

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-24147749
Project Name	Northern Rivers Brewery
Location	34-38 Honeyeater Crescent (Lot 516 DP1132400) South Murwillumbah within the Tweed local government area
Applicant	Stone & Wood Bricks and Mortar Pty Ltd
Date of Issue	09/08/2021
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 development, including: <ul style="list-style-type: none"> – an accurate history of the site, including development consents – the need and justification for the proposed development – alternatives considered including a description of feasible options within the development which may include a layout options analysis – likely staging of the development, including details on the progressive retirement of the current brewery and clear brewing capacities at each stage – likely interactions between the development and existing, approved and proposed operations on the site and 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 • consideration of issues discussed in the public authority responses to request for key issues (see Attachment 2) • 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, 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. <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:</p> <ul style="list-style-type: none"> • high quality files of maps and figures of the subject site and proposal • 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) 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 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 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"> - 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 (including the previous estate approval) - details of tasting room operation and demonstration that it is ancillary to the brewery use - any licensing requirements, including those under the <i>Protection of the Environment Operations Act 1997</i> - demonstration 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"> o State Environmental Planning Policy (Infrastructure) 2007 o State Environmental Planning Policy (State and Regional Development) 2011 o State Environmental Planning Policy (Coastal Management) 2018

- State Environmental Planning Policy No 33 - Hazardous and Offensive Development
- State Environmental Planning Policy No 55 – Remediation of Land
- North Coast Regional Plan 2036
- Tweed Local Environmental Plan 2014
- **Suitability of the Site** – including:
 - a detailed justification that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints
 - a land use conflict risk assessment (LUCRA) to detail the potential impacts that the proposed development may have on neighbouring agricultural land uses.
- **Community and Stakeholder Engagement** – a community and stakeholder participation strategy identifying key community members and other stakeholders, including:
 - details and justification for the proposed consultation approach(s)
 - clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted
 - issues raised by the community and surrounding landowners and occupiers
 - clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development
 - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.
- **Waste and Wastewater** – including:
 - details of the quantities and classification of all waste streams to be generated on site during the development
 - details of waste storage, handling and disposal during the development
 - details of wastewater management systems including onsite sewage management and measures to treat, reuse or dispose of wastewater
 - description of wastewater discharge and how the development will meet the wastewater capacity limits required by Council
 - details of how the development will interface with the future planned upgrades to Council's trade wastewater treatment facility
 - details of 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 (construction and operation) on surrounding landowners, businesses and sensitive receptors, in accordance with relevant Environment Protection Authority guidelines, including:
 - details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings
 - details of proposed mitigation, management and monitoring measures.
- **Traffic and Transport** – a quantitative traffic impact assessment prepared in accordance with relevant Transport for NSW and Austroads guidelines, that includes:

- details of all daily and peak traffic volumes likely to be generated during all key stages of construction and operation, including a description of key access / haul routes, vehicle types, employee shift change pattern and temporal profile of truck generation
- 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
- 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
- details and plans of any proposed the 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
- details of the largest vehicle anticipated to access and move within the site, including swept path analysis
- details of road upgrades, infrastructure works or new roads or access points required for the development if necessary.
- **Soils and Water** – including:
 - details of stormwater management systems including the capacity of onsite detention system(s), and measures to treat, reuse or dispose of stormwater
 - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria
 - 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
 - description of the measures to minimise water use
 - detailed flooding assessment
 - description of the proposed erosion and sediment controls during construction.
- **Noise and Vibration** – a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines and Australian Standards which includes:
 - the identification of impacts associated with construction, site emission and traffic generation (including consideration of cumulative impacts of surrounding developments) at noise affected sensitive receivers, including the provision of operational noise contours and a detailed sleep disturbance assessment
 - details of noise monitoring survey, background noise levels, noise source inventory and 'worst case' noise emission scenarios
 - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
 - details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application

of mitigation these measures and details of any proposed compliance monitoring programs.

- **Urban Design and Visual** – including:
 - demonstration of how the development will achieve design excellence in accordance with any relevant EPI provisions and the objectives for good design in Better Placed (Government Architect NSW, 2017)
 - a visual impact assessment (including photomontages and perspectives) of the development layout and design (buildings and storage areas), including details of staging, site coverage, setbacks, open space, landscaping, height, colour, scale, building materials and finishes, façade design, signage and lighting, particularly in terms of potential impacts on:
 - nearby public and private receivers
 - significant vantage points in the broader public domain
 - consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks
 - detailed plans showing suitable landscaping which incorporates endemic species.
- **Infrastructure Requirements** – including:
 - a detailed written and/or graphical description of infrastructure required on the site
 - identification of any infrastructure upgrades required on-site and 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 assessment of the impacts of the development on existing utility infrastructure and service provider assets surrounding the site, and a description of how any potential impacts would be avoided and minimised.
- **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), that includes:
 - a clear indication of class, storage and handling quantities and location of all dangerous goods and hazardous materials associated with the development
 - a Preliminary Hazard Analysis (PHA) prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011), should the preliminary risk screening indicate that the project is “potentially hazardous”.
- **Contamination** – a site contamination assessment in accordance with the *Managing Land Contamination Planning Guidelines: SEPP 55 – Remediation of Land* (DUAP, 1998), including:
 - characterisation of the nature and extent of any contamination on the site and surrounding area.
- **Greenhouse Gas and Energy Efficiency** – including an assessment of the energy use of the proposal and all reasonable and feasible measures that would be implemented on site to minimise the proposal’s greenhouse gas emissions (reflecting the Government’s goal of net zero emissions by 2050).
- **Aboriginal and non-Aboriginal cultural heritage**–

