LIVERPOOL CITY COUNCIL

Our Ref: SSD-31597252
Contact: Kevin Kim (Acting Principal Planner)
Ph: 8711 7896
Date: 13 December 2021

Planning and Assessment
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

By email: pamela.morales@planning.nsw.gov.au

Re: Request for Council's Initial Submission on Secretary's Environmental Assessment Requirements (SEARs)

State Significant Development - SSD 31597252 – Construction and operation of a resource recovery facility that would have the capacity to process up to 890,000 tonnes of uncontaminated and non-putrescible building material, soil, bitumen.

Attention: Pamela Morales

Liverpool City Council Submission

Thank you for the opportunity to comment on the proposed State Significant Development for the construction and operation of a resource recovery facility that would have the capacity to process up to 890,000 tonnes of uncontaminated and non-putrescible building material, soil and bitumen at 58 Riverside Road, Chipping Norton NSW 2170.

Council officers have reviewed the documentation on the NSW Planning and Environment website with respect to this application and wish to require the following considerations in addition to that which was identified by the applicant:

GENERAL MATTERS FOR CONSIDERATION

1. The proposal must provide measures to reduce and control the stockpiled material that is dispersed on site either through the movement of the materials, trucks and environmental conditions such as wind, rain etc.

If you are not enclosing the material storage area, appropriate type of fencing along the side and rear boundaries of the site in proximity to the location of the material should be installed to reduce eroding stockpiled material from being dispersed around the local area.

2. The applicant is required to demonstrate that the proposed materials will not visually and environmentally affect neighbouring properties and the local area. The proposed height of the stockpiled material mound should not exceed the roof height of the existing building and should be reduced to not exceed the wall height of the existing building. Large trees along the boundary should assist in screening the proposed use and vehicles from neighbouring properties.

3. The intent to comply with Crime Prevention Through Environmental Design (CPTED) principles in the design and detailing of the proposal is required.

4. The proposal is likely to result in traffic impacts, particularly given it relies on vehicles lengths, up to and including long heavy rigid vehicles.

McLaren Traffic Engineers were engaged during the initial concept development phase of the proposal to address this potential impact.

The proposal, including its site layout and annual capacity, was determined largely following their advice in relation to how many long rigid vehicles could service the site given the locality's existing road network, and the site's boundaries.

McLaren Traffic Engineering will assess the proposal in detail for the purposes of any EIS. To date, however, they advise that up to four (4) 12.5m long heavy rigid vehicles can service the site per hour.

The site's configuration, particularly in relation to onsite truck manoeuvrability, has been devised in accordance with advice from McLaren Traffic Engineering.

5. The applicant is to confirm whether the Environment Protection Authority (EPA) are the ARA as it is believed the proposal is a scheduled activity under the Protection of the Environment Operations Act 1997, and Integrated Development in accordance with sec. 4.46 of the Environmental Planning and Assessment Act 1979.

TRAFFIC PLANNING CONSIDERATION

Environmental Impact Statement (EIS)

6. The EIS is to include a Traffic Impact Assessment that would identify and assess the impacts associated with the Project including:

- The current and future capability of local and regional road infrastructure;
- The type and frequency of heavy vehicles proposed to utilise the site;
- The suitability of the Project layout to accommodate the change to traffic vehicle movements; and
- Details of the internal network and parking in accordance with Australian Standards 2890 and DCP.

The EIS is to include recommendations to mitigate the likely impacts of the proposal on the road network including operational management plans and the suitability of the existing road network to accommodate the Project. In addition, appropriate consultation with *TfNSW* would be undertaken in accordance with regulations.

7. A full assessment of the traffic impact statement for the proposal must be carried out in accordance with the Transport for NSW (*TfNSW*) Guide to Traffic Generating Developments, with reference to Council's DCP and AS 2890.

The critical traffic issues assessed include:

- Suitability of vehicular access arrangements;
- Adequacy of the off-street parking provisions;

- Internal circulation and servicing arrangements; and
- Traffic impact of the proposed development including review of existing traffic conditions adjacent to the proposed development site.

Traffic Generation and Impact

8. The Traffic Impact Statement (TIA) is to address parking provisions and traffic generation impacts including, but not limited to:

- Heavy vehicle movements in terms of haulage, routes and capacity of Riverside Road.
- Intersection performance analysis of the following intersections including the cumulative impacts of the proposed development and other developments:
  - Access off Riverside Road;
  - Intersection of Riverside Road and Newbridge Road;
  - Other surrounding intersections.

The applicant is to provide details of any required infrastructure upgrade to support the proposed development and funding contribution.

The applicant is to provide a Construction Traffic Management Plan (CTMP) for all demolition and construction activities including detailed vehicle routes, number of trucks, hours of operation, access arrangements, traffic control measures and impacts on the existing and proposed road network.

Car parking assessment

9. Proposed visitors and staff car park comprising 4 spaces is to be assessed upon the submission of the Traffic Report.

Access and car parking design

10. Detailed design plans of the proposed driveway and the layout of the parking in accordance with Australian Standards AS.2890 including gradient, turn paths, sight distances, aisle widths, signs and markings are to be submitted for review by Liverpool City Council's Transport Management Section.

Street Lighting

11. Street lighting is to be reviewed and, if required, implemented to Council's specifications.

Note: Traffic planning related conditions are provided in **Appendix A**.

ENVIRONMENTAL HEALTH CONSIDERATION

Preliminary Site Investigation (PSI) and any subsequent reports

12. The proposed development may be impacted by contaminated soils. The State Environmental Planning Policy No 55 – Remediation of Land, Clause 7 requires a consent authority when assessing a development application to consider whether the land is contaminated, it is suitable in its contaminated state for the purpose for

which the development is proposed to be carried out, and/or if the land requires remediation, it is satisfied the land will be remediated before the land is used for that purpose.

A suitably qualified and experienced contaminated land consultant is to prepare a Stage 1 - preliminary investigation for the property. The preliminary site investigation is to comply with guidelines made or approved by the NSW EPA under the Contaminated Land management Act 1997 and identify all past and present potentially contaminating activities; identify potential contamination types; discuss the site condition; provide a preliminary assessment of site contamination; and assess the need for further investigations.

If contaminating activities are suspected or known to have occurred, or if the site history is incomplete it may be necessary to prepare a Stage 2 – Detailed Site Investigation. This investigation shall give regard to the potential effects of any contaminants on public health, the environment and building structures and shall meet the sampling density outlined in the NSW EPA Contaminated Sites Sampling Design Guidelines (1995).

Where the Stage 2-Detailed Site Investigation indicates that the site poses unacceptable risks to human health or the environment, a Remedial Action Plan (RAP) shall be prepared by a suitably qualified and experienced Contaminated Land Consultant in accordance with applicable guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997. In these circumstances, the Remedial Action Plan shall be referred to Liverpool City Council for review.

Note: 'Suitably qualified and experienced contaminated land consultant' means someone who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) Scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) Scheme.

The report's cover or title page of the document shall include a personalised electronic seal for either the CEnvP(SC) or CPSS CSAM scheme.

Site Plans

13. The following information is to be provided on detailed site plans for the resource recovery facility:

- Environmental safeguards such as trafficable bunds installed at the entry and exits of storage areas, vehicle, garbage bin and equipment wash bays (if applicable) to prevent contamination of the surrounding environment:
- A sealed forecourt area to prevent tracking of sediment and other material from the site.
- The location of spill kits, stormwater pits and stormwater drainage infrastructure. A detailed drainage diagram shall be submitted with the Application to clearly identify the proposed location of surface drains, sewerage and stormwater infrastructure.

Operational Environmental Management Plan

14. An Operational Environmental Management Plan (OEMP) shall be prepared for the proposed facility and be submitted to Council for review. The Plan shall be written by a suitably qualified and experienced environmental consultant and address means by which the commitment in the Statement of Environmental Effects and other environmental assessment reports will be fully implemented.

The EMP shall also provide a framework for managing and mitigating environmental impacts for the life of the proposal and make provisions for auditing the effectiveness of the proposed environmental protection measures and procedures. The Plan would support recommendations proposed in the submitted technical reports whilst also addressing other risks to the environment. The OEMP should be written to meet the requirements of ISO 14001 and as a minimum address the following requirements:

a) Provide the strategic context for the management of the development;
b) Identify all the statutory requirements of the development and any specific environmental standards;
c) Detail mitigation measures to minimise acoustic impacts;
d) Specify mitigation requirements to maintain air quality;
e) Outline mitigation measures to maintain water quality;
f) Address sediment and erosion control during operation; and
g) Include community consultation and complaints management procedures.

