

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-24668706
Project Name	Weston Aluminium Additional Waste Streams
Location	Lot 2 DP 1267615, 129 Mitchell Avenue, Kurri Kurri within Cessnock City Council LGA
Applicant	WESTON ALUMINIUM PTY LIMITED
Date of Issue	6 October 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) and must have regard to the State Significant Development Guidelines.</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 – 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

	<ul style="list-style-type: none"> – a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment. • a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS <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: <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 Regulation), 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
Key issues	<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"> – 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"> 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 Cessnock Local Environmental Plan 2011 o State Environmental Planning Policy No 55 – Remediation of Land o Future Transport Strategy 2056. • Suitability of the Site – including: <ul style="list-style-type: none"> – a detailed justification for the proposal and that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints. – a detailed justification that the site can accommodate the proposed development having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures. • Community and Stakeholder Engagement – a community and stakeholder participation strategy, prepared in accordance with the

	<p><i>Undertaking Engagement Guidelines for State Significant Development</i>, identifying key community members and other stakeholders, including:</p> <ul style="list-style-type: none"> – 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 – 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. <ul style="list-style-type: none"> • 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 – detail the developments waste tracking system for incoming and outgoing waste – detail 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 <i>NSW Waste and Sustainable Materials Strategy 2041</i>. • Air Quality and Odour – 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: <ul style="list-style-type: none"> – the quantities and physio-chemical parameters of materials to be used transported, produced or stored. – an outline of procedures for handling, transport, production and storage – the management of solid, liquid and gaseous waste streams with potential to generate emissions to air. – 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 Roads and Maritime Services and Austroads guidelines, that includes: <ul style="list-style-type: none"> – 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 and potential queuing impacts
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	<ul style="list-style-type: none"> – 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 – swept path diagrams depicting vehicles entering, exiting and maneuvering throughout the site – details of road upgrades, infrastructure works or new roads or access points required for the development if necessary. <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> – the identification of impacts associated with construction, site emission and traffic generation 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 – a cumulative impact assessment inclusive of impacts from other developments – 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. • Soils and Water – a surface assessment that includes: <ul style="list-style-type: none"> – an assessment of potential surface impacts associated with the development – a detailed site water balance including a description of the water demands and breakdown of water supplies – 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 – flooding assessment – description of the proposed erosion and sediment controls during construction – characterisation of water quality at the point of discharge to surface water 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 – characterisation of the nature and extent of any contamination. • Human Health- an assessment of the potential impacts to employees at the facility and any off-site impacts including:
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	<ul style="list-style-type: none"> - details of measures to manage the exposure of employees to contaminants including the use of appropriate personal protective equipment and engineering controls at the facility to reduce exposure - details of health monitoring of employees and awareness and education measures - preventative measures for community exposure from the off-site transfer of contaminants. <ul style="list-style-type: none"> • Hazards and Risk – including: <ul style="list-style-type: none"> - a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> and Applying SEPP 33 (DoP, 2011), that includes: <ul style="list-style-type: none"> o 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 <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011), should the preliminary risk screening indicate that the project is “potentially hazardous”. • Fire and Incident Management – including: <ul style="list-style-type: none"> - identification of the aggregate quantities of combustible waste products to be stockpiled at any one time - technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures - details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site’s largest stockpile fire load - details of size and volume of stockpiles and their management and separation to minimise fire spread and facilitate emergency vehicle access - consideration of consistency with NSW Fire & Rescue <i>Fire Safety Guideline – Fire Safety in Waste Facilities</i> (February 2020) and - detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC). • 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 Cultural Heritage – an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with the Code of Practice for Archaeological Investigation in NSW (DECCW 2010), and guided by the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011). The ACHAR must: <ul style="list-style-type: none"> - identify, describe and assess impacts on the Aboriginal cultural heritage values that exist across the development - provide evidence and details of consultation with Aboriginal people in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) - include results of a surface survey and any test excavations and an unexpected finds protocol.
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	<ul style="list-style-type: none"> • 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 <i>Social Impact Assessment Guideline – State significant projects</i> (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.
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"> • Cessnock City Council • Environment Protection Authority • Environment, Energy and Science Group (formerly OEH) • NSW Roads and Maritime Services • Transport for NSW • NSW Fire and Rescue • Hunter New England Local Health District • Heritage NSW • local and regional community and environmental groups • surrounding local landowners, businesses and stakeholders • 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>
SEARs Expiry	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 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. finishes.

Documents to be Submitted

Documents to submit include:

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- 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.
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Policies, Guidelines & Plans

Aspect	Policy / Methodology
State Significant Development 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)
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)
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)
Greenhouse Gas	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
	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)
Traffic, Transport and Access	
	Roads Act 1993
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (RTA, 2002 as updated)

Policies, Guidelines & Plans

Aspect	Policy / Methodology
	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)
	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)
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)
Soils and Water	
Erosion and Sediment	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	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)
Stormwater	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
	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)

Policies, Guidelines & Plans

Aspect	Policy / Methodology
Wastewater	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
	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)
Contamination	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMCC & AHMC, 2009)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
Human Health Risk	Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)
	Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)
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	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (EES, 2021)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
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)
Social	

Policies, Guidelines & Plans

Aspect

Policy / Methodology

Social Impact Assessment Guideline (DPIE, 2021)