Department of Climate Change, Energy, the Environment and Water

Your ref: SSD-67497708
Our ref: DOC24/121426

Emma Barnet
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

23 February 2024

Subject: Request for Secretary's Environmental Assessment Requirements (SEARs) for Aussie Skips Recycling upgrades – 13 Bellfrog Street, Greenacre (SSD-67497708)

Dear Emma,

Thank you for your referral received on 9 February 2024, requesting input on SEARs for the above project from the Biodiversity, Conservation and Science (BCS) Group of the New South Wales Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW).

BCS has reviewed the Scoping Report prepared by 4Pillars Environmental Consulting dated 23 January 2024 and recommends the proponent address the requirements below and Attachment A.

Biodiversity

It is noted that a biodiversity development assessment report (BDAR) waiver request has been submitted by the applicant which is currently under assessment by BCS. Until a waiver is granted, the SEARs should include the requirement for the BDAR to be prepared.

Flooding

The Scoping Report states on page 7 that '*the site not the area is considered as flood prone land'*. The same statement is reiterated on page 29. BCS highlights that the development site would be subject to low hazard under a 1% Annual Exceedance Probability (AEP) Event (partially impacted) and high hazard under the Probable Maximum Flood (PMF) Event. Consultation with the relevant council should be undertaken for up-to-date Cooks River and Coxs Creek flood information.

BCS also highlights that a soil and water quality assessment does not accommodate flood risk management (FRM) issues. FRM relates to decisions on how to manage the floodplain and reduce and manage risks to the community occupying the floodplains. Flood risk and FRM is potentially affected by any changes in the floodplains including development.

BCS recommends that a flood impact and risk assessment (FIRA) should be provided in accordance with the Flood Risk Management Manual Flood Impact and Risk Assessment Guideline (2023). The FIRA should be undertaken by qualified engineers who have experience and

advanced skills in catchment hydraulics and have a good working knowledge of FRM practices and guidance in NSW. As a minimum the FIRA must include the matters set out in Attachment A.

Should you have any queries regarding this matter, please contact Theo Wilkinson, Senior Conservation Planning Officer via theo.wilkinson@environment.nsw.gov.au.

Yours sincerely,

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

Attachment A – BCS Environmental Assessment Requirements

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2016 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method 2020, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).

2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method 2020.

3. The BDAR must include details of the measures proposed to address the offset obligation as follows:
   - The total number and classes of biodiversity credits required to be retired for the development/project;
   - The number and classes of like-for-like biodiversity credits proposed to be retired;
   - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
   - Any proposal to fund a biodiversity conservation action;
   - Any proposal to conduct ecological rehabilitation (if a mining project);
   - Any proposal to make a payment to the Biodiversity Conservation Fund.

   If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.

4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.

5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.

Water and soils

6. The EIS must map the following features relevant to water and soils including:
   - Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
   - Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
   - Wetlands as described in s4.2 of the Biodiversity Assessment Method.
   - Groundwater.
   - Groundwater dependent ecosystems.
   - Proposed intake and discharge locations.

7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
   - Existing surface and groundwater.
   - Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
   - 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.

- 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.
- Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning

8. The EIS must assess the impact of the development on hydrology, including:
   - Water balance including quantity, quality and source.
   - Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
   - Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
   - 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).
   - Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
   - 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.
   - Identification of proposed monitoring of hydrological attributes.

Flooding

9. The EIS shall include a flood impact and risk assessment (FIRA) in accordance with the Flood Risk Management Manual Flood Impact and Risk Assessment Guideline (2023). As a minimum the FIRA must:
   - Identify any flood risk on-site having regard to adopted flood studies, the potential effects of climate change, and any relevant provisions of the *NSW Flood Risk Management Manual* (2023).
   - Assess the impacts of the development, including any changes to flood risk on-site or off-site, and detail design solutions and operational procedures to mitigate flood risk where required.
   - Identify flood behaviour, flood constraints and risks on the site and its surrounding including the potential impacts of climate change for the full range of events i.e., up to and including the probable maximum flood (PMF) event.
   - Propose management measures required to minimise the impacts of flooding on the development and minimise flood risk to the community, including an Emergency Management Plan considering access to and from the site, and evacuation issues during significant flood events including the PMF, from both local catchments and/or regional catchments.