	<ul style="list-style-type: none"> – identification and assessment of potential impacts on Aboriginal cultural heritage values, including a description of any measures to avoid, mitigate and/or manage any impacts. Justification for reliance on any previous Aboriginal Cultural Heritage Assessment Report or other heritage assessment for the site must be provided, including updated consultation with Aboriginal people – an assessment of potential impacts on non-Aboriginal cultural heritage items and values on the site and/or in the surrounding area and any proposed management and mitigation measures. ● Food and Drink - including: <ul style="list-style-type: none"> – details of how the proposed development would meet relevant Australian Standards and NSW Food Authority Standards in relation to food handling and processing. ● Biodiversity – an assessment of the proposal’s biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i>, 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. ● Socio-Economic – including: <ul style="list-style-type: none"> – a social impact assessment in accordance with the Department’s Social Impact Assessment Guideline – State significant projects (July 2021) – 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: <ul style="list-style-type: none"> – a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development – consideration of the use of green walls, green roofs and/or cool roofs in the design of the development – a description of the measures to be implemented to minimise consumption of resources, especially energy and water. ● Planning Agreement/Development Contributions – demonstration that satisfactory arrangements have been or would be made to provide, or contribute to the provision of, necessary local and regional infrastructure required to support the development.
<p>Consultation</p>	<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"> ● Tweed Shire Council ● Environment Protection Authority ● Environment, Energy and Science Group (formerly OEH) ● Department of Primary Industries ● Transport for NSW ● NSW Fire and Rescue ● WaterNSW ● Department of Primary Industries ● Heritage NSW, Department of Premier and Cabinet

	<ul style="list-style-type: none"> • DPIE – Water • Natural Resources Access Regulator • NSW Food Authority • surrounding local landowners, businesses and stakeholders • local and regional community and environmental groups • Local Aboriginal Land Council • any other public transport, utilities or community service providers. <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>
Expiry Date	SEARs will expire two years after the date of issue (or the date they were last modified).
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 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, which clearly show all proposed buildings
 - detailed plans of proposed access driveways, internal roads, carparking, external alterations, any earthworks and service infrastructure.
4. Schedule of materials, colours and additions. finishes.

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
SSD Guidelines	
	State Significant Assessment Guidelines (DPIE, 2021)
	Undertaking Engagement Guide – Guidance for State Significant Projects (DPIE, 2021)
	Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, 2021)
Traffic, Transport and Access	
	<i>Roads Act 1993</i>
	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)
	Bicycle Parking Facilities: Guidelines for Design and Installation (AS 2890.3:2015)
	Future Transport Strategy 2056 (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
Soils and Water	
	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
Erosion and Sediment	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)

	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
Stormwater	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)
Wastewater	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, NRMMC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
Contamination	State Environmental Planning Policy No. 55 – Remediation of Land
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
	Assessment Guideline: Multi-level Risk Assessment (Planning and Infrastructure, 2011)
Biodiversity	
	Biodiversity Conservation Act 2016
	Biodiversity Assessment Method (OEH, 2017)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
Heritage	
Non-Aboriginal Heritage	<i>Heritage Act 1977</i>
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
Aboriginal Heritage	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)
Noise and Vibration	

	Acoustics - Description and measurement of environmental noise (AS1055:2018)
	Noise Policy for Industry (EPA, 2017)
	NSW Road Noise Policy (DECCW, 2011)
	Noise Criteria Guideline (RMS, 2015)
	Noise Mitigation Guideline (RMS, 2015)
	Interim Construction Noise Guideline (DECC, 2009)
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Guide for Local Government (EPA, 2013)
Air Quality	
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Greenhouse Gas	National Greenhouse and Energy Reporting Scheme Measurement, Technical Guidelines for the estimation of emissions by facilities in Australia (Department of the Environment and Energy (DoEE), 2017)
	National Greenhouse Accounts Factors (DoEE, 2019)
Bush Fire	
	Planning for Bush Fire Protection (RFS, 2019)
Waste	
	NSW Waste and Sustainable Material Strategy 2041 (EPA, 2021)
	NSW Plastics Action Plan (EPA, 2021)
	NSW Energy from Waste Policy Statement (EPA, 2021)
	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)
	Standards for Managing Construction Waste in NSW (EPA, 2018)
Urban Design and Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
	Better Placed (Government Architect NSW, 2017)

Greener Places (Government Architect NSW, 2020)

Social

Social Impact Assessment Guideline (DPIE, 2021)

ATTACHMENT 2
Government Authority Advice