

# Planning Secretary's Environmental Assessment Requirements

## Somersby Drill Mud and Oily Water Recycling



<b>Application Number</b>	SSD-62863964
<b>Project</b>	Somersby Drill Mud and Oily Water Recycling
<b>Location</b>	134 Somersby Falls Road, Somersby NSW, within Central Coast LGA
<b>Proponent</b>	Lawsan Property Holdings Pty Ltd
<b>Date of Issue</b>	30 October 2023
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must:</p> <ul style="list-style-type: none"> <li>comply with these assessment requirements.</li> <li>meet the form and content requirements in sections 190 and 192 of the Environmental Planning and Assessment Regulation 2021 (the Regulation).</li> <li>have regard to the Department's State Significant Development Guidelines (2021).</li> </ul> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> <li>a clear comprehensive description of the proposal for the site, including details of all activities and processes proposed to be carried out as part of the development.</li> <li>a clear explanation of the scope of the proposal and how it relates to the Complying Development Certificate for a warehouse at the site.</li> <li>consideration of issues discussed in the public authority responses to request for key issues (see Attachment 2).</li> <li>a detailed assessment of the key issues specified below, including: <ul style="list-style-type: none"> <li>a description of the existing environment, using sufficient baseline data.</li> <li>an assessment of the potential impacts of all stages and activities that form part of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes.</li> <li>a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment.</li> </ul> </li> </ul> <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> <li>high quality files of maps and figures of the subject site and proposal.</li> <li>a report providing a detailed calculation of the capital investment value (CIV) (as defined in Schedule 7 of the Regulation) of the proposal. The CIV report must: <ul style="list-style-type: none"> <li>be prepared by an AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor.</li> <li>include details of all assumptions and components from which the CIV calculation is derived.</li> <li>include certification from the Quantity Surveyor that the report has been prepared having regard to the Department's Planning Circular PS 21-020 'Calculation of capital investment value' and all components costed are consistent with the project description and all proposed works for which consent is being sought as described in the EIS.</li> </ul> </li> <li>an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided.</li> <li>certification that the information provided is accurate at the date of preparation.</li> <li>a declaration from a Registered Environmental Assessment Practitioner that your EIS includes the information specified in the Department's <i>Registered Environmental Assessment Practitioner Guidelines</i>.</li> </ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li><b>Statutory and Strategic Context</b> – including: <ul style="list-style-type: none"> <li>justification for the proposal and the suitability of the site</li> <li>detailed justification that the proposed land use is permissible with consent</li> </ul> </li> </ul>

- a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site
- demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. This includes, but is not limited to:
  - State Environmental Planning Policy (Biodiversity and Conservation) 2021
  - State Environmental Planning Policy (Industry and Employment) 2021
  - State Environmental Planning Policy (Planning Systems) 2021
  - State Environmental Planning Policy (Resilience and Hazards) 2021
  - State Environmental Planning Policy (Sustainable Buildings) 2022
  - State Environmental Planning Policy (Transport and Infrastructure) 2021
  - State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
  - Central Coast Local Environmental Plan 2022
  - Central Coast Development Control Plan 2022
  - Future Transport Strategy 2056
  - Plan of Management Somersby Industrial Park 2005 (Draft)
- **Suitability of the Site** – including:
  - a detailed justification for the proposal and that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints.
- **Community and Stakeholder Engagement** – a community and stakeholder engagement strategy consistent with the Department's *Undertaking Engagement Guidelines for State Significant Projects* for all stages of the development, including (but not limited to):
  - details of how issues raised, and feedback provided during engagement activities have been considered and responded to in the development.
  - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.
- **Air Quality and Odour** – a quantitative assessment of the potential air quality, dust and odour impacts of the development (construction and operation) on surrounding landowners, businesses and sensitive receptors, in accordance with relevant Environment Protection Authority guidelines, including:
  - details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings.
  - details of proposed mitigation, management and monitoring measures.
- **Waste Management** – including:
  - a description of each of the waste streams that would be accepted at the site including maximum daily, weekly and annual throughputs and the maximum size for stockpiles.
  - details of the source of the waste streams to justify the need for the proposed processing capacity.
  - a description of waste processing operations (including flow diagrams for each waste stream), including a description of the technology to be installed, resource outputs and the quality control measures that would be implemented.
  - details of how waste would be stored (including the maximum daily storage capacity of the site) and handled on site, and transported to and from the site including details of how the receipt of non-conforming waste would be dealt with.
  - detail the developments waste tracking system for incoming and outgoing waste.
  - details of the quantities and classification of all waste streams to be generated on site during the development and their final dispatch locations.
  - details of the waste management strategy for construction and ongoing operational waste.
  - details of consistency with the EPA's Standards for Managing Construction Waste in NSW (November 2018).

- details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste and Sustainable Materials Strategy 2041*.
- **Traffic and Transport** – a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services and Austroads guidelines, that includes:
  - details of all daily and peak traffic volumes likely to be generated during all key stages of construction and operation, including a description of key access/haul routes, vehicle types and potential queuing impacts.
  - an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts on existing performance levels of nearby intersections, using a calibrated SIDRA (or similar) traffic model.
  - plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network.
  - details and plans of the proposed internal road network, loading docks, pedestrian and cycling facilities and on-site parking in accordance with the relevant Australian Standards.
  - details of the largest vehicle anticipated to access and move within the site, including swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site.
  - details of road upgrades, infrastructure works or new roads or access points required for the development if necessary.
- **Waste Management** – an integrated water management strategy, including:
  - a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements.
  - details of the proposed stormwater/wastewater drainage design including the capacity of onsite detention system(s), onsite sewage management and measures to treat, reuse or dispose of water.
  - description of the measures to minimise water use.
  - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria.
  - details of any surface or groundwater monitoring activities and methodologies.
- **Noise and Vibration** – a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines and Australian Standards which includes:
  - the identification of impacts associated with construction, site emission and traffic generation at noise affected sensitive receivers, including the provision of operational noise contours and a detailed sleep disturbance assessment.
  - details of noise monitoring survey, background noise levels, noise source inventory and 'worst case' noise emission scenarios.
  - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area.
  - a cumulative impact assessment inclusive of impacts from other developments.
  - details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of mitigation these measures and details of any proposed compliance monitoring programs.
- **Infrastructure Requirements** – an infrastructure delivery, management and staging plan that includes:
  - an assessment of impacts of the development on existing utility infrastructure and service provider assets surrounding the site.
  - a detailed written and/or graphical description of infrastructure required on the site.
  - details of the existing capacity of the site to service the proposed development and any extension or augmentation, property tenure or staging requirements for the provision of utilities, including arrangements for electrical network requirements, drinking water, wastewater and recycled water.
  - a description of how any upgrades will be co-ordinated, funded and delivered on time and be maintained to facilitate the development.

