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-10396
Project Name	Kings Park Metal Recovery and Recycling Facility Expansion
Development	To increase the capacity of the Kings Park Metal Recovery to receive and process up to 600,000 tonnes of metal waste per annum.
Location	23-45 Tattersall Road, Kings Park
Applicant	Sell & Parker Pty Ltd
Date of Issue	19/12/2019
General Requirements	The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). In addition, the EIS must include a: · detailed description of the development, including: - accurate history of the site, including development consents; - need for the proposed development; - justification for the proposed development; - likely staging of the development; - likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; - plans of any proposed building works; and - contributions required to offset the proposal. · consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; · consideration of issues discussed in Attachment 2 (public authority responses to key issues); · risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; · detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: - a description of the existing environment, using sufficient baseline data; - an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and - a description of the measures that would be implemented to avoid, minimise,

	mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment. · a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: · a detailed calculation of the capital investment value (CIV) of the proposal as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000, including details of all components of the CIV; · a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and · certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: · **Suitability of the Site** – including: - details of all development consents and approved plans previously and/or currently applicable to the site; and - a detailed justification that the site can accommodate the proposed resource recovery facility, having regard to the scope of the proposed operation, its environmental impacts and relevant mitigation measures. · **Community and Stakeholder Engagement** – including: - a detailed community and stakeholder participation strategy which identifies who in the community has been consulted and a justification for their selection, other stakeholders consulted and the form(s) of the consultation, including a justification for this approach; - a report on the results of the implementation of the strategy including issues raised by the community and surrounding landowners and occupiers that may be impacted by the proposal; - details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal; and - details of the proposed approach to future community and stakeholder engagement based on the results of the consultation. · **Waste Management** – including: - a description of each of the waste streams that would be accepted at the site including maximum daily, weekly and annual throughputs and the maximum size for stockpiles; - details of the source of the waste streams to justify the need for the proposed processing capacity; - a description of waste processing operations (including flow diagrams for each waste stream), including a description of the technology to be installed, resource outputs and the quality control measures that would be implemented;

- details of how and where waste would be stored and handled on site, including the maximum daily storage capacity of the site;
- details of transport to and from the site including details of how receipt of non-conforming waste would be dealt with;
- details of the development's waste tracking system for incoming and outgoing waste;
- details of the quality of separated material produced and final dispatch locations;
- details of the waste management strategy for construction and ongoing operational waste generated; and
- the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021*.

· **Air Quality and Odour** – including:

- a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines, including potential cumulative impacts;
- the details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings;
- a greenhouse gas assessment; and
- details of proposed mitigation, management and monitoring measures.

· **Soils and Water** – including:

- an assessment of potential impacts to soil and water resources, topography, hydrology, groundwater, drainage lines, watercourses and riparian lands on or nearby the site, including mapping and description of existing background conditions and cumulative impacts;
- a detailed site water balance including identification of water requirements for the life of the project, measures that would be implemented to ensure an adequate and secure water supply is available for the proposal and a detailed description of the measures to minimise the water use at the site;
- characterisation of the volume and quality of all wastewater generated at the site (including details of the contaminants of concern that may leach from the waste into the wastewater and proposed mitigation measures to manage any impacts);
- details of stormwater/wastewater management system including the capacity of onsite detention system(s), onsite sewage management and measures to treat, reuse or dispose of water;
- assessment of any potential impacts to Breakfast Creek;
- a description of erosion and sediment controls; and
- a detailed flooding assessment.

· **Noise and Vibration** – including:

- a quantitative assessment of potential construction, operational and transport noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines, including any potential cumulative impacts, and be undertaken by a suitably qualified and experienced person(s); and

- details and justification of the proposed noise mitigation and monitoring measures.

· **Traffic and Transport** – including:

- details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes. Traffic flows are to be shown diagrammatically to a level of detail sufficient for easy interpretation;
- plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network;
- an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model;
- swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site;
- plans of any proposed road upgrades, infrastructure works or new roads required for the development; and
- an assessment of potential impacts on local road pavement lifespan.

· **Fire and Incident Management** – including:

- identification of the aggregate quantities of combustible waste products to be stockpiled at any one time;
- technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures;
- details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site's largest stockpile fire load;
- details of size and volume of stockpiles and their management and separation to minimise fire spread and facilitate emergency vehicle access;
- consideration of consistency with NSW Fire & Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (October 2019); and
- detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC).

