubber crumb.

The proposed machine has a production capacity of 3,500-4,000kg/hour. The conveyor belts are 8,000m in length and 550mm in width.

2.2.4 Step 4: Double Roller Rubber Breaker (Crusher)

This stage of the recycling process involves crushing the rubber blocks into mesh rubber powder. This is achieved by two rollers within the machine rotating at different velocities, with the size of the rubber powder dependent on the roll gap.

The proposed machine to be used for the tyre crushing stage is able to process input tyre rubber size of 60x60mm and output between 1-30 mesh. The dimensions are length - 5470mm, width - 2180mm and height - 1960 mm.

¹ Tyre Recycling Machines (2023). Internet Publication:
<https://tirerecyclingmachines.com/product/Hydraulic-Tire-Debeader.html>

2.2.5 Step 5: Vibration Screen

The vibration screen is used to separate the different sized pieces of rubber crumb. This process occurs immediately after the crusher machine.

2.2.6 Step 6: Magnetic Separator

A magnet separator machine is used to separate the small steel wire from the mixed rubber granules. A larger separator is used first, followed by a smaller one for further separation. Once the rubber powder has gone through both magnetic separators, all steel wire will be completely removed from the rubber powder.

2.2.7 Step 7: Fiber Separator

To improve the purity of crumb rubber, a fiber separator is used to separate fiber and fluff from the rubber crumb. To achieve this, the rubber powder is fed from the smaller magnetic separator into the fan which drives the powder along the feeding pipe and into the material tank. This material tank is above the fiber separator before entering into the separator. The high speeds of the fans create negative pressure, resulting in the fluff rising and the rubber crumb falling down. One outlet is for the tyre crumb, another for the fiber and fluff collected.

2.2.8 Final Product: Rubber Crumb

The final product from the tyre recycling production line will be a pure rubber crumb.

2.3 Rubber Tiles Production Line

A small thermal-moulding process will also be used to convert rubber crumb into rubber matting and rubber pavers. Once the rubber crumb production is complete, this material will be used to produce rubber matting and rubber pavers on the premises. Refer to Figure 2.1 for location of rubber tiles production line.

2.3.1 Step 1: Rubber Mixer

The first step in producing rubber mats and pavers using a rubber mixing machine to mix the rubber crumb together with glue. This is for the bottom of the rubber tile.

The Rubber Mixer is round, with an 850mm diameter and 320mm depth.

2.3.2 Step 2: Barrel Mixer

The second stage uses a barrel mixer to create the top part of the rubber tile. The materials involved in this are the rubber crumb, pigment and glue.

The Barrel Mixer has a 50L per batch capacity with the ability to use 4 barrels to mix different colours.

2.3.3 Step 3: Vulcanizing Machine

The application of this is to produce rubber tile. The machine creates vulcanized rubber tiles by compressing the rubber into dense, ultra-durable, non-porous rubber tiles. The proposed machine contains two set molds in each working layer, which alternate with vulcanization, allowing improved productivity efficiency.

2.3.4 Rubber Tile Molds

The type of rubber mold depends on the type of rubber tiles being made. The rubber floor mats will have overall dimensions of either 1000x1000x25mm or 500x500x25mm. Interlocking rubber floor mats will have dimensions of 500x500x25mm and rubber floor tiles will have dimensions of 200x160x25mm.

2.4 Proposed Operating Hours

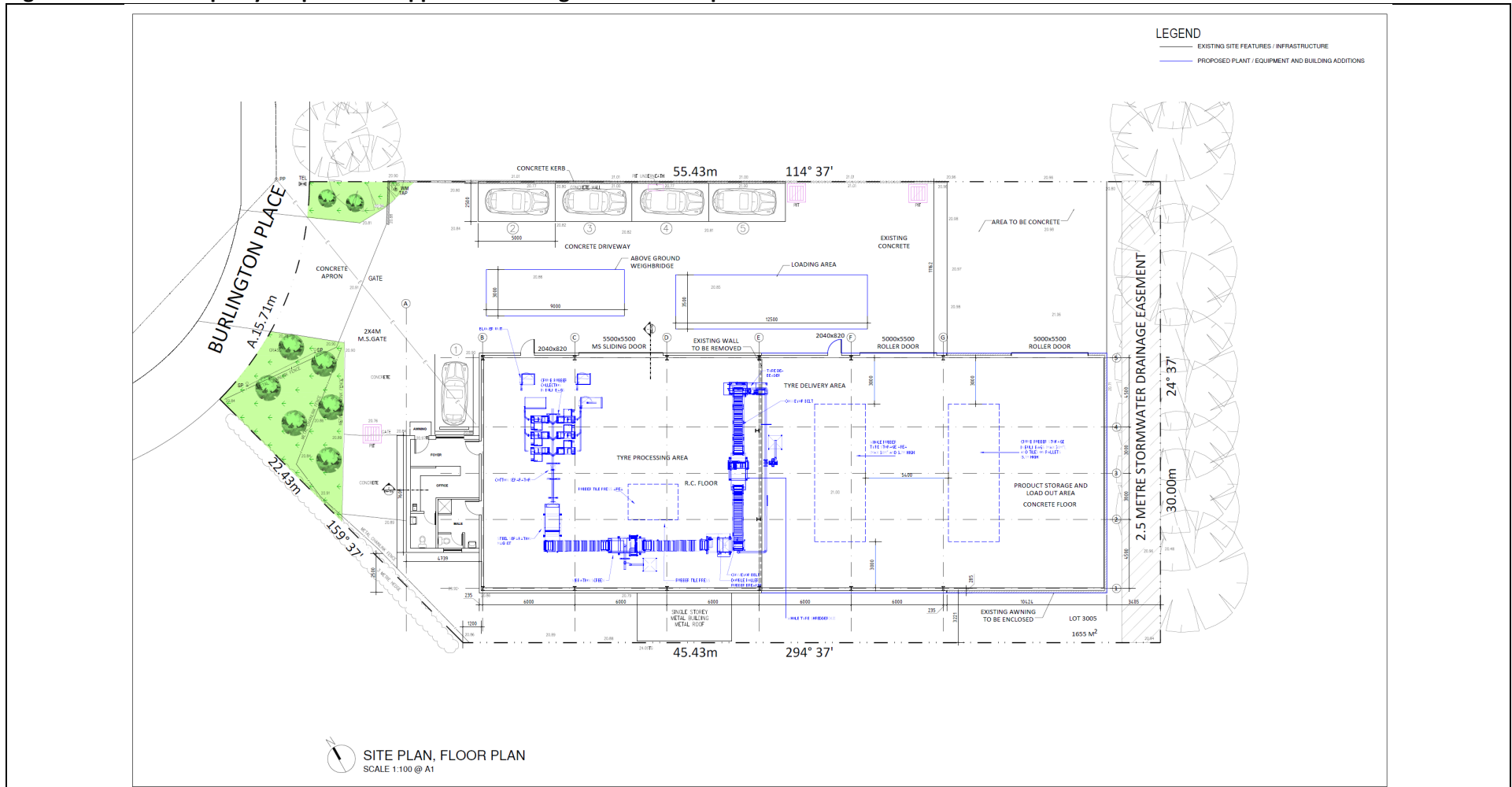
The proposed operating hours for this development are 5am to 6pm on weekdays, 8am to 1pm on Saturdays and closed on Sundays and Public Holidays. A breakdown of the weekly operation is as follows:

- Crumb Rubber Production
 - Monday – Friday: 5am – 6pm
 - Saturday: 8am – 1pm
 - Sunday & Public Holidays – Closed
- Tyre Delivery
 - Monday – Friday: 7am – 6pm
 - Saturday: 8am – 1pm
 - Sunday & Public Holidays – Closed

These operating hours have been proposed to enable the utilisation of off-peak electricity rates, with electricity necessary to drive the tyre recycling production line. As part of the proposed operating hours for crumb rubber production fall within 'nighttime' period (between 5am – 7am period), a noise study assessment will be required to demonstrate that the crumb rubber production does not exceed noise criteria as per the NSW EPA's *Noise Policy for Industry* (2017)².

² NSW (2017) Noise Policy for Industry (2017). Internet publication: [https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-\(2017\)](https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017))

Figure 2.1. Site concept layout plan. See Appendix 1 for higher resolution plans.

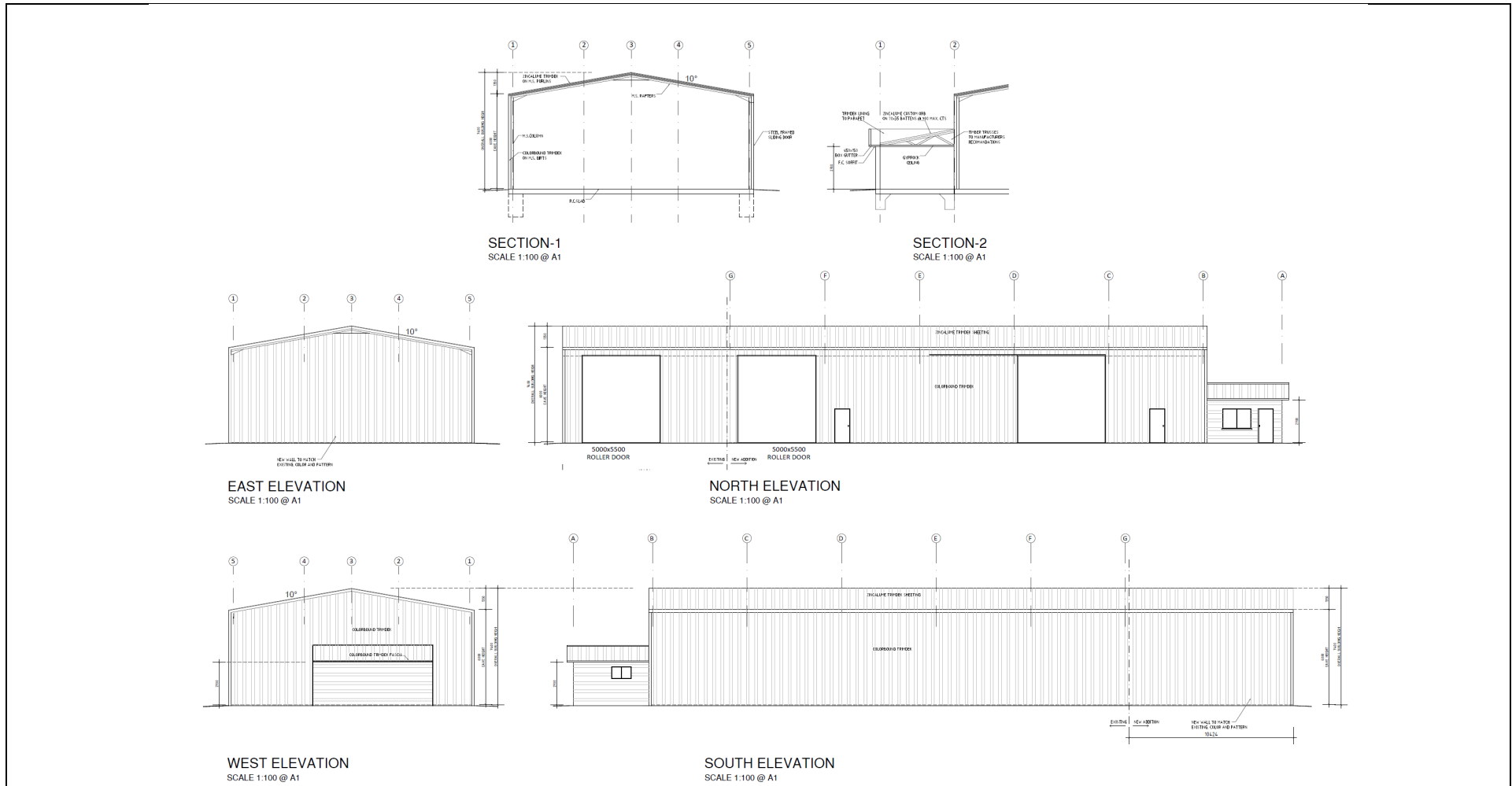


Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd
05/09/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot / 3005 DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au



Client	Rutherford Tyre Recycling Facility
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Title	Site concept layout plan
Scale	1:100
Source	Jackson Environment and Planning

Figure 2.2. Existing site elevation plan. No changes will occur as part of the Proposal.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd Strategy Infrastructure Compliance Procurement	 <p>JACKSON ENVIRONMENT AND PLANNING STRATEGY INFRASTRUCTURE COMPLIANCE PROCUREMENT</p>	Client	Rutherford Tyre Recycling Facility
28/08/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot / 3005 DP1040568)	A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Project	SEARs Scoping Report
						Title	Site Elevation Plan
						Scale	1:100
						Source	JEP

2.5 Quantities of Waste Tyres To Be Stored

Waste tyres will primarily be brought to site from Tyres & More. No other forms of waste are brought on to the Site. The tyres will be stored in the tyre storage space located at the eastern side of the shed, with a maximum capacity of 30m².

The output materials are expected to be 92% crumb rubber, 6% steel and 2% cotton. The storage of output materials from processing the tyres will be for a minimum period. These materials include crumb rubber, recovered steel, cotton, rubber pavers and rubber matting material. Expected amounts of the materials and their respective storage areas are as per Table 2.1.

The proposal will store tyres in a designated stacked tyre storage with a maximum 30m² amount of space available in accordance with *NSW Fire and Rescue 2014 Fire Safety Guideline – Guideline for Bulk Storage of Rubber Tyres*³. Fire and safety requirements relating to responsible tyre stacking can be found in Section 3.3.2.

Table 2.1. Breakdown of material type, estimated quantities and storage information.

Flow of material	Materials	Type of material	Estimated tonnes per annum	Maximum storage at any one point in time (m ³)	Maximum storage at any one point in time (tonnes)	Type of storage
Input	Whole Tyres	Input material	4,500	30m ³	30	Stacked tyre storage area
Output	Crumb Rubber	Output material	4,140	30m ³	30	1 tonne bulka bags
Output	Recovered Steel	Output material	270	4m ³	4	1 tonne bulka bags
Output	Cotton	Output material	90	4m ³	4	1 tonne bulka bags
Output*	Rubber Pavers	Output material	415	11m ³	11	Stacked on Pallets
Output*	Rubber Matting Material	Output material	415	11m ³	11	Stacked on Pallets
Total	-	-	4,500	90m ³	90	-
Total Actual**	-	-	4,500	68m ³	68	-

*Output uses crumb rubber, a material produced on-site.

**Does not include rubber pavers and rubber matting because this is produced on-site using the crumb rubber produced on site, therefore avoiding double counting.

2.3 Vehicles entering the Site

Vehicles entering the Site will include staff vehicles and one medium rigid vehicle (MRV) for tyre deliveries each day. This same MRV will load out recycled products to market, including crumb rubber, rubber pavers

³ NSW Fire & Rescue 2014 Fire Safety Guideline - Guideline for bulk storage of rubber tyres
https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/rubber_tyres.pdf

and mats, cotton and recovered steel. There will be 4 employees onsite each day, 3x onsite and 1x truck driver.

Daily vehicle movements are estimated as follows:

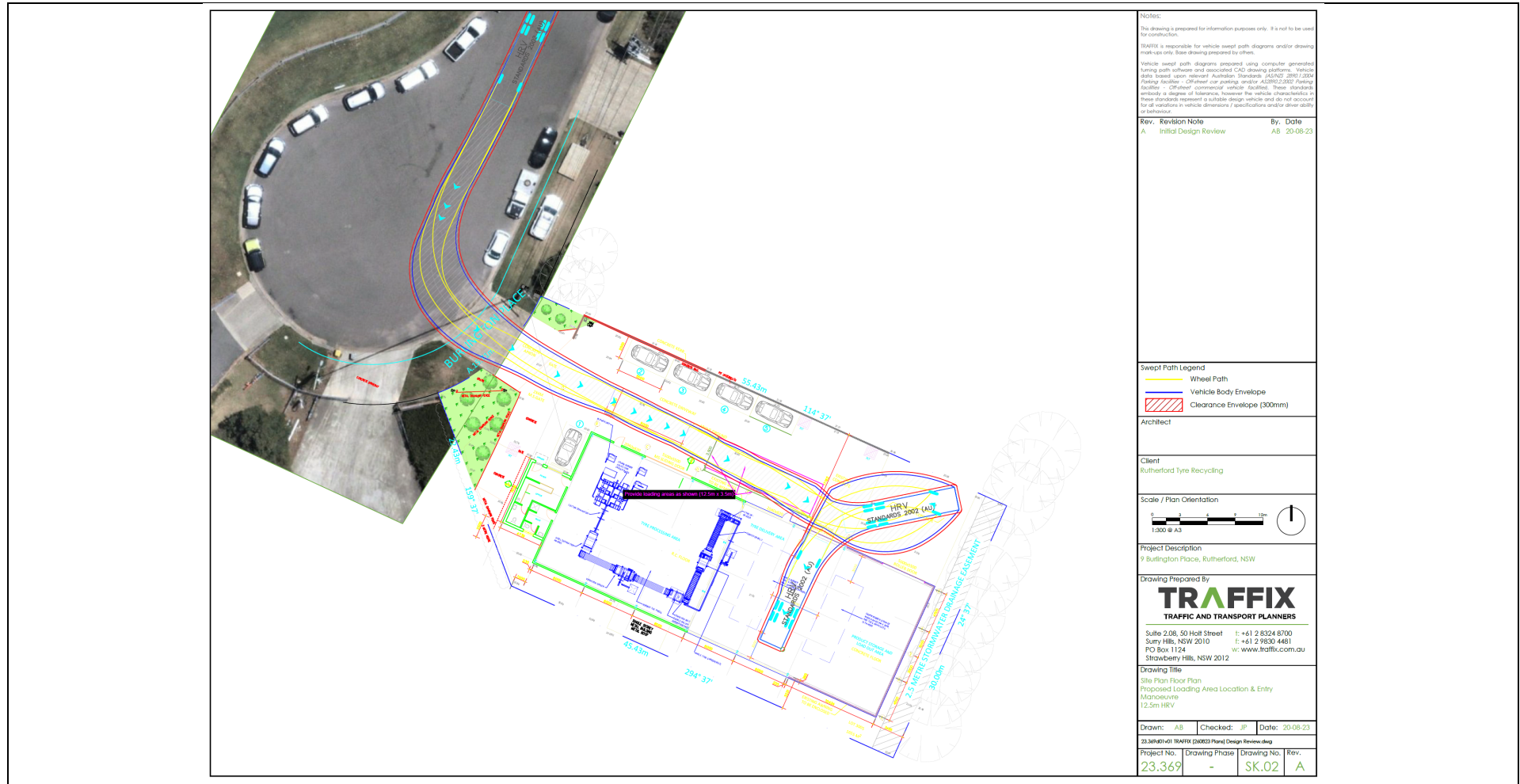
- A maximum of 4,500 tonnes of tyres delivered to site each year;
- The facility shall operate 6 days per week, 51 weeks per year = 299 days per year (allowing for public holidays/Christmas break);
- Average MRV (inbound used tyres and backload out of finished products) load weight of 7.5 tonnes per day anticipated;
- Equates to 2 truck deliveries per day;
- Plus four staff vehicle movements (in) per day;
- Total vehicle movements (in and out) are therefore 12 per day (8 of which are staff vehicles and 4 are MRV's).