- identification of any existing infrastructure or easements on or off the site which may be impacted by construction or operation of the development and details of measures to be implemented to address any impacts.
- **Fire and Incident Management** – including:
  - identification of the aggregate quantities of combustible waste products to be stockpiled at any one time.
  - technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures.
  - details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site's largest stockpile fire load.
  - details of size and volume of stockpiles and their management and separation to minimise fire spread and facilitate emergency vehicle access.
  - consideration of consistency with NSW Fire & Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (February 2020).
- **Hazards and Risk** – including:
  - a preliminary risk screening completed in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* and Applying SEPP 33 (DoP, 2011), that includes a clear indication of class, storage and handling quantities and location of all dangerous goods and hazardous materials associated with the development
  - a Preliminary Hazard Analysis (PHA) prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011), should the preliminary risk screening indicate that the project is “potentially hazardous”.
- **Bush Fire** – a bush fire assessment report that addresses the aims and objectives of Planning for Bushfire Protection 2019, and includes:
  - details of proposed operational access for emergency services personnel.
  - details of emergency and evacuation arrangements for occupants/visitors.
  - a Bush Fire Emergency Management and Evacuation Plan prepared in accordance with relevant RFS guidance.
- **Greenhouse Gas and Energy Efficiency** – including an assessment of the energy use of the proposal and all reasonable and feasible measures that would be implemented on site to minimise the proposal's greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050).
- **Aboriginal Cultural Heritage** – consideration of Aboriginal cultural heritage issues, including consideration of any previous assessment undertaken for the site.
- **Non-Aboriginal Cultural Heritage** – a non-Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must detail potential impacts on heritage assets and any proposed management and mitigation measures.
- **Biodiversity** – an assessment of the proposal's biodiversity impacts in accordance with the Biodiversity Conservation Act 2016, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.
- **Social** – including a social impact assessment in accordance with the Department's *Social Impact Assessment Guideline*
- **Ecologically Sustainable Development** – including:
  - a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development
  - a description of the measures to be implemented to minimise consumption of resources, especially energy and water.
- **Planning Agreement/Development Contributions** – demonstration that satisfactory arrangements have been or would be made to provide, or contribute to the provision of, necessary local infrastructure required to support the development.
- **Ecological Sustainable Development** – if Chapter 3 of State Environmental Planning Policy (Sustainable Buildings) 2022 applies, and not otherwise exempt under Chapter 3.1:

	<ul style="list-style-type: none"> <li>– demonstrate how the development has been designed to address the provisions set out in Chapter 3.2(1).</li> <li>– provide a NABERS Embodied Emissions Material Form to disclose the amount of embodied emissions attributable to the development in accordance with section 35B of the EP&amp;A Regulation.</li> <li>– a net zero statement (as defined in section 35C of the EP&amp;A Regulations) that includes: <ul style="list-style-type: none"> <li>○ evidence of how the development will either be fossil fuel-free after the occupation of the development commences or transition to be fossil fuel-free by 1 January 2035.</li> <li>○ details of any renewable energy generation and storage infrastructure implemented and any passive and technical design features that minimise energy consumption.</li> <li>○ estimations of annual energy consumption for the building and amount of emissions relating to energy use in the building (if information is available).</li> </ul> </li> </ul>
<b>Plans and Documents</b>	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents.
<b>Engagement</b>	<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"> <li>– Central Coast Council</li> <li>– Department of Planning and Environment, specifically the: <ul style="list-style-type: none"> <li>○ Environment and Heritage Group</li> <li>○ Water Group</li> <li>○ Environment Protection Authority</li> </ul> </li> <li>– Transport for NSW</li> <li>– Fire &amp; Rescue NSW</li> <li>– NSW Rural Fire Service</li> <li>– SafeWork NSW</li> <li>– WaterNSW</li> <li>– Any other public transport, utilities or community service providers.</li> </ul> <p>The EIS must detail the engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.</p>
<b>Expiry Date</b>	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.
<b>References</b>	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

## **ATTACHMENT 1**

### **Technical and Policy Guidelines**

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

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

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

<http://www.shop.nsw.gov.au/index.jsp>

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

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

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

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

<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
<b>State Significant Development Guidelines</b>	
	State Significant Assessment Guidelines (DPIE, 2021)
	Undertaking Engagement Guide – Guidance for State Significant Projects (DPIE, 2021)
	Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, 2021)
<b>Air Quality</b>	
	Protection of the Environment Operations (Clean Air) Regulation 2022
Air Quality	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (EPA, 2022)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2022)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Greenhouse Gas	National Greenhouse and Energy Reporting Scheme Measurement, Technical Guidelines for the estimation of emissions by facilities in Australia (Department of the Environment and Energy (DoEE), 2017)
	National Greenhouse Accounts Factors (DoEE, 2019)
<b>Biodiversity</b>	
	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (EES, 2021)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
	Developments adjacent to National Parks and Wildlife Service lands (DPIE, 2020)
<b>Bush Fire</b>	
	Planning for Bush Fire Protection (RFS, 2019)
<b>Climate Change</b>	
	EPA Climate Change Policy (EPA, 2023)
	Net Zero Plan Stage 1: 2020-2030 (DPIE, 2020)
<b>Design Quality</b>	
	Greener Places (Government Architect NSW, 2020)
	Better Placed (Government Architect NSW, 2017)
	NSW SDRP: Guidelines for Project Teams (GANSW Advisory Note, V3 2522/2020)