In this regard, the OEMP must include at least the following information: introduction, project description, environmental policy, EMP context, objectives, responsibilities, statutory and reporting requirements, environmental management activities, environmental training, emergency contacts, risk assessment and monitoring and review procedures, OEMP auditing and appendices. To assist regulation it is requested that the individual sub-plans are incorporated into a single comprehensive OEMP for the proposal.

The OEMP is to be prepared or reviewed and certified by a suitably qualified and experience consultant.

Acoustic Assessment

15. The proposed development may be a source of offensive noise and potentially impact upon human health and amenity. An acoustic report shall be prepared by a suitably qualified acoustic consultant in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017). The cumulative effect of noise must be considered when assessing the impact upon receivers.

Where necessary, the report shall assess potential sleep disturbance and road traffic noise impacts in accordance with the NSW Environment Protection Authority's 'Noise Policy for Industry' (2017) and 'NSW Road Noise Policy' prepared by the Department of Environment, Climate Change and Water NSW (DECCW NSW) dated March 2011. The project noise trigger levels for the proposed development shall be selected according to the most stringent intrusive or amenity criteria. If required, recommendations and noise control measures shall be specified to achieve compliance with the assessment criteria. The assessment shall

be representative of all noise generating activities on-site including but not limited to mechanical plant, patrons, deliveries and motor vehicle movements.

When assessing noise levels at commercial or industrial premises, the noise level shall be determined at the most affected point on or within the property boundary. Alternatively, when gauging noise levels at residences, the noise level shall be assessed at the most affected point on or within the residential property boundary. Where necessary, sound levels shall be adjusted in accordance with NSW Environment Protection Authority's guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

Note: 'Suitably qualified acoustic consultant' means a consultant who possesses Australian Acoustical Society membership or are employed by an Association of Australasian Acoustical Consultants (AAAC) member firm. The report's cover or title page must confirm membership details or include a watermark for the relevant certification body.

To assist regulation, it is requested that the individual sub-plans are incorporated into a single comprehensive OEMP for the proposal.

Air & Water Quality Assessment

16. The facility may compromise air and water quality. Windblown particulates could potentially impact unreasonably upon sensitive receivers and site runoff may degrade receiving waters.

Consideration must therefore be given to the proposed design, construction and layout of the premises to ensure that the facility is able to be operated in an environmentally satisfactory manner. This would include the incorporation of appropriate safeguards in the design and construction of the facility to prevent the generation of wind-blown dust and contamination of overland flow and surface waters. Consequently, a permanent vehicle/truck washing facility/wheel wash constructed with appropriate environmental safeguards is required.

Waste Management

17. The Application shall specify how refuse and waste will be managed during demolition, construction and operation. Suitable waste storage facilities are to be provided as part of the proposal. Please refer to the Liverpool Development Control Plan 2008 for further information.

General Notes

18. To improve environmental health outcomes Council currently recognises environmental consultants with the following qualifications, membership and/or certifications as suitably qualified;

Contaminated Site reports

- Environmental Institute of Australia and New Zealand – Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)); or
- Soil Science Australia – Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme

Acoustic Reports
- A member of the Australian Acoustical Society
- Employed by an Association of Australasian Acoustical Consultants (AAAC) member firm

Air Quality/ Odour reports
- Clean Air Society of Australia and New Zealand (CASANZ)- Certified Air Quality Professional under the CAQP program; or
- Environment Institute of Australia and New Zealand- Certified Environmental Practitioner (CEnvP) scheme.

General Environmental Reports
- Environmental Institute of Australia and New Zealand – Certified Environmental (CEnvP) Practitioner scheme.

FLOOD ENGINEERING CONSIDERATION

19. The site is located on the Georges River floodplain. The eastern portion of the site is affected by the 1%AEP flood and the entire site is located within the flood planning area, 1%AEP flood plus 0.5m freeboard. The 1%AEP level on the site is 6.0m AHD. Riverside Road fronting the site will be under flood during floods smaller as the 20%AEP and up to the 1%AEP flood and greater, thus cutting access to/from the site.

20. The proposal shall address Council's floodplain management and water quantity & quality management requirements of the DCP 2008 and submit necessary assessment reports for assessment of the proposal. This shall include but not limited to plans/drawings of concept design of the proposal, stormwater design calculations and MUSIC modelling analysis of water quality treatment measures and shall consider following:

- Proposal shall not have adverse flooding impact below the 1%AEP flood. Any loss of floodplain storage below the %AEP flood on the site shall be compensated through appropriate excavation. The 1%AEP, 2%AEP and 5%AEP flood levels on the site are 6.0m, 5.6m & 5.1mAHD respectively.
- Habitable and general commercial floor levels of the development to be as high as practical but no lower than the 1%AEP flood plus 0.5m freeboard, ie. 6.5mAHD minimum.
- General industrial floor areas to be as high as practical but no lower than the 2%AEP flood, i.e 5.6mAHD minimum.
- Surface levels of car parking shall be no lower than the 5%AEP, i.e 5.1mAHDminimum.
- Any overland flows running through site from adjoining properties shall not be disturbed and be accommodated into the proposed stormwater system.
- Access to & from the site will be cut-off from Riverview Road during floods smaller as 20%AEP up to the 1%AEP and greater floods. Reliable access shall be required for pedestrian/vehicles from the site during a flood event up to the Probable Maximum Flood event. Flood evacuation strategy for the site shall be prepared.
- Submit a flood impact assessment report addressing the above requirements under items 1 to 6.
- Submit a stormwater management report with plans/drawings with hydrologic & hydraulic assessment for the system.

- Water quality treatment measures shall be incorporated to the development to treat stormflows before discharging into receiving waters and shall achieve Council's stormwater treatment targets. Water quality treatment devices shall be designed using MUSIC modelling and water quality treatment performance shall be verified using Councils MUSIC Link.

  A detailed stormwater quality management report shall be submitted with MUSIC modelling analysis. The report shall fully identify pollutant generated from the proposed work and described control measures with necessary plans and drawings of proposed management measures satisfying Council's requirement.

21. Hydraulic design calculations (including DRAINS model) of sizing the proposed stormwater drainage system shall be provided.

22. Details of all work proposed to be undertaken within Council's Road reserve are to be included with this application. In this regard, a survey of the proposed ruts of the stormwater connecting to the nearest culverts and details of the outlet structures are to be provided.

CONCLUDING REMARKS

Overall, Council supports the construction and operation of a resource recovery facility at 58 Riverside Road, Chipping Norton NSW 2170, as it is considered to align with Council's future vision for the Chipping Norton Industrial precinct for which the site is situated. However, it is requested that the advice provided above be taken into consideration in the assessment of the proposed development in conjunction with the matters raised in previous submissions to the Department.

Should you wish to discuss this matter further, please contact Kevin Kim, Acting Principal Planner of Development Assessment on (02) 8711 7896.

Yours sincerely,

Kevin Kim
Acting Principal Planner
Development Assessment

APPENDIX A – TRAFFIC PLANNING CONDITIONS FOR SSD-31597252

Recommended conditions of consent	
Prior to the issue of a Construction Certificate	Detailed design plans for the car parking and access driveway including gradient, swept path analysis, line markings and sign posting in accordance with the DCP and AS2890 shall be submitted to Transport Management Section for review.
Prior to the issue of a Construction Certificate	The applicant is to submit a public street lighting design brief to Council.
Prior to the issue of a Construction Certificate	The design and subsequent provision of street lighting in accordance with Council's and Endeavour Energy specifications along all the roads fronting the development site should be submitted to Council Transport Management Section for review.
Prior to the issue of a Construction Certificate	A construction traffic management plan (CTMP) prepared by suitably qualified person is to be submitted to and endorsed by Council's Transport Management Section. The CTMP is to address all demolition and construction activities including detailed vehicle routes, number of trucks, hours of operation, access arrangements, traffic control measures and impacts on the existing and proposed road network. The CTMP is to outline the need for a Road Occupancy Permit issued by Council or Road Occupancy Permit issued by the Transport Management Centre.
Prior to the issue of a Construction Certificate	Works within the road reserve shall not commence until the construction traffic management plan has been endorsed.
Prior to Works Commencing	The developer shall obtain road occupancy, road opening permits, and works zone approval from Council, as required, prior to undertaking any works within public road reserve. Note: The application forms are available on Council's website or can be requested from Council's Customer Service.
Requirements during Construction	All works within the road reserve are to be at the applicant cost and all signage is to be in accordance with the TfNSW Traffic Control at Worksites Manual and the TfNSW Guide to Signs and Markings.
Requirements during Construction	If a works zone is required, an application must be made to Council's Transport Management Section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved is required.
Requirements during Construction	Notice must be given to Council's Transport Management Section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by suitably qualified person, must be sub-mitted for approval, a minimum 48 hours to prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.
Requirements during Construction	Applications must be made to Council's Transport Management Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.