All vehicles will enter from Burlington Place via the access driveway onto site. The Site has five car parking spaces for staff and visitor vehicles along the northern boundary of the site. To exit the Site, vehicles will reverse into the industrial shed via the roller doors located between F and G on the site plan, refer to Figure 2.1 for site plan, and exit the Site onto Burlington Place in a forward direction. Refer to Figure 2.3 for the swept path showing the vehicle entering the Site in a forward direction and Figure 2.4 for the swept path showing the vehicle exiting the Site in a forward direction.

A 9m portable above ground weighbridge will be located near the site entrance. A 12.5m loading area is proposed to be located outside between the front and middle sliding door (marked between D and F on the site plan, see Figure 2.1). Tyres will be offloaded outside and brought into the shed to be placed in the tyre storage area towards the eastern side of the shed, refer to Figure 2.1.

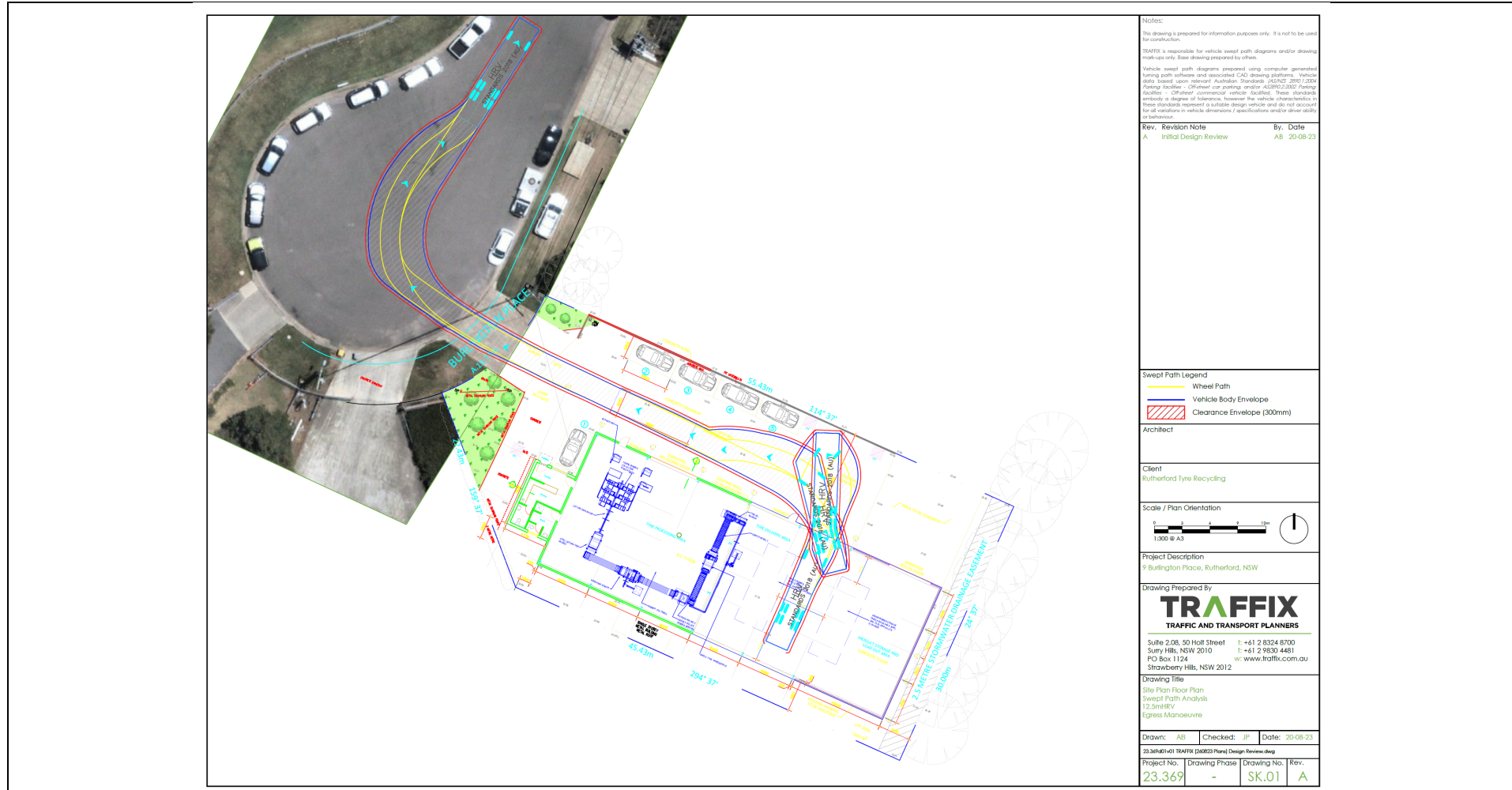
The MRV will arrive with whole used tyres and leave site with the recycled material produced on site. This will include crumb rubber, cotton, steel and rubber pavers/mats. Backloading will allow for less vehicles being needed on site, reducing traffic.

Figure 2.3. Swept path showing vehicle entering the Site in a forward direction.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd	 <p>JACKSON ENVIRONMENT AND PLANNING STRATEGY INFRASTRUCTURE COMPLIANCE PROCUREMENT</p>	Client	Rutherford Tyre Recycling Facility
01/09/23	Revision A	V. Wilson	9 Burlington Place Rutherford NSW	Strategy Infrastructure Compliance Procurement		Project	SEARs Scoping Report
			2320 (Lot 3005 / DP1040568)	A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060		Title	Swept path – vehicle entering site
				E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Scale	As shown
						Source	Traffix

Figure 2.4. Swept path showing vehicle exiting the site in a forward direction.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd
01/09/23	Revision A	V. Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au

Client	Rutherford Tyre Recycling Facility
Project	SEARs Scoping Report
Title	Swept path – vehicle exiting site
Scale	As shown
Source	Traffix

3. Planning and legislative requirements

For the purpose of this SEARs scoping report, the tyre recycling facility is considered a “Waste or Resource Management Facility”. The *Maitland Local Environmental Plan 2011*⁴ defines a waste or resource management facility as any of the following:

- (a) *A resource recovery facility*
- (b) *A waste disposal facility*
- (c) *A waste or resource transfer station*
- (d) *A building or place that is a combination of any of the things referred to in paragraphs (a)-(c)*

The Proposal meets the definition of a Resource Recovery Facility. This is defined under the Maitland LEP as *a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.*

Note—Resource recovery facilities are a type of waste or resource management facility.

Under the *Maitland Local Environmental Plan 2011*, resource recovery facilities are permitted with consent within E4 General Industrial zoned areas under the *Maitland Local Environmental Plan 2011*. It is noted that a ‘waste resource management facility’ is permitted with consent as ‘any other development not specified in item 2 or 4’.

The following sections outline the statutory planning, legislation and strategy that is applicable to the Site and the Proposal.

3.1 Commonwealth Planning Instruments and Policy

3.1.1 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) came into force from 16 July 2000. The EPBC Act requires actions which are likely to have a significant impact on matters of National Environmental Significance, or which have a significant impact on Commonwealth land, to be referred to the Commonwealth Minister for the Environment for approval.

The nine matters of National Environmental Significance protected under the EPBC Act are:

- World heritage properties;
- National heritage places;
- Wetlands of international importance (listed under the Ramsar convention);
- Listed threatened species and ecological communities;
- Migratory species protected under international agreements;
- Commonwealth marine areas;

⁴ [Maitland Local Environmental Plan 2011 - NSW Legislation](#)

- The great barrier reef marine park;
- Nuclear actions (including uranium mines); and
- A water resource, in relation to coal seam gas development and large coal mining development.

No National Environmental Significance matters would be impacted by the proposed development.

3.1.2 Environmental Planning and Assessment Act 1979

Section 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the accompanying Regulation provide the framework for environmental planning in NSW. It includes provisions to ensure that proposals which have the potential to impact the environment are subject to detailed assessment and to provide opportunity for public involvement.

The proposed development is consistent with the overall objectives of the *Environmental Planning and Assessment Act 1979* and is considered capable of fulfilling the statutory requirements. The preliminary environmental assessment of the site has determined that the proposed development will not result in any significant negative impacts that cannot be adequately mitigated or managed.

3.1.3 Environmental Planning and Assessment Regulation 2021

While the EP&A Act provides the overarching framework for the planning system in NSW, the *Environmental Planning and Assessment Regulation 2021* (the EP&A Regulation) came into effect from 18 February 2021 and supports the day-to-day requirements of this system. It supplements the broader provisions of the Act and covers matters such as local environmental plans and development control plans, which are used by councils to manage growth and development through the use of land use zoning, development standards and other planning mechanisms. It also contains key operational provisions relating to the development assessment and consent process, requirements associated with development contributions, and fees for planning services.

The proposal is located 257m from the Oak Tree Retirement Village, situated within an RE2 Private Recreation Zone. Given residents live permanently in these dwellings, for the purposes of this assessment, this RE2 Private Recreation Zone is considered to be a form of residential zone. It is further noted that an R1 General Residential Zone is located ~875m east of the Proposal.

It is noted that the Proposal is located less than 500m from a Residential Zone. The Proposal is likely to trigger designated development under Clause 45(4)(f) of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*. This clause is outlined as follows (underlined for emphasis):

- (4) Development for the purposes of a waste management facility or works is designated development if the facility or works are located—
- (a) *in or within 100 metres of a natural waterbody, wetland, coastal dune field or environmentally sensitive area of State significance, or*
 - (b) *in an area of high water table, highly permeable soils, acid sulfate, sodic or saline soils, or*
 - (c) *in a drinking water catchment, or*
 - (d) *in a catchment of an estuary where the entrance to the sea is intermittently open, or*
 - (e) *on a floodplain, or*
 - (f) *within 500 metres of a residential zone or 250 metres of a dwelling not associated with the development and, in the consent authority's opinion, considering topography and local*

meteorological conditions, are likely to significantly affect the amenity of the neighbourhood because of noise, visual impacts, vermin, traffic or air pollution, including odour, smoke, fumes or dust.

Whilst it is expected that the Proposal will not ‘...*significantly affect the amenity of the neighbourhood because of noise, visual impacts, vermin, traffic or air pollution, including odour, smoke, fumes or dust*’, the designated development pathway is considered appropriate given the sensitive receptors located in area surrounding the Proposal.

3.1.4 Protection of the Environment Operations Act 1997

The *Protection of the Environment Operation Act 1997* (POEO Act) prohibits any person from causing pollution of waters, or air and provides penalties for air, water and noise pollution offences. Section 48 of the Act requires a person to obtain an Environment Protection Licence from the NSW Environment Protection Authority before carrying out any of the premise-based activities described in Schedule 1 of the Act.

Schedule 1, Part 1 (34) of the Act lists ‘Resource recovery’ including ‘recovery of waste tyres’ as an activity. ‘Recovery of waste tyres’ *means the receiving of waste tyres from off site and their processing, otherwise than for the recovery of energy.*

A Resource Recovery activity is declared to be a scheduled activity if it meets the following criteria:

“...if the premises are in the regulated area—

(a) involves having on site at any time more than 1,000 tonnes or 1,000 cubic metres of waste, or

(b) involves processing more than 6,000 tonnes of waste per year if the premises are outside the regulated area-

(a) involves having on site at any time more than 2,500 tonnes or 2,500 cubic metres of waste, or

(b) involves processing more than 12,000 tonnes of waste per year.”

Schedule 1 of the Act (Clause 42) details “Waste Storage” as an activity. Waste storage means the receiving from off site and storing (including storage for transfer) of waste.

A waste storage activity is declared to be a scheduled activity if it meets the following criteria:

(c) 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);

The Proposal will trigger the requirement for an EPA license because the waste storage activity will exceed 5 tonnes of waste tyres stored on the premises at any time. The Proposal will be under the limit for resource recovery and so not require an EPA license for this part of the Proposal.

3.1.5 Protection of the Environment Operations (Waste) Regulation 2014

During 2013-14 the EPA carried out an extensive review and consultation process on NSW's waste regulatory framework. The result was the *Protection of the Environment Operations (Waste) Regulation 2014* (the Waste Regulation).

The Waste Regulation improves the EPA's ability to protect human health and the environment and paves the way for a modern and fair waste industry in NSW. The EPA rolled out the new rules stipulated under the Waste Regulation in stages over 2014-2017.

These changes include amended thresholds for environment protection licences and reforms to the waste levy system.

The Waste Regulation is supported by the Waste levy guidelines. These guidelines specify how to measure waste to calculate waste levy liability, the deductions waste operators can claim, and the EPA's requirements for records, surveys and reports. All licensed processing, disposal, recycling and storage facilities within the metropolitan levy area or regional levy area are subject to the levy system.

As the Proposal is considered a scheduled waste facility, a weighbridge is required under Clause 36 of the Waste Regulation. A 9m portable above ground weighbridge will be located near the site entrance.

3.2 NSW Environmental Planning Instruments and Policies

3.2.1 Maitland Local Environmental Plan 2011⁵

The *Maitland Local Environment Plan 2011* aims to make local environment planning provisions for land in Maitland in accordance with the relevant standards environmental planning instrument under Section 3.20 of the Act.

The objectives of this zone are:

- To provide a range of industrial, shed, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

The Maitland LEP defines a waste or resource management facility as any of the following:

- (a) *A resource recovery facility*
- (b) *A waste disposal facility*
- (c) *A waste or resource transfer station*
- (d) *A building or place that is a combination of any of the things referred to in paragraphs (a)-(c)*

⁵ Maitland Local Environmental Plan 2011

https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2011-0681#pt-cg1.Zone_E4

The Proposal meets the definition of a Resource Recovery Facility. This is defined under the Maitland LEP as:

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

Note—Resource recovery facilities are a type of waste or resource management facility.

Under the *Maitland Local Environmental Plan 2011*, resource recovery facilities are permitted with consent within E4 General Industrial zoned areas.

3.2.2 State Environmental Planning Policy (Planning Systems) 2021

The *State Environmental Planning Policy (Planning Systems) 2021*⁶, effective from 01 March 2022 incorporates and repeals the provisions of the *State Environmental Planning Policy (State and Regional Development) 2011*, *State Environmental Planning Policy (Aboriginal Land) 2019* and the *State Environmental Planning Policy (Concurrences and Consents) 2018*.

The aim of this consolidated *State Environmental Planning Policy (Planning Systems) 2021* is to ensure that the development Proposal meets with the current legislative and regulatory requirements of the proposed development, in a simplified and effective manner.

The proposed resource recovery facility is a 'Particular Designated Development' and is therefore Regionally Significant Development under Clause 7(c) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*. The consent authority for the Proposal is therefore the Hunter and Central Coast Regional Planning Panel.

3.2.3 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The aim of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* is to:

- Protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The proposal is not located in an area of biodiversity value.

3.2.4 State Environmental Planning Policy (Resilience and Hazards) 2021

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning for *SEPP 33 - Hazardous and Offensive Development*; and *SEPP 55 - Remediation of Land*.

⁶ Available at: [Consolidation of state environmental planning policies](#); Last accessed 23-May-2022.

The clauses of *SEPP (Resilience and Hazards) 2021* that apply to this designated development are noted to be:

- 1) Chapter 3 Part 3 Clause 3.10 - Potentially hazardous or potentially offensive development
- 2) Chapter 4 Clause 4.1 - Object of this Chapter

Chapter 3 Hazardous and offensive development

The Chapter outlines the requirements for a Preliminary Hazard Analysis screening test, required to be undertaken for hazardous and potentially hazardous industries under Chapter 3 Part 3 of *SEPP (Resilience and Hazards) 2021*.

Part 3 Potentially hazardous or potentially offensive development

3.10 Development to which Part 3 applies.

(1) This Part applies to

- (a) development for the purposes of a potentially hazardous industry, and
- (b) development for the purposes of a potentially offensive industry, and
- (c) development notified, for the purposes of this Part, by the Director in the Gazette as being a potentially hazardous or potentially offensive development.

This screening procedure will determine if the proposed development triggers the requirements of Clause 3.11 which would require a Preliminary Hazard Analysis to be prepared.

The material stored on site are not classified as hazardous wastes and so exempt from the considerations of Chapter 3 of *SEPP (Resilience and Hazards) 2021*.

Chapter 4 Remediation of land

Applicants for consent must carry out a preliminary site investigation for any development consent sought on land previously used for activities that may cause contamination.

SEPP (Resilience and Hazards) 2021 requires the approval authority to have regard to certain matters before granting approval. These matters must align with the *Clause 4.1 Objects of this Chapter* and include:

- Whether the land is contaminated;
- Whether the land is, or would be, suitable for the purpose for which development is to be carried out; and
- If remediation is required for the land to be suitable for the proposed purpose, whether the land will be remediated before the land is used for that purpose.