<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
<b>Fire Safety</b>	Fire Safety Guidelines – Fire Safety in Waste Facilities (FRNSW, 2020)
<b>Flooding</b>	Flood Impact and Risk Assessment Flood Risk Management Guide (LU01) (DPE, 2022) Department of Planning and Environment Flood Risk Management Toolkit – <a href="https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-guidelines">https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-guidelines</a>
<b>Hazards and Risk</b>	State Environmental Planning Policy (Resilience and Hazards) 2021 Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011) Assessment Guideline: Multi-level Risk Assessment (Planning and Infrastructure, 2011)
<b>Heritage</b>	<i>Heritage Act 1977</i>
Non-Aboriginal Heritage	NSW Heritage Manual (HO and DUAP, 1996) The Burra Charter (ICOMOS Australia, 2013) Statements of Heritage Impact (HO and DUAP, 2002)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010) Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
Aboriginal Heritage	
<b>Human Health Risk</b>	Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)
<b>Noise and Vibration</b>	Approved methods for measurement and analysis of environmental noise in NSW (EPA, 2022) Acoustics – Description and measurement of environmental noise (AS1055:2018) Noise Policy for Industry (EPA, 2017) NSW Road Noise Policy (DECCW, 2011) Noise Criteria Guideline (RMS, 2015) Noise Mitigation Guideline (RMS, 2015) Interim Construction Noise Guideline (DECC, 2009) Assessing Vibration: A Technical Guide (DEC, 2006) Noise Guide for Local Government (EPA, 2013)
<b>Social</b>	Social Impact Assessment Guideline for State Significant Projects (DPIE, 2021)
<b>Soils and Water</b>	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
Erosion and Sediment	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000) Wind Erosion – 2 <sup>nd</sup> Edition (DIPNR, 2003)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)

<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
Stormwater	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
Wastewater	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC, 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMMC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
Contamination	State Environmental Planning Policy (Resilience and Hazards) 2021
	Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
	Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)
<b>Traffic, Transport and Access</b>	
	Roads Act 1993
	State Environmental Planning Policy (Transport and Infrastructure) 2021
	Guide to Traffic Generating Development (RTA, 2002 as updated)
	Road Design Guide (RMS, 2015-2017)
	Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
	Bicycle Parking Facilities: Guidelines for Design and Installation (AS 2890.3:2015)
	Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area (TfNSW, 2013)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
<b>Upper Canal and Warragamba Pipeline Corridors</b>	
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2018)
<b>Visual</b>	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
<b>Waste</b>	
	NSW Waste and Sustainable Material Strategy 2041 (EPA, 2021)
	NSW Plastics Action Plan (EPA, 2021)
	NSW Energy from Waste Policy Statement (EPA, 2021)
	NSW Energy from Waste Infrastructure Plan (2021)

## Policies, Guidelines & Plans

Aspect	Policy / Methodology
	The National Waste Policy: Less Waste More Resources 2018
	Waste Classification Guidelines (EPA, 2014)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC, 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA, 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	Standards for Managing Construction Waste in NSW (EPA, 2018)

**ATTACHMENT 2**  
**Government Authority Advice**



File Ref. No: FRN23/3268 BFS23/5626 8000031133  
TRIM Doc. No: D23/96541  
Contact: Senior Firefighter Gavin Scott

4 October 2023

ZOE MARCHANT  
NSW Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Dear Zoe,

**Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) - SOMERSBY DRILL MUD AND OILY WATER RECYCLING – 134 SOMERSBY FALLS ROAD, SOMERSBY NSW (SSD-62863964)**

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on the 29 September 2023, requesting input into the preparation of the SEARs for the SOMERSBY DRILL MUD AND OILY WATER RECYCLING – 134 SOMERSBY FALLS ROAD, SOMERSBY NSW (SSD-62863964). FRNSW have reviewed the SEARs along with the Scoping Report and make the following comments:

There is currently insufficient information available regarding the fire safety and emergency response management aspects of the project. FRNSW requests to be consulted and given the opportunity to review and provide comment regarding the proposed fire and life safety systems at the preliminary and final design phases of the project.

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS23/5626. Please ensure that all correspondence in relation to this matter is submitted electronically to [firesafety@fire.nsw.gov.au](mailto:firesafety@fire.nsw.gov.au).

Yours sincerely,

A handwritten signature in black ink, appearing to read "James O'Carroll".

Superintendent James O'Carroll  
Manager  
Operational Liaison and Special Hazards Unit

Cc: [zoe.marchant@dpie.nsw.gov.au](mailto:zoe.marchant@dpie.nsw.gov.au)



## NSW RURAL FIRE SERVICE

Department of Planning and Environment (Parramatta)  
Locked Bag 5022,  
PARRAMATTA NSW 2124  
Australia

Your reference: SSD-62863964  
Our reference: DA20231005004410-SEARS-1

**ATTENTION:** Zoe Marchant

Date: Thursday 12 October 2023

Dear Sir/Madam,

**Development Application**  
**State Significant - SEARS - Waste or resource management facility**  
**134 Somersby Falls Road Somersby NSW 2250, 1//DP787857**

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 04/10/2023.

A bush fire report prepared by a suitably qualified BPAD consultant should be prepared to support the proposed development. The report should address sections 8.3.9 *Hazardous Industry* and 8.3.10 *Commercial and Industrial Development* within *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Adam Small on 1300 NSW RFS.

Yours sincerely,

Nika Fomin  
**Manager Planning & Environment Services**  
**Built & Natural Environment**

**Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

**Street address**

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

5 October 2023

File No: NTH23/00461/01  
Your Ref: SSD-62863964

The Director  
Department of Planning & Environment  
NSW Major Projects Portal

Attention: Zoe Marchant

Dear Sir / Madam,

**RE: Secretary's Environmental Assessment Requirements for Drill Mud and Oily Water Recycling Facility, Lot 1 DP 787857; 134 Somersby Falls Road Somersby**

I refer to your email of 29 September 2023 requesting input from Transport for NSW to the Secretary's Environmental Assessment Requirements (SEARs) for the abovementioned development proposal.