Requirements during Construction	The endorsed CTMP is to be implemented during construction.
Conditions Relating to Use	Council's on-street assets should be protected at all times. Any damages shall be rectified to Council satisfaction.

DOC21/1056749-2

Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Email: pamela.morales@planning.nsw.gov.au

10 December 2021

Attention: Pamela Morales

EPA SEARs for Proposed Resource Recovery Facility – Norton Recycling – 58 Riverside Road, Chipping Norton - SSD-31597252

I refer to your request for the Environment Protection Authority's (EPA) requirements for the environmental assessment (EA) in regard to the above proposal, received by the EPA on 29 November 2021.

Norton Recycling (the proponent) is seeking to use 58 Riverside Road, Chipping Norton (the site) as a resource recovery facility. The proponent states that the facility is likely to handle 890,000 tonnes per annum of uncontaminated and non-putrescible, building materials, soil bitumen and the like for reuse offsite. The facility is proposing to operate 24 hours a day, 7 days a week.

The EPA has considered the details of the proposal as provided in the Request for Secretary's Environment Assessment Requirements letter and has identified the information required to issue general terms of approval in Attachments A and B. The EPA's key information requirements for the proposal include adequate assessment of:

1. Waste management;
2. Noise management;
3. Water management; and
4. Air quality.

In carrying out the assessment, the applicant should refer to the relevant guidelines as listed in Attachment C and any relevant industry codes of practice and best practice management guidelines.

Please note that the EPA has not considered Aboriginal cultural heritage, biodiversity or built form/urban design requirements as these are the purview of the Environment, Energy and Science Group (EES) within the Department of Planning, Industry and Environment.

The applicant should be made aware that any commitments made in the Environmental Assessment may be formalised as approval conditions and may also be placed as formal licence conditions.

In addition, as a requirement of an environment protection licence, the EPA will require the applicant to prepare, test and implement a Pollution Incident Response Management Plan and/or Plans in accordance with Section 153A of the Act. See the EPA webpage for more information here: https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/pollution-incident-response-management-plans

Yours sincerely

10 December 2021

JAMES BOYLE
Unit Head
Regulatory Operations Metro South

Attachment A: Site specific requirements for proposal
Attachment B: General Environmental Assessment Requirements
Attachment C: Guidance references

ATTACHMENT A:

Site Specific Requirements for the proposal

Resource Recovery Facility at 58 Riverside Road, Chipping Norton - SSD-31597252

1. **The Facility must be enclosed**
   The EPA notes that the proposed development will undertake crushing and some storage activities within an enclosed warehouse. However, unprocessed and processed materials are understood to be unloaded and stored in covered holding bays (not fully enclosed). We would reiterate that all waste and materials are required to be stored and processed inside an enclosed building. All waste handling activities, including receival, sorting, processing, sampling, quarantine, storage and loading must be conducted within an enclosed building.

   No waste, including finished products, may be stored outside. Any external haulage areas or roads must be sealed hardstand. Any unused external surfaces must be sealed hardstand or vegetated.

2. **Waste Management**
   The Environmental Assessment must include a detailed assessment of the waste management processes to be undertaken at the Premises. This includes but is not limited to:

   - details of the sources of waste to be received at the Premises;
   - details of the types and quantities of each waste type to be received at the Premises;
   - details of the maximum volume of waste to be stored on the Premises at any one time;
   - details of the maximum annual throughput of waste for be processed at the Premises;
   - a description of waste processing procedures for each waste type;
   - a description of how the applicant will meet the EPA's record keeping and reporting requirements, including weighing material in and out of the Premises (refer to the EPA's Waste Levy Guidelines for more information – available at http://www.epa.nsw.gov.au/your-environment/waste/waste-levy ;
   - a detailed site plan(s) identifying areas for:
     - haulage;
     - waste receival, processing, storage and loading (for each waste type)
     - quarantine;
     - infrastructure for environmental controls including dust, noise, water and wheelwash;
     - weighbridge;
     - site boundaries;
     - stormwater drainage areas; and
     - unused stabilised areas;

- details of the type and quantities of materials to be produced and their intended fate;
- details of any materials produced under a Resource Recovery Order, and the controls in place for meeting the conditions of that order;
- a description of procedures for dealing with non-conforming waste (i.e. waste not permitted to be received at the Premises).

The EPA notes that the information provided indicates that the proposal is a 'resource recovery facility' scheduled activity. Resource recovery applies to activities which dispose of less than 50% of waste after processing, while waste processing applies to activities that dispose of more than 50% of waste after processing. The scheduled activity (that any environment protection licence is subsequently issued for) will depend on the quantity of waste that is disposed of after processing.

3. Weighbridge

The EPA notes that the Applicant is proposing to operate a Resource recovery facility. The EPA reminds the Applicant that Clause 36(1) of the *Protection of the Environment (Waste) Regulation* 2018 states,

"The occupier of a scheduled waste facility who is required to pay contributions under section 88 of the Act must ensure that there is a weighbridge installed at the waste facility".

The EPA notes that the proposed design of the currently site allows space for the installation of two weighbridges. Further information on weighbridges for resource recovery facilities can be found here: https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/wasteregulation/19p1844-weighbridge-requirements-for-levy-liable-waste-facilities.pdf?la=en&hash=32401D3588F78E51C62D1D81B5EA9880FEB00DF5

4. Waste Types

The EPA requires detailed information on the waste types proposed to be received at the Premises. For each waste type the applicant must detail the physical and chemical content of the waste, the types of pollution which may result from the storage and processing of that waste and mitigation measures for managing any such impacts.

The list of waste types to be received at the Premises must be made clear.

Please note that the EPA will not consider including the following waste types on the licence:

- *Excavated Natural Material* or other wastes listed under a *resource recovery exemption*.

Resource recovery exemptions apply only to the application of waste to land and not as a permitted waste type onto a licensed premises. It is not appropriate to list these on an environment protection licence.

5. Water Management

The EPA expects that assessment of the impacts to water be included in the application. This must include as a minimum characterisation of any proposed discharges from the premises (both volume and quality), assessment of the potential impacts from these discharges and proposed mitigation measures to manage any impacts. The Environmental Assessment must address potential impacts on Georges River (approximately 500m to the east), its riparian and flood zones, including a flood impact assessment.

Discharges include, but are not limited to, stormwater (contaminated and uncontaminated), and wastewater (such as from dewatering). Details of stormwater management during both construction and operation must be included in the Environmental Assessment. Please refer to Attachment A for detail of what is to be included in assessment of water impacts.

Wheel wash - Best practice waste management facilities contain a wheel wash to reduce risk of contaminants being tracked out onto public roads. The EPA notes that a wheel wash has been included within the proposed design.

6. **Air Quality**
   The Environmental Assessment should include an air quality assessment that identifies all potential air emissions and odours and their sources, including construction, operational, transport sources and dust generation from the proposal. The air assessment must consider the proximity of the proposal to the residential areas and other sensitive receivers, such as the nearby playing fields, surrounding the site. The applicant must assess the impact of these discharges and demonstrate effective control of all identified air emissions from the proposal. Please refer to Attachment A for detail of what is to be included in the air quality impact assessment.

   As this proposal is for a large-scale facility (887,040 tpa) with potential dust producing works taking place on site, the applicant will need to take special precautions to prevent dust being emitted offsite through the open doors of the building. The applicant should consider the installation of a dust extraction system to minimise dust in the building which can potentially emit offsite through open doors used by traffic. Any openings in the building must be included when modelling dust emissions from the site.

