

Appendix A

Secretary Environmental Assessment Requirements



Appendix A – Sears Table

Provided in the following table are the SEARs which were issued for the Project and reference to where each requirement has been addressed in the EIS and associated appendices.

Sears Requirements	Where Addressed
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.	This Document
In addition, the EIS must include:	
A detailed description of the development, including:	Section 4
An accurate history of the site, including development consents	Section 3.2
The need and justification for the proposed development	Section 2.2 Section 10.2 Section 10.3 Section 10.4
Alternatives considered including a description of feasible options within the development which may include a layout options analysis	Section 2.5
likely staging of the development	NA
likely interactions between the development and existing, approved and proposed operations on the site and in the vicinity of the site	Section 2.6 Section 3.4
plans of any proposed building works	Appendix B Figure 4-1
contributions required to offset the proposal and	NA
infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained.	Section 4.2
consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments	Section 5
consideration of issues discussed in the public authority responses to request for key issues	Section 7

Sears Requirements	Where Addressed
a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment	Appendix G Section 7.1
a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes:	Section 7
a description of the existing environment, using sufficient baseline data	Section 2.4 Section 7.2.3 Section 7.3.3 Section 7.4.4 Section 7.5.3 Section 7.6.3 Section 7.11.3
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	Section 2.6 Section 7.2.6 Section 7.3.6 Section 7.4.6 Section 7.5.4 Section 7.5.5 Section 7.6.6 Section 7.7.5 Section 7.9.2 Section 7.11.5
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	Section 7.2.7 Section 7.3.7 Section 7.4.7 Section 7.5.7 Section 7.8.6 Section 7.10.4 Section 7.11.6 Section 9.0 Appendix R
a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS	Appendix R
The EIS must also be accompanied by:	
high quality files of maps and figures of the subject site and proposal	Note

Sears Requirements	Where Addressed
<p>A report from a qualified quantity surveyor providing:</p> <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 	<p>Section 4.10 Section 4.11 Appendix E</p>
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>Section 2.5 Section 9.0 Appendix R</p>
<p>The EIS must address the following specific matters:</p>	
<p>Statutory and Strategic Context – including: 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</p>	<p>Section 3.2 Section 3.3</p>

Sears Requirements	Where Addressed
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 33 - Hazardous and Offensive Development Cessnock Local Environmental Plan 2011 State Environmental Planning Policy No 55 – Remediation of Land Future Transport Strategy 2056. 	<p>Section 5 Section 10.2</p> <p>Section 5.3</p> <p>Section 5.2.1</p> <p>Section 5.3</p> <p>Section 5.3</p> <p>Section 5.3</p> <p>Section 5.3</p> <p>Section 10.2.6</p>
Suitability of the Site – including: - 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.	<p>Section 2.3 Section 2.4 Section 5.2.2 Section 7 Section 10.4</p>
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.	Section 10.4
Community and Stakeholder Engagement – a community and stakeholder participation strategy, prepared in accordance with the Undertaking Engagement Guidelines for State Significant Development, identifying key community members and other stakeholders, including:	<p>Appendix F Section 6</p>
details and justification for the proposed consultation approach(s)	<p>Appendix F Section 6.3</p>
clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted	<p>Appendix F Section 6.3 Section 6.4</p>
by the community and surrounding landowners and occupiers	Section 6.4.1
clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development	Section 6.5

Sears Requirements	Where Addressed
details of the proposed approach to future community and stakeholder engagement based on the results of consultation.	Section 6.6
Waste Management	
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	Section 4.3
details of the source of the waste streams to justify the need for the proposed processing capacity	Section 4.4
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	Section 4.8.2 Section 4.8.3 Section 4.8.4 Section 4.8.5 Section 4.9.5
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	Section 4.5 Section 4.6 Section 4.7.1
detail the developments waste tracking system for incoming and outgoing waste	Section 4.9.5
detail the quality of waste produced and final dispatch locations	Section 4.9 Section 4.9.5
details of the waste management strategy for construction and ongoing operational waste generated	Section 4.2.1.1 Section 4.9
the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the NSW Waste and Sustainable Materials Strategy 2041.	Section 10.4.2
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	Section 7.2 Appendix H
the quantities and physio-chemical parameters of materials to be used transported, produced or stored.	Section 4.6 Section 4.7 Section 4.8