End of Submission

Transport for NSW

14 February 2024

TfNSW Reference: SYD24/00304/01
DPIE Reference: SSD-67497708

Ms. Kirsten Fishburn
Secretary
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
PO Box 21
Parramatta NSW 2124

REQUEST FOR SECRETARY ENVIRONMENT ASSESSMENT REQUIREMENTS (SEARS)
RESOURCE RECOVERY FACILITY - AUSSIE SKIPS RECYCLING SITE UPGARDE
13 BELLFROG STREET, GREENACRE

Dear Ms. Fishburn,

Thank you for providing Transport for NSW (**TfNSW**) an opportunity to provide input to draft Secretary's Environmental Assessment Requirements (**SEARs**) for the proposed resource recovery facility (Aussie skips recycling site upgrade) facility at 13 Bellfrog Street, Greenacre.

TfNSW has reviewed the submitted documentation and recommends that the following be addressed as part of the future Environmental Impact Statement (**EIS**) in the transport and accessibility component:

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

2. Details of the proposed vehicular access arrangements and parking provisions associated with the proposal including compliance with the requirements of the relevant Australian Standards (i.e., swept path analysis, sight distance requirements, aisle width, etc.).

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

4. Details of service, light and heavy vehicle movements including vehicle type and likely arrival and departure times.

If you have any further inquiries in relation to this development application Sandhya Davidson, Development Assessment Officer would be pleased to take your call on 9983 3976 or via email on development.sydney@transport.nsw.gov.au.

Yours sincerely,

Brendan Pegg
Senior Manager Land Use Assessment Central and Western
Planning and Programs, Greater Sydney Division

Department of Climate Change, Energy, the Environment and Water

Our ref: OUT24/1994

Emma Barnet

Planning and Assessment Group
NSW Department of Planning, Housing and Infrastructure

Email: emma.barnet@planning.nsw.gov.au

12 February 2024

Subject: **Aussie Skips Recycling - Bellfrog St Site upgrades (SSD-67497708) (Strathfield)**

Comment on the Secretary's Environmental Assessment Requirements (SEARs)

Dear Emma,

The NSW DCCEEW Water Group has developed standard SEARs for SSD and SSI projects. Please see **Attachment A** for detailed requirements.

If any of the requirements do not apply to this project, the proponent should describe why in a short statement.

Should you have any further queries in relation to this submission please do not hesitate to contact NSW DCCEEW Water Assessments at water.assessments@dpie.nsw.gov.au.

Yours sincerely

Alistair Drew
Project Officer, Assessments, Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Water Take and Licensing

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
1	A detailed and consolidated site water balance.	
2	Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	NSW Aquifer Interference Policy, section 3 & 5 of the *Water Management Act 2000*, Water Sharing Plans Clause 24 of the *Water Management (General) Regulation 2018* Groundwater Guidelines- https://www.industry.nsw.gov.au/water/licensing-trade/major-projects
3	Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly, and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	Section 3 & 5 of the *Water Management Act 2000*, Water Sharing Plans Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities
4	Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the *Water Management Act 2000* should be detailed by the proponent.	Water Sharing Plans Sections 3, 5, 60A & 60I of the *Water Management Act 2000* WAL must nominate a work to satisfy s60D of the *Water Management Act 2000* and this is completed by a dealing application under s71W of the *Water Management Act 2000* Exemptions or exclusions information: ○ Clause 21-23, 34-50, sch.1 and 4 *Water Management Regulation 2018* ○ Sections 4.41 and 5.23 of the *EP&A Act 1979*