   Please note, that in relation to air impacts, a place where someone works may be considered a sensitive receiver. Therefore, industrial neighbours adjacent to the proposal must be included as sensitive receivers when conducting an air quality or odour impact assessment. In carrying out the air assessment, the applicant should refer to the relevant guidelines as listed in Attachment A and any relevant industry codes of practice and best practice management guidelines.

7. **Changes to the Protection of the Environment Operations (Waste) Regulation** - The Applicant should be aware that changes to the Protection of the Environment Operations (Waste) Regulation commenced on 16 November 2018, which legislates "Standards for managing construction waste in NSW" (www.epa.nsw.gov.au/your-environment/waste/industrial-waste/construction-demolition/construction-and-demolition-waste). These standards must be complied with from 16 May 2019, regardless of when approval was given for the facility. The EPA encourages the Applicant to be fully aware of these legislative requirements and ensure their operations are compliant.

8. **Authorised amount and financial assurance**
   It should also be noted that there are several requirements for holders of environment protection licenses, including a limit on the maximum amount of waste permitted onsite at any one time, monthly recording and reporting and provision of a financial assurance. The EPA will discuss these matters further with the applicant at the licensing stage.

   The applicant should be made aware that, consistent with provisions under Part 9.4 of the *Protection of the Environment Operations Act 1997* (“the Act”) the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of an Environment Protection Licence ("EPL").

9. **Fire Risk and management**

   Fires at waste facilities may pose special problems of firefighting, such as:

   - large amounts of combustible waste;

- poor storage and separation, creating fire risks and reducing firefighting access; and

- inadequate hydrants, fire water management, fire suppression systems and smoke hazard management.

The FRNSW Fire Safety in Waste Facilities guideline helps waste facilities reduce and manage the risk of fires starting and spreading, to protect employees, emergency services, the community, businesses and the environment. It will also be considered by consent authorities in determining development applications and can be used by regulatory authorities in licensing. The fire safety guideline outlines standard approaches for fire risk management, fire safety systems, storage, stockpiles and planning at waste facilities which must be addressed by the applicant in the environmental assessment . It can be found on the Fire and Rescue NSW website, **www.fire.nsw.gov.au.**

10. General

The applicant must also provide details of any diesel fuel or hydraulic oil to be kept at the proposed facility and details of how its storage complies with the Australian Standard AS 1940:2017 - The storage and handling of flammable combustible liquids. The applicant should also consider constructing or installing any necessary infrastructure to the diesel tanks and surrounds to prevent spill, leaks, impact and penetration. This may include barriers to protect against impact and/or penetration from heavy vehicles, leak detection, automatic cut-off mechanisms to filling points and hoses used for the transfer of fuel and positioned within a bunded, impervious hardstand.

Occupier of the Premises

The EPA can only issue an environment protection licence to a person or entity who is the lawful occupier of a Premises. It is unclear from the information provided whether the Applicant is the same entity that owns the land. The EPA requires evidence that the Applicant is the lawful occupier of the Premises, such as a copy of any lease agreement.

ATTACHMENT B:

ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR

Norton Recycling - Resource Recovery Facility
58 Riverside Road, Chipping Norton - SSD-31597252

How to use these requirements

The EPA requirements have been structured in accordance with the DPIE EIS Guidelines, as follows. It is suggested that the EIS follow the same structure:

A. Executive summary

B. The proposal

C. The location

D. Identification and prioritisation of issues

E. The environmental issues

F. List of approvals and licences

G. Compilation of mitigation measures

H. Justification for the proposal

A Executive summary

The executive summary should include a brief discussion of the extent to which the proposal achieves identified environmental outcomes.

B The proposal

1. Objectives of the proposal

- The objectives of the proposal should be clearly stated and refer to:

a) the size and type of the operation, the nature of the processes and the products, by-products and wastes produced

b) a life cycle approach to the production, use or disposal of products

c) the anticipated level of performance in meeting required environmental standards and cleaner production principles

d) the staging and timing of the proposal and any plans for future expansion

e) the proposal's relationship to any other industry or facility.

2. Description of the proposal

General

- Outline the production process including:
  a) the environmental "mass balance" for the process – quantify in-flow and out-flow of materials, any points of discharge to the environment and their respective destinations (sewer, stormwater, atmosphere, recycling, landfill etc)
  b) any life-cycle strategies for the products.
- Outline cleaner production actions, including:
  a) measures to minimise waste (typically through addressing source reduction)
  b) proposals for use or recycling of by-products
  c) proposed disposal methods for solid and liquid waste
  d) air management systems including all potential sources of air emissions, proposals to re-use or treat emissions, emission levels relative to relevant standards in regulations, discharge points
  e) water management system including all potential sources of water pollution, proposals for re-use, treatment etc, emission levels of any wastewater discharged, discharge points, summary of options explored to avoid a discharge, reduce its frequency or reduce its impacts, and rationale for selection of option to discharge.
  f) soil contamination treatment and prevention systems.
- Outline construction works including:
  a) actions to address any existing soil contamination
  b) any earthworks or site clearing; re-use and disposal of cleared material (including use of spoil on-site)
  c) construction timetable and staging; hours of construction; proposed construction methods
  d) environment protection measures, including noise mitigation measures, dust control measures and erosion and sediment control measures.

- Include a site diagram showing the site layout and location of environmental controls.

Air

- Identify all sources or potential sources of air emissions from the development.

Note: emissions can be classed as either:

- point (e.g. emissions from stack or vent) or
- - fugitive (from wind erosion, leakages or spillages, associated with loading or unloading, conveyors, storage facilities, plant and yard operation, vehicle movements (dust from road, exhausts, loss from load), land clearing and construction works).

- Provide details of the project that are essential for predicting and assessing air impacts including:

  a) the quantities and physio-chemical parameters (e.g. concentration, moisture content, bulk density, particle sizes etc) of materials to be used, transported, produced or stored

  b) an outline of procedures for handling, transport, production and storage

  c) the management of solid, liquid and gaseous waste streams with potential to generate emissions to air.

Noise and vibration

- Identify all noise sources or potential sources from the development (including both construction and operation phases). Detail all potentially noisy activities including ancillary activities such as transport of goods and raw materials.
- Specify the times of operation for all phases of the development and for all noise producing activities.
- For projects with a significant potential traffic noise impact provide details of road alignment (include gradients, road surface, topography, bridges, culverts etc), and land use along the proposed road and measurement locations – diagrams should be to a scale sufficient to delineate individual residential blocks.

Water

- Provide details of the project that are essential for predicting and assessing impacts to waters including:

  a) the quantity and physio-chemical properties of all potential water pollutants and the risks they pose to the environment and human health, including the risks they pose to Water Quality Objectives in the ambient waters (as defined on http://www.environment.nsw.gov.au/ieo/index.htm , using technical criteria derived from the Australian and New Zealand Guidelines for Fresh and Marine Water Quality, ANZECC 2000)

  b) the management of discharges with potential for water impacts

  c) drainage works and associated infrastructure; land-forming and excavations; working capacity of structures; and water resource requirements of the proposal.

- Outline site layout, demonstrating efforts to avoid proximity to water resources (especially for activities with significant potential impacts e.g. effluent ponds) and showing potential areas of modification of contours, drainage etc.
- Outline how total water cycle considerations are to be addressed showing total water balances for the development (with the objective of minimising demands and impacts

on water resources). Include water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

Waste and chemicals

- Provide details of the quantity and type of both liquid waste and non-liquid waste generated, handled, processed or disposed of at the premises. Waste must be classified according to the EPA's *Waste Classification Guidelines 2014 (as amended from time to time)*
- Provide details of liquid waste and non-liquid waste management at the facility, including:
    a) the transportation, assessment and handling of waste arriving at or generated at the site
    b) any stockpiling of wastes or recovered materials at the site
    c) any waste processing related to the facility, including reuse, recycling, reprocessing (including composting) or treatment both on- and off-site
    d) the method for disposing of all wastes or recovered materials at the facility
    e) the emissions arising from the handling, storage, processing and reprocessing of waste at the facility
    f) the proposed controls for managing the environmental impacts of these activities.
- Provide details of spoil disposal with particular attention to:
    a) the quantity of spoil material likely to be generated
    b) proposed strategies for the handling, stockpiling, reuse/recycling and disposal of spoil
    c) the need to maximise reuse of spoil material in the construction industry
    d) identification of the history of spoil material and whether there is any likelihood of contaminated material, and if so, measures for the management of any contaminated material
    e) designation of transportation routes for transport of spoil.
- Provide details of procedures for the assessment, handling, storage, transport and disposal of all hazardous and dangerous materials used, stored, processed or disposed of at the site, in addition to the requirements for liquid and non-liquid wastes.
- Provide details of the type and quantity of any chemical substances to be used or stored and describe arrangements for their safe use and storage.
- Reference should be made to the guidelines: EPA's Waste Classification Guidelines 2014 (as amended from time to time)

Ecologically Sustainable Development

- Demonstrate that the planning process and any subsequent development incorporates objectives and mechanisms for achieving ESD, including:
    a) an assessment of a range of options available for use of the resource, including the benefits of each option to future generations
    b) proper valuation and pricing of environmental resources

c) identification of who will bear the environmental costs of the proposal.

