

# 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*

<b>Application Number</b>	SSD-10422
<b>Project Name</b>	New Berrima Brickworks Facility
<b>Development</b>	Proposed construction and operation of brick manufacturing facility with a production capacity of 50 million tonnes per annum.
<b>Location</b>	416 - 524 Berrima Road, Moss Vale
<b>Applicant</b>	The Austral Brick Co Pty Ltd
<b>Date of Issue</b>	11/02/2020
<b>General Requirements</b>	<p>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). In addition, the EIS must include a:</p> <ul style="list-style-type: none"> <li>· detailed description of the development, including:                             <ul style="list-style-type: none"> <li>- need for the proposed development;</li> <li>- justification for the proposed development;</li> <li>- likely staging of the development;</li> <li>- likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; and</li> <li>- plans of any proposed building works.</li> </ul> </li> <li>· consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;</li> <li>· risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;</li> <li>· detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes:                             <ul style="list-style-type: none"> <li>- a description of the existing environment, <u>using sufficient baseline data</u>;</li> <li>- 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</li> <li>- 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; and</li> <li>- consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> </li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>· a detailed calculation of the capital investment value (CIV) of the proposal as defined in clause 3 of the Regulation, including details of all components of the CIV; and</li> <li>· 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.</li> </ul>

<p><b>Key issues</b></p>	<p>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Community and Stakeholder Engagement</b> – including: <ul style="list-style-type: none"> <li>- 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;</li> <li>- a report on the results of the implementation of the strategy including issues raised by the community and surrounding occupiers and landowners that may be impacted by the proposal;</li> <li>- details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal; and</li> <li>- details of the proposed approach to future community and stakeholder engagement based on the results of the consultation.</li> </ul> </li> <li>• <b>Strategic Context</b> – including: <ul style="list-style-type: none"> <li>- detailed justification for the proposal and suitability of the site and proposed transport routes;</li> <li>- details of any proposed consolidation or subdivision of land; and</li> <li>- demonstration that the proposal 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.</li> </ul> </li> <li>• <b>Air Quality</b> - including: <ul style="list-style-type: none"> <li>- a comprehensive air quality assessment of all potential point source and fugitive air emissions (including odour) and dust impacts from the development, including details of air quality impacts on private properties in accordance with relevant Environment Protection Authority guidelines;</li> <li>- details of mitigation, management and monitoring measures for preventing and/or minimising both point and fugitive emissions; and</li> <li>- an assessment of the effectiveness of the proposed air quality mitigation measures.</li> </ul> </li> <li>• <b>Noise</b> – including: <ul style="list-style-type: none"> <li>- a quantitative assessment of construction, operation and transport noise and vibration impacts, including cumulative noise impacts, on nearby sensitive receivers, landowners and businesses in accordance with relevant Environment Protection Authority guidelines; and</li> <li>- details and justification of noise mitigation, management and monitoring measures.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – including: <ul style="list-style-type: none"> <li>- details of all traffic and transport demands likely to be generated during construction and operation, including a description of haul routes;</li> <li>- details on access to the site from the road network including intersection location, design and sight distance;</li> <li>- an assessment of predicted impacts on road safety and the capacity of the road network to accommodate the project;</li> <li>- detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian standards.</li> </ul> </li> <li>• <b>Visual</b> – including: <ul style="list-style-type: none"> <li>- height, scale, signage and lighting, particularly from nearby public receivers and vantage points of the broader public domain (i.e. roads); and</li> <li>- landscaping to minimise visual impacts and/or offset any clearing. All species used for landscaping shall be listed within the 'Cumberland Plain</li> </ul> </li> </ul>
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Woodland' endangered ecological community.

