

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-10446
Project Name	Luddenham Resource Recovery Facility
Development	Construction of a resource recovery facility processing up to 600,000 tonnes per annum of construction and demolition waste and commercial and industrial waste.
Location	275 Adams Road, Luddenham (Lot 3 DP 623799), in the Liverpool City local government area
Applicant	The Trustee for Coombes Family Trust No. 13
Date of Issue	24 April 2020
General Requirements	<p>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).</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> • A detailed description of the site including any existing or approved operations, site history and development consents • a detailed description of the development, including: <ul style="list-style-type: none"> - the need for the proposed development - justification for the proposed development - suitability of the site - alternatives considered - likely staging of the development - likely interactions between the development and existing, approved and proposed operations on site and in the vicinity of the site - plans of any proposed building works - contributions required to offset the development and - infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained • consideration of all relevant environmental planning instruments and proposed 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) • a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment • a 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"> - a description of the existing environment, using sufficient baseline data - an assessment of the potential impacts of all stages of the development and proposed developments on site, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes - a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development,

	<p>including proposals for adaptive management and/or contingency plans to manage significant risks to the environment and</p> <ul style="list-style-type: none"> - a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • 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 • certification that the information provided is accurate at the date of preparation.
<p>Key issues</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.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Statutory and strategic context – including: <ul style="list-style-type: none"> - detailed justification for the proposal and the suitability of the site including suitability in the context of the key issues raised by the Western Sydney Airport and other authorities - detailed justification that the proposed land use is permissible with consent - details of any proposed consolidation or subdivision of land - demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, proposed environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. This includes, but is not limited to: <ul style="list-style-type: none"> o State Environmental Planning Policy (Infrastructure) 2007 o State Environmental Planning Policy (State and Regional Development) 2011 o State Environmental Planning Policy No. 33 – Hazardous and Offensive Development o State Environmental Planning Policy No. 55 – Remediation of Land o Liverpool Local Environmental Plan 2008 o Draft Western Sydney Aerotropolis Plan o Western Sydney Aerotropolis Discussion Paper on the proposed Western Sydney Aerotropolis State Environmental Planning Policy o Draft Western Sydney Aerotropolis Development Control Plan Phase 1 o Greater Sydney Region Plan: A Metropolis of Three Cities National Airports Safeguarding Framework. • Suitability of the Site – including: <ul style="list-style-type: none"> - a detailed description of the history of the site, including the relationship between the proposed development, other proposed developments and 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 existing operations on

	<p>site, proposed operations, its location and its environmental impacts and relevant mitigation measures.</p> <ul style="list-style-type: none"> • Airport safeguarding – including: <ul style="list-style-type: none"> - an aviation impact assessment addressing the National Airports Safeguarding Framework containing a risk assessment of the proposed development on airport operations and addressing related matters in the Draft Western Sydney Aerotropolis Plan, the Discussion Paper on the proposed Western Sydney Aerotropolis State Environmental Planning Policy and the Draft Western Sydney Aerotropolis Development Control Plan Phase 1 and - a wildlife attraction risk assessment addressing the waste types to be received, nearby wildlife attractors and the risk of birds transiting through airspace. • Community and Stakeholder Engagement – including: <ul style="list-style-type: none"> - 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 owners and occupiers - details of how issues raised during community and stakeholder 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 the consultation. • Waste Management – including: <ul style="list-style-type: none"> - 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 waste would be stored (including the maximum daily storage capacity of the site) and handled on site, and transported to and from the site including details of how the receipt of non-conforming waste would be dealt with - details of the developments waste tracking system for incoming and outgoing waste - details of the quality of waste produced and final dispatch locations - details of the waste management strategy for construction and ongoing operational waste generated - 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 and - details of consistency with the EPA's Standards for Managing Construction Waste in NSW (November 2018). • Air Quality and Odour – including:
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- a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant NSW Environment Protection Authority guidelines. This is to include the identification of existing and potential future sensitive receivers, including the Western Sydney Airport, and consideration of approved and/or proposed developments in the vicinity
- the details of buildings and air handling systems and strong justification (including quantitative evidence) for any material handling, processing or stockpiling external to a building 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 to the site, including mapping and description of existing background conditions and cumulative impacts and measures proposed to reduce and mitigate 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 development and a detailed description of the measures to minimise the water use at the site
 - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria (including details of the contaminants of concern that may leach from the waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters and monitoring activities and methodologies)
 - 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
 - description of the measures to minimise water use
 - detailed flooding assessment
 - description of the proposed erosion and sediment controls during construction and
 - consideration of salinity and acid sulphate soil impacts.
- **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
 - 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. This is to include the identification and consideration of approved and/or proposed developments in the vicinity
 - 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
 - detailed plans of the proposed layout of the internal road and pedestrian network and parking on site in accordance with the relevant Australian Standards and Council's DCP
 - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site