3. Rehabilitation

- Outline considerations of site maintenance, and proposed plans for the final condition of the site(ensuring its suitability for future uses).

4. Consideration of alternatives and justification for the proposal

- Consider the environmental consequences of adopting alternatives, including alternative:
  a) sites and site layouts
  b) access modes and routes
  c) materials handling and production processes
  d) waste and water management
  e) impact mitigation measures
  f) energy sources
- Selection of the preferred option should be justified in terms of:
  a) ability to satisfy the objectives of the proposal
  b) relative environmental and other costs of each alternative
  c) acceptability of environmental impacts and contribution to identified environmental objectives
  d) acceptability of any environmental risks or uncertainties
  e) reliability of proposed environmental impact mitigation measures
  f) efficient use (including maximising re-use) of land, raw materials, energy and other resources.

C The location

1. General

- Provide an overview of the affected environment to place the proposal in its local and regional environmental context including:
    a) meteorological data (e.g. rainfall, temperature and evaporation, wind speed and direction)
    b) topography (landform element, slope type, gradient and length)
    c) surrounding land uses (potential synergies and conflicts)
    d) geomorphology (rates of landform change and current erosion and deposition processes)
    e) soil types and properties (including erodibility; engineering and structural properties; dispersibility; permeability; presence of acid sulfate soils and potential acid sulfate soils)
    f) ecological information (water system habitat, vegetation, fauna)
    g) availability of services and the accessibility of the site for passenger and freight transport.

2. Air

- Describe the topography and surrounding land uses. Provide details of the exact locations of dwellings, schools and hospitals. Where appropriate provide a perspective view of the study area such as the terrain file used in dispersion models.
- Describe surrounding buildings that may effect plume dispersion.
- Provide and analyse site representative data on following meteorological parameters:
    a) temperature and humidity
    b) rainfall, evaporation and cloud cover
    c) wind speed and direction
    d) atmospheric stability class
    e) mixing height (the height that emissions will be ultimately mixed in the atmosphere)
    f) katabatic air drainage
    g) air re-circulation.

3. Noise and vibration

- Identify any noise sensitive locations likely to be affected by activities at the site, such as residential properties, schools, churches, and hospitals. Typically the location of any noise sensitive locations in relation to the site should be included on a map of the locality.
- Identify the land use zoning of the site and the immediate vicinity and the potentially affected areas.

4. Water

- Describe the catchment including proximity of the development to any waterways and provide an assessment of their sensitivity/significance from a public health, ecological

and/or economic perspective.
The Water Quality and River Flow Objectives on the website: http://www.environment.nsw.gov.au/ieo/index.htm should be used to identify the agreed environmental values and human uses for any affected waterways. This will help with the description of the local and regional area.

5. Soil Contamination Issues

- Provide details of site history – if earthworks are proposed, this needs to be considered with regard to possible soil contamination, for example if the site was previously a landfill site or if irrigation of effluent has occurred.

D Identification and prioritisation of issues / scoping of impact assessment

- Provide an overview of the methodology used to identify and prioritise issues. The methodology should take into account:
  a) relevant NSW government guidelines
  b) industry guidelines
  c) EISs for similar projects
  d) relevant research and reference material
  e) relevant preliminary studies or reports for the proposal
  f) consultation with stakeholders.
- Provide a summary of the outcomes of the process including:
  a) all issues identified including local, regional and global impacts (e.g. increased/ decreased greenhouse emissions)
  b) key issues which will require a full analysis (including comprehensive baseline assessment)
  c) issues not needing full analysis though they may be addressed in the mitigation strategy
  d) justification for the level of analysis proposed (the capacity of the proposal to give rise to high concentrations of pollution compared with the ambient environment or environmental outcomes is an important factor in setting the level of assessment).

E The environmental issues

1. General

- The potential impacts identified in the scoping study need to be assessed to determine their significance, particularly in terms of achieving environmental outcomes, and minimising environmental pollution.
- Identify gaps in information and data relevant to significant impacts of the proposal and any actions proposed to fill those information gaps so as to enable development of appropriate management and mitigation measures. This is in accordance with ESD requirements.

Note: The level of detail should match the level of importance of the issue in decision making which is dependent on the environmental risk.

Describe baseline conditions

- Provide a description of existing environmental conditions for any potential impacts.

Assess impacts

- For any potential impacts relevant for the assessment of the proposal provide a detailed analysis of the impacts of the proposal on the environment including the cumulative impact of the proposal on the receiving environment especially where there are sensitive receivers.
- Describe the methodology used and assumptions made in undertaking this analysis (including any modelling or monitoring undertaken) and indicate the level of confidence in the predicted outcomes and the resilience of the environment to cope with the predicted impacts.
- The analysis should also make linkages between different areas of assessment where necessary to enable a full assessment of environmental impacts e.g. assessment of impacts on air quality will often need to draw on the analysis of traffic, health, social, soil and/or ecological systems impacts; etc.
- The assessment needs to consider impacts at all phases of the project cycle including: exploration (if relevant or significant), construction, routine operation, start-up operations, upset operations and decommissioning if relevant.
- The level of assessment should be commensurate with the risk to the environment.

Describe management and mitigation measures

- Describe any mitigation measures and management options proposed to prevent, control, abate or mitigate identified environmental impacts associated with the proposal and to reduce risks to human health and prevent the degradation of the environment. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
- Proponents are expected to implement a ‘reasonable level of performance’ to minimise environmental impacts. The proponent must indicate how the proposal meets reasonable levels of performance. For example, reference technology based criteria if available, or identify good practice for this type of activity or development. A ‘reasonable level of performance’ involves adopting and implementing technology and management practices to achieve certain pollutant emissions levels in economically viable operations. Technology-based criteria evolve gradually over time as technologies and practices change.

- Use environmental impacts as key criteria in selecting between alternative sites, designs and technologies, and to avoid options having the highest environmental impacts.
- Outline any proposed approach (such as an Environmental Management Plan) that will demonstrate how commitments made in the EIS will be implemented. Areas that should be described include:
    a) operational procedures to manage environmental impacts
    b) monitoring procedures
    c) training programs
    d) community consultation
    e) complaint mechanisms including site contacts
    f) strategies to use monitoring information to improve performance
    g) strategies to achieve acceptable environmental impacts and to respond in event of exceedances.

2. Air

Describe baseline conditions

- Provide a description of existing air quality and meteorology, using existing information and site representative ambient monitoring data.

Assess impacts

- Identify all pollutants of concern and estimate emissions by quantity (and size for particles), source and discharge point.
- Estimate the resulting ground level concentrations of all pollutants. Where necessary (e.g. potentially significant impacts and complex terrain effects), use an appropriate dispersion model to estimate ambient pollutant concentrations. Discuss choice of model and parameters with the EPA.
- Describe the effects and significance of pollutant concentration on the environment, human health, amenity and regional ambient air quality standards or goals.
- Describe the contribution that the development will make to regional and global pollution, particularly in sensitive locations.
- For potentially odorous emissions provide the emission rates in terms of odour units (determined by techniques compatible with EPA procedures). Use sampling and analysis techniques for individual or complex odours and for point or diffuse sources, as appropriate.

Note: With dust and odour, it may be possible to use data from existing similar activities to generate emission rates.

- Reference should be made to *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (DEC, 2016)*; Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (DEC, 2007).

Describe management and mitigation measures

- Outline specifications of pollution control equipment (including manufacturer's performance guarantees where available) and management protocols for both point and fugitive emissions. Where possible, this should include cleaner production processes.

