

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-28088034
Project	Dubbo Firming Power Station
Location	28L Yarrandale Rd, Dubbo (Lot 13 of DP812799)
Proponent	Dubbo Firming Nominees Pty Ltd
Date of Issue	21/11/2022
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and must have regard to the <i>State Significant Development Guidelines</i>.</p> <p>In particular, the EIS must include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> • a full description of the project, including: <ul style="list-style-type: none"> - all components, materials and activities required to construct the project; - site plans and maps at an adequate scale showing: <ul style="list-style-type: none"> ▪ the location and dimensions of all project components; and ▪ existing infrastructure, land use, and environmental features in the vicinity of the project (including any other existing, approved or proposed infrastructure in the region); - likely staging or sequencing of the project, including construction and rehabilitation; • the likely interactions between the project and any other existing, approved or proposed major projects in the vicinity of the site (including the Central West Pipeline and Dubbo scraper station, the Central Ranges Pipeline, Yarrandale 66kV substation, and the Yarrandale water pipeline); • a general description of any infrastructure that would be required for the project that is the subject of a separate approval process;

- a justification for the proposed project as opposed to other alternatives;
- statutory context for the project, including:
 - how the project meets the provisions and objectives of the Environmental Planning and Assessment Act 1979 (EP&A Act) and EP&A Regulation;
 - consideration of the project against all relevant environmental planning instruments;
 - any approvals that must be obtained before the project can commence;
- a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; and
- an evaluation of the project as a whole having regard to:
 - relevant matters for consideration under the EP&A Act including ecologically sustainable development;
 - the strategic need and justification for the project having regard to energy security and reliability in NSW and the broader National Electricity Market including an analysis of gas supply availability; and
 - the biophysical, economic and social costs and benefits of the project.

Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:

- adequate baseline data
- consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed);
- measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and
- a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues.

The EIS must also be accompanied by a report from an AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor providing:

- a detailed calculation of the capital investment value (CIV) (as defined in Schedule 7 of the EP& A Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report must be prepared on company letterhead and indicate applicable GST component of the CIV;
- an estimate of jobs that will be created during the construction and

	<p>operational phases of the proposed development; and</p> <ul style="list-style-type: none"> - certification that the information provided is accurate at the date of application.
Key issues	<p>The level of assessment of likely impacts should be commensurate with the significance or degree or extent of impact within the context of the proposed location and surrounding environment, and having regard to applicable NSW Government policies and guidelines.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> ● Biodiversity – including: <ul style="list-style-type: none"> - an assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with the NSW Biodiversity Conservation Act 2016, the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR); and - the BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM; ● Heritage – including: <ul style="list-style-type: none"> - an assessment of the likely Aboriginal impacts of the project in accordance with the <i>Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales</i> (DECCW, 2010), including adequate consultation with Aboriginal stakeholders having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (OEH, 2010); - an assessment of likely non-Aboriginal heritage impacts of the project; ● Hazards and Risks – including: <ul style="list-style-type: none"> - a Preliminary Hazard Analysis (PHA), prepared consistent with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines of Hazard Analysis</i> (DPE, 2011) and Multi-level Risk Assessment, covering all aspects of the project that may pose risks to the public. The PHA must: <ul style="list-style-type: none"> ▪ be a Quantitative Risk Assessment (QRA) and must include consideration of the change in risk as the quantity and concentrations of hydrogen used for operating the power station and in plant (piping, vessels, equipment, etc.) increases; and ▪ consider current and new technologies and standards for the design and operation of the power station and pipelines with

hydrogen;

- must demonstrate that the risks from the project, including cumulative risk from all project components and any ancillary blending facilities, comply with the criteria set out in *Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning* (DPE, 2011); and
- an assessment of bushfire risk in accordance with *Planning for Bush Fire Protection 2019* (NSW RFS, 2019)
- a plume rise impact assessment prepared in accordance with CASA's guidelines for conducting plume rise assessments, and an assessment of the potential impact to aviation in the vicinity of the project;
- **Land and Water** – including:
 - an assessment of the impacts of the project on soils, including consideration of the extent and nature of any existing contaminated materials on site, and the potential risks to human health and the receiving environment and measures that would be implemented to avoid and mitigate impacts;
 - an assessment of the impacts of the project on groundwater aquifers and groundwater dependent ecosystems having regard to *the NSW Aquifer Interference Policy* and relevant *Water Sharing Plans*;
 - an assessment of the impacts of the project on surface water quality having regard to the *NSW Water Quality and River Flow Objectives* (DECCW, 2006), *Australian and New Zealand Guidelines for Fresh and Marine Water Quality* (ANZG, 2018) and *ANZECC Guidelines and Water Quality Objectives in NSW* (DEC, 2006);
 - a detailed site water balance for the project a description of the water demands and identification of a water supply for the life of the project, and any water licensing requirements;
 - details of wastewater disposal arrangements;
 - an assessment of flooding and the hydrological impacts of the project; and
 - a description of the erosion and sediment control measures that would be implemented to mitigate any impacts during construction;
- **Air Quality** – including:
 - an assessment of the likely air quality impacts of the project in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (EPA, 2016);
 - ability to comply with the relevant regulatory framework, specifically

the *Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Clean Air) Regulation 2010*; and