Sears Requirements	Where Addressed
an outline of procedures for handling, transport, production and storage	Section 4.6 Section 4.7 Section 4.8
the management of solid, liquid and gaseous waste streams with potential to generate emissions to air.	Section 4.6 Section 4.7 Section 4.8
details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings	Section 4.2 Section 7.2.4.1 Appendix H
details of proposed mitigation, management and monitoring measures	Section 7.2.7
Traffic and Transport	
a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services and Austroads guidelines, that includes	Appendix I Section 7.3
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	Section 7.3.3 Section 7.3.4.1
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	Section 7.3.5.1 Section 7.3.6.2
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	Section 7.3.6.1 Section 7.3.6.2 Section 7.3.6.3 Section 7.5.3.5
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	Section 7.3.6.3 Section 7.3.6.4
details of the largest vehicle anticipated to access and move within the site, including swept path analysis	Section 7.3.6.3
swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site	Section 7.3.6.3 Figure 7-12 Figure 7-13 Figure 7-14
details of road upgrades, infrastructure works or new roads or access points required for the development if necessary.	Nil Required

Sears Requirements	Where Addressed
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 include	Appendix J Section 7.4
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	Section 7.4.6.1
details of noise monitoring survey, background noise levels, noise source inventory and 'worst case' noise emission scenarios	Section 7.4.4
consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area	Section 7.4.4
a cumulative impact assessment inclusive of impacts from other developments	Section 7.4.6.2
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.	Section 7.4.7
Soils and Water	
an assessment of potential surface impacts associated with the development	Appendix K Section 7.5
a detailed site water balance including a description of the water demands and breakdown of water supplies	Section 7.5.4.2
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	Section 7.5.3.1 Section 7.5.4.1
description of the measures to minimise water use	Appendix K Section 7.5.7.1
flooding assessment	Appendix K Section 7.5.4.5
description of the proposed erosion and sediment controls during construction	Appendix K

Sears Requirements	Where Addressed
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	Section 7.5.3.3 Section 7.5.7.1
characterisation of the nature and extent of any contamination.	Section 7.5.6
Human Health	
-an assessment of the potential impacts to employees at the facility and any off-site impacts including	Section 7.6
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	Section 7.6.7
details of health monitoring of employees and awareness and education measures	Section 7.6.3
preventative measures for community exposure from the off-site transfer of contaminants.	NA
Hazards and Risks	
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: <ul style="list-style-type: none"> a clear indication of class, storage and handling quantities and location of all dangerous goods and hazardous materials associated with the development 	Appendix M Section 7.7
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”.	Appendix M Section 7.7
Fire and Incident Management	
identification of the aggregate quantities of combustible waste products to be stockpiled at any one time	Appendix M Appendix N Section 4.7

Sears Requirements	Where Addressed
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	Appendix H Appendix J Appendix K Appendix N
details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site's largest stockpile fire load	Appendix N Section 7.8.5.5 Section 7.8.5.6
details of size and volume of stockpiles and their management and separation to minimise fire spread and facilitate emergency vehicle access	Appendix M Appendix N Section 4.7
consideration of consistency with NSW Fire & Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (February 2020) and	Appendix N Section 7.8.5.7
detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC).	Section 4.2.1.1
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)	Appendix H Section 7.9
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	Appendix O
identify, describe and assess impacts on the Aboriginal cultural heritage values that exist across the development	Section 7.10.5
provide evidence and details of consultation with Aboriginal people in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010)	Section 7.10.5
include results of a surface survey and any test excavations and an unexpected finds protocol.	NA
Biodiversity	

Sears Requirements	Where Addressed
an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.	Section 7.11 Appendix P
Socio-Economic	
a social impact assessment in accordance with the Department's Social Impact Assessment Guideline – State significant projects (July 2021)	Section 8
an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community.	Section 10.3
Ecological Sustainable Development	
a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development	Section 10.5
consideration of the use of green walls, green roofs and/or cool roofs in the design of the development	Note
a description of the measures to be implemented to minimise consumption of resources, especially energy and water.	Section 7.5.7.1
Consultation	

Sears Requirements	Where Addressed
<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>Appendix F Section 6</p>
<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>	<p>Appendix F</p>