4.1 Object of this Chapter

- (1) The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land.
- (2) In particular, this Chapter aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment—
 - (a) by specifying when consent is required, and when it is not required, for a remediation work, and

- (b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- (c) by requiring that a remediation work meet certain standards and notification requirements.

SEPP (Resilience and Hazards) 2021 also imposes obligations in *Clause 4.14 Guidelines and notices: all remediation work* to carry out any remediation work in accordance with relevant contaminated land planning guidelines under the *Contaminated Lands Management Act 1997* and to notify the relevant council of certain matters in relation to any remediation work. However, the EPA list of notified contaminated sites does not list the subject site as contaminated land. As no soil disturbance will occur, the Proposal is exempt from the legal obligations as set in this Chapter.

3.2.5 State Environment Planning Policy (Transport and Infrastructure) 2021

The aim of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* is to facilitate the effective delivery of infrastructure across NSW by improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and by providing greater flexibility in the location of infrastructure and service facilities.

The consolidated SEPP incorporates and repeals the provisions of four SEPPs of *SEPP (Infrastructure) 2007*; *SEPP (Educational Establishments and Childcare Facilities) 2017*; *SEPP (Major Infrastructure Corridors) 2020*; and *SEPP (Three Ports) 2013*.

Other key aims of the *SEPP (Transport and Infrastructure) 2021* are to allow for the efficient development, redevelopment or disposal of surplus government owned land, and identify the environmental assessment category into which different types of infrastructure and services development falls under, including identifying certain development of minimal environmental impact as exempt development.

The proposed development is permissible with consent under clause 2.152 of the *SEPP (Transport and Infrastructure) 2021*.

Schedule 3 of *SEPP (Transport and Infrastructure) 2021* also seeks referral to Transport for NSW (TfNSW) for any traffic generating development. This Proposal is traffic generating development application and requires to be referred to TfNSW as per Column 3 where a waste or resource management facility referral is required for any size or capacity.

3.2.6 State Environment Planning Policy (Industry and Employment) 2021

The aim of *State Environmental Planning Policy (Industry and Employment) 2021* is to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality finish and design. This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.

The consolidated SEPP incorporates and repeals the provisions of two SEPPs of *SEPP (Western Sydney Employment Area) 2009*; and *SEPP 64 - Advertising and Signage*.

Chapter 3 Advertising and Signage of the *SEPP (Industry and Employment) 2021* notes detailed requirements that a consent authority must be satisfied with prior to granting development consent as noted in Clause 3.6 and 3.7 of the SEPP.

3.6 Granting of consent

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3.1 (1) (a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

3.7 Advertisements to which this Part applies.

- (1) This Part applies to all signage to which this Policy applies, other than the following:
 - (a) business identification signs,*
 - (b) building identification signs,*
 - (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,*
 - (d) signage on vehicles*

SEPP (Industry and Employment) 2021 does not apply to the proposed development. The Proposal will only include 'business identification signage'.

3.2.7 State Environmental Planning Policy (Industry and Employment) 2021

The aim of *State Environmental Planning Policy (Industry and Employment) 2021*, Chapter 3, is to ensure that signage (including advertising) is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of a high-quality finish and design. *SEPP (Industry and Employment) 2021* also aims to regulate signage (but not content) under Part 4 of the Act, provide time-limited consents for the display of certain advertisements, regulate the display of advertisement in transport corridors and to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

This Chapter does not regulate the content of signage and does not require consent for a change in the content of signage.

Part 3.6, Chapter 3 of *SEPP (Industry and Employment) 2021* details the requirements that a consent authority must be satisfied with prior to granting development consent:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3.1 (1)(a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

Part 3.3, Chapter 3 of *SEPP (Industry and Employment) 2021* details advertisements to which this Part applies and states:

This Part applies to all signage to which this Policy applies, other than the following:

- (a) business identification signs,
- (b) building identification signs,
- (c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,
- (d) signage on vehicles

SEPP (Industry and Employment) 2021 does not apply to the proposed development, as the only signage installed will be a business identification sign.

3.3 Other applicable legislation or strategies

3.3.1 Fire and Rescue NSW – Guideline for bulk storage of rubber tyres⁷

The Fire & Rescue NSW guidelines for the bulk storage of rubber tyres, or related subsidiary products, provides guidelines for managers of any new facility which intends to store new or used tyres and related subsidiary products. It is a requirement that all facilities storing more than 5 tonnes or 500 waste tyres or process more than 5,000 tonnes of waste tyres per year, are required to hold an environment protection licence issued by the NSW Environment Protection Agency.

The Proposal will trigger the requirement for an EPA license because the waste storage activity will exceed 5 tonnes of waste tyres stored on the premises at any time. The Proposal will be under the limit for resource recovery and so not require an EPA license for this part of the Proposal.

All tyres will be stored inside the existing unsprinklered shed as shown in Figure 2.1. The designated tyre storage area is located towards the back of the shed. The building floor area is approximately 673m² meaning the Proposal does not trigger requirements for the building to have a sprinkler system or smoke and heat vents.

Individual tyre stacks within buildings or structures should not exceed 3.7m in height and 30m², with the proposed site plan compliant with this. Stores tyres must remain at least 1m clear in all directions from the underside of the building's roof or ceiling, roof structural members, lights (includes light fixtures) and sprinkler heads. A minimum clearance of 3m should be provided between stacks in an unsprinklered building. For diagrams, please see Appendix 2.

⁷ Fire & Rescue NSW – Guideline for bulk storage of rubber tyres. Internet publication:
https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/rubber_tyres.pdf

4. Maitland Development Control Plan 2011

The *Maitland Development Control Plan 2011* (Maitland DCP) came into effect on 16 December 2011, is in accordance with the provisions of the *Environmental Planning and Assessment Act, 1979* and associated Regulations. It is consistent with the provisions of the Maitland LEP 2011. All relevant aspects of the Maitland DCP have been considered in preparing the SEARs Scoping Report for the proposed development. Sections and provisions of the Maitland DCP relevant to the proposed development are described in Table 4.1. These include:

- Part B – Environmental Guidelines; and
- Part C – Design Guidelines.

The purpose of this DCP is to provide detailed provisions for development within the Maitland LGA. These provisions supplement the legal framework contained in the Maitland LEP 2011.

The aims of this DCP are:

- (a) To provide a detailed planning document that outlines requirements for development which meets community expectations and addresses the key environmental planning issues of the Local Government Area; and
- (b) To identify certain development as advertised development and to detail public notification requirements in accordance with Section 3.43 of the *Environmental Planning and Assessment Act 1979*.

It should be noted that the proposed development seeks to change the use of the existing shed for use as a Resource Recovery Facility. There are small changes proposed for the existing shed, primarily the enclosure of the existing awning towards the back of the Site. The wall between the existing shed and awning will be removed to create a larger fully enclosed shed. Two roller doors will be added to the existing awning with dimensions of 5000 x 5500mm. Aside from the removal of the wall, the existing shed and office space will remain unchanged. The small, grassed area at the back of the site will be changed to concrete. All changes to the Site are minimal.

4.1 Part B – Environmental Guidelines⁸

This Part of the DCP contains specific environmental guidelines for matters that are relevant to the Maitland Local Government Area. Some of the sections contained in this Part will assist the general public in the pre-planning or site analysis work that is required before the design phase of a development, such as the section on Vegetation Management. Other sections will assist in the design process, requiring an environmental outcome in the planning phase of an overall project.

4.2 Part C – Design Guidelines⁹

1.2 Application

⁸ Maitland DCP – Part B – Environmental Guidelines

https://www.maitland.nsw.gov.au/sites/default/files/documents/public-exhibition/part_b_final_1.pdf

⁹ Maitland DCP – Part C – Design Guidelines

https://www.maitland.nsw.gov.au/sites/default/files/documents/public-exhibition/part_c_final_1.pdf

All land that is zoned Industrial or B5 Business Development under the provisions of the Maitland LEP 2011. Section 2 applies to all industrial development irrespective of zoning.

1.3 Purpose

Purpose To provide detailed guidelines for development Proposals in all industrial zones, and industrial development in other zones.

1.4 Objectives

- (a) To encourage growth in the industrial sector, provided that new industrial development does not present unacceptable risks to residential areas or other land by way of pollution, hazards or otherwise.*
- (b) To encourage applicants to act in their own interests by submitting fully substantiated and documented Proposals, including hazards analysis where appropriate.*
- (c) To encourage a process which minimises problems with development Proposals, through appropriate consultation prior to applications being submitted.*
- (d) To provide general guidelines for applications for designated development, as to matters to be addressed in Environment Impact Statements.*
- (e) To assist applicants by minimising duplication of documentation required under other laws (pollution control, occupational health and safety etc.).*
- (f) To encourage visual and operational compatibility between industrial development and residential areas.*
- (g) To encourage improvements to the character and appearance of industrial estates, including the inclusion of development appropriate landscaping elements.*

2.1 Preliminary Review

A preliminary review of Part C.5 Industrial lands of the Maitland DCP 2011 has been completed, see Appendix 3. A full analysis of the DCP will be completed at the Development Assessment stage.

The key matters identified during the preliminary review were:

- Signage/advertising:
 - A small business identification sign will be placed on the site;
- Vehicle access and parking:
 - Adequate access to site;
 - Adequate car park spaces for on-site parking; and
 - Adequate turning space for front facing exit from site.
- Drainage:
 - Stormwater and drainage plan to be completed as part of DA;
- Loading bays:
 - Adequate loading bay space for loading and unloading on-site.

5. Project Justification

5.1 Strategic Drivers

5.1.1 *NSW EPA Strategic Plan 2021-2024*

NSW Environmental Protection Authority (The EPA) has the ambitious plan to be a world class regulator. The plan describes environmental stewardship and use of the regulatory tool to protect and enhance the environment for today and future. The EPA has identified five focus areas for the next three years to provide services in collaboration with stakeholders, promoting a learning mindset, outcomes orientated focus, responsive and adaptive approach, and purpose and people-centred values. The five focus areas are:

1. Ecologically Sustainable Development
 - Champion sustainable approaches to mitigate the cumulative impacts of industry on local communities and environments.
2. Waste
 - Take action to reduce the harmful impact of waste and drive behaviours that create a circular economy.
3. Water Quality
 - Take action to ensure sustainable and safe water for the community, ecosystems and for economic prosperity and to support cleaner waterways.
4. Legacy and emerging contaminants
 - Take action to prevent harm by targeting our efforts on high-risk legacy, current and emerging contaminants.
5. Climate Change
 - Take action to reduce emissions, mitigate climate change impacts and build greater environmental and community resilience aligned with the principles in the NSW Net Zero Plan.

The Proposal will help contribute to the achievement of this plan by beneficially recycling tyres, contributing to ecologically sustainable development and supporting the circular economy.

5.1.2 *NSW Waste and Sustainable Materials Strategy 2041*

This strategy updates NSW's previous strategy: the *Waste Avoidance and Resource Recovery Strategy 2014–2021*.

NSW Waste and Sustainable Materials Strategy 2041: Stage 1 – 2021-2027 outlines the actions NSW will take over the next six years – the first phase of the strategy – to deliver on a set of long-term objectives. The strategy is by \$356 million in funding to help deliver priority programs and policy reforms, including:

- Phasing out problematic single-use plastic items;
- Financial incentives for manufacturers and producers to design out problematic plastics;
- Having government agencies preference recycled content and invest in research and pilots for recycling innovation;

- Introducing tighter environmental controls for energy from waste in NSW, with further consideration of planning and infrastructure needs underway;
- Mandating the source separation of food and garden organics for households and selected businesses; and
- Incentivising biogas generation from waste materials.

Specific targets focus on the environmental benefits and economic opportunities in how we manage our waste, and includes the following:

- Reduce total waste generated by 10% per person by 2030;
- Have an 80% average recovery rate from all waste streams by 2030;
- Significantly increase the use of recycled content by governments and industry;
- Phase out problematic and unnecessary plastics by 2025;
- Halve the amount of organic waste sent to landfill by 2030;
- Reduce litter by 60% by 2030 and plastics litter by 30% by 2025; and
- Triple the plastics recycling rate by 2030.

To complement this strategy, NSW also released the following documents:

- *NSW Plastics Action Plan*, which sets out how we will phase out problematic plastics, tackle litter from plastic items like cigarette butts, and support innovation and research; and
- *NSW Waste and Sustainable Materials Strategy: A guide to future infrastructure needs*, which sets out the investment pathway required for NSW to meet future demand for residual waste management and recycling.

Rutherford Tyre Recyclers proposes to recycle tyres into crumb rubber, helping to avoid the landfill disposal of tyres, and will contribute to the NSW recycling targets. The activity is aligned with the *NSW Waste and Sustainable Materials Strategy* and will contribute to maximising the use of current infrastructure for a larger throughput.

5.1.3 NSW Waste and Sustainable Materials Strategy: A guide to future infrastructure needs

The *NSW Waste and Sustainable Materials Strategy: A guide to future infrastructure needs* supplements the *NSW Waste and Sustainable Materials Strategy 2041*, which sets out the long-term vision for managing waste, planning for infrastructure, reducing carbon emissions, creating jobs, and refocusing the way NSW produces, consumes and recycles products and materials. This strategy is backed by \$356 million in funding to help deliver priority programs and policy reforms.

This strategy updates NSW's priorities for waste and resource recovery to reflect the NSW Circular Economy Policy Statement, the *Net Zero Plan Stage 1:2020–2030* and the *National Waste Policy Action Plan*.

A key focus of this strategy is ensuring the right infrastructure is available to process the material expected to enter the waste stream over the next two decades, and plan for NSW's waste and circular economy infrastructure, including leveraging private sector and government investment. There are three key areas of focus in the strategy that include residual waste, organics, and plastics.

Tyre recycling is recognised as a NSW Waste and circular economy infrastructure need within this strategy. With a recycling capacity gap of ~100,000 tonnes of tyres per annum anticipated in 2030, this Proposal will aid the State in expanding tyre recycling capacity and achieving circular economy goals.

5.1.4 *The National Waste Policy 2018 Strategy*

The *2018 National Waste Policy: Less waste, more resources* provides the framework for collective action by businesses, governments, communities and individuals until 2030. The 2018 National Waste Policy focuses on waste avoidance, improved material recovery and use of recovered materials.

Strategy 7 of the policy aims to increase industry capacity through identifying and addressing opportunities across municipal solid waste, commercial and industrial waste, and construction and demolition waste streams for improved collection, recycling and energy recovery, to deliver ongoing improvements in diversion from landfill, improved quality of recycled content and use of the waste hierarchy.

The Proposal is aligned with the 2018 National Waste Policy to increase industry capacity through identifying and addressing opportunities for improved collection and deliver on improvements in diversion from landfill of tyres.

5.1.5 *Council of Australian Governments Waste Export Ban*

In 2019, the Council of Australian Governments (COAG) agreed to establish a ban on the export of waste plastic, paper, glass and tyres and take steps to build Australia's recycling and waste processing industries. The schedule for implementation commences on 1 January 2021 with the banning of export of unprocessed glass. From 1 December 2021 the export of whole used tyres, including baled tyres will be banned. As a result, there is a need to significantly improve Australia's capacity to process waste tyres.

5.2 Sustainability

5.2.1 Environmental

The facility will support the *NSW Waste and Sustainable Materials Strategy 2041: Stage 1 – 2021-2027*, the approved waste strategy for NSW. It sets out the long-term vision for managing waste, planning for infrastructure, reducing carbon emissions, creating jobs, and refocusing the way NSW produces, consumes and recycles products and materials. The strategy will be used to track, review and measure NSW's progress toward meeting the targets set out in the National Waste Policy Action Plan. The targets are to:

- Reduce total waste generated by 10% per person by 2030;
- Have an 80% average recovery rate from all waste streams by 2030;
- Significantly increase the use of recycled content by governments and industry;
- Phase out problematic and unnecessary plastics by 2025; and
- Halve the amount of organic waste sent to landfill by 2030.

In addition to the above targets, NSW has committed to:

- Introduce a new overall litter reduction target of 60% by 2030 and a plastic litter reduction target of 30% by 2025, as set out in the *NSW Plastics Action Plan*;
- Set a goal to triple the plastics recycling rate by 2030, as set out in the *NSW Plastics Action Plan*;

- Reaffirm our commitment to the goal of net zero emissions from organic waste by 2030, as laid out in the *NSW Net Zero Plan Stage 1: 2020–2030*;
- Establish new indicators to help us track our progress on infrastructure investment and the cost of waste services; and
- Develop a new measure of the emissions performance of our waste and materials management. This will help us to track our performance across the lifecycle of materials.

A major focus area of the strategy is to increase waste infrastructure and services to meet our future needs. The highest priority is to extend the life of existing landfills by reducing the volumes of waste being sent to landfill. Whilst the main focus is on waste avoidance, improving recycling capacity is an important aspect of waste management. This Proposal will contribute towards the recycling targets of NSW and help achieve a more circular economy through recycling and re-using of materials. The facility will help facilitate the use of recycled materials in the making of roads and other rubber products, replacing the use of virgin materials.

5.2.2 Social and Economic Benefits

Increased investment in resource recovery infrastructure is good for public health and the economy. The resource recovery sector creates jobs and stimulates innovative technology. Successfully meeting diversion targets as set in the *NSW Waste and Sustainable Materials Strategy 2041: Stage 1 – 2021-2027* will create more jobs and build better communities.

It is anticipated that the proposed development will employ 4 people.

6. Baseline Information

6.1 Site conditions

The Site houses one small industrial shed building with internal offices. Office space and staff amenities includes an office, lunchroom and bathroom facilities. Most of the Site is sealed hardstand with a small area of landscaping at the front of the property, a small, grassed area at the back of the property and a 2.5m wide stormwater drainage easement running the back eastern site border.