3. Noise and vibration

Describe baseline conditions

- Determine the existing background (LA90) and ambient (LAeq) noise levels, as relevant, in accordance with the *NSW Noise Policy for Industry*.
- Determine the existing road traffic noise levels in accordance with the *NSW Road Noise Policy*, where road traffic noise impacts may occur.
- The noise impact assessment report should provide details of all monitoring of existing ambient noise levels including:
    a) details of equipment used for the measurements
    b) a brief description of where the equipment was positioned
    c) a statement justifying the choice of monitoring site(s), including the procedure used to choose the site(s), having regards to Fact Sheets A and B of the *NSW Noise Policy for Industry.*
    d) details of the exact location of the monitoring site and a description of land uses in surrounding areas
    e) a description of the dominant and background noise sources at the site
    f) day, evening and night assessment background levels for each day of the monitoring period
    g) the final Rating Background Level (RBL) value
    h) graphs of the measured noise levels for each day should be provided
    i) a record of periods of affected data (due to adverse weather and extraneous noise), methods used to exclude invalid data and a statement indicating the need for any re-monitoring.

Assess impacts

- Determine the project noise trigger levels for the site. For each identified potentially affected receiver, this should include:
    a) determination of the project intrusive noise level for each identified potentially affected receiver
    b) selection and justification of the appropriate amenity category for each identified potentially affected receiver
    c) determination of the project amenity noise level for each receiver
    d) determination of the appropriate maximum noise level event assessment (sleep disturbance) trigger level.
- Maximum noise levels during night-time period (10pm-7am) should be assessed to analyse possible affects on sleep. Determine expected noise level and noise character likely to be generated from noise sources during:
    a) site establishment
    b) construction
    c) operational phases
    d) transport including traffic noise generated by the proposal
    e) other services.

Note: The noise impact assessment report should include noise source data for each source in 1/1 or 1/3 octave band frequencies including methods for references used to determine noise source levels. Noise source levels and characteristics can be sourced from direct measurement of similar activities or from literature (if full references are provided).

- Determine the noise levels likely to be received at the reasonably most affected location(s) (these may vary for different activities at each phase of the development).
- The noise impact assessment report should include:
    a) a plan showing the assumed location of each noise source for each prediction scenario
    b) a list of the number and type of noise sources used in each prediction scenario to simulate all potential significant operating conditions on the site
    c) any assumptions made in the predictions in terms of source heights, directivity effects, shielding from topography, buildings or barriers, etc
    d) methods used to predict noise impacts including identification of any noise models used.
    e) the weather conditions considered for the noise predictions
    f) the predicted noise impacts from each noise source as well as the combined noise level for each prediction scenario
    g) for developments where a significant level of noise impact is likely to occur, noise contours for the key prediction scenarios should be derived
    h) an assessment of the need to include modification factors as detailed in Fact Sheet C of the *NSW Noise Policy for Industry*.
- Discuss the findings from the predictive modelling and, where relevant noise criteria have not been met, recommend additional feasible and reasonable mitigation measures.
- The noise impact assessment report should include details of any mitigation proposed including the attenuation that will be achieved and the revised noise impact predictions following mitigation.
    a) Where relevant noise/vibration levels cannot be met after application of all feasible and reasonable mitigation measures the residual level of noise impact needs to be quantified
- For the assessment of existing and future traffic noise, details of data for the road should be included such as assumed traffic volume; percentage heavy vehicles by time of day; and details of the calculation process. These details should be consistent with any traffic study carried out in the EIS.
- Where blasting is intended an assessment in accordance with the *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration* (ANZECC, 1990) should be undertaken. The following details of the blast design should be included in the noise assessment:
    a) bench height, burden spacing, spacing burden ratio
    b) blast hole diameter, inclination and spacing
    c) type of explosive, maximum instantaneous charge, initiation, blast block size, blast frequency.

Describe management and mitigation measures

- Determine the most appropriate noise mitigation measures and expected noise reduction including both noise controls and management of impacts for both construction and operational noise. This will include selecting quiet equipment and construction methods, noise barriers or acoustic screens, location of stockpiles, temporary offices, compounds and vehicle routes, scheduling of activities, etc.

- For traffic noise impacts, provide a description of the ameliorative measures considered (if required), reasons for inclusion or exclusion, and procedures for calculation of noise levels including ameliorative measures. Also include, where necessary, a discussion of any potential problems associated with the proposed ameliorative measures, such as overshadowing effects from barriers. Appropriate ameliorative measures may include:

  a) use of alternative transportation modes, alternative routes, or other methods of avoiding the new road usage

  b) control of traffic (eg: limiting times of access or speed limitations)

  c) resurfacing of the road using a quiet surface

  d) use of (additional) noise barriers or bunds

  e) treatment of the façade to reduce internal noise levels buildings where the night-time criteria is a major concern

  f) more stringent limits for noise emission from vehicles (i.e. using specially designed 'quite' trucks and/or trucks to use air bag suspension

  g) driver education

  h) appropriate truck routes

  i) limit usage of exhaust brakes

  j) use of premium muffles on trucks

  k) reducing speed limits for trucks

  l) ongoing community liaison and monitoring of complaints

  m) phasing in the increased road use.

4. Water

Describe baseline conditions

- Describe existing surface and groundwater quality – an assessment needs to be undertaken for any water resource likely to be affected by the proposal and for all conditions (e.g. a wet weather sampling program is needed if runoff events may cause impacts).

Note: Methods of sampling and analysis need to conform with an accepted standard (e.g. Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC 2004) *or be approved and analyses undertaken by accredited laboratories).*

- Provide site drainage details and surface runoff yield.

- State the ambient Water Quality and River Flow Objectives for the receiving waters. These refer to the community's agreed environmental values and human uses endorsed by the Government as goals for the ambient waters. These environmental values are published on the website: http://www.environment.nsw.gov.au/ieo/index.htm. The EIS should state the environmental values listed for the catchment and waterway type relevant to your proposal. NB: A consolidated and approved list of environmental values are not

available for groundwater resources. Where groundwater may be affected the EIS should identify appropriate groundwater environmental values and justify the choice.

- State the indicators and associated trigger values or criteria for the identified environmental values. This information should be sourced from the ANZECC 2000 *Guidelines for Fresh and Marine Water Quality* (http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html) (Note that, as at 2004, the NSW Water Quality Objectives booklets and website contain technical criteria derived from the 1992 version of the ANZECC Guidelines. The Water Quality Objectives remain as Government Policy, reflecting the community's environmental values and long-term goals, but the technical criteria are replaced by the more recent ANZECC 2000 Guidelines). NB: While specific guidelines for groundwater are not available, the ANCECC 2000 Guidelines endorse the application of the trigger values and decision trees as a tool to assess risk to environmental values in groundwater.

- State any locally specific objectives, criteria or targets, which have been endorsed by the government e.g. the Healthy Rivers Commission Inquiries or the NSW Salinity Strategy (DLWC, 2000) (http://www.environment.nsw.gov.au/salinity/government/nswstrategy.htm).

- Where site specific studies are proposed to revise the trigger values supporting the ambient Water Quality and River Flow Objectives, and the results are to be used for regulatory purposes (e.g. to assess whether a licensed discharge impacts on water quality objectives), then prior agreement from the EPA on the approach and study design must be obtained.

- Describe the state of the receiving waters and relate this to the relevant Water Quality and River Flow Objectives (i.e. are Water Quality and River Flow Objectives being achieved?). Proponents are generally only expected to source available data and information. However, proponents of large or high risk developments may be required to collect some ambient water quality / river flow / groundwater data to enable a suitable level of impact assessment. Issues to include in the description of the receiving waters could include:

  a) lake or estuary flushing characteristics

  b) specific human uses (e.g. exact location of drinking water offtake)

  c) sensitive ecosystems or species conservation values

  d) a description of the condition of the local catchment e.g. erosion levels, soils, vegetation cover, etc

  e) an outline of baseline groundwater information, including, but not restricted to, depth to watertable, flow direction and gradient, groundwater quality, reliance on groundwater by surrounding users and by the environment

  f) historic river flow data where available for the catchment.

Assess impacts

- No proposal should breach clause 120 of the *Protection of the Environment Operations Act* 1997 (i.e. pollution of waters is prohibited unless undertaken in accordance with relevant regulations).

- Identify and estimate the quantity of all pollutants that may be introduced into the water cycle by source and discharge point including residual discharges after mitigation measures are implemented.

