

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* Schedule 2 of the Environmental Planning and Assessment Regulation 2000

Application Number	SSD-10096818
Project Name	Buronga Landfill Expansion
Development	Expansion of the Buronga Landfill to develop a regional waste facility which can receive up to 100,000 tonnes of general waste per annum
Location	258 Arumpo Road (Lot 1 DP 1037845 and Lots 197 and 212 DP 756946), Wentworth in the Wentworth local government area.
Applicant	Waste and Management Services Pty Ltd
Date of Issue	11/11/2020
General Requirements	The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development. Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: - detailed description of the site including any existing or approved operations, site history and planning approvals - a detailed description of the development, including: · the need and justification for the development and alternatives considered; · details on how the proposed expansion will integrate with existing onsite operations during the construction and operational phases of the proposed expansion; · likely staging of the development; · likely interactions between the development and any existing, approved and proposed developments in the vicinity of the site; · plans of any proposed works with details of the proposed setbacks, site coverage, car parking, landscaped areas; · details of infrastructure upgrades or items required to facilitate the development, and a description of any arrangements to ensure the upgrades will be implemented in a timely manner and maintained; and · describe the management of the closure of the development and the ongoing management of the development throughout rehabilitation. - consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; - a list of any approvals that must be obtained for example under the <i>Local Government Act 1993</i>, the <i>Roads Act 1993</i>, or any other Act or law before the development may lawfully be carried out; - consideration of key issues identified by Government agencies and Wentworth Shire Council (see Attachment 2); and - a risk assessment of any potential environmental impacts of the development, identifying the issues for further assessment.

	Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include: - adequate baseline data; - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); and - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: - a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV; - an estimate of jobs that will be created during the construction and operational phases of the proposed development; and - certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must include an assessment of potential impacts of the development (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. The EIS must address the following specific matters: 1. Statutory and Strategic Context - demonstrate that the development is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. The following documents must be addressed: - o <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i>; - o <i>State Environmental Planning Policy No. 55 – Remediation of Land</i>; - o <i>State Environmental Planning Policy (Infrastructure) 2007</i>; - o <i>State Environmental Planning Policy (State and Regional Development) 2011</i>; - o <i>State Environmental Planning Policy (Koala Habitat Protection) 2019</i>; - o <i>Wentworth Local Environmental Plan 2011</i>. 2. Suitability of the Site – including: - a detailed justification the site can accommodate the proposed landfill, having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures. 3. Community and Stakeholder Engagement – including: - a community and stakeholder participation strategy identifying key community members and other stakeholders and details and justification for the proposed consultation approach(s); - clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted; - issues raised by the community and surrounding landowners and occupiers; - clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development; and - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.

4. **Landfill Design** – including:
 - details of the consistency of the proposal with the *Environmental Guidelines: Solid Waste Landfills*, Second edition (EPA, 2016);
 - Description of the proposed cell design and integrity;
 - details around proposed leachate and gas management and monitoring;
 - consideration of proposed water quality control and monitoring;
 - description and justification of proposed daily waste covering; and
 - justification for the proposed final capping, closure measures and rehabilitation of the site, including its final landuse.
5. **Waste Management** – including:
 - identification, classification and quantification of the likely waste streams that would be handled/stored/disposed of at the facility in accordance with the EPA's Waste Classification Guidelines (2014);
 - details of how waste would be treated, stored (including the maximum daily storage capacity of the site), used, disposed and handled on site, and transported to and from the site and the potential impacts associated with these issues. This shall include details of how the receipt of non-conforming waste would be dealt with; and
 - a description of all reasonable and feasible measures that have been or would be implemented to maximise resource recovery from the waste stream and reduce the disposal of waste to landfill in line with the aim, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21* and other relevant government policy.
6. **Air Quality and Odour** – including:
 - a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant EPA guidelines;
 - the details of any buildings and air handling systems and justification for any material handling, processing or stockpiling external to buildings;
 - a greenhouse gas assessment of the operation of the development, including, but not limited to emissions generated from the waste management cells; and
 - details of proposed mitigation, management and monitoring measures.
7. **Rehabilitation**
 - a detailed description of how the site would be progressively rehabilitated, revegetated and integrated into the surrounding landscape, including measures to ensure that the final landform is free draining;
 - a justification for the proposed final landform and use, taking into consideration any relevant strategic land use planning or resource management plans or policies; and
 - a detailed description of the measures that would be put into place to ensure sufficient resources are available to implement the proposed rehabilitation measures, and the ongoing management of the site following the cessation of landfilling activities.
8. **Traffic and Access** – including:
 - a quantitative Traffic Impact Assessment prepared in accordance with the relevant Council, Austroads and RMS guidelines;
 - details of all daily and peak traffic and transport movements likely to be generated by the development (vehicle type, public transport) during construction

and indicative operation, including cumulative impacts;

- details and a justification of access to, from and within the site (vehicular and pedestrian);
- impacts on the safety and capacity of the surrounding road network and access points, using SIDRA modelling or similar to assess impacts from current traffic counts and cumulative traffic from existing and proposed developments;
- demonstrate that sufficient loading/unloading, car parking and pedestrian and cyclist facilities have been provided for the development; and
- details of road upgrades, new roads or access points required for the development, if necessary.

