



NSW GOVERNMENT
Department of Planning

Major Projects Assessment
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Our ref: 9038784

Mr Roger Gain
Director – Don Fox Planning Pty Ltd
PO Box 230
PENNANT HILLS NSW 1715

RECEIVED
- 4 JUN 2009
BY:

Dear Mr Gain

**Enviroking Waste Facility Project (MP 07_0048)
Director General's Requirements**

I refer to your correspondence to the Department advising that the Director-General's requirements (DGRs) for the Enviroking Waste Facility Project in the Cessnock local government area issued by the Department on 16 April 2007 have expired.

I have attached a copy of the revised DGRs for the project. Please note that the Director-General may alter these requirements at any time.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment, Water, Heritage and the Arts in Canberra (6274 1111 or <http://www.environment.gov.au>) to determine if the proposal requires an approval under the EPBC Act. The Commonwealth Government has accredited the NSW environmental assessment process, so if it is determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your Environmental Assessment for the project. This will enable the Department to determine the:

- applicable fee (see Division 1A, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required for exhibition purposes.

Once it receives the Environmental Assessment, the Department will review it in consultation with the relevant authorities to determine if it adequately addresses the Director-General's requirements, and may require you to revise it prior to public exhibition.

The Department is required to make all the relevant information associated with the project publicly available on its website. Consequently, I would appreciate it if you would ensure that all the documents you subsequently submit to the Department are in a suitable format for the web, and arrange for an electronic version of the Environmental Assessment to be hosted on a suitable website during the exhibition period.

If you have any enquiries about these requirements, please contact Georgia Ivancevic on 9228 6457 or Georgia.Ivancevic@planning.nsw.gov.au.

Yours sincerely



30.5.09

Chris Wilson
Executive Director
Development Assessment and Systems Performance
As delegate for the Director-General

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Application Number	MP 07_0048
Project	Expansion of the existing waste management facility to increase capacity from 5,000 to 15,000 tonnes per annum of oil products.
Location	931 John Renshaw Drive, Cessnock
Proponent	Enviroking Investments Pty Ltd
Date of Issue	May 2009
General Requirements	<p>The Environmental Assessment of the project must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project, including the: <ul style="list-style-type: none"> - need for the project; - alternatives considered; - likely staging of the project; and - plans of any proposed building works; • a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment (see above), which includes: <ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data; - an assessment of the potential impacts of all stages of the project, including any cumulative impacts, taking into consideration any relevant laws, policies or guidelines (see below); - a description of the measures that would be implemented to avoid, minimise, and if necessary, offset the potential impacts of the project; • a statement of commitments, outlining all the proposed environmental management and monitoring measures; • a conclusion justifying the project on economic, social and environmental grounds, taking into consideration whether the project is consistent with the objects of the Environmental Planning and Assessment Act 1979; • a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Air Quality – including a comprehensive air quality assessment focusing on particulate emissions (during construction) and point source emissions and odour impacts (during operation); • Soil and Water – including: <ul style="list-style-type: none"> - site water balance detailing water sources, water consumption, water recycling, the quantity and quality of wastewater streams, and the impact of any water release from the site on surface and groundwater; - proposed erosion and sediment controls (during construction) and proposed stormwater management systems (during operation); and - details of soil contamination and management; • Traffic – including details of traffic volumes likely to be generated by the project, and an assessment of this traffic on the safety and capacity of the surrounding road network. Details of key transport

	<p>routes and site access must be provided;</p> <ul style="list-style-type: none"> • Waste Management; • Noise – including construction, operation and traffic noise; and • Visual – including an assessment of the visual impacts from public locations.
References	The Environmental Assessment should take into account the relevant State Government policies, guidelines and plans. While not exhaustive, the policies, guidelines and plans that may be relevant to the project are included in the attached list.
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Department of Environment and Climate Change; • Roads and Traffic Authority; and • Cessnock City Council. <p>The consultation process, and the issues raised during this process, must be described in the Environmental Assessment.</p>
Deemed refusal period	60 days

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Risk Assessment	<p>AS/NZS 4360:2004 Risk Management (Standards Australia)</p> <p>HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)</p>
Air	<p>Protection of the Environment Operations (Clean Air) Regulation 2002</p> <p>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (DEC)</p> <p>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)</p>
Odour	<p>Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC)</p> <p>Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)</p>
Soil and Water	
<i>Soil</i>	<p>Managing Urban Stormwater: Soils & Construction (Landcom)</p> <p>Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)</p> <p>National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)</p> <p>State Environmental Planning Policy No. 55 – Remediation of Land</p> <p>Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA)</p>
<i>Surface Water</i>	<p>National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)</p> <p>National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)</p> <p>National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMCC & AHMC)</p> <p>National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMCC & AHMC)</p> <p>Managing Urban Stormwater: Council Handbook. Draft (EPA)</p> <p>Managing Urban Stormwater: Treatment Techniques (EPA)</p> <p>Managing Urban Stormwater: Source Control. Draft (EPA)</p> <p>Managing Urban Stormwater: Soils & Construction (Landcom)</p> <p>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)</p> <p>Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)</p> <p>Floodplain Risk Management Guideline: Practical Consideration of Climate Change (DECC)</p> <p>Guidelines for Water Savings Action Plans (DEUS)</p>

<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC) Draft
Traffic	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Waste	
	Waste Avoidance and Resource Recovery Strategy (Resource NSW)
	Waste Classification Guidelines (DECC)
Noise	
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Environmental Noise Control Manual (DECC)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS4282)
Strategic Plans	
	Lower Hunter Regional Strategy
	Hunter Regional Environmental Plan 1989
	Cessnock Local Environmental Plan 1989