		○ Water licensing and works approvals exemptions - https://water.dpie.nsw.gov.au/licensing-and-trade/licensing/water-licensing-and-works-approvals-exemptions

Water Impacts

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
5	A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	NSW Aquifer Interference Policy Groundwater Guidelines
6	Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	*Water Management Act 2000* Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97 *Water Management Act 2000* Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a)) NSW Aquifer Interference Policy Groundwater Guidelines
7	Proposed surface and groundwater monitoring activities and methodologies.	Groundwater Guidelines NSW Water Quality and River Flow Objectives Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)

Assessment against Policy and Guidelines

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
8	Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).	Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
9	Assessment of project against relevant policies and guidelines	Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (NOW 2012), Groundwater Guidelines

Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2150

Attention: Emma Barnet, Senior Environmental Assessment Officer

Notice Number	1637398
Date	29-Feb-2024

Aussie Skips Recycling Pty Ltd - 13 Bellfrog St Greenacre NSW 2190 – SSD-67497708
Secretary's Environmental Assessment Requirement

I refer to your request received on 9 February 2024 for the Environment Protection Authority's (EPA) key issues and assessment requirements to incorporate into the Secretary's Environmental Assessment Requirements (SEARs) for a proposed upgrade to a waste facility located at Lot 15 DP 1133214, also known as 13 Bellfrog Street, Greenacre NSW 2190 (the Premises).

The EPA understands that Aussie Skips Recycling Pty Ltd (the Applicant) is seeking approval for an upgrade of the waste facility which is presently operating at the Premises to enable the following (the Proposal):

- the increase of the maximum amount of waste to be received in a 12-month period to 250,000 tonnes;
- the increase of the maximum amount of waste permitted on the Premises at any one time to 14,000 tonnes;
- receipt of additional waste types including ceramics and bricks, resource recovery order (RRO) materials, and Acid Sulphate Soils (ASS) and Potential Acid Sulphate Soils (PASS);
- processing of waste for Resource Recovery, and treatment of ASS and PASS for reuse; and
- changes to operation hours and processing equipment.

The EPA notes the waste facility at the Premises is subject to Environment Protection Licence (EPL) no. 21389 (the Licence) issued under the *Protection of the Environment Operations Act 1997* (the POEO Act).

The EPA has considered the details of the Proposal as provided within the scoping report titled 'Scoping Report for State Significant Development Application' prepared by 4Pillars Environmental Consulting Pty Ltd on behalf of the Applicant and dated 23 January 2024 (the Scoping Report). In its review, the EPA has noted that the Scoping Report includes references to supporting information in Appendices 1-8, however this has not been included. Notwithstanding, the EPA has identified the information it requires to issue recommended conditions in **Attachments A & B**. In summary, the EPA's key issues and assessment requirements for the Proposal are:

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

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

The Applicant should be made aware that any commitments made in the environmental assessment may be formalised as approval conditions and may also be placed as formal Licence conditions.

The Applicant should be made aware that, consistent with provisions under Part 9.4 of the POEO Act the EPA may require an increase to the financial assurance (FA) amount under the Licence. Any increase to the FA amount would be determined by the EPA in accordance with the POEO Act and the EPA Guidelines on Estimating Financial Assurances (https://www.epa.nsw.gov.au/licensing-and-regulation/legislation-and-compliance/policies-and-guidelines/financial-assurance)

In addition, as a requirement of an EPL, the EPA will require the Applicant to prepare, test and implement a Pollution Incident Response Management Plan and/or plans in accordance with Section 153A of the POEO Act.

Please note that the EPA has not considered Aboriginal cultural heritage, biodiversity or built form/urban design requirements as these are in the purview of other groups and agencies within the Department of Planning Housing and Infrastructure (DPHI) and the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW).

Yours sincerely

.....