**Roles and Responsibilities**

Our key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Pacific Highway HW10 is a classified (State) Road and Somersby Falls Road is a local road. Council is the roads authority for all public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

**Transport for NSW Response**

TfNSW requests that a Traffic Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, the complementary TfNSW Supplement and RTA Guide to Traffic Generating Developments. The TIA should include, but not necessarily be limited to, an assessment of the considerations outlined in **Attachment A**.

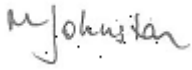
TfNSW highlights that in determining the application under the *Environmental Planning and Assessment Act 1979*, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of project approval.

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If you have any further enquiries regarding the above comments please do not hesitate to contact Bec Shaw, Development Services Case Officer or the undersigned on 1300 207 783 or via email at: [development.north@transport.nsw.gov.au](mailto:development.north@transport.nsw.gov.au)

Yours faithfully,



**Marg Johnston**

Team Leader, Development Services  
Community and Place | Region North  
Regional & Outer Metropolitan  
Transport for NSW

**Enc. ATTACHMENT A - Requested TIA consideration for SEAR**

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### **ATTACHMENT A - Traffic Impact Assessment – Requested considerations for SEAR**

For context, this attachment must be read with TfNSW letter of 5 October 2023 reference number NTH23/00461/01

Traffic Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, the complementary TfNSW Supplement and RTA Guide to Traffic Generating Developments.

The TIA is to identify the impacts of the development and the proposed on-site and off-site measures proposed to mitigate the impacts of the development on any road or rail related infrastructure. The TIA must explain and justify all inputs informing the proposed mitigation measures and TIA conclusions.

The TIA should be tailored to the scope of the proposed development and include, but not necessarily be limited to, consideration of the following;

- A map of the surrounding road network identifying the site access, nearby accesses, intersections and transport related facilities.
- A map of the proposed transport route/s identifying all public roads proposed to obtain access from the classified (State) road/s to the development site.
- The total impact of existing and proposed development on the road network with consideration for a 10 year horizon. This should include;
  - Identify Annual Average Daily Traffic (AADT) volumes with percentage heavy vehicles along the transport route/s and diagrammatically demonstrate AM and PM peak hour movements at key intersections.
  - Background traffic data from published sources and/or recent survey data. The source of data and any assumptions are to be clearly explained and justified, including the growth rate applied to the future horizon.
  - The volume and distribution of proposed trips to be generated by the construction, operational and decommission phases of the development. This should identify the maximum daily and hourly demands generated by the development, particularly where they coincide with the network peak hour.
  - The type and frequency of design vehicles accessing the development site.
- Details of the road geometry and alignment along the identified transport route/s, including existing formations, crossings, intersection treatments and any identified hazards. This should include;
  - Available sight distances at intersections along the proposed transport routes and any constraint to achieving the required sight distance for the posted speed limit.
  - An assessment of turn treatment warrants in accordance with the Austroads Guide to Traffic Management Part 6 and Austroads Guide to Road Design Part 4A for intersections along the identified transport route/s, identifying the existence of the minimum basic turn treatments and addressing the need for any warranted higher order treatments.
  - Swept path analysis demonstrating the largest design vehicle entering and leaving the development, and moving in each direction through intersections along the proposed transport route/s.
- Capacity analysis using SIDRA or other relevant application, to identify an acceptable Level of Service (LOS) at intersections with the classified (State) road/s, and where relevant, analysis of any other intersections along the proposed transport route/s.

- A review of crash data along the identified transport route/s for the most recent 5 year reporting period and an assessment of road safety along the proposed transport route/s considering the safe systems principles adopted under Future Transport 2056.
- Strategic (2D) design drawings of all proposed road works and the site access demonstrating scope, estimated cost and constructability of works required to mitigate the impacts of the development on road safety, traffic efficiency and the integrity of transport infrastructure. Works must be appropriately designed for the existing posted speed limit.
- Site plan demonstrating site access, internal manoeuvring, servicing and parking areas consistent with the relevant parts of AS2890 and Council requirements.
- Details of measures to address impacts and/or provide connections for public transport services and active transport modes, such as, public and school bus services, walking and cycling.
- Details of measures to ameliorate the impacts of road traffic noise, dust, and/or glare generated along the proposed transport route/s.
- Details of any Traffic Management Plan (TMP) proposed to address the construction and operation phases of the proposed development. The TMP should be prepared and implemented in accordance with *Australian Standard 1742.3* and the *Work Health and Safety Regulation 2017*. It is recommended that any TMP include, but not necessarily limited to, the following;
  - A map of the primary transport route/s highlighting critical locations.
  - An induction process for vehicle operators and regular toolbox meetings.
  - Procedures for travel through residential areas, school zones and/or bus route/s.
  - any proposed temporary measures such a Traffic Guidance Scheme (TGS)
  - A Driver Code of Conduct for heavy vehicle operators.
  - A complaint resolution and disciplinary procedure.

Community consultation measures proposed for peak periods.

Where road safety concerns are identified at a specific location along the proposed haulage routes, TfNSW suggests that the TIA be supported by a targeted Road Safety Audit undertaken by suitably qualified persons in accordance with the Austroads Guidelines.

Any roadwork on classified State road/s is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and [TfNSW Supplements](#).

--- end of Attachment A ---



Your ref: SSD-62863964  
Our ref: DOC23/872862-3

Zoe Marchant  
Environmental Assessment Officer  
DPE Planning

By email: [zoe.marchant@dpie.nsw.gov.au](mailto:zoe.marchant@dpie.nsw.gov.au)

Dear Zoe,

**Input into Secretary's Environmental Assessment Requirements – Somersby Drill Mud and Oily Water Recycling Facility (SSD-62863964) – Central Coast LGA**

I refer to your Major Projects Portal request on 29 September 2023 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the Somersby Drill Mud and Oily Water Recycling Facility, located at 134 Somersby Falls Road, Somersby (Lot 1 in Deposited Plan 787857). The proposed development is within the Central Coast local government area.