9. Soil and Water – including:

- characterisation and consideration of potential, salinity and soil contamination;
- a description of water demands of the development and a breakdown of water supplies;
- identify any water licensing requirements under the *Water Act 1912* or *Water Management Act 2000*;
- details of proposed erosion and sediment controls during construction;
- detailed plans and a description of the surface and stormwater management system, including on-site detention, designed in accordance with Water Sensitive Urban Design principles;
- details of the proposed leachate management system including the capacity of the system to treat and dispose of leachate;
- an assessment of potential surface water, flooding and groundwater impacts, including impacts on nearby waterbodies, surrounding properties, any licensed water users, landholder rights or groundwater dependent ecosystems;
- a detailed and contemporary hydrogeological impact assessment that documents local and regional groundwater features for all sites and includes a comprehensive description of the potential impacts and mitigation measures that will be implemented at the site to protect groundwater; and
- a description and appraisal of impact mitigation, management, maintenance and monitoring measures.

10. Hazards and Risks – including:

- a preliminary risk screening completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33* (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the development is “potentially hazardous” a preliminary hazard analysis (PHA) must be prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011); and
- an assessment on the potential risk of onsite fire generation from the landfill facility and a description of management and mitigation measures to alleviate any identified risks.

11. Biodiversity – including:

- details of the number of trees to be removed and the number of trees to be planted on the site; and
- including an assessment of the proposal’s biodiversity impacts in accordance with the *Biodiversity Conservation Act 2016*, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.

12. Heritage – including:

- consideration of heritage items within the vicinity of the site and any potential heritage impacts associated with the development; and

	- identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). 13. Noise and Vibration – including: - a quantitative noise and vibration impact assessment in accordance with the relevant EPA guidelines; - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area; - cumulative impact assessment, inclusive of impacts from other existing and proposed developments; and - details and analysis of the effectiveness of proposed mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of mitigation measures, and monitoring measures. 14. Social and Economic – including: - identifying and analysing the potential social impacts of the development from the point of view of the affected community and other relevant stakeholders; - assessment of the significance of positive, negative and cumulative social impacts; - mitigation measures and monitoring of likely negative social impacts; and - an analysis of potential economic impacts of the development, including a discussion of any potential economic benefits. 15. Visual and Design Measures to minimise the visual impacts of the development, including: - a detailed assessment of any buildings associated with the proposal including height, colour, scale, building materials and finishes, signage and lighting, particularly from nearby residential receivers; and - detailed plans showing suitable landscaping.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with: - Wentworth Regional Council; - Transport for New South Wales; - Environment Protection Authority; - Environment, Energy and Science of DPIE; - Heritage NSW; - Water Group of DPIE; - Fire and Rescue; - NSW Rural Fire Service; - WaterNSW; - Regional NSW; - surrounding landowners and the local community; and - any other public transport or community service providers. The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.

Further consultation after 2 years	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.epa.nsw.gov.au>

<http://www.environment.nsw.gov.au>

<http://www.dpi.nsw.gov.au>

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sq.m) and north point;
 - the existing levels of the land in relation to buildings and roads;
 - location and height of existing structures on the site;
 - location and height of adjacent buildings and private open space; and
 - all levels to be to Australian Height Datum (AHD).
2. A locality/context plan drawn at an appropriate scale indicating:
 - significant local features;
 - the location and uses of existing buildings, shopping and employment areas; and
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - detailed earthworks plan;
 - stormwater concept plan;
 - landscape plan; and
 - Construction Management Plan, inclusive of a Construction Traffic Management Plan and construction methodology and staging.

Documents to be Submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
- Additional copies as determined by the Department once the development application is lodged.

Policies, Guidelines and Plans	
Aspect	Policy /Methodology
Social	
	Social Impact Assessment Guideline (Department of Planning and Environment)
Traffic and Access	
	Roads Act 1993
	Austroads Guide to Traffic Management – Part 12: Traffic Impacts of Development
	Planning Guidelines for Walking and Cycling
	Guide to Traffic Generating Development (RTA)
	Cycling Aspects of Austroads Guides
	Road Design Guide (RTA)
	NSW 2021
	NSW Long Term Transport Master Plan
	Sydney's Walking Future
	Sydney's Cycling Future
Noise and Vibration	
	Interim Construction Noise Guideline (DECC)
	Assessing Vibration: a technical guide (DEC)
	NSW Noise Policy for Industry 2017 (EPA)
	NSW Road Noise Policy (EPA)
Soil and Water	
<i>Surface Water</i>	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)

		State Water Management Outcomes Plan
		Water Guidelines for Controlled Activities (DPI)
		NSW Government Water Quality and River Flow Environmental Objectives (DECC)
		Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
		Managing Urban Stormwater: Soils & Construction (Landcom)
		Managing Urban Stormwater: Treatment Techniques (DECC)
		Managing Urban Stormwater: Source Control (DECC)
		Technical Guidelines: Bunding & Spill Management (DECC)
		Floodplain Development Manual (DIPNR)
		Floodplain Risk Management Guideline (DECC)
		A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
		Technical Guidelines: Bunding & Spill Management (DECC)
		Council's Stormwater Management Policy 2017
<i>Erosion Sediment</i>	<i>and</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
		Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW)
		Soil and Landscape Issues in Environmental Impact Assessment (DLWC)
		Wind Erosion – 2nd Edition
<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
		NSW Aquifer Interference Policy (NOW)
<i>Soil</i>		Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
		National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
		State Environmental Planning Policy No. 55 – Remediation of Land
		Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)

Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Biodiversity	
	NSW Biodiversity Assessment Method (OEH, 2017)
	The NSW State Groundwater Dependant Ecosystem Policy (DLWC)
Heritage	
	<i>Heritage Act 1977</i>
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA 2014)
	EPA's Waste Classification Guidelines
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSW EPA)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)

ATTACHMENT 2

Government Authority Responses to Request for Key Issues
For Information Only