Steven Tan

Unit Head

Environment Protection Authority

(by Delegation)

Attachment A: Site Specific Requirements

1. The facility must be enclosed

On 19 December 2023, the EPA met with 4Pillars Environmental Consulting Pty Ltd as part of a pre-lodgement consultation to discuss the Proposal. During those discussions, the EPA reiterated previous advice with respect to best management practices for all new waste facilities, including the expectation to enclose the processing / operating areas.

The EPA expects that all waste and materials are stored and processed inside an enclosed building for the Proposal. This is due to the significant increase in potential environmental impact resulting from a substantial throughput increase and through the undertaking of materials processing. The Proposal also presents a heightened risk to the surrounding community and businesses given the proximity of the Premises to sensitive receivers. All waste and material handling activities, including receival, sorting, processing, sampling, quarantine, storage and loading must be conducted within a fully enclosed building.

Waste and materials, including finished products, must not be stored outside. All used external surfaces, including any external haulage areas or roads, must be sealed hardstand. Any unused external surfaces must be sealed hardstand or vegetated.

We note that the Scoping Report indicates that modelling of expected environmental impact from the operation of the Site with the enclosure and without the enclosure (including a suite of additional mitigation measures) has been completed. This modelling suggests that air and noise quality was marginally improved with the enclosure, however specific details of the modelling were not provided within the report. We anticipate that detailed modelling inputs, parameters and outcomes will be provided in the Environmental Impact Statement (EIS). The EPA also expects the EIS to explore the potential for additional noise and air quality treatment controls for the existing warehouse, given its proposed use for processing concrete and treating contaminated soils.

2. Site plan

A detailed site plan of the Premises must be included in the environmental impact statement (EIS). The site plan must identify at minimum, but is not limited to:

- location of the facility;
- traffic flows and directions;
- haulage;
- waste receival, processing, storage, and loading (for each waste and material type);
- quarantine;
- infrastructure for environmental controls including dust, noise, water, odour, and wheel wash;
- infrastructure for waste receival, processing, storage, and loading;
- weighbridges;

- site boundaries;
- stormwater drainage areas;
- unused stabilised areas; machinery storage areas;
- areas under the Standards for managing construction waste in NSW (the Standards) (if applicable)
- any dangerous goods, hazardous goods and/or chemical storage areas (including any fuel storage areas); and
- bunding.

3. Authorised Amount

The EPA notes that a variation to the Licence to increase the Authorised Amount was granted in July 2020, and that any further increases to this amount requires robust justification.

The Applicant must provide sufficient evidence that the maximum amount of waste proposed to be stored at any one time (i.e. the Authorised Amount) can be managed appropriately at the Premises, particularly given the limited area available for the management of waste. In order for the EPA to determine the reasonableness of the proposed Authorised Amount, the Applicant must provide all details it has considered when determining the proposed Authorised Amount (e.g. stockpile heights, bulk density, etc). Regarding stockpile heights, the Applicant should be aware that the EPA generally does not permit a maximum height of greater than 4 metres to ensure potential environmental impacts are minimised. The EPA recommends the Applicant take this into consideration when justifying its proposed Authorised Amount.

4. Waste and material management

The EIS must include a detailed assessment of the waste and material management processes to be undertaken at the Premises. This includes but is not limited to:

- details of the sources of each waste type to be received at the Premises;
- details of the types and quantities of each type of waste to be received at the Premises;
- details of the maximum volume of each waste type and the total maximum volume of waste to be stored on the Premises at any one time;
- details of the maximum annual throughput of each waste type and the total maximum throughput to be processed at the Premises;
- a detailed description of receival, processing, and storage, and loading procedures for each waste type;
- a description of how the Applicant will meet the EPA's record keeping and reporting requirements, including weighing material in and out of the Premises (refer to the EPA's Waste Levy Guidelines for more information – available at: https://www.epa.nsw.gov.au/your-environment/waste/waste-levy);
- details of the type and quantities of materials to be produced and their intended fate;

- the intended fates of all other waste and materials received/produced on site which are not suitable for re-use; details of any materials produced under a Resource Recovery Order, and the controls/procedures in place for meeting the conditions of that order;
- details of any materials produced which will require a specific Resource Recovery Order;
- a description of procedures for dealing with non-conforming waste and materials (i.e. waste not permitted to be received at the Premises);
- details of any testing/monitoring procedures; and
- details of storage for unprocessed and processed wastes including the maximum storage capacity for each type of stored waste (the EPA notes each type of waste stored on site for recovery/recycling must be stockpiled separately).
- details of how materials segregation will be achieved, particularly the segregation of contaminated soils and resource recovery materials.