The front half of the shed is surrounded by sealed hardstand areas allowing for vehicle movement and parking. The back half of the shed is surrounded by a grass area with a 2.5m stormwater drainage easement on the eastern site border.

The lot has a total area of approximately 1,655m².

6.2 Site Waste Minimisation and Management

The preparation of a Site Waste Minimisation and Management Plan (SWMMP) will be completed to outline measures that will minimise and manage waste generation during, construction and ongoing use of the Site. This is a requirement under the *Maitland Development Control Plan 2011 Part B.6* (refer to Table 4.1).

The proposed alterations to the existing industrial shed, as outlined in Section 4, are minimal, with waste generated during construction and operations to be calculated in the SWMMP. This will be completed as part of the Development Application.

6.3 Site topography and drainage

The existing site is located within an existing industrial area, with a 2.5m stormwater drainage easement at the back of the property, running the full eastern site boundary length. The Site area is reasonably level having already had an industrial shed constructed. The Site contains existing drainage which flows into council stormwater drains. The stormwater and drainage plan will be completed in the DA stage.

6.4 Soils and Geology

Most of the Site is covered in concrete, with a small area of landscaping at front of the Site and a small, grassed area at the back of the Site. The development will require minimal earthworks when concreting the grassed area at the back of the Site, however, this is not expected to impact the underlying soils and geology at the Site.

6.5 Acid Sulfate Soils

The Site is located in Class 5 Acid Sulphate Soils (refer to Figure 6.1). According to the Maitland LEP, development consent is required carrying out works described in Table 6.1 on land shown on the Acid Sulfate Soils Map as being of the class specified for those works. The proposed site is a pre-existing industrial shed and so will not require any work below 5 metres AHD and will not affect the water table.

The subject site is located on lands classified as Acid Sulphate Soils, level 5 – unlikely probability of occurrence.

Section 7.1 Acid sulfate soils of Maitland LEP 2011 states:

- (1) *The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
- (2) *Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

Class of land - 5

Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

- (6) *Despite subclause (2), development consent is not required under this clause to carry out any works if—*

- (a) the works involve the disturbance of less than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins), foundations or flood mitigation works, or*
- (b) the works are not likely to lower the water table.*

The development will include small excavation works when concreting the grassed area at the back of the site, however, the disturbance to soils will be minimal. The industrial shed has been constructed under DA03/1381. The proposal will not disturb acid sulfate soils and does not require an Acid Sulfate Management Plan.

Table 6.1. Acid sulfate soils works requiring development consent in accordance with Maitland LEP.

Class of land	Works
1	Any works.
2	Works below the natural ground surface. Works by which the water table is likely to be lowered.
3	Works more than 1 metre below the natural ground surface. Works by which the water table is likely to be lowered more than 1 metre below the natural ground surface.
4	Works more than 2 metres below the natural ground surface. Works by which the water table is likely to be lowered more than 2 metres below the natural ground surface.
5	Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

6.6 Waterways

The nearest water courses are at a distance of ~220m & ~225m from the site boundary. These water courses are intermittent tributaries of Stony Creek. Stony Creek is at a distance of ~720 m to the South of the Site. The distance off the Site to the watercourses will have no direct impact on the water courses. The Site is separated from all waterways by land, industrial development, residential development and vegetated land.

6.7 Flooding

The proposed site is located within the Maitland area of the Hunter River catchment. The area is characterised by urban developments to the west and industrial developments to the west. The western edge of Rutherford contains forested area, cleared land and Maitland Airport. The Hunter catchment flows into the Hunter River via a piped drainage network, open channels and overland flow routes.

The Maitland City Council DCP 2011 provides Floodplain Management maps indicating probable maximum flood, flood planning area (1:100) and 1:100 floods. The proposed site is not located in an area identified as flood prone. The Site is located at a distance of ~650m from the Maitland City Council's designated flood planning area mapped for a 1 in 100 years flood event (refer to Figures 6.2, 6.3 and 6.4). The proposed site is also not located in the Hunter Valley Mitigation Scheme Development Consent Area.

6.8 Riparian Watercourses & Flooding

The proposed site is not located to, or near, riparian watercourses & flooding and so will not have any impact on these, including soil disturbance, riparian vegetation and vegetation connectivity.

6.9 Groundwater

The subject site is not located in an area of groundwater vulnerability. The proposed development does not involve any construction or excavation works that would have an impact on the groundwater. The likelihood of the proposed development impacting the groundwater table is negligible.

6.10 Biodiversity Values Area

The Site is located in an industrial zoned area. The nearest mapped Biodiversity Values area is at a distance of ~680m to the south of the Site. The area is separated from the Site by vacant and cleared land from the south boundary. See Figure 6.5. It is considered very unlikely that the proposed development will impact on any terrestrial biodiversity areas identified due to the distance from the Site.

6.11 Bushfire Prone Lands

The Site is located at about 585m from the from the nearest mapped Bushfire Prone Land. There are three industrial buildings and a large area of cleared vacant land between the Site and the bushfire prone area that addresses asset protection requirements. Additional bushfire protection measures will not be required for the proposed development. Refer to Figure 6.6.

6.12 Mine Subsidence

The proposed development is not within a Mine Subsidence District.

6.13 Heritage

There are no identified Local and State Environmental Heritage items of Aboriginal or Cultural significance identified on or within 200m of the Site. The proposed works are unlikely to have any impact on the heritage items or areas. AHIMS search result attached as Appendix 4 shows there are no Aboriginal Sites recorded or any Aboriginal places declared at or near this location.

6.14 Easements, Licenses or Covenants on Site

At the eastern side of the proposed site there is a 2.5m wide stormwater drainage easement running the full eastern site boundary length.

6.15 Adjoining Premises and sensitive receptors

The nearest sensitive receptors are RSPCA offices and shelter to the west and across the Burlington Place in the E4 General Industrial Area and the nearest residential property of the Oak Tree Retirement Village is at approximately 254m to the south-east of facility.

The sensitive receptors are noted in Table 6.1.

Table 6.1. Location of sensitive receptors, approximate distance from the proposed site.

Receptor	Address	Approximate Distance from Site (m)
RSPCA Offices	Cul-de-sac Burlington Place	~ 50 m
RSPCA Shelters	Cul-de-sac Burlington Place	~ 110 m
Oak Tree Retirement Village	4 Discovery Way Rutherford NSW 2320	~ 254 m

The Proposal is unlikely to have an impact on the Oak Tree Retirement Village due to the distance and the proposed works are designed to be carried out within the industrial shed. There is no direct access to the retirement village from the proposed development. Access to and from the retirement village is at least 650 m to the west and from the arterial Racecourse Road. The resource recovery activities may generate noise, dust and traffic, though inputs outside the site are expected to be negligible.

The impact of dust and noise will be assessed, and mitigation measures planned in detail at the Development Application stage. Due to the proposed operating times falling within the nighttime hours, a noise assessment will need to be done in accordance with the EPA's *Noise Policy for Industry*.

6.16 Traffic

Access to the Site is via Burlington Place, which is a no through road. Burlington Place forms a part of the Transport for NSW approved routes for 4.6m High Vehicles and Racecourse Road is approved for 19m B-double (over 50 tonnes)¹⁰. The Site can be accessed by all vehicles (including trucks and personnel vehicles) via Burlington Place turning off onto Racecourse Road at about 110m from the Site and then merging onto the New England Highway. Thus, avoiding routes through residential areas.

The proposed development is a new Resource Recovery Facility which will generate additional traffic. The traffic impact will be assessed, and mitigation measures planned in detail at the Development Application stage.

6.17 Parking

The development is classified as an industrial development and therefore the car parking requirements apply as per the Maitland DCP 2011, refer to Appendix 3. The number of car parks required for this proposed

¹⁰ Transport for NSW (2021). *NSW Combined Higher Mass Limits (HML) and Restricted Access Vehicle (RAV) Map*.

development is determined using the 'change of use' criteria. This involves subtracting the number of car spaces required for the proposed development away from the number required for the existing use of the site. This difference provides the number of additional car spaces required as part of the development.

Car park requirements will be determined at the DA stage.

6.18 Social/Cultural Environment

There are no expected changes to the impact of the development on the social and cultural environment. The development application will address this in more detail.

6.19 Visual catchment

The Site is located in an industrial area and will use an existing shed, existing awning and hardstand area. The existing awning will be enclosed, the wall between the awning and shed removed and two roller doors installed. This will create a larger enclosed industrial shed on the site. The changes associated with the proposed development will minimally change the visual amenity of the Site, but the impact will be low due to the awning already existing. All resource recovery activities will be carried out within the shed and will not be visible from the street or the neighbouring shed. Sorted materials will be stored within the industrial shed and in designated storage areas to minimise the visual impacts. Tyres will be stored in a designated area towards the eastern side of the shed and tyre crumb will be stored for short periods of time in a designated area towards the back of the shed. There are no plans to store material external of the shed.

6.20 Air Quality

The Site consists of a fully constructed industrial shed and outdoors areas that are majority hardstand. The facility is designed to operate indoors to minimise any dust impacts. Minimal construction works are proposed with the enclosing of the awnings and removal of a wall from the existing shed. The impacts of air quality are expected during the construction and operational phase of the proposed development. An air quality impact assessment will be carried out and mitigation measures planned during the development application stage.

6.21 Noise

Noise will be considered as part of the environmental assessment for the development application. The proposed tyre recycling production line and rubber tiles production line will be located inside the existing shed. Tyre deliveries will be received between Monday-Saturday but the noise from this is not expected to be significant within the industrial area. However, the close proximity of Oak Tree Retirement Village (254m away) is a potential concern for noise disturbance. A noise assessment will need to be completed for this development, with particular focus on the noise levels likely to occur during proposed operations in nighttime (prior to 7am Monday – Friday). The noise levels during the construction/alterations phase will also be included in the noise assessment.

6.22 Fire Safety

Fire safety in relation to tyre storage will be managed through correct storage of tyres for internal storage as set out by guidelines in the *NSW Fire & Rescue – Guideline for bulk storage of rubber tyres* document. Refer to Section 3.3.2.

The fire safety measures onsite include:

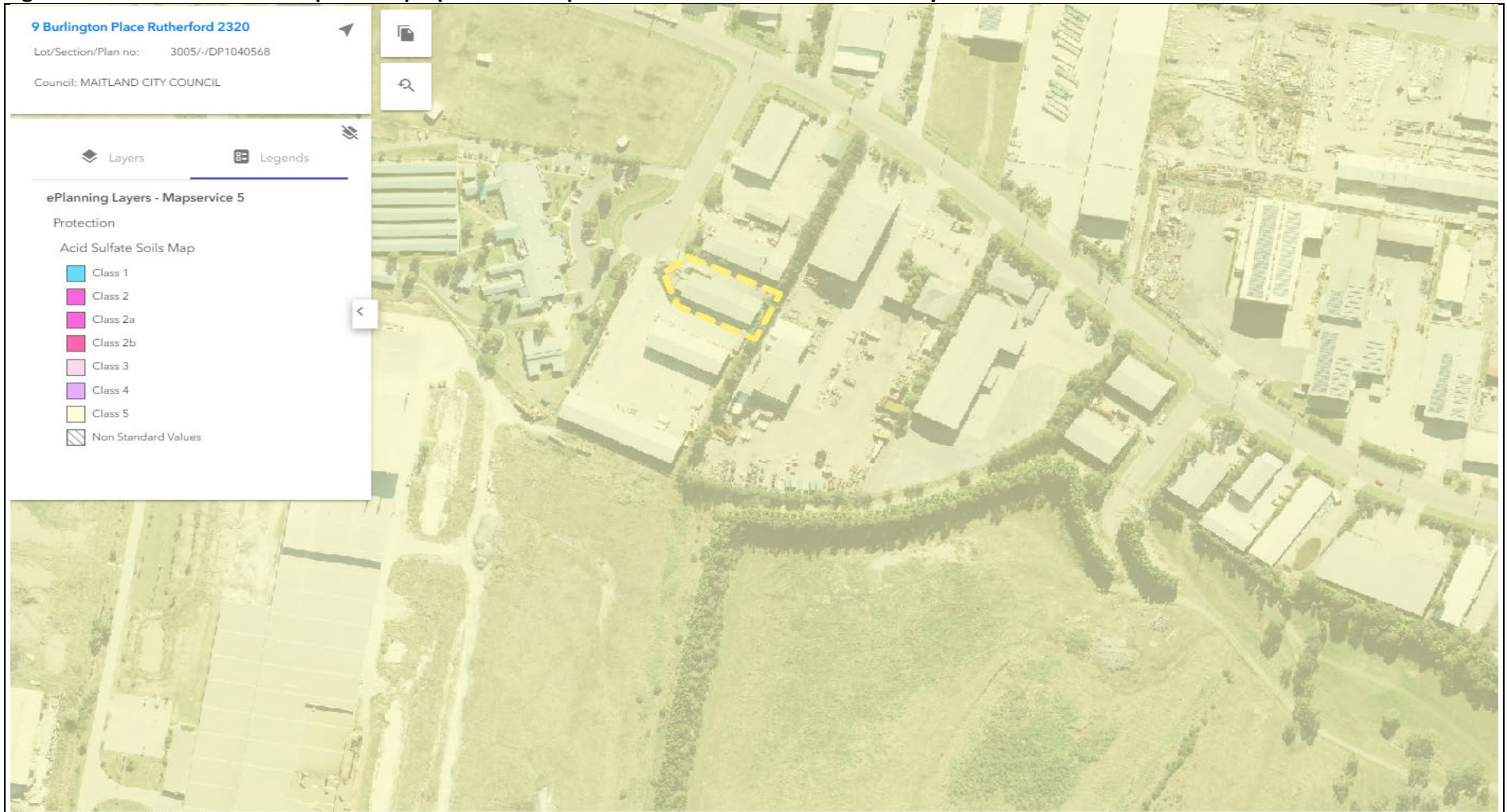
- Emergency Lighting;
- Exit Signs;
- Fire Doors;
- Fire Hydrant system; and
- Portable Fire extinguishers.

Furthermore, details of responsibilities for Fire Safety Procedures will be prepared as a part of the Work, Health and Safety Plan and include measures such as:

- Strict no-smoking policy;
- Good housekeeping;
- Stockpile management;
- Emergency services communication plan;
- Regular checks and maintenance plans for all fire safety equipment; and
- Regular staff fire safety training, including use of extinguishers and fire hose reels.

Fire safety will need assessment given that tyre storage on site will not meet the guidelines specified in the FRNSW *Guideline for bulk storage of rubber tyres*. An assessment of the proposed development will be carried out in a Fire Safety Study in accordance with the FRNSW Guidelines and HIPAP2 as part of the Development Application process to ensure adequate provision for fire safety and facilitate safe fire brigade intervention to protect life, property and the environment.

Figure 6.1. Acid Sulfate Soils Map for the proposed development. Site boundaries are shown in yellow.



Date		Revision		Drawn By		Site description		Jackson Environment and Planning Pty Ltd		Client	
12/07/2023		Revision A		V. Wilson		9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)		Strategy Infrastructure Compliance Procurement		Rutherford Tyre Recycling Facility	
						A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060				Project	
						E: admin@jacksonenvironment.com.au				SEARs Scoping Report	
						T: 02 8056 1849				Title	
						W: http://www.jacksonenvironment.com.au				Acid Sulphate Soil Risk Area (Maitland LEP Area)	
										Scale	
										As shown	
										Source	
										NSW Planning Portal Spatial Viewer	

Figure 6.2. ARI 100-year flooding.



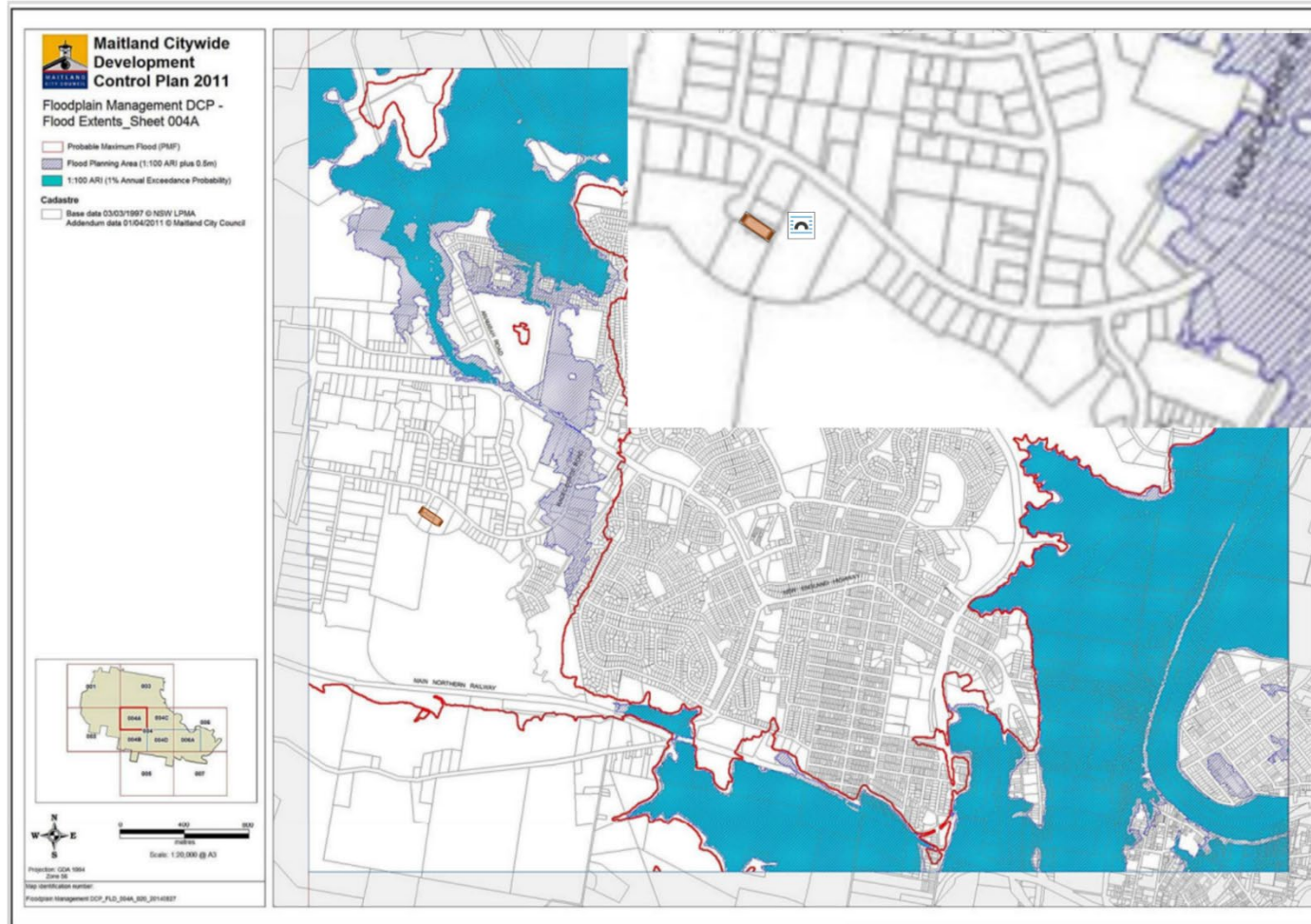
Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd	 <p>JACKSON ENVIRONMENT AND PLANNING STRATEGY INFRASTRUCTURE COMPLIANCE PROCUREMENT</p>	Client	Rutherford Tyre Recycling Facility
12/07/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Project	SEARs Scoping Report
						Title	Flood Risk Area Maitland DCP 2011
						Scale	As shown
						Source	NSW Planning Portal Spatial Viewer

Figure 6.3. Flood map planning showing site is located 650m away.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd	Client	Rutherford Tyre Recycling Facility
12/07/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au	Project	SEARs Scoping Report
					Title	Flood Risk Area Maitland DCP 2011
					Scale	As shown
					Source	NSW Planning Portal Spatial Viewer

Figure 6.4. From Maitland DCP showing a 1:100-year flood.



