



Mr Gordon Cameron
Principal Waste and Environmental Engineer
Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444

Dear Mr Cameron

**Secretary's Environmental Assessment Requirements
Cairncross Waste Management Facility, Port Macquarie-Hastings (SSD 13_5792)**

Thank you for your letter dated 24 February 2015 seeking to amend the development description and consult further with Secretary in respect of the environmental assessment requirements issued to Port Macquarie Hastings Council on 14 February 2013. I have attached a copy of amended requirements for the development proposal

These amended requirements are based on the information you have provided to date. You should also refer to the government agency submissions submitted for the original environmental assessment requirements.

Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the development within two years. Once lodged, the Department will review your EIS carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the requirements.

The Department notes that the proposed landfill would have capacity to operate for over 79 years at the predicted rate of waste input. This time frame raises some issues about whether the design and operational parameters of the landfill might begin to fall behind the community's expectation for such facilities after 20 to 30 years or so; and whether such capacity may slow or discourage continued development of waste recovery so that the amount of landfill waste is minimised.

Both waste recovery and best practice landfill design and operation are matters for consideration under clause 123 of the *State Environmental Planning Policy (Infrastructure) 2007*. Consequently, these matters will require expert analysis in the EIS. The proposed development of the landfill must be justifiable against the NSW Government's waste policy. Consideration should be given to a staged approach to developing the landfill so that the design and operation of future components can be reviewed in-line with future community's expectations and best practice.

When preparing the landfill proposal and justification, the Department would like to request that Council consult extensively with both the EPA's Waste Strategy Team and the Department's Industry Assessment Team to ensure that the issues surrounding long term best practice and waste recovery are given robust consideration.

The Department also notes that the site currently operates under a separate consent. The Department prefers operations like the Cairncross Waste Management Facility to operate under a single, modern planning approval. Consequently, the Department encourages you to develop the project with this preference in mind, and to consider surrendering all of the existing planning approvals for the facility if the project is approved.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to the community's concerns. Accordingly a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS. This process must ensure that the community is both informed of the proposal and is actively engaged in issues of concern to them. Sufficient information must be provided to the community so that it has a good understanding of what is being proposed and of the potential impacts.

Your proposal may require a separate approval under Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGR's may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the development application and EIS for your development. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- consultation and public exhibition arrangements; and
- determine the number of copies (hard-copy and CD-ROM) of the EIS required for review.

If you have any enquiries about these requirements, please contact Emma Barnet on the details above.

Yours sincerely,



Chris Ritchie 7/5/15.
Manager
Industry Assessments
As delegate of the Secretary

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 13_5792
Development	<p>The Cairncross Waste Management Facility which involves extending the operational life of the existing Cairncross landfill, and includes:</p> <ul style="list-style-type: none"> • the staged construction of new landfill cells; and • progressively increasing the annual waste acceptance rate at the landfill.
Location	8395 Pacific Highway, Telegraph Point, NSW (Lot 5 DP 1041766, Lot 6 DP 1106420 and Part Lot 7 DP1106420)
Applicant	Port Macquarie-Hastings Council
Date of Issue	May 2015
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> • clear description of the existing operations carried out on the site and how the site operates lawfully under the <i>Environmental Planning and Assessment Act 1979</i>; • detailed description of the development, including: <ul style="list-style-type: none"> – need for the proposed development having particular regard to the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>; – justification for the proposed development; – likely staging of the development - including construction, and operational stage/s; – likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; and – plans of any proposed building works. • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> – a description of the existing environment, <u>using sufficient baseline data</u>; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and

	<ul style="list-style-type: none"> • a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key Issues	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Strategic Landuse Planning – including: <ul style="list-style-type: none"> – demonstration that the proposal is generally consistent with the aims and objectives of all relevant environmental planning instruments and strategies including, but not limited to, <i>State Environmental Planning Policy (Infrastructure) 2007</i> (Infrastructure SEPP), the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>, <i>NSW State Plan 2021 – Goal 23</i>, the <i>Waste Avoidance and Recovery Act 2001</i>, the <i>National Waste Policy</i>, <i>Port Macquarie-Hastings Local Environment Plan 2011</i>, <i>Waste and Resource Management Strategy 2011-15</i> (Port Macquarie-Hastings Council), and relevant Development Control Plans; – justification for any inconsistency between the proposed development and these plans; – consideration of the NSW government's investment in new technologies and infrastructure to drive recycling and reuse under the Waste Less, Recycle More Initiative; – demonstration that the landfill construction and operation can be staged to ensure that the design remains current and in line with best practice at the time; and – details on the suitability of the site for the proposed development. • Waste Management – including: <ul style="list-style-type: none"> – identification, classification and quantification of the likely waste streams that would be handled/stored/disposed of at the facility; – a description of how this waste would be treated, stored, used, disposed and handled on site, and transported to the site, and the potential impacts associated with these issues; – an analysis of whether the development is consistent with Clause 123 of the Infrastructure SEPP; – a description of all reasonable and feasible measures that have been or would be implemented to maximise resource recovery from the waste stream and reduce the disposal of waste to landfill in line with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>, the EPA's <i>Guidelines for Composting and Related Organics Processing Facilities</i>, Council's adopted Waste Strategy, and other government policy; – details of the landfill cell design and integrity in accordance with best practice industry standard guidelines such as the EPA's

Environmental Guidelines: Solid Waste Landfills;

