

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-15605372
Project Name	ReDirect Resource Recovery Facility St Marys
Development	Construction and operation of a Resource Recovery Facility to accept up to 350,000 tonnes per annum (tpa) of waste, comprising 280,000 tpa of General Solid Waste (non-putrescible), 55,800 tpa of General Solid Waste (putrescible) and 14,200 tpa of special waste (tyres)
Location	65 - 73 Dunheved Circuit, St Marys NSW 2760 (Lot 1 DP 1175850) within the Penrith local government area
Applicant	BORG MANUFACTURING PTY LIMITED
Date of Issue	01/04/2021
General Requirements	<p>The environmental impact statement (EIS) must be prepared in accordance with and meet the minimum form and content requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). Notwithstanding Key Issues specified below, the EIS must include:</p> <ul style="list-style-type: none"> · detailed description of the development including: <ul style="list-style-type: none"> - an accurate history of the site, including development consents - the 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 - contributions required to offset the proposal, 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, including identification and justification of any inconsistencies with these instruments · risk assessment of the potential environmental impacts of the development, identifying key issues for further assessment · detailed assessment, where relevant, of the key issues below, and any other potential significant issues identified in the risk assessment, must include: <ul style="list-style-type: none"> - a description of the existing environment, using adequate baseline data - consideration of potential cumulative impacts due to other development in the vicinity, and - measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment · consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS <p>The EIS must be accompanied by:</p> <ul style="list-style-type: none"> · high quality files of maps and figures of the subject site and proposal

	<ul style="list-style-type: none"> · a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> - 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 assumptions and components from which the CIV calculation is derived. The Report shall be prepared on company letterhead and indicate the applicable GST component of the CIV - an 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
<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. 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 - detailed justification that the proposed land use is permissible with consent - a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site - 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. This includes, but is not limited to: <ul style="list-style-type: none"> - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy (State and Regional Development) 2011 - State Environmental Planning Policy No 55 – Remediation of Land - Draft Remediation of Land SEPP - Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) - Penrith Local Environmental Plan 2010 - Greater Sydney Region Plan: A Metropolis of Three Cities - Our Greater Sydney 2056: Central City District Plan - Future Transport Strategy 2056

• **Suitability of the Site** – including:

- a detailed justification that the site can accommodate the proposed resource recovery facility, having regard to the scope of the proposed operations and 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 owners 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 each waste stream, with description of waste by material, fraction of total volume, source region(s) and distances travelled, 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
- detail the development's 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 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

• **Traffic and Transport** – including:

- details of all traffic generation, all design vehicle sizes and volumes likely to be generated during construction and operation, including a description of key access / haul routes. Traffic flows are to be shown diagrammatically to a level of sufficient detail for ease of 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
- details of all design vehicles necessary to collect and transport waste, their

lengths, service bay requirements including provision for tip and spread and tipping height attributes, and locus of swept paths of vehicle bodies and tyres

- details of loader vehicles, their dimensions and loading capacities, and manoeuvring areas needed to load other vehicles within service bays
- plans demonstrating how all design 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 generally and at peak times
- details and plans of any proposed internal road network, loading dock servicing and provisions, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards. Internal through roads and service bays should be designed to minimise large vehicle reversing manoeuvres where practical
- swept path diagrams depicting the largest vehicles entering, exiting and manoeuvring throughout the site, and
- details of road upgrades, infrastructure works or new roads or access points required for the development if necessary

• **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
- the details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings, and
- details of proposed mitigation, management and monitoring measures

• **Soils and Water** – including:

- an assessment of potential surface and groundwater impacts associated with the development, including potential impacts on watercourses, riparian areas, groundwater, and groundwater-dependent communities nearby
- a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements
- 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
- 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), and
- characterisation of the nature and extent of any contamination on the site and surrounding area

• **Noise and Vibration** – including:

- a quantitative noise and vibration impact assessment undertaken by a suitably qualified person in accordance with the relevant Environment Protection Authority guidelines and including an assessment of nearby sensitive receivers
- cumulative impacts of other developments, and

- details and justification of the proposed noise mitigation, management and monitoring measures

- **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
- demonstration of consistency with the NSW Fire & Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (February 2020), and
- detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC)
- consideration of appropriate setbacks and/or asset protection zones to manage potential bushfire risks

- **Hazards and Risk** – 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)

- **Visual** – including an assessment of the potential visual impacts of the development on the amenity of the surrounding area

- **Socio-economic** – including:

- a social impact assessment in accordance with the Department's Draft Social Impact Assessment Guideline – State significant projects (October 2020)
- an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community.