- an assessment of the likely greenhouse gas impacts of the project;
- **Noise and Vibration** – including:
 - assessment of the likely construction noise impacts of the project under the *Construction Noise Guideline* if available, or the *Interim Construction Noise Guideline* (DECCW, 2009) if the *Construction Noise Guideline* is not available.
 - an assessment of the likely operational noise impacts of the project under the *NSW Noise Policy for Industry* (EPA, 2017);
 - an assessment of the likely road noise impacts of the project under the *NSW Road Noise Policy* (EPA, 2011); and
 - an assessment of the likely vibration amenity and structural impacts of the project under *Assessing Vibration: A Technical Guideline* (DEC, 2006) and *German Standard DIN 4150-3 Structural Vibration – effects of vibration on structures*;
- **Transport** – including:
 - an assessment of the transport impacts of the project on the capacity, condition, safety and efficiency of the local and State road network, including consideration of cumulative impacts from traffic associated with construction of other major projects in the area;
 - an assessment of the likely transport impacts to the site access route and site access point having regard to Oversized or Over mass vehicles (if required);
 - a description of the measures that would be implemented to mitigate any impacts during construction; and
 - a description of any proposed road upgrades developed in consultation with the relevant road authorities (if required);
- **Visual** – including an assessment of the:
 - likely visual and landscape character impacts of the project on the amenity of the surrounding area and private residences in the vicinity of the project; and
 - lighting impacts on Siding Spring observatory having regard to the requirements of the Dark Sky Planning Guideline;
- **Socio-Economic** – including an assessment of the social impacts of the project prepared in accordance with the Department's *Social Impact Assessment Guideline For State Significant Developments* (2021) and the likely impacts on the local community and community infrastructure

	<p>(including consideration of cumulative impacts from other major projects in the area); and</p> <ul style="list-style-type: none"> • Waste – identify, quantify and classify the likely waste stream to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.</p>
Engagement	<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>The EIS must detail the engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.</p>
Expiry Date	<p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.</p>
References	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

ATTACHMENT 1

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/>

Policies, Guidelines & Plans

Water
NSW Water Strategy https://dpi.nsw.gov.au/water/plans-and-programs/nsw-water-strategy
NSW State Groundwater Policy Framework Document and component policies (DPI)
Relevant Water Sharing Plans
NSW Aquifer Interference Policy 2012 (DPI)
National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
Guidelines for Development in the Drinking Water catchments (Hunter Water, 2017)
NSW State Rivers and Estuary Policy (DPI Water)
NSW Government Water Quality and River Flow Objectives at http://www.environment.nsw.gov.au/ieo/
Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC, 2006)
Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG)
Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC, 2008)
Managing Urban Stormwater: Soils & Construction (Landcom)
Technical Guidelines: Bunding & Spill Management (EPA)
NSW Guidelines for Controlled Activities (various) (DPI)
Land and Contamination
Contaminated Sites Sampling Design Guidelines 1995 (EPA)
Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
National Environment Protection (Assessment of Site Contamination) Measure 1999 (with amendment April 2013)
Acid Sulfate Soils Manual (OEH)
Australian and New Zealand Guidelines for Fresh and Marine Water Quality (EPA)
Managing Urban Stormwater: Soils & Construction (Landcom)
Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
National Environment Protection (Assessment of Site Contamination) Measure 1999 (with amendment April 2013)
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)
The land and soil capability assessment scheme: Second approximation (OEH)
Guidelines for Surveying Soil and Land Resources (CSIRO)

	Australian Soil and Land Survey Handbook (CSIRO)
	Soil and Landscape Issues in Environmental Impact Assessment (DPI)
Biodiversity	
	Biodiversity Assessment Method (OEH 2020)
	Biosecurity Act 2015
	Policy and Guidelines for Fish Habitat Conservation and Management – Update (DPI, 2013)
	NSW State Groundwater Dependent Ecosystem Policy (DPI Water)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (DPI Water)
	Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (DPI)
	Fisheries Management Act 1994
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1994)
	Assessing Heritage Significance (NSW Heritage Office, 2001)
	Statements of Heritage Impact (Heritage Office and Department of Urban Affairs and Planning, 2002)
Air	
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2022)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC, 2005)
	Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	National Greenhouse Accounts Factors (Commonwealth)
Noise, Vibration and Blasting	
	NSW Noise Policy for Industry (EPA)
	NSW Road Noise Policy and associated Application Notes (EPA)
	Construction Noise Guideline (EPA) (if finalised - subject to any transitional arrangements), otherwise Interim Construction Noise Guideline (DECCW, 2009)
	Environmental Noise Management - Assessing Vibration: a Technical Guideline (DEC, 2006)
	German Standard DIN 4150-3: Structural Vibration – effects of vibration on structures
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC, 1990)
Transport	
	Road and Related Facilities within the Department of Planning EIS Guidelines
	Guide to Traffic Generating Projects (RMS)
	Road Design Guide (RMS) & relevant Austroads Standards
	Austroads Guide to Traffic Management Part 12: Traffic Impacts of Project
Hazards and Risks	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Project
	Hazardous and Offensive Project Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis

Hazardous Industry Planning Advisory Paper No. 11 – Route Selection
Australian Standard 4452 Storage and Handling of Toxic Substances
Australian Dangerous Goods Code
AS2885 Pipelines – Gas and Liquid Petroleum, Operation and Maintenance
Planning for Bushfire Protection (NSW RFS)
Advisory Circular AC 139-05 v3.0 Plume Rise Assessments (CASA)
Visual
AS4282-1997 Control of the obtrusive effects of outdoor lighting
Dark Sky Planning Guideline: Protecting the observing conditions at Siding Spring
Waste
Waste Classification Guidelines (EPA)
Social
Social Impact Assessment Guideline for State Significant Projects (DPIE 2021)
Environmental Planning Instruments – General
<i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Project</i>
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
<i>State Environmental Planning Policy (Infrastructure) 2007</i>
<i>Dubbo Regional Local Environmental Plan 2022</i>
Relevant Water Sharing Plans (available at https://www.industry.nsw.gov.au/water)

Please also refer to the Department's Policies and Guidelines including strategic plans and guidelines at: <https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>