The Biodiversity Conservation Division (BCD) of the Department of Planning and Environment understands that the proposal, to install fixed plant and equipment for the processing and recycling of drill mud and oily water, is a State Significant Development (SSD-13895306) project under the *Environmental Planning and Assessment Act 1979*.

BCD has reviewed the document '*Scoping Report and SEARs Application Drill Mud and Oily Water Recycling Facility State Significant Development*' as prepared by Jackson Environment and Planning (dated 25 September 2023) and has prepared Standard SEARs which are presented in **Attachment A**. There are no project-specific SEARs provided for this project **Attachment B**. Details of guidance documents are provided in **Attachment C**.

If you have any further questions about this issue, please contact Jayme Lennon, Senior Conservation Planning Officer, on 9585 6935 or at [huntercentralcoast@environment.nsw.gov.au](mailto:huntercentralcoast@environment.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Crick'.

Steven Crick  
**A/Director Hunter Central Coast Branch  
Biodiversity and Conservation Division**  
9 October 2023

Enclosure: Attachments A, B, C

## Attachment A – Standard Environmental Assessment Requirements

<p><b>Biodiversity</b></p> <ol style="list-style-type: none"><li>1. Biodiversity impacts related to the proposed development (SSD-62863964) are to be assessed in accordance with the <a href="#">Biodiversity Assessment Method 2020</a> and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s6.12), <i>Biodiversity Conservation Regulation 2017</i> (s6.8) and <a href="#">Biodiversity Assessment Method 2020</a>.</li><li>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 <a href="#">Biodiversity Assessment Method 2020</a>.</li><li>3. The BDAR must include details of the measures proposed to address the offset obligation as follows;<ul style="list-style-type: none"><li>• The total number and classes of biodiversity credits required to be retired for the development/project;</li><li>• The number and classes of like-for-like biodiversity credits proposed to be retired;</li><li>• The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;</li><li>• Any proposal to fund a biodiversity conservation action;</li><li>• Any proposal to conduct ecological rehabilitation (if a mining project);</li><li>• Any proposal to make a payment to the Biodiversity Conservation Fund.</li></ul></li></ol> <p>If seeking approval to use the variation rules, the BDAR must contain details of the <a href="#">reasonable steps</a> that have been taken to obtain requisite like-for-like biodiversity credits.</p> <ol style="list-style-type: none"><li>4. 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 <i>Biodiversity Conservation Act 2016</i>.</li></ol>
<p><b>Water and soils</b></p> <ol style="list-style-type: none"><li>5. The EIS must map the following features relevant to water and soils including:<ol style="list-style-type: none"><li>a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).</li><li>b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).</li><li>c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.</li><li>d. Groundwater.</li><li>e. Groundwater dependent ecosystems.</li><li>f. Proposed intake and discharge locations.</li></ol></li><li>6. The EIS must describe background conditions for any water resource likely to be affected by the development, including:<ol style="list-style-type: none"><li>a. Existing surface and groundwater.</li><li>b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.</li></ol></li></ol>

- 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.

7. The EIS must assess the impacts of the development on water quality, including:
- a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
  - b. Identification of proposed monitoring of water quality.

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 erosion**

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).

10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year 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 11 above. This includes the 1 in 200 and 1 in 500 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. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
- b. 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, hazards and hydraulic categories.
- c. 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. Compatibility with the flood hazard of the land.
- d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
- g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
- h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
- i. Emergency management, evacuation and access, and contingency measures for the development considering the full range of 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 SES.
- j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

14. The EIS must describe the potential effects of coastal processes and hazards (within the meaning of the Coastal Management Act 2016), including sea level rise and climate change:

- a. On the proposed development
- b. Arising from the proposed development.

15. The EIS must consider have regard to any certified Coastal Management Program (or Coastal Zone Management Plan) and be consistent with the management objectives described in the Coastal

Management Act 2016 and development controls for coastal management areas mapped under the State Environmental Planning Policy (Coastal Management) 2018.

# Attachment B – Project specific environmental assessment requirements

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<b>Biodiversity - nil</b>
<b>Water and soils - nil</b>
<b>Flooding and coastal erosion - nil</b>

## Attachment C – Guidance material

Title	Web address
<b>Relevant legislation</b>	
<i>Biodiversity Conservation Act 2016</i>	<a href="https://www.legislation.nsw.gov.au/#/view/act/2016/63/full">https://www.legislation.nsw.gov.au/#/view/act/2016/63/full</a>
<i>Coastal Management Act 2016</i>	<a href="https://www.legislation.nsw.gov.au/#/view/act/2016/20/full">https://www.legislation.nsw.gov.au/#/view/act/2016/20/full</a>
<i>SEPP (Resilience and Hazards) 2021</i>	<a href="https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2021-0730">https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2021-0730</a>
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	<a href="https://www.legislation.gov.au/Series/C2004A00485">https://www.legislation.gov.au/Series/C2004A00485</a>
<i>Environmental Planning and Assessment Act 1979</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203">https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203</a>
<i>Fisheries Management Act 1994</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203">https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203</a>
<i>Marine Estate Management Act 2014</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-2014-072">https://legislation.nsw.gov.au/view/html/inforce/current/act-2014-072</a>
<i>National Parks and Wildlife Act 1974</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080">https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080</a>
<i>Protection of the Environment Operations Act 1997</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156">https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156</a>
<i>Water Management Act 2000</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092">https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092</a>
<i>Wilderness Act 1987</i>	<a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1987-196">https://legislation.nsw.gov.au/view/html/inforce/current/act-1987-196</a>
<b>Biodiversity</b>	
Biodiversity Assessment Method 2020 & assessor resources (including legislation, manuals, BDAR templates, survey guidelines, registers and databases)	<a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020">https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020</a>  <a href="https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources">https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources</a>
Guidance to assist a decision maker to determine a serious and irreversible impact	<a href="https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf">https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf</a>
Policy and guidelines for fish habitat conservation and management	<a href="https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation">https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation</a>
List of national parks	<a href="http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx">http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx</a>
Revocation, recategorisation and road adjustment policy	<a href="https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment">https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment</a>
Guidelines for developments adjacent to national parks and other reserves	<a href="https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines">https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines</a>
SEED Data Portal (access to online spatial & environmental data)	<a href="http://seed.nsw.gov.au/">http://seed.nsw.gov.au/</a>