- Include a rationale, along with relevant calculations, supporting the prediction of the discharges.
- Describe the effects and significance of any pollutant loads on the receiving environment. This should include impacts of residual discharges through modelling, monitoring or both, depending on the scale of the proposal. Determine changes to hydrology (including drainage patterns, surface runoff yield, flow regimes, wetland hydrologic regimes and groundwater).
- Describe water quality impacts resulting from changes to hydrologic flow regimes (such as nutrient enrichment or turbidity resulting from changes in frequency and magnitude of stream flow).
- Identify any potential impacts on quality or quantity of groundwater describing their source.
- Identify potential impacts associated with geomorphological activities with potential to increase surface water and sediment runoff or to reduce surface runoff and sediment transport. Also consider possible impacts such as bed lowering, bank lowering, instream siltation, floodplain erosion and floodplain siltation.
- Identify impacts associated with the disturbance of acid sulfate soils and potential acid sulfate soils.
- Containment of spills and leaks shall be in accordance with EPA's guidelines section 'Bunding and Spill Management' at http://www.epa.nsw.gov.au/mao/bundingspill.htm and the most recent versions of the Australian Standards referred to in the Guidelines. Containment should be designed for no-discharge.
- The significance of the impacts listed above should be predicted. When doing this it is important to predict the ambient water quality and river flow outcomes associated with the proposal and to demonstrate whether these are acceptable in terms of achieving protection of the Water Quality and River Flow Objectives. In particular the following questions should be answered:

  a) will the proposal protect Water Quality and River Flow Objectives where they are currently achieved in the ambient waters; and

  b) will the proposal contribute towards the achievement of Water Quality and River Flow Objectives over time, where they are not currently achieved in the ambient waters.

- Consult with the EPA as soon as possible if a mixing zone is proposed (a mixing zone could exist where effluent is discharged into a receiving water body, where the quality of the water being discharged does not immediately meet water quality objectives. The mixing zone could result in dilution, assimilation and decay of the effluent to allow water quality objectives to be met further downstream, at the edge of the mixing zone). The EPA will advise the proponent under what conditions a mixing zone will and will not be acceptable, as well as the information and modelling requirements for assessment.

Note: The assessment of water quality impacts needs to be undertaken in a total catchment management context to provide a wide perspective on development impacts, in particular cumulative impacts.

- Where a licensed discharge is proposed, provide the rationale as to why it cannot be avoided through application of a reasonable level of performance, using available technology, management practice and industry guidelines.

- Where a licensed discharge is proposed, provide the rationale as to why it represents the best environmental outcome and what measures can be taken to reduce its environmental impact.
- Reference should be made to *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004)

Describe management and mitigation measures

- Outline stormwater management to control pollutants at the source and contain them within the site. Also describe measures for maintaining and monitoring any stormwater controls.
- Outline erosion and sediment control measures directed at minimising disturbance of land, minimising water flow through the site and filtering, trapping or detaining sediment. Also include measures to maintain and monitor controls as well as rehabilitation strategies.
- Describe waste water treatment measures that are appropriate to the type and volume of waste water and are based on a hierarchy of avoiding generation of waste water; capturing all contaminated water (including stormwater) on the site; reusing/recycling waste water; and treating any unavoidable discharge from the site to meet specified water quality requirements.
- Outline pollution control measures relating to storage of materials, possibility of accidental spills (e.g. preparation of contingency plans), appropriate disposal methods, and generation of leachate.
- Describe hydrological impact mitigation measures including:
    a) site selection (avoiding sites prone to flooding and waterlogging, actively eroding or affected by deposition)
    b) minimising runoff
    c) minimising reductions or modifications to flow regimes
    d) avoiding modifications to groundwater.
- Describe groundwater impact mitigation measures including:
    a) site selection
    b) retention of native vegetation and revegetation
    c) artificial recharge
    d) providing surface storages with impervious linings
    e) monitoring program.
- Describe geomorphological impact mitigation measures including:
    a) site selection
    b) erosion and sediment controls
    c) minimising instream works
    d) treating existing accelerated erosion and deposition
    e) monitoring program.
- Any proposed monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (DEC 2004).

5. Soils and contamination

Describe baseline conditions

- Provide any details (in addition to those provided in the location description - Section C) that are needed to describe the existing situation in terms of soil types and properties and soil contamination.

Assess impacts

- Identify any likely impacts resulting from the construction or operation of the proposal, including the likelihood of:
    a) disturbing any existing contaminated soil
    b) contamination of soil by operation of the activity
    c) subsidence or instability
    d) soil erosion
    e) disturbing acid sulfate or potential acid sulfate soils.
- Reference should be made to *Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011)*; Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997* (EPA, 2015).

Describe management and mitigation measures

- Describe and assess the effectiveness or adequacy of any soil management and mitigation measures during construction and operation of the proposal including:
    a) erosion and sediment control measures
    b) proposals for site remediation – see *Managing Land Contamination, Planning Guidelines SEPP 55 – Remediation of Land* (Department of Urban Affairs and Planning and Environment Protection Authority, 1998)
    c) proposals for the management of these soils – see *Acid Sulfate Soil Manual* (Acid Sulfate Soil Advisory Committee 1998) and *Acid Sulfate Soils Assessment Guidelines* (Acid Sulfate Soil Advisory Committee 1998).

6. Waste and chemicals

Describe baseline conditions

- Describe any existing waste or chemicals operations related to the proposal.

Assess impacts

- Assess the adequacy of proposed measures to minimise natural resource consumption and minimise impacts from the handling, transporting, storage, processing and reprocessing of waste and/or chemicals.
- Reference should be made to: the EPA's *Waste Classification Guidelines 2014 (as in force from time to time)*
- If the proposal is an energy from waste facility it must:
    a) demonstrate that the proposed operation will comply with the NSW EPA's Energy from Waste Policy Statement;
    b) describe of the classes and quantities of waste that would be thermally treated at the facility;

c) demonstrate that waste used as a feedstock in the waste to energy plant would be the residual from a resource recovery process that maximises the recovery of material;

d) detail procedures that would be implemented to control the inputs to the waste to energy plant, including contingency measures that would be implemented if inappropriate materials are identified;

e) detail the location and size of stockpiles of unprocessed and processed recycled waste at the site;

f) demonstrate any waste material (e.g. biochar, ash) produced from the waste to energy facility for land application is fit-for-purpose and poses minimal risk of harm to the environment in order to meet the requirements for consideration of a resource recovery order and /or exemption by the EPA;

g) detail procedures for the management of other solid, liquid and gaseous waste streams;

h) describe how waste would be treated, stored, used, disposed and handled on site, and transported to and from the site, and the potential impacts associated with these issues, including current and future offsite waste disposal methods; and

i) identify 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 2014-21*.

Describe management and mitigation measures

- Outline measures to minimise the consumption of natural resources.
- Outline measures to avoid the generation of waste and promote the re-use and recycling and reprocessing of any waste.
- Outline measures to support any approved regional or industry waste plans.

7. Cumulative impacts

- Identify the extent that the receiving environment is already stressed by existing development and background levels of emissions to which this proposal will contribute.
- Assess the impact of the proposal against the long term air, noise and water quality objectives for the area or region.
- Identify infrastructure requirements flowing from the proposal (e.g. water and sewerage services, transport infrastructure upgrades).
- Assess likely impacts from such additional infrastructure and measures reasonably available to the proponent to contain such requirements or mitigate their impacts (e.g. travel demand management strategies).

F. List of approvals and licences

- Identify all approvals and licences required under environment protection legislation including details of all scheduled activities, types of ancillary activities and types of discharges (to air, land, water).

G. Compilation of mitigation measures

- Outline how the proposal and its environmental protection measures would be implemented and managed in an integrated manner so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).
- The mitigation strategy should include the environmental management and cleaner production principles which would be followed when planning, designing, establishing and operating the proposal. It should include two sections, one setting out the program for managing the proposal and the other outlining the monitoring program with a feedback loop to the management program.

H. Justification for the Proposal

- Reasons should be included which justify undertaking the proposal in the manner proposed, having regard to the potential environmental impacts.