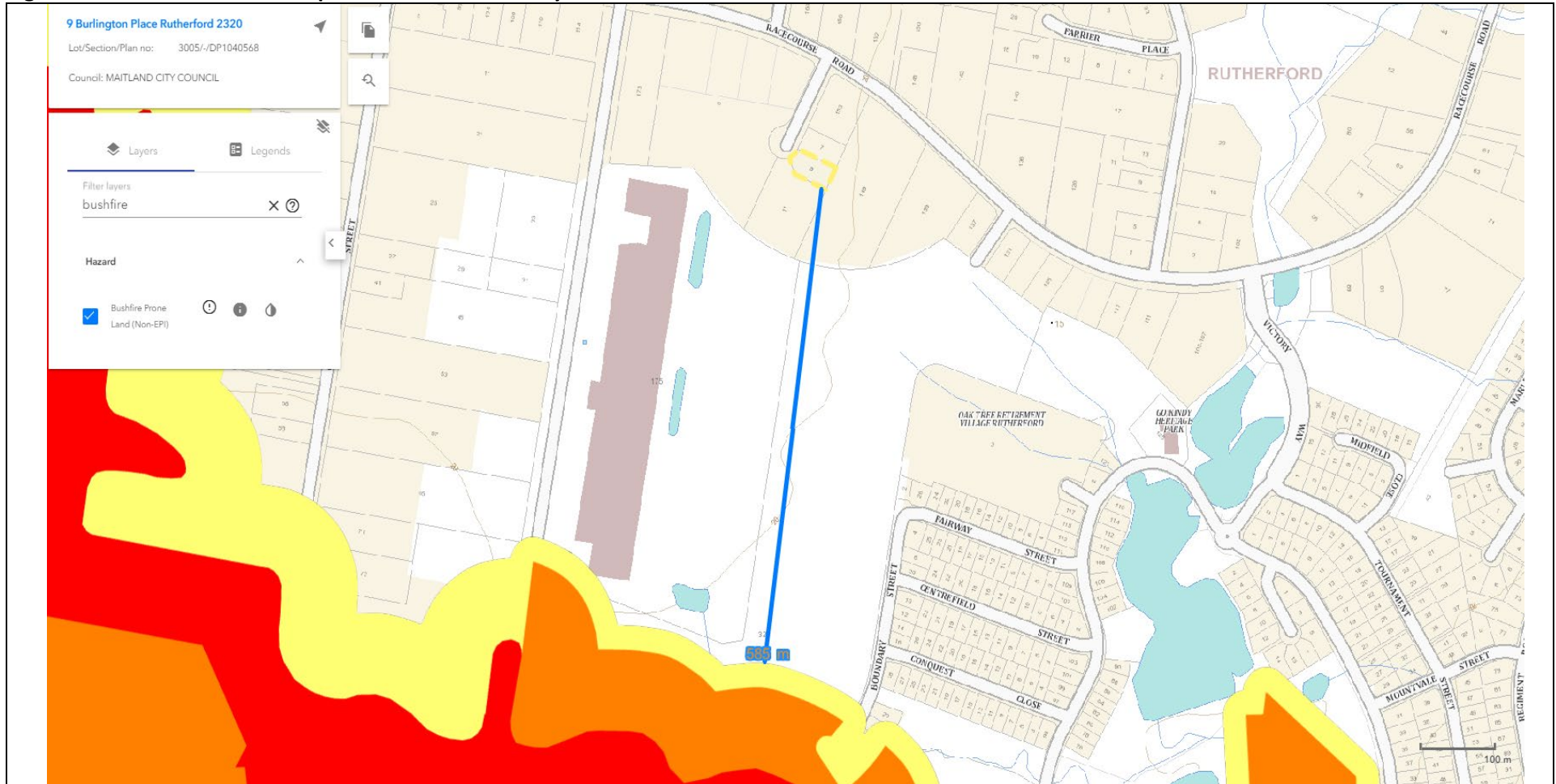
Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd		Client	Rutherford Tyre Recycling Facility
12/07/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Project	SEARs Scoping Report
						Title	Flood Risk Area Maitland DCP 2011
						Scale	As shown
						Source	Maitland DCP 2011

Figure 6.5. The closest area marked as having biodiversity value is located approximately 681m from the proposed site.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd		Client	Rutherford Tyre Recycling Facility
12/07/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au		Project	SEARs Scoping Report
						Title	Biodiversity Values (Maitland LEP Area)
						Scale	As shown
						Source	NSW Planning Portal Spatial Viewer

Figure 6.6. The closest bushfire prone land is 585m away from site with cleared land in between this.



Date	Revision	Drawn By	Site description	Jackson Environment and Planning Pty Ltd	 <p>JACKSON ENVIRONMENT AND PLANNING STRATEGY INFRASTRUCTURE COMPLIANCE PROCUREMENT</p>	Client	Rutherford Tyre Recycling Facility
12/07/2023	Revision A	V.Wilson	9 Burlington Place Rutherford NSW 2320 (Lot 3005 / DP1040568)	Strategy Infrastructure Compliance Procurement		Project	SEARs Scoping Report
				A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060		Title	Bushfire Risk (Maitland LEP Area)
				E: admin@jacksonenvironment.com.au		Scale	As shown
				T: 02 8056 1849		Source	NSW Planning Portal Spatial Viewer
				W: http://www.jacksonenvironment.com.au			

7. Environmental matters and impacts

The following table outlines the matters and impacts relevant to the proposed development, along with the type of assessment that would be undertaken as part of the development application.

Table 7.1. Relevant matters and impacts for consideration in the development application.

Matters		Level of impact expected	Description of impact	Requires assessment in development application?	Type of assessment
Amenity	Acoustic	Low	Operations will involve tyre recycling and rubber mat/tile production on-site within the existing industrial shed. Compliance with EPA noise criteria will be required due to the proposed operating hours falling within nighttime hours (5am-7am). Small construction works are required to alter the existing shed and awnings, the anticipated noise levels will need to be assessed.	Yes	Noise Assessment
	Visual	Low	Minimal changes are proposed to the existing shed that will change the visual amenity of the property minimally. The existing awning will be enclosed and two roller doors installed.	No	None
	Odour	None	No handling of putrescible materials.	No	None
	Microclimate	None	No microclimate impacts expected	No	None
Access	Access to property	Low	General access and disabled access to be provided. Addressed in existing approved plans DA03/1383.	No	None
	Access to services	Low	No significant impacts on existing power, water, sewerage and telecommunication services	No	None
	Road and rail network	None	The Proposal requests a change of use to operate as a resource recovery facility. Located within an Industrial Zone, usage and traffic generation will be in keeping with	Yes	Traffic assessment

Matters	Level of impact expected	Description of impact	Requires assessment in development application?	Type of assessment
		surrounding properties. Increases to traffic generation will be negligible.		
	Offsite parking	Compliance with the <i>Maitland DCP</i> 2011 parking requirements to be assessed. There is no public access to the Site, therefore there is no requirement for visitor parking.	Yes	Parking Assessment
Built environment	Public domain	Proposal is in keeping with the nature of the area and surrounding businesses.	No	None
	Public infrastructure	Slight increase in road traffic - no other additional impacts on road infrastructure.	No	None
Heritage	Natural	No known impacts on natural heritage.	No	None
	Cultural	No known impacts on European or other cultural heritage.	No	None
	Aboriginal cultural	No known impacts on Aboriginal cultural heritage.	No	None
	Built	No known impacts on heritage listed buildings or infrastructure.	No	None
Social	Health	Enclosed operations will minimise impacts to air quality. Adequacy of dust handling systems require assessment.	Yes	Air Quality Impact Assessment
	Safety	Fire and emergency procedures and systems to be implemented.	Yes	Fire assessment
	Community services and facilities	Neighbour consultation is recommended.	Yes	Community Consultation

Matters		Level of impact expected	Description of impact	Requires assessment in development application?	Type of assessment
	Social cohesion	None	No expected impact on the willingness of members of society to work together.	Yes	Community Consultation
Economic	Natural resource use	Low	Negligible impact on minerals, forestry and agricultural resources.	No	None
	Livelihood	None	Economic benefits to the communities - opportunity to generate local employment and follow-on economic boost.	No	None
	Opportunity cost	Low	Limited impacts on markets or customer access to other businesses expected.	Yes	Community Consultation
Air	Particulate matter	Low	Potential impacts outside of enclosed operations. Dust and particulate mitigation to be assessed. Control measures proposed.	Yes	Air Quality Impact Assessment
	Gases	Low	Potentially harmful gases such as motor vehicle and operating equipment emissions are minimal.	Yes	Air Quality Impact Assessment
	Atmospheric emissions	Low	Some greenhouse gas emissions from motor vehicles and operating equipment.	Yes	Air Quality Impact Assessment
Biodiversity	Native vegetation	None	No vegetation on-site.	No	None
	Native fauna	None	No habitat on-site.	No	None
Land	Stability / structure	None	No erosion impacts expected.	No	None
	Soil chemistry	Low	No contamination expected due to site fully sealed.	No	None

Matters	Level of impact expected	Description of impact	Requires assessment in development application?	Type of assessment	
	Land capability	None	Negligible impact expected on capacity of land.	No	None
	Topography	None	No changes to site topography.	No	None
Water	Water quality	Low	Operations to be conducted within the shed minimising risk of contamination of surface water from waste material. No change in impacts associated with project.	No	None
	Hydrological flows	None	No changes to existing building or landscaping proposed. The 2.5m wide stormwater drainage easement will not be impacted by this Proposal.	No	None
Risks	Coastal hazards	None	No coastal hazards associated with project.	No	None
	Flood waters	None	Site is not located in a Flood Risk area.	No	None
	Stormwater	Low	2.5m wide stormwater drainage easement will not be impacted by the Proposal.	Yes	Stormwater and drainage plans
	Bushfire	None	Site is not located in a bushfire prone zone - Nearest bushfire zone at 585m from the southern site boundary.	No	None
	Below ground mining	None	No below ground mining is associated with project.	No	None
	Steep slopes	None	No steep slopes associated with project.	No	None

8. Stakeholder and community consultation

As part of the development application, 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 community.

Key stakeholders identified include:

- NSW Environment Protection Authority;
- Adjoining businesses and residents; and
- Maitland Local Council.

8.1 Stakeholder consultation strategy

Consultation will be based on the strategy shown below in Table 8.1, 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 8.1. Stakeholder consultation strategy.

Organisation or Group	Reason for Involvement	Description of their Interest	Type of Engagement	Is this an Existing Relationship	Tools
NSW Environment Protection Authority	Consultation	Statutory	Consult	Yes	Development application
Maitland Local Council	Consultation, compliance with LEP and DCPs	Statutory	Involve, Consult	Yes	Pre-lodgement meeting, development application and additional studies
Adjoining Lands includes businesses and residents	Local business interest	Potential to be impacted by the development	Consult	No	Direct mail, phone calls
Local Residents	Local community interest	Potential to be impacted by the development	Consult	No	Direct mail, phone calls

9. Capital investment value of project

Capital works, including plant and equipment, is expected to be less than \$1 million.

10. Conclusion

This SEARs scoping report has been prepared for the tyre recycling facility for Rutherford Tyre Recyclers at 9 Burlington Place, Rutherford 2320 Lot 3005 / DP1040568. The development proposes to change the use of an existing shed into a tyre recycling facility, producing crumb rubber. The facility will also produce rubber tiles and mats from the crumb rubber onsite. Development Consent was approved on DA03/1383 for Industrial Building and Storage.

It is noted that the Proposal is located approximately 257m from a nearby residential dwelling and is likely to trigger designated development under Clause 45(4)(f) of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*. The Proposal is characterised as a resource recovery facility that is permissible under the Maitland LEP.

This SEARs scoping report has been performed to help inform the range of issues that could result from the proposed development of creating a tyre recycling facility. The assessment has considered planning and legislative requirements, as well as site conditions, topography, biodiversity, surface water management, air quality, noise, traffic management, bushfire, easements, traffic, social and cultural environment, public notification, stakeholder and community consultation, and a stakeholder consultation strategy.

The SEARs scoping report found that consideration will need to be given to air quality, noise, fire, traffic, parking, community consultation and stormwater and drainage to ensure that impacts on the environment and neighbouring properties are avoided and/or minimised as much as possible. The Assessment also found it is unlikely this development will affect the Oak Retirement Village due to all proposed operations occurring from within the industrial shed, with no works planned outside. This will minimise noise from the tyre recycling processing machines and rubber tile machines. However a noise assessment will need to be completed for this development, with particular focus on the noise levels likely to occur during proposed operations in nighttime (prior to 7am Monday – Friday) and during the construction/alterations phase.

The Proposal will trigger the requirement for an EPA license because the waste storage activity will exceed 5 tonnes of waste tyres stored on the premises at any time. The Proposal will be under the limit for resource recovery and so not require an EPA license for this part of the Proposal.

This report will assist Department of Planning and Environment and agencies to prepare the SEARs requirements for the project.

Appendix 1 – Architectural Plans

PROPOSED TYRE RECYCLING FACILITY

9 Burlington Place, Rutherford, NSW



Lot 3005, DP 1040568

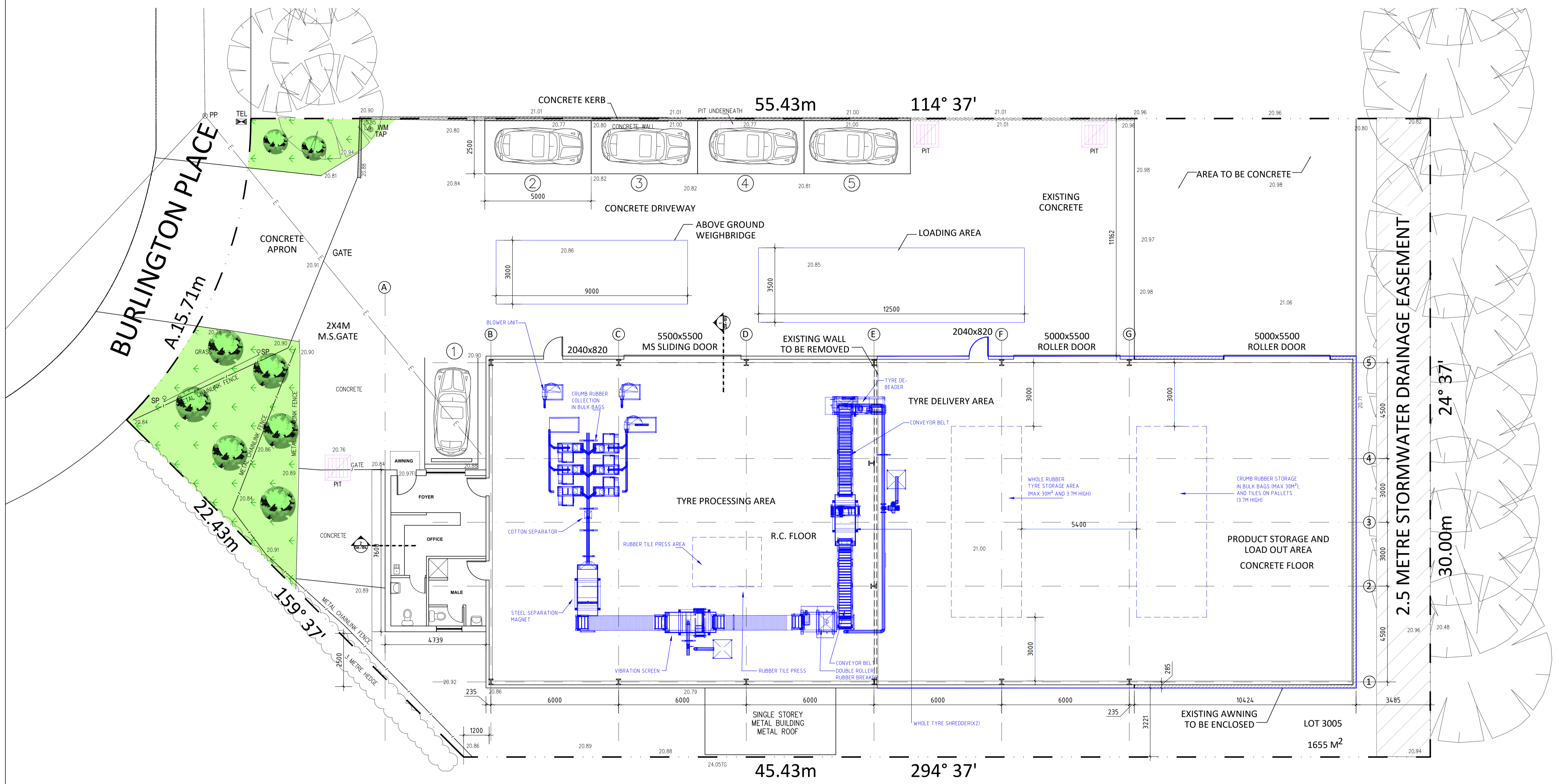
PROPERTY INFORMATION	
NATIONAL CONSTRUCTION CODE BUILDING CLASS: CLASS 7 (STORAGE BUILDING) OCCUPANCY GROUP: GENERAL INDUSTRY ZONE NO: GENERAL INDUSTRIAL (E4)	
GOVERNING CODES	
<ul style="list-style-type: none"> • MAITLAND LOCAL ENVIRONMENTAL PLAN 2011; • MAITLAND DEVELOPMENT CONTROL PLAN 2011 	
SCOPE OF WORK	
CHANGE OF USE OF AN EXISTING INDUSTRIAL SHED AND DEVELOPMENT TO TYRE RECYCLING FACILITY	
SHEET INDEX	
DA101	COVER PAGE
DA102	SITE PLAN, FLOOR PLAN
DA103	ELEVATIONS, SECTIONS