Title	Web address
<b>Conservation Lands</b>	
Guidelines for developments adjacent to NPWS managed lands	<a href="https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines">https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines</a>
National parks and other lands managed by NPWS	<p><b>List</b>  <a href="https://www.nationalparks.nsw.gov.au/visit-a-park">https://www.nationalparks.nsw.gov.au/visit-a-park</a></p> <p><b>Spatial data</b>  <a href="https://datasets.seed.nsw.gov.au/dataset/npws-all-managed-land">https://datasets.seed.nsw.gov.au/dataset/npws-all-managed-land</a></p> <p><b>Recategorisation &amp; adjustments</b>  <a href="https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment">https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment</a></p>
<b>Water</b>	
Water Quality Objectives	<a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>
Australian and New Zealand Guidelines for  Fresh and Marine Water Quality	<a href="https://www.waterquality.gov.au/anz-guidelines">https://www.waterquality.gov.au/anz-guidelines</a>
Water Quality Guidelines Mixing zones	<a href="https://www.waterquality.gov.au/anz-guidelines/resources/key-concepts/mixing-zones">https://www.waterquality.gov.au/anz-guidelines/resources/key-concepts/mixing-zones</a>
Approved methods for the sampling and analysis of water pollutants in NSW (2022)	<a href="https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licensing-under-poeo-act-1997/licensing-to-regulate-water-pollution/approved-methods-for-sampling-and-analysing-water-pollutants">https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licensing-under-poeo-act-1997/licensing-to-regulate-water-pollution/approved-methods-for-sampling-and-analysing-water-pollutants</a>
Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions.	<a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning">https://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning</a>
<b>Soils</b>	
Acid Sulfate Soils Planning Maps via Data.NSW	<a href="http://data.nsw.gov.au/data/">http://data.nsw.gov.au/data/</a>
Acid Sulfate Soils Manual (Stone et al. 1998)	<a href="http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf">http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf</a>
National Acid Sulfate Soils Guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018a).	<a href="https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf">https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf</a>
National Acid Sulfate Soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, L,	<a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual">https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual</a>

Title	Web address
Ward, N, Toppler, N and Lancaster, G. 2018b).	
National Acid Sulfate soils Guidance: Overview and management of monosulfidic black ooze (MBO) accumulations in waterways and wetlands, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, LA, Ward, NJ, Bush, RT, Toppler, NR, Choppala, G. 2018c)	<a href="https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation">https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation</a>
National Acid sulfate soils guidance: Guidelines for the dredging of acid sulfate soil sediments and associated dredge spoil management, Department of Agriculture and Water Resources, Canberra, ACT (Simpson, SL, Mosley, L, Batley, GE and Shand P. 2018).	<a href="https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf">https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf</a>
National Acid Sulfate Soils Guidance: Guidance for the dewatering of acid sulfate soils in shallow groundwater environments, Department of Agriculture and Water Resources, Canberra, ACT. (Shand, P, Appleyard, S, Simpson, SL, Degens, B, Mosley, LM 2018)	<a href="https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf">https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf</a>
<b>Flooding and coastal hazards</b>	
Coastal management	<a href="https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management">https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management</a>
Floodplain development manual	<a href="https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual">https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual</a>
Coastal Management Manual	<a href="https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/manual">https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/manual</a>
NSW Climate Impact Profile	<a href="http://climatechange.environment.nsw.gov.au/">http://climatechange.environment.nsw.gov.au/</a>
Floodplain Risk Management Guidelines	<a href="http://www.environment.nsw.gov.au/topics/water/coasts-and-floodplains/floodplains/floodplain-guidelines">http://www.environment.nsw.gov.au/topics/water/coasts-and-floodplains/floodplains/floodplain-guidelines</a>
Australian Rainfall and Runoff: A Guide to Flood Estimation	<a href="http://arr.ga.gov.au/">http://arr.ga.gov.au/</a>
<b>Marine and Coastal Ecology</b>	
Marine Estate Management Strategy	<a href="https://www.marine.nsw.gov.au/marine-estate-programs/marine-estate-management-strategy">https://www.marine.nsw.gov.au/marine-estate-programs/marine-estate-management-strategy</a>
NSW Marine Estate Threat and Risk Assessment	<a href="https://www.marine.nsw.gov.au/marine-estate-programs/threat-and-risk-assessment">https://www.marine.nsw.gov.au/marine-estate-programs/threat-and-risk-assessment</a>
National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds	<a href="https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife">https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife</a>
NSW Marine Protected Areas	<a href="https://www.marine.nsw.gov.au/your-marine-estate/marine-protected-areas">https://www.marine.nsw.gov.au/your-marine-estate/marine-protected-areas</a>



18 October 2023

Zoe Marchant  
Environmental Assessment Officer  
Department of Planning and Environment  
Via email [zoe.marchant@dpie.nsw.gov.au](mailto:zoe.marchant@dpie.nsw.gov.au)

Dear Zoe,

**Re: Major Projects –Request for SEARs Advice - Somersby Drill Mud and Oily Water Recycling (SSD-62863964) on Lot 1 DP 787857 at No. 134 Somersby Falls Road, SOMERSBY**

I refer to your email of 16 October 2023 and provide the following comments on the proposed development, noting the time to make a submission was extended until 23 October 2023. Council has identified the following matters should be taken into consideration and addressed in the proposed development:

**PLANNING**

1. A Bush Fire Assessment Report (BFAR) is required that explains how compliance with PBP 2019 is to be achieved.
2. The development will require an Environmental Protection Licence.
3. Details regarding the storage of fuels and other liquid chemicals onsite should be provided, as well as bunding for these storage areas that includes provision for the refuelling and delivery areas. Details on how leaks, spills and other escapes of fuels and liquid chemicals will be managed should be provided in the Preliminary Hazard Analysis.
4. The land has been used for various industrial land uses which are considered to be potentially contaminating. The application should address any contamination issues that currently exist on the site, as well as any potential sources of contamination from the proposed activity and any proposed mitigation control measures in the Site Contamination Assessment.