- details of road upgrades, infrastructure works or new roads or access points required for the development if necessary and
- details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand of the proposed development.
- **Noise and Vibration** – including:
 - a quantitative assessment of potential construction, operational and transport noise and vibration impacts in accordance with relevant NSW Environment Protection Authority guidelines. This is to include the identification of existing and potential future sensitive receivers, including Western Sydney Airport and consideration of approved and/or proposed developments in the vicinity
 - details and justification of the proposed noise mitigation and monitoring measures
 - specified times of operation for all phases of the development and for all noise producing activities and
 - cumulative impacts of other developments.
- **Fire and Incident Management** – including:
 - a bush fire assessment report
 - 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
 - details of how the development would be designed in accordance with applicable FRNSW guidelines and
 - detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC).
- **Infrastructure requirements** – including:
 - a detailed written and/or graphical description of infrastructure required on the site, including any upgrades required
 - identification of any infrastructure upgrades required off-site to facilitate the development, and describe any arrangements to ensure that the upgrades will be implemented in a timely manner and maintained
 - an infrastructure delivery and staging plan, including a description of how infrastructure on and off-site will be co-ordinated and funded to ensure it is in place prior to the commencement of construction and
 - an assessment of the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.
- **Hazards and risk**– including:
 - a preliminary risk screening in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and the Department's Applying SEPP 33, with clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. If the preliminary risk screening indicates that the

	<p>development is “potentially hazardous”, a Preliminary Hazard Analysis (PHA) must be prepared in accordance with the Department’s Hazardous Industry Planning Advisory Paper No. 6, ‘Hazard Analysis’ and Multi-level Risk Assessment.</p> <ul style="list-style-type: none"> • Cultural Heritage and Aboriginal Cultural Heritage – including: <ul style="list-style-type: none"> - identifying and describing the Aboriginal cultural heritage values that exist across the development and documenting these in an Aboriginal Cultural Heritage Assessment Report (ACHAR) - consultation with Aboriginal people must be undertaken and documented in ACHAR and <ul style="list-style-type: none"> – a description of the impacts on Aboriginal cultural heritage values. • Biodiversity – including: <ul style="list-style-type: none"> - an assessment of biodiversity impacts in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report and - measures to avoid, mitigate or offset all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method. • Contamination – including an assessment of site suitability under the provisions of State Environmental Planning Policy No. 55 – Remediation of Land. • Ecologically sustainable development – including a description of how the development will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development. • Urban design and visual – including an assessment of the potential visual impacts of the development on the amenity of the surrounding area. • Greenhouse gas and energy efficiency – including an assessment of the energy use of the development and all reasonable and feasible measures that would be implemented on site to minimise greenhouse gas emissions. • Planning agreement/development contributions – including consideration of any applicable Section 7.11 Contribution Plan and/or details of any Voluntary Planning Agreement.
Plans and Documents	<p>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. The EIS must include high quality files of maps and figures of the subject site and proposal.</p>
Consultation	<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: (delete agencies that had no comments)</p> <ul style="list-style-type: none"> • Liverpool City Council • Department of Planning, Industry and Environment, specifically the: <ul style="list-style-type: none"> – Environment, Energy and Science Group (the Climate Change and Sustainability Division) – Water Group • Department of Infrastructure, Transport, Regional Development and Communications • Endeavour Energy • Environment Protection Authority

	<ul style="list-style-type: none"> • Fire and Rescue NSW • Sydney Water • Transport for NSW (including the former Roads and Maritime Services) • Western City and Aerotropolis Authority • Western Sydney Airport • Western Sydney Planning Partnership <p>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.</p>
Further consultation after 2 years	<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 Planning Secretary in relation to the preparation of the EIS.</p>
References	<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>
<https://www.australia.gov.au/about-government/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, section and elevations of all proposed buildings
 - detailed plans of proposed access driveways, internal roadways, carparking and services infrastructure.

Documents to be Submitted

Documents to submit include:

- one (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 2014)
	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)
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)
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)
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 Sulfate 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)
Fire and Incident Management	
	Fire Safety Guideline: Fire Safety in Waste Facilities (FRNSW 2019)

Fire Safety Guideline: Access for fire brigade vehicles and firefighters (FRNSW 2019)

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)

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)

Biodiversity

Biodiversity Assessment Method (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