· **Hazard** – 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 project 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).

· **Biodiversity** – including:

- an assessment of the biodiversity impacts in accordance with the Biodiversity Assessment Method and documented in a Biodiversity

	Development Assessment Report (BDAR) or a waiver for the preparation of a BDAR under the *Biodiversity Conservation Act 2016*. · **Heritage and Aboriginal Cultural Heritage – including:** - An assessment of Aboriginal cultural heritage values that exist across the development documented in an Aboriginal Cultural Heritage Assessment Report (ACHAR) or an assessment of Aboriginal cultural heritage issues which satisfies the requirements of the *National Parks and Wildlife Act 1974*. · **Visual** – including an assessment of the potential visual impacts of the project on the amenity of the surrounding area.
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: · Department of Planning, Industry and Environment, specifically the: o Environment, Energy and Science Group including the Climate Change and Sustainability Division o Regions, Industry, Agriculture and Resources Group o Water Group o Department of Primary Industries o Environment Protection Authority · Transport for NSW (including the former Roads and Maritime Services) · NSW Fire and Rescue · Blacktown City Council · Local community and other stakeholders. 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 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.bookshop.nsw.gov.au

https://www.australia.gov.au/about-government/publications

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 (sqm) 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
   - all levels to be to Australian Height Datum (AHD).

2. Locality/context plan drawn at an appropriate scale should be submitted indicating:
   - significant local features such as heritage items
   - the location and uses of existing buildings, shopping and employment areas
   - traffic and road patterns, pedestrian routes and public transport nodes.

3. Drawings at an appropriate scale illustrating:
   - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

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
- Other copies as determined by the Department once the development application is lodged.

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA 2008)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	NSW Energy from Waste Policy Statement (EPA 2015)
	Standards for Managing Construction Waste in NSW (EPA 2018)
Air Quality and Odour	
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2016)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
Greenhouse Gas	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
Human Health Risk	
	Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth 2012)
Soil and Water	
Soil	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)
	Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Acid Sulphate Soils Manual (Stone *et al*. 1998)
Surface Water	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)
	NSW State Rivers and Estuaries Policy (1993)
	State Water Management Outcomes Plan
	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 2004)
	Managing Urban Stormwater: Treatment Techniques (DECC 1997)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
	NSW Floodplain Development Manual 2005
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC 1995)
	NSW State Groundwater Policy Framework Document (DLWC 1997)
	NSW State Groundwater Quality Protection Policy (DLWC 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC 2002)
	NSW State Groundwater Quantity Management Policy (DLWC 2002)
	Guidelines for the Assessment and Management of Groundwater Contamination (DEC 2007)
	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
	Australian Groundwater Modelling Guidelines (NWC 2012)
Wastewater	Environmental Guidelines: Use of Effluent by Irrigation (DECC 2004)
	Environmental Guidelines: Storage and Handling of Liquids (DECC 2007)
	National Water Quality Management Strategy - Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) 2006 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of Drinking Water Supplies 2008 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)

	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)
	Recycled Water Guidance Document: Recycled Water Management Systems (DPI 2015)
Noise and Vibration	
Noise	Noise Policy for Industry (EPA 2017)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
	Interim Construction Noise Guideline (DECC 2009)
Vibration	Assessing Vibration: A Technical Guideline (DEC 2006)
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC 1990)
Traffic and Transport	
	Guide to Traffic Generating Development (RTA)
	Guide to Traffic Management Part 12: Traffic Impacts of Developments (Austroads 2016)
	NSW Long Term Transport Master Plan (TfNSW 2012)
	Road Design Guide (RTA)
Fire and Incident Management	
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
	Draft Planning for Bushfire Protection (NSW Rural Fire Service 2018)
	Draft Fire Safety in Waste Facilities Guideline (NSW Fire and Rescue NSW 2018)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principles and Process
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)
	Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)
Biodiversity	
	Biodiversity Assessment Method (2017)
Heritage	
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South

	Wales (DECCW 2010)
	Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation (Department of Planning 2005)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010)
Social	
	Social impact assessment guideline for State significant mining, petroleum production and extractive industry development (2017)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage

ATTACHMENT 2

Government Authority Responses to Request for Key Issues