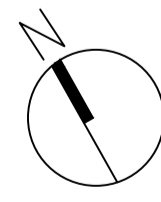
SITE AREA ANALYSES:	
SITE: 1,655 SQMT	
EXISTING INDUSTRIAL AREA:	475 SQMT
NEW ADDITIONAL INDUSTRIAL AREA:	163 SQMT
TOTAL INDUSTRIAL AREA:	638 SQMT
EXISTING OFFICE AREA: 35 SQMT	
TOTAL FLOOR AREA:	673 SQMT
FLOOR AREA RATIO: $\frac{673}{1,655} \times 100 = 40.6\%$	

Date	Plan Number	Cover Page	Jackson Environment and Planning Pty Ltd Strategy Infrastructure Compliance Procurement A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au	 JACKSON ENVIRONMENT AND PLANNING	Client	Rutherford Tyre Recycling	101 DA
24-08-2023	101	9 Burlington Place, Rutherford, NSW, 2320 (Lot 3005, DP 1040569)			Project	Proposed Tyre Recycling Facility	
					Title	Cover Page	
					Scale		
					Source	Jackson Environment and Planning Pty Ltd	

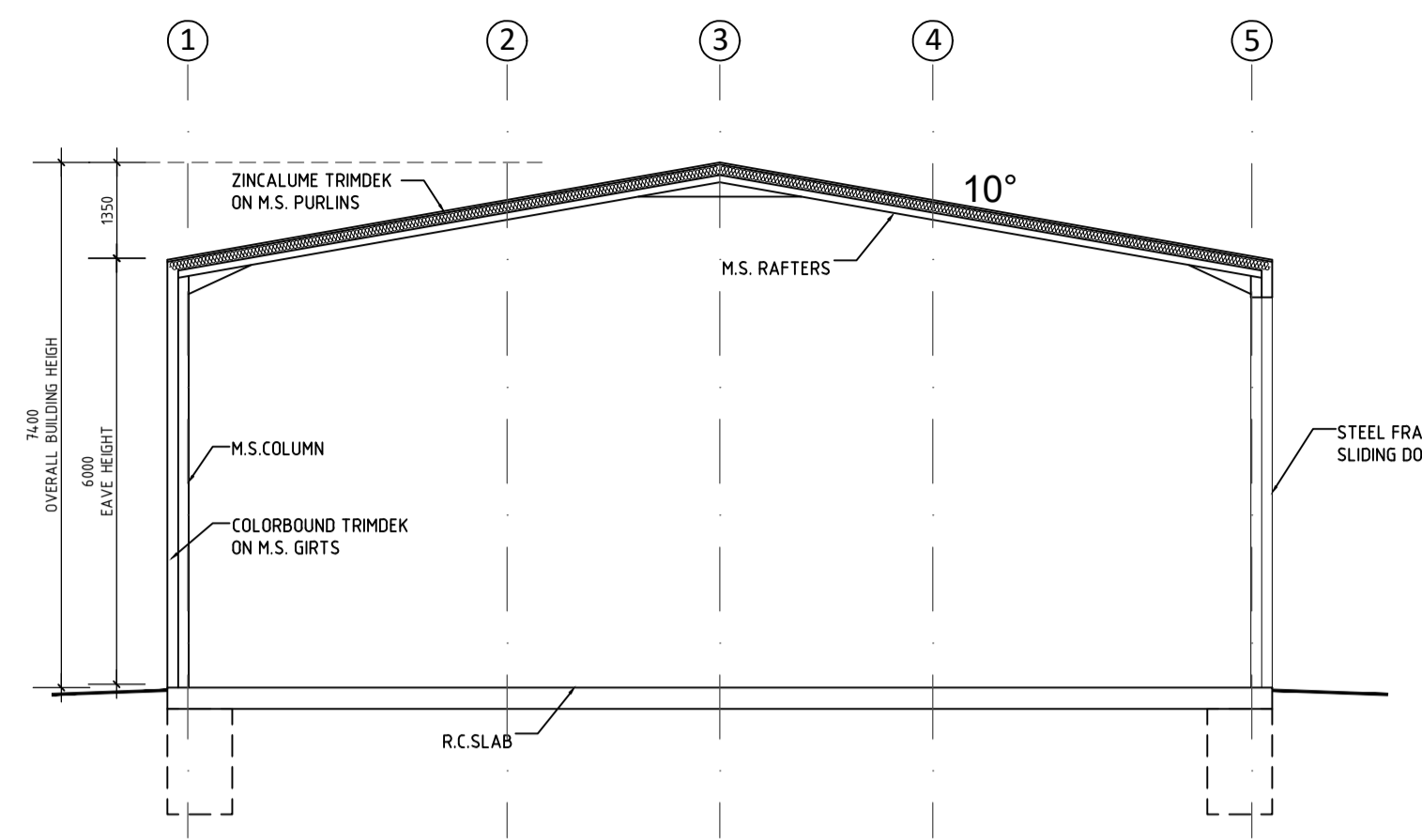
LEGEND

-  EXISTING SITE FEATURES / INFRASTRUCTURE
-  PROPOSED PLANT / EQUIPMENT AND BUILDING ADDITIONS

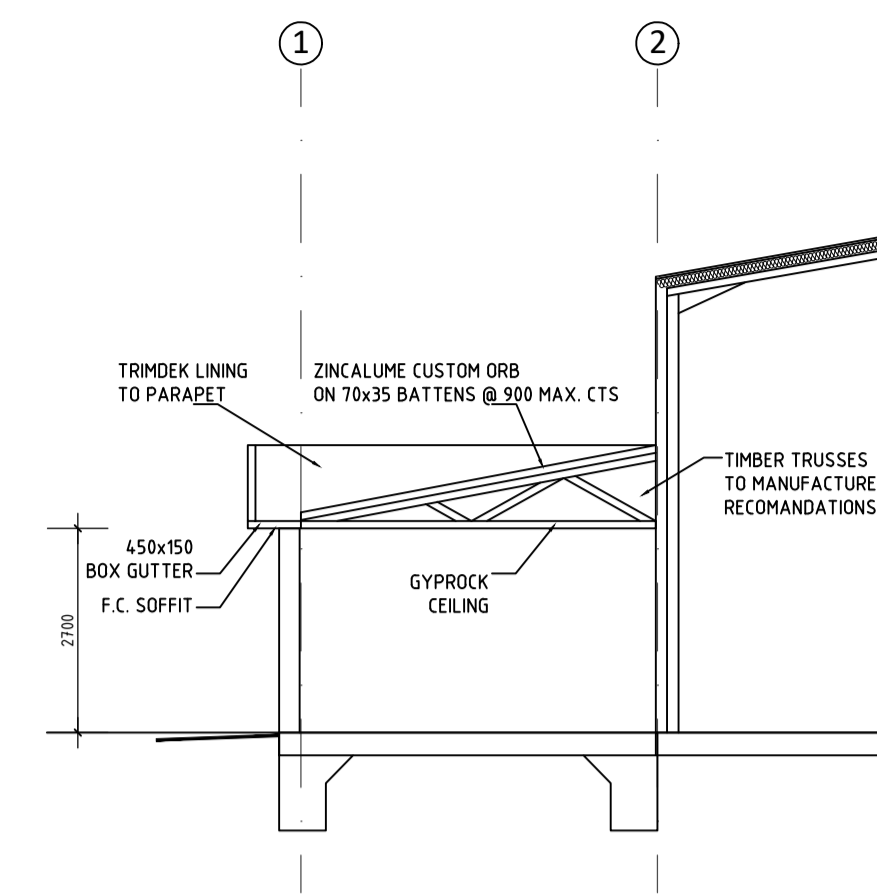


 **SITE PLAN, FLOOR PLAN**
SCALE 1:100 @ A1

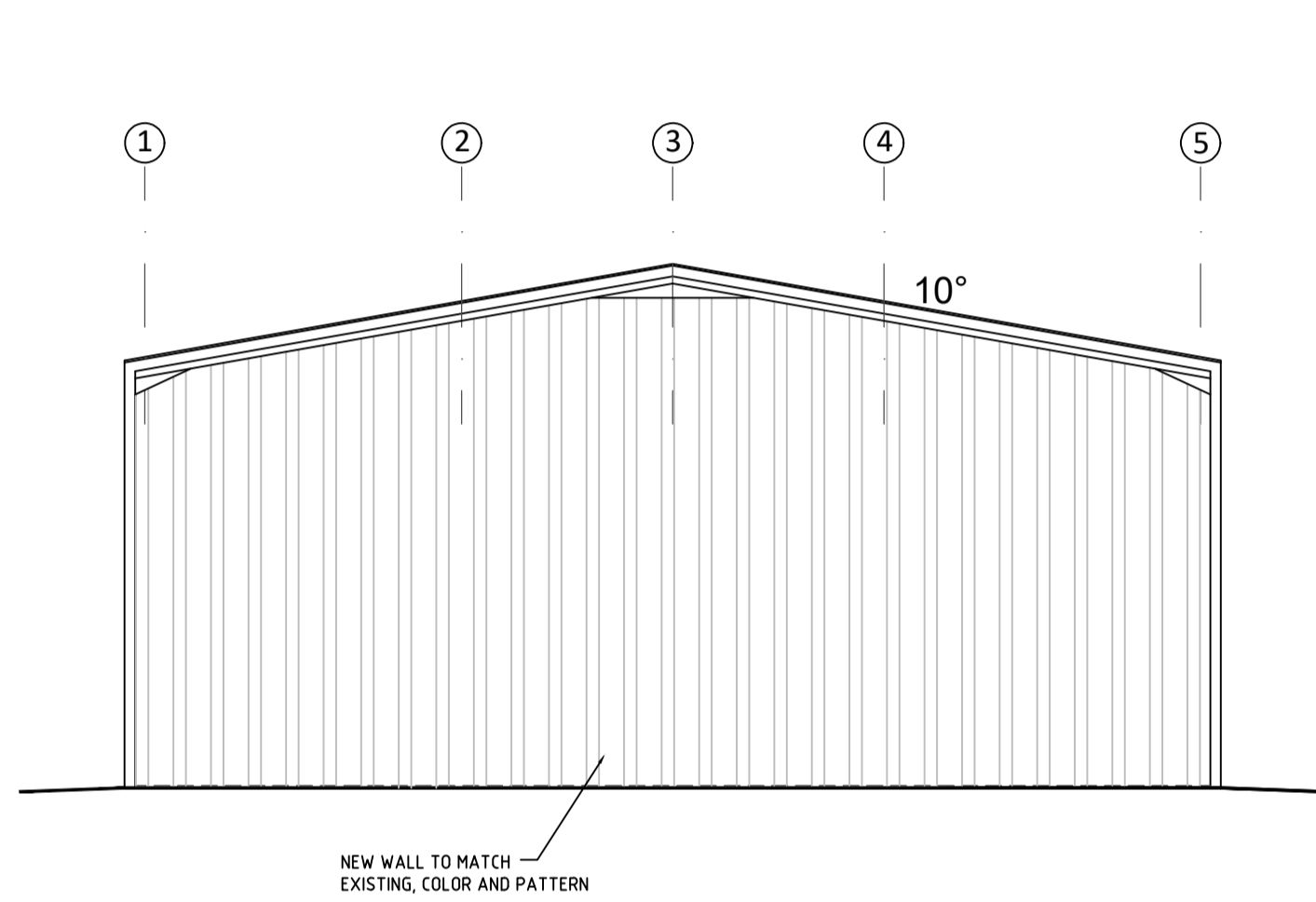
Date	Plan Number	Site Plan, Floor Plan	Jackson Environment and Planning Pty Ltd Strategy Infrastructure Compliance Procurement		Client	Rutherford Tyre Recycling
24-08-2023	102	9 Burlington Place, Rutherford, NSW, 2320 (Lot 3005, DP 1040569)	A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060 E: admin@jacksonenvironment.com.au T: 02 8056 1849 W: http://www.jacksonenvironment.com.au	JACKSON ENVIRONMENT AND PLANNING	Project	Proposed Tyre Recycling Facility
					Title	Site Plan, Floor Plan
					Scale	1:100
					Source	Jackson Environment and Planning Pty Ltd