5. Waste and material types

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

The EIS must explicitly identify each individual type of waste which will be received at the facility, with reference to the *EPA's Waste Classification Guidelines* (**the Guidelines**) the definitions in Schedule 1 of the POEO Act.

6. Receival of resource recovery order waste

The Scoping Report sets out that it is proposed for additional waste types to be received at the Premises. The additional waste types proposed includes resource recovery orders (RROs). It is noted that there are many general RROs which cover a wide variety of wastes. The Applicant must specify which RRO waste types are proposed to be a permitted waste type.

The Applicant should be aware that it is generally not appropriate for RRO waste to be a waste type permitted to be received at a recycling facility. It can only be considered if evidence can be provided that there is an environmental benefit as well as sufficient justification regarding the need to receive the resource recovery waste.

7. Production of RRO materials

The Scoping Report states that specific RRO's will be applied for as part of the application process, including RRO for treatment of acid sulphate soils. The Applicant should be aware that there is a process to obtain a specific RRO and that this involves a number of aspects which must be met for the EPA to consider approval. The guidelines on resource recovery orders and exemptions (RRO/E

Guidelines) can be found at:
https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/applyfor-an-order-and-exemption

These guidelines note:
Many waste materials are not appropriate for land application as they may contain contaminants that cause significant environmental and / or commercial liabilities. Preventing the degradation of soils physically, chemically and biologically is part of managing the potential risks of using waste materials as fill. This includes preventing the build-up of potentially harmful persistent chemicals and the contamination of soil, and ground and surface water.

The Applicant should be aware that the blending of wastes to reduce the concentration of contaminants conflicts with the EPA's resource recovery principles. Dilution of contaminants is not considered an acceptable waste management option. Further, it is set out in the RRO/E Guidelines that the EPA does not support the land application of wastes which are blended to reduce the concentration of contaminants. For clarity, this means that chemical and other attribute concentrations in the individual inputs to the production of an RRO material must be below the output concentrations specified in the Order.

The EPA recommends the Applicant take the above matters into consideration when preparing the Environmental Impact Statement (EIS) for the Proposal.

8. Excavated natural material

The EPA notes that the Scoping Report references excavated natural material (ENM) as an outgoing waste. The Applicant should be aware that ENM cannot be created from other soils. The ENM exemption 2014 specifically sets out that ENM is naturally occurring rock and soil that has been excavated from the ground and explicitly states it cannot have been processed.

9. Waste collected from stormwater management systems

One of the waste types permitted to be received under the Licence currently is grit, sediment, litter and gross pollutants collected in, and removed from, stormwater treatment devices or stormwater management systems that has been dewatered so that it does not contain free liquids. It is unclear from the Scoping Report if it is proposed for this to remain as a waste type to be received under the Proposal.

If it is proposed to remain as a permitted waste type, the Applicant should be aware that this waste is highly variable and can often be significantly contaminated. Regardless of whether this waste is blended with other soils or managed individually, it cannot be recovered unless a specific RRO is in place which permits its recovery. There is no general RRO which can be used for this waste type. Without a specific RRO, this waste must be disposed of at landfill and if it is blended with any other waste then that waste is unable to be recovered.