ATTACHMENT C: GUIDANCE MATERIAL

Title	Web address
Relevant Legislation	
Contaminated Land Management Act 1997	http://www.legislation.nsw.gov.au/#/view/act/1997/140
Environmentally Hazardous Chemicals Act 1985	http://www.legislation.nsw.gov.au/#/view/act/1985/14
Environmental Planning and Assessment Act 1979	http://www.legislation.nsw.gov.au/#/view/act/1979/203
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/#/view/act/1997/156
Water Management Act 2000	http://www.legislation.nsw.gov.au/#/view/act/2000/92
Licensing	
Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
Air Issues	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2016)	http://www.epa.nsw.gov.au/air/appmethods.htm
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/#/view/regulation/2010/428
Noise and Vibration	
NSW Noise Policy for Industry	http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/ noise-policy-for-industry-(2017)
Interim Construction Noise Guideline (DECC, 2009)	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
NSW Rail Infrastructure Noise Guideline (EPA, 2013)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
Human Health Risk Assessment	
Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)	http://www.eh.org.au/documents/item/916
Waste, Chemicals and Hazardous Materials and Radiation	
Waste	
Environmental Guidelines: Solid Waste Landfills (EPA, 2016)	http://www.epa.nsw.gov.au/waste/landfill-sites.htm
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	http://www.epa.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf
EPA's Waste Classification Guidelines 2014	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery orders and exemptions	http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm
European Unions Waste Incineration Directive 2000	http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm
EPA's Energy from Waste Policy Statement	http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm

NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Chemicals subject to Chemical Control Orders	
Chemical Control Orders (regulated through the EHC Act)	http://www.epa.nsw.gov.au/pesticides/CCOs.htm
National Protocol - Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
Water and Soils	
Acid sulphate soils	
Coastal acid sulfate soils guidance material	http://www.environment.nsw.gov.au/acidsulfatesoil/ and http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm
Acid Sulfate Soils Planning Maps	http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm
Contaminated Sites Assessment and Remediation	
Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	http://www.epa.nsw.gov.au/clm/planning.htm
Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)	http://www.epa.nsw.gov.au/resources/clm/20110650consultantsglines.pdf
Guidelines for the NSW Site Auditor Scheme - 2nd edition (DEC, 2006)	http://www.epa.nsw.gov.au/resources/clm/auditorglines06121.pdf
Sampling Design Guidelines (EPA, 1995)	http://www.epa.nsw.gov.au/resources/clm/95059sampgdlne.pdf
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	http://www.scew.gov.au/nepms/assessment-site-contamination
Soils – general	
Managing land and soil	http://www.environment.nsw.gov.au/soils/landandsoil.htm
Managing urban stormwater for the protection of soils	http://www.environment.nsw.gov.au/stormwater/publications.htm
Landslide risk management guidelines	http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Local Government Salinity Initiative Booklets	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	Contact the EPA on 131555
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

13 December 2021

TfNSW Reference: SYD21/01509/01
DPIE Reference: SSD-31597252

Director
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Pamela Morales

Dear Sir/Madam,

REQUEST FOR SEARS- CHIPPING NORTON RESOURCE RECOVERY FACILITY 58 RIVERSIDE ROAD, CHIPPING NORTON

Reference is made to DPIE's correspondence dated 29 November 2021, requesting Transport for NSW (TfNSW) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

TfNSW requires the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required).

   Key intersections to be examined/modelled include but shall not be limited to:

   - Newbridge Road/Governor Macquarie Dr/Brickmakers Dr
   - Newbridge Road/Riverside Road

2. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle width, etc).

3. Proposed number of car parking spaces and compliance with the appropriate parking codes.

4. Details of light and heavy vehicle movements (including vehicle type and likely arrival and departure times).

5. Details of service vehicle movements (including vehicle type and likely arrival and departure times)

If you have any further questions, Zeliha Cansiz would be pleased to take your call on 0460427977 or please e-mail development.sydney@transport.nsw.gov.au. I hope this has been of assistance.

Yours sincerely,

Zhaleh Alamouti
A/Senior Land Use Assessment Coordinator

Our ref: DOC21/1081749
Senders ref: SSD-31597252

Pamela Morales
Energy Resource Assessment
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Ms Morales,

Subject: Request for SEARs for Chipping Norton Resource Recovery Facility (SSD-31597252)
Thank you for your e-mail received on 29 November 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the Request for SEARs for the Chipping Norton Resource Recovery Facility, 58 Riverside Rd, Chipping Norton.

EES has reviewed the scoping report prepared by Gyde Consulting dated 26 November 2021 and provides the following comments and recommendations at **Attachment A.**

Biodiversity
EES recommends the proponent addresses the attached standard EES biodiversity requirements. Please note in relation to point (4) of the standard EES biodiversity environmental assessment requirements in **Attachment A** the minimum information and spatial data requirements are in Tables 24 and 25 of the Biodiversity Assessment Method (BAM), and as required more broadly by the revised BAM 2020. Other requirements, such as those relating to the BAM Calculator and Biodiversity Offsets and Agreements Management System (BOAMS), are detailed in various guidelines, practice notes, updates and other advices issued by EES to BAM accredited assessors – see https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources.

Flooding
EES recommends the proponent addresses the attached standard EES flooding requirements.

Water and Soils
EES recommends the proponent addresses the attached standard EES flooding requirements.

Should you have any queries regarding this matter, please contact David Way, Senior Conservation Planning Officer on 8274 1324 or david.way@planning.nsw.gov.au.

Yours sincerely

S. Harrison

07/12/21

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation Division

Attachment A – EES Environmental Assessment Requirements – Chipping Norton Resource Recovery Facility (SSD-31597252)

Biodiversity
1.Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations). 2. 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 Biodiversity Assessment Method. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows: • The total number and classes of biodiversity credits required to be retired for the development/project; • The number and classes of like-for-like biodiversity credits proposed to be retired; • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; • Any proposal to fund a biodiversity conservation action; • Any proposal to conduct ecological rehabilitation (if a mining project); • Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits. 4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM. 5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the Biodiversity Conservation Act 2016.

Water and soils
6. The EIS must map the following features relevant to water and soils including: a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map). b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method) c. Wetlands as described in s4.2 of the Biodiversity Assessment Method d. Groundwater e. Groundwater dependent ecosystems f. Proposed intake and discharge locations.
7. The EIS must describe background conditions for any water resource likely to be affected by the development, including: a. Existing surface and groundwater b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning.

8. The EIS must assess the impact of the development on hydrology, including:
    a. Water balance including quantity, quality and source.
    b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
    c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
    d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
    e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
    f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
    g. Identification of proposed monitoring of hydrological attributes.

Flooding and coastal hazards

9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
    a. Flood prone land.
    b. Flood planning area, the area below the flood planning level.
    c. Hydraulic categorisation (floodways and flood storage areas)
    d. Flood Hazard.
10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
        a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

12. Modelling in the EIS must consider and document:
    a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
    b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
    c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
    d. Relevant provisions of the NSW Floodplain Development Manual 2005.
13. The EIS must assess the impacts on the proposed development on flood behaviour, including:
    a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
    b. Consistency with Council floodplain risk management plans.
    c. Consistency with any Rural Floodplain Management Plans.
    d. Compatibility with the flood hazard of the land.
    e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.
    h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
    i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
    j. Emergency management, evacuation and access, and contingency measures for the development considering the full range or flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
    k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)

OUT21/17408

Pamela Morales
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

pamela.morales@planning.nsw.gov.au

Dear Ms Morales

Chipping Norton Resource Recovery Facility (SSD-31597252)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

I refer to your email of 29 November 2021 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The following recommendations are provided by DPIE Water and NRAR.

The SEARS should include:

- The identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be sourced from an appropriately authorised and reliable supply. This is also to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at https://www.industry.nsw.gov.au/water).

Any further referrals to DPIE Water and NRAR can be sent by email to water.assessments@dpie.nsw.gov.au. or to the following coordinating officer within DPIE Water: Alistair Drew, Project Officer, E: Alistair.drew@dpie.nsw.gov.au.

Yours sincerely

Alistair Drew
Project Officer, Assessments, Knowledge Division
Department of Planning, Industry and Environment: Water
2 December 2021

Our reference: DOC21/105639-1
Date: 30 November 2021

HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: Major Projects - New Request for Advice - Chipping Norton Resource Recovery Facility (SSD - 31597252) - (Liverpool City)

1. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigation in NSW (DECCW 2010), and be guided by the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011).
2. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
3. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to Heritage NSW.
4. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the ACHAR.
5. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
6. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

NOTE: The process described in the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW* (DECCW 2010) is not sufficient to assess the impacts on Aboriginal cultural heritage of Major Projects.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au