- a description of the staged approach to developing the landfill so that the design and operation of future components can be reviewed in-line with future community's expectations and best practice; and
- operational measures to manage litter and waste that is illegally dumped on adjacent properties including Rawdon Creek Nature Reserve.
- **Flora and Fauna** – including:
 - an assessment of the proposal under the Framework for Biodiversity Assessment (Oct 2014) including an assessment of any potential impacts on riparian vegetation and groundwater dependant ecosystems.
- **Soil, Water and Leachate** – including:
 - the proposed erosion and sediment controls during construction and operation;
 - consideration of potential acid sulfate soils, salinity, soil contamination;
 - a site water balance, including a detailed description of the measures to minimise the water use at the site;
 - a detailed assessment of the potential impacts of the project on the quantity, quality and long-term integrity of the surface and groundwater resources in the area, including baseline data of existing conditions, potential flooding impacts and potential impacts on Rawdon Creek;
 - the proposed stormwater management system, including the capacity of onsite detention systems, and measures to treat, reuse or dispose of water; and
 - the proposed leachate management system including the capacity of the system to treat and dispose of leachate.
- **Air Quality and Odour** – including:
 - a quantitative assessment of the potential air quality and odour impacts of the development on surrounding receivers, including impacts from construction, operation and transport; and
 - details of the proposed mitigation, management and monitoring measures.
- **Noise and Vibration** – including:
 - quantitative assessment of potential construction, operational and transport noise and vibration impacts, including potential impacts on nearby sensitive receivers; and
 - details of the proposed noise management and monitoring measures.
- **Traffic** – including:
 - details of all traffic types and volumes likely to be generated;
 - assessment of predicted impacts on road safety and the capacity of the road network to accommodate the project; and
 - assessment of where off site infrastructure works are required as a result of traffic impacts.
- **Greenhouse Gas** – including:
 - a quantitative assessment of the scope 1, 2 and 3 greenhouse gas emissions of the project; and
 - a detailed description of the measures that would be implemented to minimise the methane emissions of the proposed landfill operations and ensure that the project is energy efficient.
- **Rehabilitation** – including:

	<ul style="list-style-type: none"> – a detailed description of how the site would be progressively rehabilitated, revegetated, and integrated into the surrounding landscape, including measures to ensure that the final landform is free draining; – a justification for the proposed final landform and use, taking into consideration any relevant strategic land use planning or resource management plans or policies; and • a detailed description of the measures that would be put in place to ensure sufficient resources are available to implement the proposed rehabilitation measures, and the ongoing management of the site following the cessation of landfilling activities. • Heritage - both Aboriginal and non-Aboriginal; • Visual impacts; • Hazards and risks; and • Biosecurity, pests and vermin.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . These documents should be included as part of the EIS rather than as separate documents.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Environment Protection Authority; • Office of Environment and Heritage; • Department of Primary Industries; • Roads and Maritime Services; and • the local community and stakeholders. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these DGRs, you must consult with the Director-General in relation to the requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Risk Assessment	AS/NZS 4360:2004 Risk Management (Standards Australia) HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Waste	Waste Avoidance and Resource Recovery Strategy 2007 (DECC) State Environmental Planning Policy (Infrastructure) 2007 Environmental Guidelines: Solid Waste Landfills (NSW EPA) Environmental Guidelines: Composting and Related Organics Processing Facilities (NSW EPA) Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSW EPA) Guideline for the Use and Disposal of Biosolids Products (NSW EPA) Waste and Resource Management Strategy 2011-15 (Port Macquarie-Hastings Council)
Biodiversity	State Environmental Planning Policy No 44– Koala Habitat Protection (SEPP 44) Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC) DECCW's Threatened Species Assessment Guidelines – Assessment of Significance (2007). Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries) The NSW State Groundwater Dependent Ecosystem Policy (NOW) NSW OEH Interim Policy on Assessing and Offsetting Biodiversity Impacts of Part 3A, State Significant Development and State Significant Infrastructure Projects (OEH 2011b) Principals for the Use of Biodiversity Offsets in NSW (OEH) Biobanking Assessment Methodology 2008 (DECC) Biobanking Assessment Methodology and Credit Calculator

Operational Manual 2009 (DECC)	
Soil and Water	
<i>Soil</i>	Rural Land Capability Mapping (DLWC)
	Agricultural Land Classification (DPI)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (DWE)
<i>Surface Water</i>	Acid Sulfate Soil Manual (ASSMAC)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
<i>Groundwater</i>	Environmental Guidelines: Use of Effluent by Irrigation
	Floodplain Management Manual (DNR)
	Floodplain Risk Management Guideline: Practical Consideration of Climate Change (DECC)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DWE)
Air Quality & Odour	NSW State Groundwater Quality Protection Policy (DWE)
	NSW State Groundwater Quantity Management Policy (DWE) Draft
	NSW Salinity Strategy (DWE)
Protection of the Environment Operations (Clean Air) Regulation	

	2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DECC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DECC)
	Assessment and Management of Odour from Stationary Sources in NSW (DECC)
Noise & Vibration	
	NSW Industrial Noise Policy (DECC)
	Road Noise Policy (EPA)
	Environmental Noise Control Manual (DECC)
	Assessing Vibration: A Technical Guideline (DECC)
Traffic	
	Guide to Traffic Generating Development (RTA)
	Austrroads Guide to Road Design (AUSTROADS)
Greenhouse Gas	
	National Greenhouse Accounts (NGA) Factors
	Guidelines for Energy Savings Action Plans (DEUS)
Heritage	
<i>Aboriginal</i>	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)
	Aboriginal Cultural Heritage Standards and Guidelines Kit (NSW EPA)
<i>Non-Indigenous</i>	NSW Heritage Manual (NSW Heritage Office & DUAP)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33: Hazardous And Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 (HIPAP No 6): <i>Guidelines for Hazardous Analysis</i> , (DUAP)
	Multi-Level Risk Assessment (DUAP)
	Planning for Bush Fire Protection (NSW Rural Fire Service)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 4282)