10. Wastewater management

The EIS must include details of how wastewater at the facility will be managed. This includes but is not limited to:

- storage, treatment, sampling and disposal;
- mitigation measures proposed to be implemented to prevent and mitigate leaks and spills from the treatment plant and other activities:
  - appropriate primary and secondary containment systems should be included;
  - details of bunding, isolation, overflow prevention and other controls should be prioritised to demonstrate spill and leak related risks have been appropriately considered and addressed; and
- detailed information regarding any trade waste agreements in place with Sydney Water.

11. Water management

It is considered best practice by the EPA for facilities to retain all water on site and not discharge any water in order to limit pollution and contamination. The EPA requires the Applicant first demonstrate that all practical and reasonable alternatives to discharge have been considered and implemented before other options are reviewed. Where discharge of polluted water is unavoidable, the Applicant must:

- identify all pollutants that pose a risk of non-trivial harm and the potential impact of those pollutants on the environment;
- implement all practical measures that can be taken to prevent, control, abate or mitigate the pollution and protect the environment from harm; and
- consider the environmental values of water affected by the proposed discharge; and implement all practical measures that can be taken to restore or maintain those values.

An assessment of impacts to water, during both construction and operation, must be included in the EIS. This must include at a minimum:

- characterisation of any proposed discharges from the Premises (both volume and quantity);
- assessment of the potential impacts from these discharges; and
- proposed mitigation measures to manage any impacts (discharges includes, but is not limited to, stormwater (contaminated and uncontaminated), and wastewater (such as from dewatering)).

Details must be provided of any trade waste agreements which are (or are proposed to be) in place with Sydney Water. Detailed information regarding the management of stormwater during both construction and operation must be included in the EIS.

The scoping report advises the waste facility will be connected to the existing stormwater systems at the Premises. The EIS must include detailed information regarding the existing systems and how the waste facility will be connected to the existing systems. Sufficient evidence must be provided that the existing systems will be capable of adequately managing stormwater. This includes a thorough integrity

assessment of the existing stormwater systems to demonstrate its adequacy and suitability. If the existing systems are not able to adequately manage the stormwater at the Premises under the Proposal, an alternative method must be considered.

The waste management building must be constructed to exclude all stormwater and internal surfaces be graded inwards to contain any contaminated water (being any water that has come into contact with waste or other materials which have the potential to cause contamination). The EPA notes even where all waste activities are conducted within a fully enclosed building, materials may be tracked on to external surfaces leading to the generation of contaminated water. Any external areas where vehicles travel or wait for loading/unloading must drain to a stormwater quality treatment device sufficient to remove any contaminants, both solid and dissolved, prior to discharge offsite.

12. Air Quality

The EIS must include an assessment of air quality which identifies all potential air emissions from the Premises during construction and operation, including, but not limited to, coarse particulates, PM10, PM2.5 and odour. The Applicant must assess the impact of these discharges and demonstrate effective control of all identified air emissions from the Premises.

Note: In relation to air impacts, all sensitive receivers need to be considered when conducting air quality and odour impact assessments. A sensitive receiver includes a place where someone works. Therefore, any industrial neighbours to the Premises must be included as sensitive receivers.

13. Noise

The EIS must include an assessment of noise impacts during construction and operation and demonstrate effective controls to manage noise impacts, including from increased traffic, at all receptors.

Note: In relation to noise impacts, all sensitive receivers need to be considered when conducting air quality and odour impact assessments. A sensitive receiver includes a place where someone works. Therefore, any industrial neighbours to the Premises must be included as sensitive receivers.

14. **Dangerous goods and chemical transport, storage and handling**

The EIS must outline all details regarding the transport, handling, storage and use of dangerous goods, chemicals, and products, including fuel, both on site and with ancillary activities and describe the measures proposed to minimise the potential for leakage or the migration of pollutants into the air, land or waters from the Premises. If fuel is intended on being stored at the Premises, any fuel storage areas must be undercover and bunded. The EIS must include details of emergency management procedures, including but not limited to spills of chemicals or restricted, hazardous, and/or liquid waste stored on the Premises.