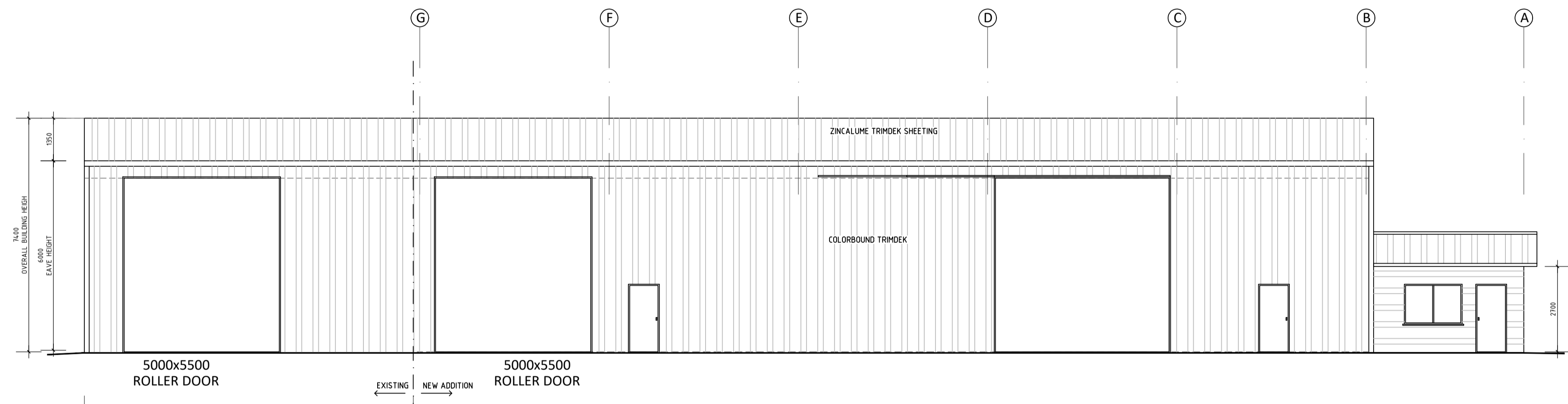
SECTION-1
SCALE 1:100 @ A1



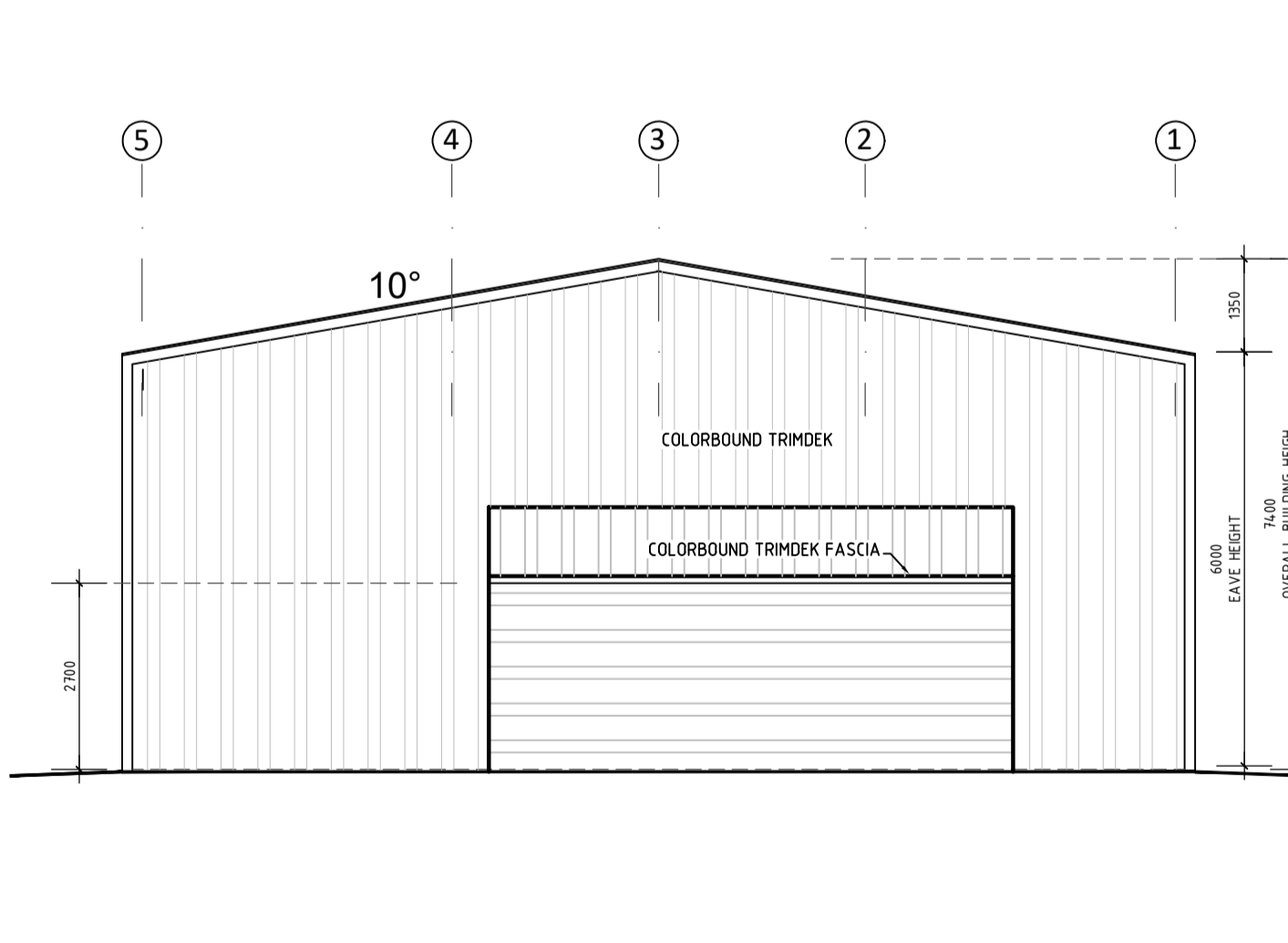
SECTION-2
SCALE 1:100 @ A1



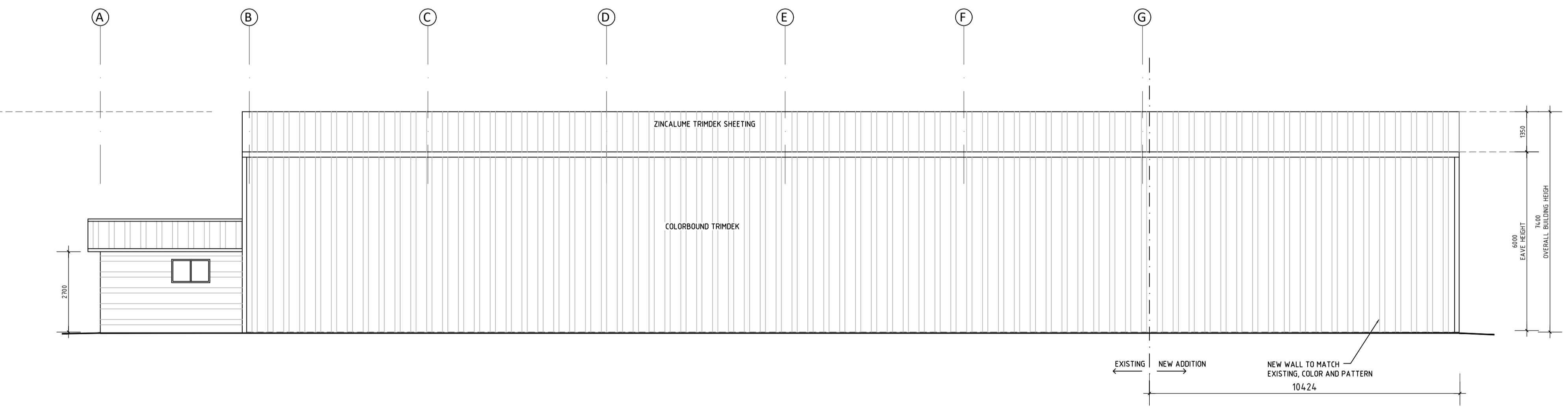
EAST ELEVATION
SCALE 1:100 @ A1



NORTH ELEVATION
SCALE 1:100 @ A1



WEST ELEVATION
SCALE 1:100 @ A1



SOUTH ELEVATION
SCALE 1:100 @ A1

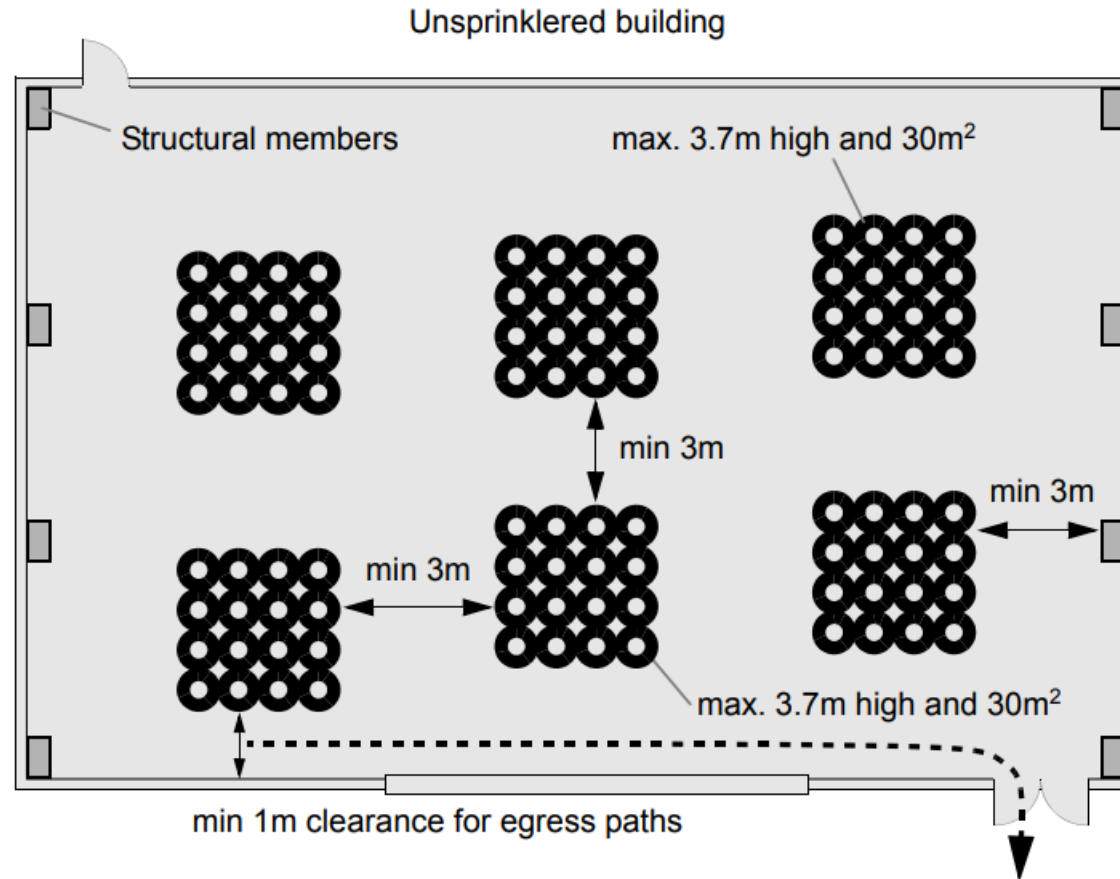
Date	Plan Number	Elevations, Sections
24-08-2023	103	9 Burlington Place, Rutherford, NSW, 2320 (Lot 3005, DP 1040569)

Jackson Environment and Planning Pty Ltd
 Strategy | Infrastructure | Compliance | Procurement
 A: Suite 102, Level 1, 25-29 Berry St, North Sydney NSW 2060
 E: admin@jacksonenvironment.com.au
 T: 02 8056 1849
 W: http://www.jacksonenvironment.com.au



Client	Rutherford Tyre Recycling
Project	Proposed Tyre Recycling Facility
Title	Elevations, Sections
Scale	1:100
Source	Jackson Environment and Planning Pty Ltd

Appendix 2 – Unsprinklered Buildings Tyre Clearance Diagram¹¹



¹¹ Fire & Rescue NSW – Guideline for bulk storage of rubber tyres
https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/rubber_tyres.pdf
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Appendix 3 – Maitland DCP 2011 Assessment

The following table outlines the matters and impacts relevant to the proposed development, along with the type of assessment that would be undertaken as part of the development application.

Table A3.1. Relevant Maitland Development Control Plan 2011 Specifications and Standards

Part	Controls	Compliance
Part B – Environmental Guidelines¹²		
B6 - Waste Not – Site Waste Minimisation & Management	<p>This chapter applies to the following types of development that may only be carried out with development consent within the Maitland LGA:</p> <p>Single dwellings; residential additions/alterations and ancillary structures</p> <ul style="list-style-type: none"> • Dual occupancies • Multi dwelling housing • Residential flat buildings • Commercial development and change of use • Industrial development <p>All applications relating to residential developments, as well as commercial and industrial premises are to include a Site Waste Minimisation and Management Plan (SWMMP) as part of documentation submitted to Council. The development plans should also clearly indicate the location of waste management facilities, including recycling bins and the like.</p>	A SWMMP will need to be completed for this development.
Part C – Design Guidelines		
C.5 – Industrial Lands	<p>1. Scale of Development</p> <p>Proper consideration of industrial development Proposals relies on an understanding of what actually is involved and what is the real nature of hazards and risks. It is essential, and in the applicant’s interests, to fully describe the proposed development.</p> <p>This may include quantities and particular qualities of raw materials and finished products, particularly in terms of:</p> <ul style="list-style-type: none"> • Toxic qualities • Handling procedures • Manufacturing processes involved • By-products in the event of fire • Risks in the event of flood • Cumulative Risks associated with quantities, and with good stored in adjoining development • Procedures required by occupational health and safety regulations • Measures required for safe storage (e.g. bunding etc.) • Volumes to be transported, manner of transport and probably routes • The amount and nature of waste to be generated and the proposed means of disposal • Fire safety measures in buildings and storage area • Whether any other licence or approval is required under other legislation, and the measures proposed in the development to obtain that licence or approval 	In Section 2 & 6 2.1 project will be identified as a ‘designated development’

¹² Maitland DCP – Part B – Environmental Guidelines
https://www.maitland.nsw.gov.au/sites/default/files/documents/public-exhibition/part_b_final_1.pdf

Part	Controls	Compliance
	<p>An accurate description of the proposed development will assist the applicant and Council in defining the use and establishing the overall scale of the development.</p> <p><i>1.1 Designated Development</i> A number of development types are identified as ‘designated development’. This category identifies development that has an increased potential to have adverse impacts on the environment, either due to the scale or nature of the development, or their location near sensitive areas, such as wetlands. As such, a more rigorous environmental assessment process is required, including the consultation process and the appeals procedure. In this instance, an Environmental Impact Statement (EIS) must be prepared to accompany the Development Application. The requirements for the preparation of an EIS and the procedure to be followed are contained in the EP & A Act and Regulation.</p> <p>Schedule 3 in the Environmental Planning and Assessment Regulation 2000 lists certain development types as ‘designated development’ as well as environmental planning instruments, such as State Environmental Planning Policy 14 – Wetlands.</p> <p>The description of ‘designated development’ is not precise in a number of instances, and Council has some discretion about whether a particular development may be included. Early consultation with Council’s Development Assessment Staff is recommended.</p> <p>It should, however, be noted that if a particular development is excluded from “designated development”, procedures may be different but a high level of descriptive and supporting information will still be required.</p>	
<p>C.5 – Industrial Lands</p>	<p>2. Development Guidelines</p> <p><i>1. Design and Appearance of Buildings</i></p> <ul style="list-style-type: none"> (a) The external walls of industrial buildings shall be of profiled colour-treated cladding or masonry materials, or a combination of both; (b) Particular consideration shall be given to the design and use of the above materials in the street elevation of industrial buildings, particularly where such buildings are in close proximity to residential or commercial neighbourhoods or front main roads. (c) Where the side or rear elevation of an industrial building is visible from residential areas, colours and wall profiles should be selected to minimise their visual impact. (d) Buildings should be designed to be energy efficient through the use of insulation, correct orientation on the Site, passive solar design and other energy saving technologies. (e) Where the Site is liable to flooding, accurate information on ground and building levels should be provided. This should be related to proposed measures for evacuation, safe storage and hazard reduction in the event of a flood. 	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>2. Landscaping</p> <p>(a) The following areas of the Site shall be landscaped:</p> <ul style="list-style-type: none"> i) The front setback area to a minimum depth of 5 metres; ii) The side and rear setbacks if visible from residential areas or a public place; iii) The perimeters of open storage areas are to be landscaped as necessary to provide screening from public view; [MAITLAND DEVELOPMENT CONTROL PLAN] December 2011 Part C – Design Guidelines – Industrial Land Page 115 iv) Car parking areas are to be landscaped to provide shade and to soften the visual impact of parking facilities (refer to diagram). <p>(b) A physical barrier of kerb is to be constructed between all landscaped and grassed areas, and areas for the standing or manoeuvring of vehicles on the site.</p> <p>(c) Where practicable, parking areas in the front of building could be constructed at a lower level, to increase the effect of frontage mounding and landscaping in screening parking areas.</p> <p>(d) A detailed plan is to be submitted with the development application and is to show the location and species of all planting and all other landscaping works to be carried out. In this regard Australian native plants will grow faster and require less attention than introduced species. A brochure of suitable species for the Maitland area is available from Council.</p> <p>(e) Landscaping treatment should be designed to complement any existing vegetation and any landscaping of roads and other public spaces.</p>	<p>Compliance will be assessed in DA</p>
	<p>3. Vehicular Access</p> <ul style="list-style-type: none"> (a) Access drives shall have a minimum width of 6 metres (Note: Major traffic generating developments may require a greater access width, divided at the property line) (b) Access drives shall not be located in close proximity to an intersection. (c) Loading and unloading facilities appropriate to the particular development are to be provided on site such that service vehicles are located wholly within the site, and do not create conflicts with parking areas. <p><i>NOTE: Should developers require more detailed technical information regarding vehicular movements to, from and within the site their attention is drawn to the Traffic Authority of New South Wales publication "Policy and Guidelines" which is available for perusal at Council's Town Planning Department.</i></p>	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>4. Parking</p> <p>(a) See C.1: Vehicular Access and Parking for number of parking spaces required.</p> <p>(b) All car parking facilities shall be located behind the front 5 metre landscaped area;</p> <p>(c) Where it is proposed to locate parking facilities behind an industrial building or to the rear of an industrial site, separate provision for visitor parking shall be made in front of the building and behind the front 5 metre landscaped area.</p> <p>(d) Car parking bays are to have a minimum construction standard of a two-coat bitumen seal, be clearly delineated, and have dimensions of 2.6m width x 5.5m length.</p>	<p>Compliance will be assessed in DA</p>
	<p>5. Setbacks</p> <p>(a) Front building setback shall be determined on the following criteria:</p> <ul style="list-style-type: none"> i) <i>Provision of landscaped area to a minimum depth of 5 metres;</i> ii) <i>Provision of car parking facilities;</i> iii) <i>Building height, bulk and layout;</i> iv) <i>The nature and needs of the industrial activity;</i> v) <i>The general streetscape.</i> <p>(b) Side and rear setbacks shall be as specified by Ordinance 70.</p>	<p>Compliance will be assessed in DA</p>
	<p>6. Storage Areas</p> <p>(a) External storage areas are to be located to the rear or the Site and be screened from public view by means of fencing and/or landscaping.</p>	<p>Compliance will be assessed in DA</p>
	<p>7. Advertising Signs</p> <p>(a) Advertising signs and structures shall be of a size, colour and design which is compatible with the building to which they relate and is streetscape;</p> <p>(b) Advertising signs and structures may be located as follows:</p> <ul style="list-style-type: none"> i. Single occupant Industrial Sites: <ul style="list-style-type: none"> o One free standing advertising structure may be constructed within the front 5 meter landscaped area of the Site; and o One advertising sign may be placed on the façade of the building roof line. 	<p>Compliance will be assessed in DA</p>
	<p>8. Drainage</p> <p>(a) On-site detention of stormwater is required in accordance with Council's Manual of Engineering Standards, to restrict the discharge rate of stormwater runoff. The methods may include tanks (either underground or aboveground) or surface storage areas such as driveways.</p> <p>(b) Ultimate discharge for collected stormwater runoff should be to a street drainage system, to an inter allotment drainage line, or by approval to a public area. The system should be gravity-drained. Pumping of stormwater is not permitted.</p> <p>(c) Pollutants carried in stormwater runoff, generated from building activity, vehicle parking, manoeuvring, and hardstand areas should be assessed for the potential adverse effects of sediment movement (by wind, water and wheeltracking), and vehicle-sources hydrocarbon pollution. Appropriate measures must be</p>	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>taken to contain pollutants, both during construction and long term permanent treatments. Reference should be made to Landcom/Department of Housing guidelines “Managing Urban Stormwater”. An Erosion and Sediment Control Plan should be prepared as part of the drainage design for the Site.</p> <p><i>9. Security Fencing</i></p> <p>(a) Security fencing, wherever possible, it to be located within or behind the front 5 metre landscaped area</p>	<p>Compliance will be assessed in DA</p>
	<p><i>10. Compatibility</i></p> <p>(a) Windows, doors and other wall openings should be arranged to minimise noise impacts on residences, where an industry is located within 400 metres of a residential zone;</p> <p>(b) External plant such as generators, air conditioning plant and the like should be enclosed to minimise noise nuisance;</p> <p>(c) External and security lighting should be directed and shielded to avoid light spillage to adjoining residential areas;</p> <p>(d) Driveways should be arranged or screened to avoid leadlight glare on residential windows;</p> <p>(e) Hours of operation may be limited if extended operation is likely to cause a nuisance to adjoining residential areas (including nuisance from traffic).</p>	<p>Compliance will be assessed in DA</p>
<p>C.6 - Signage</p>	<p>Guidelines for Signage</p> <ol style="list-style-type: none"> 1) Signs should be simple, clear and concise. In some cases graphic symbols may be more effective than words. 2) Signs should fit the structure of the building and be complementary to the building. 3) Historic buildings and places should be treated with sympathy and signs should not obscure or overwhelm the architectural features of the building or place. Traditional sign materials of the era should be used rather than plastics, Styrofoam, opalescence and similar materials. 4) Signs in rural and environmental protection zones should only advertise facilities, activities or services located on the land or be directional signs to tourist or historical interest. 5) Multi-tenancy development signage to be uniform size, shape and of similar construction. 6) Wall signs shall be restricted to 25% of the visible wall surface. 7) Signs resembling road or traffic signs are prohibited. 8) Signs are to be properly maintained. 9) Footpath signs are prohibited. 10) Rationalisation of signage is encouraged. 11) Temporary signs and banners are generally not encouraged but when allowed, are subject to strict conditions of approval and removal following the event. 12) Signs requiring substantial supporting structure may require detail design plans from a practising Structural Engineer. <p>Signs Not Acceptable:</p> <p>(a) Signs in rural, residential and environmental protection zones where they do not relate to activities and development situated on that land with the exception of directional signs to place of tourist on historical interest.</p>	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<ul style="list-style-type: none"> (b) Signs which project from the building facade and obstruct the view of the streetscape. (c) Signs fixed to trees, light poles or the like. (d) Signs that interfere with traffic lights or signs, obstruct lines of sight or signs that are inconsistent with RTA requirements. (e) Signs that are unsightly, objectionable or injurious to the amenity of the locality. (f) Signs attached to parked vehicles/trailers or the like. (g) Portable signs on public footways/road reserves. (h) Numerous small and cluttered signs duplicating information. (i) Signs not on land to which they relate other than in commercial/industrial zones. <p>For licensing strategy, fee structure & Enforcement see page 121 in the Maitland DCP</p>	
<p>C.11 – Vehicular Access & Parking</p>	<p><i>1.1 General Requirements</i> In determining the parking and traffic requirements for a development Proposal, the following principles shall be followed:</p> <ul style="list-style-type: none"> • the minimum standards as set out in this plan; • the likely demand for off-street parking generated by the development; • the availability of public transport in the vicinity to service the proposed development; • the probable mode of transport to be used by employees and/or customers; • the likely peak times of usage of the proposed development; • the existing traffic volumes on the surrounding street network including, where relevant, the potential future traffic volumes; and • the equity of requiring off-street parking for individual developments within areas such as Maitland City Centre and Morpeth, where historical parking deficiencies have occurred 	
	<p><i>1.2 Calculation of Parking Requirements</i> <i>d. Change of Use (relevant option)</i> Where the use of an existing building is to be changed, or where an existing building is to be replaced with a new building, the following method of calculation shall apply:</p> <ul style="list-style-type: none"> I. The parking requirements of the previous or existing premises is to be determined in accordance with Appendix A of this policy; II. The parking requirement of the proposed development is to be determined in accordance with Appendix A of this policy; III. Subtract the number of spaces determined in (a) above from the number of spaces calculated in (b) above; IV. The difference calculated in (c) above represents the total number of parking spaces to be provided in addition to the existing off-street carparking. <p>Where an existing building is to be replaced by a new building which has a floor area not exceeding the floor area of the existing building, and no change of use is proposed, no additional parking is required to be provided.</p> <p>Notwithstanding the above, nothing in this plan requires the provision of additional parking in conjunction with the conversion of an existing approved office or business premises or a shop, to either a shop or a restaurant or cafe, within business zones of the Maitland City Centre</p>	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>(refer to Map).</p> <p>Appendix A – Car Parking Requirements for Specific Land Uses</p> <ul style="list-style-type: none"> • Industry <ul style="list-style-type: none"> ○ 1 space per 75m² GFA or 1 space per 2 employees WHICHEVER IS THE GREATER ○ This requirement may increase if retailing is permitted on the site, or the office space component is in excess of 20% of the floor area. <p>Warehouses or Distribution Centres 1 space per 300m² GFA</p>	
	<p>2. Guidelines for the design, layout and construction of access and parking areas</p> <p>2.1 Access To The Site</p> <p>A development should be designed to provide adequate on-site manoeuvring and circulating areas to ensure that all vehicles can enter and leave the Site in a forward direction.</p> <p>Access to or from a Site shall be located where it causes the least interference to vehicular and pedestrian traffic on the road frontage. Access will generally not be permitted in the following locations:</p> <ul style="list-style-type: none"> (a) close to traffic signals, intersections or roundabouts where sight distance is considered inadequate by Council; (b) opposite other developments generating a large amount of traffic (unless separated by a median island); (c) where there is heavy and constant pedestrian movement along the footpath; (d) where right turning traffic entering the facility may obstruct through traffic; and (e) where traffic using the driveways interferes with, or blocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings. (f) Direct access onto a major road is to be avoided wherever possible. Auxiliary lanes, (deceleration and acceleration lanes), may need to be provided to minimise conflicts between entering/leaving traffic with through traffic. In many cases, right turn movements into a site are unlikely to be supported, unless an exclusive right turn bay is provided. <p>Council may designate areas over the street frontage of the development where no stopping or no parking sign posting is to be installed to facilitate the entry/exit of vehicles and the safe movement of cyclists and pedestrians. Any on-street signage would be required in accordance with Australian Road Rules requirements as identified by Council’s Local Traffic Committee.</p>	<p>Compliance will be assessed in DA</p>
	<p>2.2 Sight Distances</p> <p>Consideration must be given to maintaining adequate sight distances for all access driveways. Any vehicle entering or leaving the driveway must be visible to approaching vehicles and pedestrians. AS 2890.1 Off-Street Car Parking gives minimal and desirable sight distances for a range of road frontage speeds.</p>	<p>Compliance will be assessed in DA</p>
	<p>2.3 Entrance/Exit to the Site</p> <p>The entry and exit requirements for parking areas may vary in relation to:</p>	<p>Compliance will be assessed in DA</p>