- **Ecologically Sustainable Development** – including a description of how the development will incorporate the principles of ecologically sustainable development in its design, construction and ongoing operation.

- **Cultural Heritage and Aboriginal Cultural Heritage** – including an assessment of Aboriginal cultural heritage values that satisfies the due diligence requirement of the *National Parks and Wildlife Act 1974*

- **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	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	<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"> · Penrith City Council · Environment Protection Authority · Transport for NSW including the former Roads and Maritime Services · Heritage NSW · Fire & Rescue NSW · Department of Planning, Industry and Environment, specifically: <ul style="list-style-type: none"> - Environment, Energy and Science Group (including the Climate Change and Sustainability Division) - Water Group · Rural Fire Service · Sydney Water <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	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.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 existing building, which clearly show all proposed buildings
 - detailed plans of proposed access driveways, internal roads, carparking and external alterations services infrastructure.
4. Schedule of materials, colours and additions, and finishes.

Documents to be Submitted

Documents to submit include:

- 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)	
Soil and Water	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)	
	<i>Soil</i>	State Environmental Planning Policy No. 55 – Remediation of Land
		Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (OEH 2011)	
<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)

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)

Managing Urban Stormwater: Treatment Techniques (DECC)

Managing Urban Stormwater: Source Control (DECC)

Technical Guidelines: Bunding & Spill Management (DECC)

National Water Quality Management Strategy: Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)

NSW State Groundwater Policy Framework Document 1997 (DLWC)

NSW State Groundwater Quality Protection Policy 1998 (DLWC)

NSW State Groundwater Quantity Management Policy 2002 (DLWC)

Groundwater

The NSW State Groundwater Dependent Ecosystem Policy (DLWC)

Guidelines for the Assessment and Management of Groundwater Contamination (DECC)

NSW Aquifer Interference Policy (NOW 2012)

MDBC Guidelines on Groundwater Flow Modelling 2000

Australian Groundwater Modelling Guidelines 2012

Wastewater

Environmental Guidelines: Use of Effluent by Irrigation (DECC)

National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)

National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)

National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMCC & AHMC, 2006)

National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)

National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMCC & AHMC, 2009)

National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of

	Drinking Water Supplies 2008 (EPHC, NRMCC & 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)
<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
Air Quality and Odour	
<i>Air Quality</i>	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 2007)
<i>Odour</i>	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
Noise and Vibration	
<i>Noise</i>	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)
<i>Vibration</i>	Assessing Vibration: A Technical Guideline (DEC 2006)
Traffic and Transport	
	Roads Act 1993
	State Environmental Planning Policy (Infrastructure) 2007

Guide to Traffic Generating Development (RTA, 2002 as updated)
Road Design Guide (RMS, 2015-2017)
Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
Parking Facilities Part 2 : Off-street commercial vehicles (AS 2890.2:2018)
Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area (TfNSW, 2013)
Future Transport Strategy 2056 (TfNSW, 2018)
Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
NSW Freight & Ports Plan 2018-2023 (TfNSW, 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)

Bushfire

Planning for Bushfire Protection (RFS, 2019)
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Visual

Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
State Environmental Planning Policy No 64 - Advertising and Signage

Heritage

Heritage Act 1977
NSW Heritage Manual (HO and DUAP, 1996)
The Burra Charter (ICOMOS Australia, 2013)
Statements of Heritage Impact (HO and DUAP, 2002)
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New

South Wales (DECCW, 2010)

Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)

Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)

Social

Draft Social Impact Assessment Guideline (DPIE, 2020)

Draft Greener Places Design Guide (NSW Govt Architect, 2020)

ATTACHMENT 2