**Wyong Office:** 2 Hely St / PO Box 20 Wyong NSW 2259

**Gosford Office:** 49 Mann St / PO Box 21 Gosford NSW 2250

**P** 1300 463 954 | **E** [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au) | **W** [centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au) | ABN 73 149 644 003

5. The site is located within the Somersby Business Park. The consent authority will need to be satisfied that a proposed development is being undertaken in accordance with the Somersby Industrial Business Park Plan of Management (SIP POM) and demonstrates how the development satisfies the provisions of the SIP POM.
6. Address relevant planning controls including; *Rural Fires Act 1997*, *Protection of the Environment Operations Act 1997 (POEO Act)*, *State Environmental Planning Policy (Planning Systems) 2021*, *State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)*, *State Environmental Planning Policy (Transport and Infrastructure) 2021*, *State Environmental Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)*, *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, *Central Coast Local Environmental Plan 2022*, *Central Coast Development Control Plan 2022*.
7. The site is located within the Somersby 2: Employment Estate and Land character area of the *Central Coast Development Control Plan 2022*. The character statement is to demonstrate that the proposed development is consistent with the desired character of the area as per the [Scenic Quality and Character Statements](#).

## **ENGINEERING**

### Traffic, Roadwork and Access

A Traffic and Parking Impact Assessment will be required from a suitably qualified experienced consulting traffic engineer. This assessment must certify roads, access and carparks to be in accordance with Australian Standard 2890 (AS 2890), Central Coast DCP 2022, traffic movements and safety aspects, including conflicts at the vehicle access off Somersby Falls Road and include following:

- Sight lines and distances for vehicle access and pedestrians are to be shown.
- Sight triangles are to be provided within the site in accordance with Fig 3.3 of AS 2890.
- All proposed access roadways, parking aisles and car parking dimensions to be shown.
- Provide manoeuvring template paths (include 300mm clearances from structures and landscaping) for all vehicles in accordance with AS 2890 to loading/unloading and carparking areas and enter and exit the site in a forward direction.
- Vehicle access driveway centreline and both edges long sections and cross sections design from the centreline of the road to the proposed car parking spaces in accordance with Australian Standard 2890 and Council's Design Specification are to include reduced levels (RL), chainages / distances along the driveway/car parking spaces and grades expressed as percentages.

Notes: The design RL level at the back of the layback is 50mm below the top of kerb RL; the driveway cross fall at the site boundary is to parallel the gutter/layback slope. The longitudinal access profiles are to include the required layback at the kerb line and 2% footway formation in the road reserve.

### Water Cycle Management and Stormwater Discharge

A Water Cycle Management Plan consisting of a written report and plans in accordance with Central Coast DCP 2022 Chapter 3.1 Water Cycle Management must accompany the application and address:

- Retention.
- Stormwater Quality.
- Onsite Detention Requirements.
- Local overland drainage.
- Stormwater discharge to Council's stormwater system.
- Water Conservation.
- Plan must include rainwater tank for reuse, nutrient controls & OSD.

### **TRAFFIC ENGINEER**

A Traffic and Parking Impact Assessment is required and address the following:

- What is the largest truck and its frequency to use the site?
- What is composition and frequency of all traffic?
- It is to be demonstrated that vehicles that access the site can manoeuvre into a designated car parking spaces or any proposed truck loading facilities.
- For ingress and egress movements demonstrate there is carpark space / area for all vehicles to access the site and manoeuvre in accordance with AS28901 and AS2890.2 – 2002.
- Codes AS28901 and AS2890.2 – 2002 require for ingress and egress manoeuvres for cars and trucks to provide sweep manoeuvring turning layout design templates for all vehicles types that access the site.

## **WATER & SEWER**

Council sewer main has limited capacity in this area. Based on the submitted information, it is unclear for Council without further investigation of the sewer system capacity. The applicant is required to provide the following information to assist in the capacity of existing infrastructure to support the proposal:

- Amount of average daily water usage in kilolitres.
- Amount of average daily discharge to sewer in kilolitres.
- Amount of peak daily discharge to sewer in kilolitres.
- Amount of annual discharge to sewer in kilolitres.
- Peak flow rate in litre per second.
- Wastewater characterisation (Types and amount of chemical/gas)
- Proposed operation hours.

## **TRADE WASTE**

A Liquid Trade Waste (LTW) application is required to be submitted to Council for assessment, with the application form accessed [here](#).

The following critical information is to be provided with the LTW application for further assessment:

- Maximum daily discharge to sewer (kL)
- Details of proposed trade waste treatment facility
- Description of waste:
  - List of all expected pollutants including substances contained in wash down detergents, boiler and cooling water and other sources
  - Expected maximum and average concentrations of pollutants
  - Sample analysis results of the proposed waste.
- Details and location of all processes, tanks, pits and apparatus associated with the generation of industrial waste.
- Flow diagram and hydraulic profile of proposed treatment apparatus.

- Measures proposed for diverting stormwater away from the liquid trade waste generating area.
- Details of management arrangement of waste streams / wastes that are not permitted or not intended to be discharged to the sewerage system.

## **WASTE**

- The applicant is to include in the Waste Management Plan (WMP) the residual office/ employee waste and how this will be managed.
- The applicant is to include the expected amount of waste generated by the employees.
- Size and number of bins required to service the site.
- Bin storage area location.
- Expected service frequency.
- Travel path for waste from interim storage areas such as offices and kitchen areas to the bin storage area.