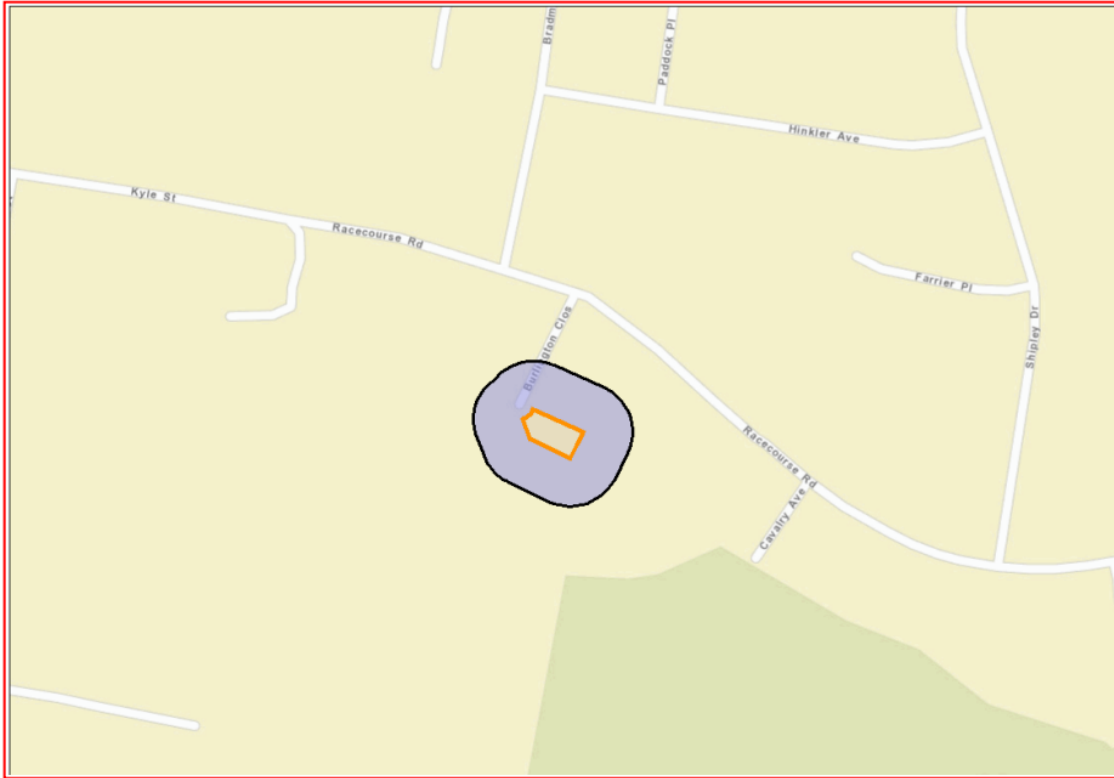
Part	Controls	Compliance
	<ul style="list-style-type: none"> the size of vehicles likely to enter the proposed development; the volume of traffic on the streets serving the proposed development; and the volume of traffic generated by the development. <p>The driveway standards recommended by the Roads and Traffic Authority of NSW Guide To Traffic Generating Developments (the guide) are adopted for the purpose of this Plan.</p> <p>Requirements specified within ‘the guide’ are summarised in Tables 1 and 2 in Appendix B, and in general the following shall apply:</p> <ul style="list-style-type: none"> separate entrance and exit driveways should be provided for developments requiring more than 50 car parking spaces or where the development generates a high turnover of traffic such as a service station or other drive in retail facilities; entry and exit driveways shall be clearly signposted; the number of access points from a development site to any one street frontage should be limited to one ingress and one egress; and the potential for on-street queuing should be minimised by ensuring that adequate standing areas are available for vehicles entering the car park and loading areas. 	
	<p>2.4 Location of Parking Areas</p> <p>Parking facilities for visitors and customers shall be provided where clearly visible from the street so their use is encouraged. Parking spaces for employees and for longer duration parking may be located more remotely from the street. Within the development site, the location of the parking area should be determined having regard to:</p> <ol style="list-style-type: none"> site conditions such as slope and drainage; visual amenity of the proposed and adjacent development; the relationship of the building to the parking area; and the proximity of the parking area to any neighbouring residential areas 	<p>See Figure 2.1 for car parking proposed plan</p>
	<p>2.5 Parking Space and Aisle Dimensions</p> <p>Greater dimensions than minimum is required when:</p> <ul style="list-style-type: none"> a parking space which has a wall or obstruction on one side – an additional 300mm width to that shown is required; and, for the end space in a blind aisle, the width is to be increased to 3.6 metres. <p>See Appendix 3 for typical parking space dimensions.</p>	<p>Compliance will be assessed in DA</p>
	<p>2.6 Construction Requirements</p> <p>In general, all car parking areas, manoeuvring areas and unloading areas shall be constructed with a base course of adequate depth to suit design traffic, and shall be sealed with either bitumen, asphaltic concrete, concrete or interlocking pavers. In choosing the most suitable pavement type, consideration should be given to:</p> <ul style="list-style-type: none"> anticipated vehicle loads; run-off gradients and drainage requirements; and, construction constraints. <p>The works are to be maintained to a satisfactory standard throughout the term of development and/or use of the land for which the facilities are provided. Particular consideration needs to be given to the appearance of car parking areas within Heritage Conservation Areas, or associated with or adjacent to, listed Heritage Items, where large areas of bitumen surfaced car parking are not recommended. In these circumstances</p>	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>alternative treatments should be discussed with Council’s Planning staff. A combination of landscaping and choice of sympathetic materials (eg pavers, faux brick or in certain circumstances stabilised gravel finish) is generally recommended as the most practical solution.</p>	
	<p>2.7 Landscaping Parking areas shall be appropriately landscaped to achieve a satisfactory appearance, particularly for those car parks with large areas of bitumen, to provide shade and to provide a buffer between neighbouring land uses. Landscaping should be used throughout the car park and on the perimeters. In general, there should be no more than 10 parking bays before a break with planting. Species should be selected and located to avoid maintenance problems, so that they do not hinder visibility at entry or exit points and so that they do not cause damage to paved areas by root systems or create excessive leaf or branch litter. Trees with large surface roots, excessive girth, brittle limbs, fruits which drop and trees which attract large numbers of birds should be avoided in parking areas. In most cases landscaping can be integrated into parking layouts without the need for additional area or loss of car parking spaces. Wheel stops are to be provided along the front of parking bays to prevent vehicles from damaging landscaped areas, buildings and/or fencing and other vehicles.</p>	<p>Compliance will be assessed in DA</p>
	<p>2.8 Directional Signs and Marking Parking areas are to be clearly signposted and line-marked. Entry and exit points are to be clearly delineated and parking spaces for specific uses(disabled visitors, employees etc) clearly signposted. “One way” markings must be clearly set out on the pavement in such a manner as to be easily readable and understandable to users of the car park. Council may designate areas within the car park where no stopping or no parking signposting is to be installed to facilitate the free movement of vehicles and pedestrians.</p>	<p>Compliance will be assessed in DA</p>
	<p>2.9 Principles for Crime Prevention Effective design can be used to assist in the reduction of crime opportunities. The following design principles will be considered by Council in the assessment of applications. How they apply to each development application will depend on the nature of the development Proposal and prevailing crime risk in the area. The aim of these principles is to ensure that Council does not approve developments that create or exacerbate crime risk. Design of car parking areas should consider the principles of effective lighting. Lighting is to be provided in off-street car parks in accordance with the requirements of AS 2890.1, 2004 – Parking Facilities Off Street Parking. Lighting may also be required over the street frontage of the development, particularly at entry or exit points in accordance with AS/NZS 1158, Lighting for Roads and Public Places.</p> <ul style="list-style-type: none"> (a) Provision of clear sightlines between public and private places; (b) Landscaping that makes the car park attractive but does not provide offenders with a place to hide or entrap victims; (c) In some cases restricted access to the car park, particularly after business hours through the use of physical barriers should be considered; (d) Design with clear transitions and boundaries between public and 	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>private space through the provision of clear access points;</p> <p>(e) Clear design cues on who is to use the space and what it is to be used for – care should be taken to ensure that gates and enclosures do not make public areas into private areas and consideration should be given to suitable signage (eg need to lock vehicles);</p> <p>(f) Strategies to prevent vandalism through appropriate design, eg durable lighting materials and minimisation of exposed walls;</p> <p>(g) Management strategies for site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out lighting, the removal or refurbishment of decayed physical elements and the continued maintenance of landscaped areas.</p>	
	<p>3. Loading/Unloading Requirements</p> <p>3.1 General</p> <p>On-site loading and unloading facilities must be provided for all businesses, commercial, industrial, retail and storage uses and any other where regular deliveries of goods are made to or from the Site.</p>	<p>Compliance will be assessed in DA</p>
	<p>4.2 Number and Size of Loading Bays</p> <p>The number and dimensions of the on-site loading bays must be designed having regard to the nature and scale of the proposed development, the estimated frequency of deliveries, the type of delivery vehicle likely to be involved and the types of goods being loaded/unloaded. Accordingly, these details are required to be submitted with the Development Application for Council’s consideration. As a guide, for small and medium-sized shops or commercial premises, restaurants or small-scale industrial development likely to involve the use of vans, utilities or small trucks only, one loading bay will usually be sufficient.</p>	<p>Compliance will be assessed in DA</p>
	<p>Design and Layout of Loading Bays</p> <p>The loading areas must be designed to ensure that standard design vehicles can manoeuvre into and out of all loading areas without causing conflict to the movement of traffic on-site or in the adjacent streets. It is not possible to specify dimensions for service areas which would be appropriate for all situations. The dimensions of the service bay will depend, in part, on the type of vehicle to be accommodated. The loading bay(s) should be a physically defined area (by signposting and/or pavement marking) which is not used for other purposes such as customer parking or the storage of goods and equipment. The loading areas must be designed to ensure that vehicles stand entirely within the site during all loading and unloading operations. Where existing buildings are being redeveloped, all of the above design criteria may not be achievable. However, every effort must be made to ensure that public safety is not compromised. In addition to the above requirements, the</p>	<p>Compliance will be assessed in DA</p>

Part	Controls	Compliance
	<p>Roads and Traffic Authority’s “Guide to Traffic Generating Developments” details recommended dimensions for loading areas based on the various types of service vehicles and other requirements for ramps, internal roadway etc (refer to Table 1 in Appendix B) Council’s Planning and Environmental Group should be contacted if further information is required.</p>	
	<p>4. Car Parking for Persons with a Disability Special parking spaces for persons with a disability are to be made available in the provision of car parking facilities, in accordance with Australian Standard AS2890.1 – 2004. In general, where 10 or more vehicle spaces are required, one designated parking space for people with disabilities is required per 100 (or part thereof) car spaces provided. Council has adopted the ‘enhanced’ requirements for land uses where there is a higher demand for disabled facilities. For example, for retail shopping complexes, community facilities and medical centres, parking provisions for people with disabilities should be increased to 2 to 3 % of the overall parking requirements. Council’s enhanced car parking standards are as follows:</p> <ul style="list-style-type: none"> • medical services, including community health centres – 1 space per two to five surgeries (or equivalent), 2 spaces for six or more surgeries (or equivalent) • entertainment facilities clubs and public halls, large retail complexes (ie>100 spaces) and railway stations – 3 spaces per 100 car parking spaces The location of spaces designated for persons with a disability should be close to an entrance to a building or facility with access from the car space by ramps and/or lifts. These spaces should be clearly signposted for the convenience of their users and to discourage other drivers from using such spaces. The spaces should be a minimum of 2.4 metres wide with an adjoining shared space 2.4 metres wide to assist movement into and out of parked vehicles 	<p>Compliance will be assessed in DA</p>
<p>6. Bicycle Parking</p>	<p>Provision is to be made for cyclists via the installation of bicycle parking facilities in accordance with Australian Standard AS 2890.3-1993 – Bicycle Parking Facilities and Austroads Guide to Traffic Engineering, Part 14.</p>	<p>Compliance will be assessed in DA</p>

Appendix 4 – AHIMS Report



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location.*