- **Greenhouse Gas** – including:
  - A quantitative assessment of the potential Scope 1 and 2 greenhouse gas emissions of the development, and a qualitative assessment of the potential impacts of these emissions on the environment; and
  - a detailed description of the measures that would be implemented on site to ensure that the development is energy efficient.
- **Soils and Water** - including:
  - a description of the catchment and proximity of the site to waterways;
  - consideration of potential local and mainstream flooding impacts;
  - an assessment of potential surface and groundwater impacts associated with the development, including potential impacts on watercourses and riparian areas, groundwater and groundwater dependent communities nearby;
  - an assessment against the requirements of *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011*, including the requirements for an assessment of the neutral or beneficial impacts of the development on water quality within the drinking water catchment;
  - a description of the surface, stormwater and wastewater management systems, including on site detention, and measures to treat or reuse water;
  - a detailed water balance including a description of the water demands and breakdown of water supplies; and any water licensing requirements;
  - description of the measures to minimise water use;
  - details of site history with regards to potential contamination; and
  - description of the construction erosion and sediment controls.
- **Waste Management** – including:
  - details of the quantities and classification of waste and wastewater to be generated on site;
  - details on waste storage, handling and disposal; and
  - details of the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014 - 2021*.
- **Biodiversity** – including:
  - details of the number of trees to be removed and the number of trees to be planted on the site;
  - 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.
- **Bushfire and Incident Management** – including:
  - assess the level of hazard posed to future development on adjacent land and how the hazards may change as a result of development
  - address the requirements of Planning for Bush Fire Protection 2006 (RFS), in particular the provision of access (including perimeter roads) and water supply for firefighting purposes.
- **Heritage and Aboriginal Cultural Heritage** – including an assessment of Aboriginal cultural heritage values that exist across the site, documented in an Aboriginal Cultural Heritage Assessment Report (ACHAR) or an assessment of Aboriginal cultural heritage issues which satisfies the due diligence requirements of the *National Parks and Wildlife Act 1974*.
- **Hazards** – including an assessment of the potential fire risks of the development.
- **Cumulative Impacts** – particularly in relation to air, noise and traffic associated with other nearby industrial or commercial operations.

<b>Consultation</b>	<p>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.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>- Environment Protection Authority</li> <li>- Wingecarribee Shire Council</li> <li>- Department of Planning, Industry and Environment (Environment, Energy &amp; Science)</li> <li>- Transport for New South Wales</li> <li>- Water New South Wales</li> <li>- Department of Primary Industries</li> <li>- NSW Fire and Rescue</li> <li>- Local community and other stakeholders</li> </ul>
<b>Further consultation after 2 years</b>	<p>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.</p>
<b>References</b>	<p>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.</p>

## 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.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<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 (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 proposed development, 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.

<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
<b>Visual</b>	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 2482)
<b>Traffic, Transport and Access</b>	
	<i>Roads Act 1993</i>
	<i>State Environmental Planning Policy (Infrastructure) 2007</i>
	Guide to Traffic Generating Development (Roads and Maritime Services)
	Road Design Guide (Roads and Maritime Services)
	Austrroads Guide to Traffic Management – Pt 12: Traffic Impacts of Development
	Austrroads Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas
	NSW Long Term Transport Master Plan
<b>Soils and Water</b>	
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
<i>Soil</i>	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	<i>State Environmental Planning Policy No. 55 – Remediation of Land</i>
	Managing Land Contamination - Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA)
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Erosion and Sediment</i>	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)
	NSW Aquifer Interference Policy (NOW)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW) 2011
	Bunding and Spill Management (EPA)
<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA)
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Harvesting and Reuse (DEC)
<i>Wastewater</i>	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)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMCC & AHMC)
<b>Noise and Vibration</b>	
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Policy for Industry (EPA, 2017)
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Noise Guide for Local Government (EPA, 2013)
	Interim Construction Noise Guideline (DECC, 2009)
<b>Air Quality</b>	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA 2016)
<b>Greenhouse Gas</b>	
	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
<b>Hazards and Risk</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive

Development

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Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)

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Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis

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**Waste**

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Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA)

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**Bushfire**

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Planning for Bushfire Protection (Rural Fire Service, 2006)

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**Biodiversity**

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The Biodiversity Assessment Method (OEH, 2017)

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**ATTACHMENT 2**

Government Authority Responses to Request for Key Issues  
For Information Only