## **ENVIRONMENTAL HEALTH**

The proposed development will seek to process up to 100,000 tonnes per annum of drill mud from the civil, construction and mining industries and up to 50,000 tonnes per annum of oily water from mechanic workshops, service station forecourts and car and truck washes.

The proposal is State Significant Development and is also Integrated Development and will require an Environmental Protection License from the NSW EPA for waste processing, waste storage and transportation of trackable waste.

### Air Quality

The application should address *Clause 2.9.2.18 Air Quality and Odour Control of the Central Coast DCP*. An air quality assessment should be prepared in accordance with the NSW EPAs guidelines.

### Acid Sulfate Soils (ASS)

The site is mapped as Class 5 non known occurrence ASS. Notwithstanding this the application should address *Clause 7.1 of the Central Coast LEP 2022*.

### Asbestos/ Contamination/ SEPP (Resilience and Hazards) 2021

The land has been used for various industrial land uses which are considered to be potentially contaminating. The application should address *Clause 2.9.22 Contaminated Sites of the Central Coast DCP*. The application should address any contamination issues that currently exist on the site, as well as any potential sources of contamination from the proposed activity and any proposed mitigation control measures. All site contamination assessments must be prepared in accordance with the NSW EPAs Guidelines.

### Fuels and Chemical Storage

*Chapter 3 (Hazardous and Offensive Development) of SEPP Resilience and Hazards 2021* should be addressed in the development application. A Preliminary Hazard Analysis should be provided.

Details regarding the storage of fuels and other liquid chemicals onsite should be provided, as well as bunding for these storage areas that includes provision for the refuelling and delivery areas. Details on how leaks, spills and other escapes of fuels and liquid chemicals will be managed should be provided.

### Noise

The site is proposing to operate 24/7. The application must address *Clause 2.9.2.19 Noise Generation of the Central Coast DCP*. An Acoustic Report should be prepared in accordance with the NSW EPAs guidelines. An assessment of potential vibration impacts is also required.

### Operational Environmental Management Plan

A site specific operational environmental management plan should be prepared that details how potentially noise and vibration, air quality (dust and odour), surface and groundwater contamination impacts will be managed for the life of the development.

### Soils and Construction

A Complying Development Certificate will be sought for the industrial building. The DA is for the establishment of use therefore information on soils and construction will not be required.

### Surface and Groundwater Impacts

The application should clearly detail the stormwater and wastewater treatment system treatment systems and demonstrate that controls will be in place to prevent surface water and ground water contamination.

## Conclusion

Subject to satisfying the matters outlined above, Council raises no concerns in relation to the proposed development.

Should you have any questions please contact **Senior Development Planner, Kirra Hartley** on 0436 522 371 or via email [kirra.hartley@centralcoast.nsw.gov.au](mailto:kirra.hartley@centralcoast.nsw.gov.au)

Regards



Antonia Stuart

**Section Manager**

**DEVELOPMENT ASSESSMENT**

Our Reference: D15907750

**From:** [John Marks](#)  
**To:** [Zoe Marchant](#)  
**Cc:** [Doris Yau](#)  
**Subject:** 4408 HAZARDS Input SEARs, Somersby Drill Mud and Oily Water Recycling (SSD-62863964)  
**Date:** Monday, 30 October 2023 1:43:25 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Dear Zoe

We have reviewed for Secretary's Environmental Assessment Requirements (SEARs) for the Somersby Drill Mud and Oily Water Recycling (SSD-62863964)

### **Proposed Development**

The proposed development for the installation and operation of equipment for the processing of drill mud and oily water. The proposed development will receive drill mud and oily water in bulk tanker vehicles. The proposed development to process 100,000 tonnes per annum of drill mud and 50,000 tonnes of oily water per year.

### **Key Hazards Requirements**

#### *High Pressure Dangerous Goods Pipelines*

We have reviewed the proposed site at 134 Somersby Falls Road, Somersby, New South Wales, 2250 and found that the site is within the consultation area of a high-pressure dangerous goods pipelines. This pipeline is the Northern Trunk (Plumpton to Hexham) operated by Jemena, Licence 7.

The pipelines are licensed under the Pipelines Act 1967 and are subject to State Environmental Planning Policy (Transport and Infrastructure), Division 12A, Subdivision 2, Clause 2.76 (previously ISEPP 66(c)) requirements. The SEARs should include demonstration of the following.

1. Consultation with the relevant fuel and gas pipeline licensees and / or operators including addressing concerns comments raised by pipeline licensees and / or operators on the proposed development; and
2. Validation that the proposed development does not result in any non-compliance for existing HP dangerous goods fuel and gas pipelines with Australian Standards –Pipelines –Gas and Liquid Petroleum (AS 2885).

#### *Dangerous Goods*

As the proposed development may involve the storage or handling of dangerous goods. It is recommended that the EIS includes a preliminary risk screening in accordance with "Applying SEPP 33".

### **Recommended SEARs**

- Provide a preliminary risk screening in accordance with Chapter 3 of SEPP (Resilience and Hazards) 2021;
- Where required by SEPP (Resilience and Hazards) 2021, provide a Preliminary Hazard Analysis prepared in accordance with Hazardous

Industry Planning Advisory Paper No.6 – Guidelines for Hazard Analysis and Multi-Level Risk Assessment; and

- As the proposed development fall within the consultations zone of a pipeline, the EIS must report on consultation outcomes with the operator of the pipeline.

### **Team Assistance**

We are available to discuss the PHA with the Applicant, if required.

If you have any further queries do not hesitate to contact me.

### **John Marks**

Planning Officer

Industrial Assessments

**Department of Planning and Environment**

T +61 2 8275 1417 E [john.marks@planning.nsw.gov.au](mailto:john.marks@planning.nsw.gov.au)

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)

4 Parramatta Square  
12 Darcy Street  
Parramatta, NSW, 2150

**Working days** Monday to Friday



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

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