15. Materials Tracking

Best practice waste facilities install and utilise and wheel wash to reduce the risk of contaminants being tracked onto public roads. The EPA requires a wheel wash, and consideration of any other reasonable and feasible mitigation measures, to be included as part of the Proposal to reduce the risk of tracking of material and contaminants onto public roads. The EPA intends to recommend a condition which requires the Applicant to ensure that no material is tracked off the Premises.

16. Weighbridge

Scheduled (licensed) waste facilities are levy liable in accordance with section 88 of the POEO Act. As such, the Proposal must include a weighbridge in order to comply with the requirements of the waste levy.

17. Occupier/owner of the Premises

Sufficient evidence must be provided that the Applicant is the lawful occupier and/or owner of the Premises as the EPA cannot issue an EPL if this has not been provided.

18. Scheduled/ancillary activities

The EIS must identify all scheduled activities under Schedule 1 of the POEO Act for which an EPL will be required. Activities which will be conducted at the Premises which are ancillary to the scheduled activities must also be identified.

19. Standards for managing construction waste

The Applicant should be aware that changes to the *Protection of the Environment Operations (Waste) Regulation* commenced on 16 November 2018, which legislates the Standards. The Standards became enforceable on 16 May 2019 and apply to all facilities receiving construction and demolition waste regardless of when approval was/is given for the facility. If the Applicant intends on receiving construction and demolition waste, the EIS must provide detailed information as to how compliance with the Standards will be achieved. The Applicant should be aware of all the legislative requirements relating to the Standards. The Standards are available at: https://www.epa.nsw.gov.au/your-environment/waste/industrial-waste/construction-emolition/construction-and-demolition-waste

20. Fire Safety Guidelines

Fire and Rescue NSW have developed guidelines regarding fire safety within waste facilities titled 'Fire safety guideline – Fire safety in waste facilities' (the Fire Safety Guidelines). The Fire Safety Guidelines are applicable to any waste facility within NSW involved in the storage, processing or resource recovery of combustible waste material. The EIS must demonstrate how the Proposal will ensure compliance with the Fire Safety Guidelines and include details on the specific mitigation measures that will be implemented to minimise fire risk at the Premises. The Fire Safety Guidelines are available at: https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_fire_safety_in_waste_facilities.pdf

Note: Refer to **Attachment B** for further detail regarding what is to be included in the environmental assessments.

ATTACHMENT B: General Requirements for the Proposal

How to use these requirements

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

A. Executive summary

B. The proposal

C. The location

D. Identification and prioritisation of issues

E. The environmental issues

F. List of approvals and licences

G. Compilation of mitigation measures

H. Justification for the proposal

A Executive summary

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

B The proposal

1. Objectives of the proposal

- The objectives of the proposal should be clearly stated and refer to:
  a) the size and type of the operation, the nature of the processes and the products, by-products and wastes produced
  b) a life cycle approach to the production, use or disposal of products
  c) the anticipated level of performance in meeting required environmental standards and cleaner production principles
  d) the staging and timing of the proposal and any plans for future expansion
  e) the proposal's relationship to any other industry or facility.

2. Description of the proposal

General

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

d) environment protection measures, including noise mitigation measures, dust control measures and erosion and sediment control measures.

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

Air

- Identify all sources or potential sources of air emissions from the development.
  Note: emissions can be classed as either:
  - *point (e.g. emissions from stack or vent) or*
  - *fugitive (from wind erosion, leakages or spillages, associated with loading or unloading, conveyors, storage facilities, plant and yard operation, vehicle movements (dust from road, exhausts, loss from load), land clearing and construction works).*
- Provide details of the project that are essential for predicting and assessing air impacts including:
  a) the quantities and physio-chemical parameters (e.g. concentration, moisture content, bulk density, particle sizes etc) of materials to be used, transported, produced or stored
  b) an outline of procedures for handling, transport, production and storage
  c) the management of solid, liquid and gaseous waste streams with potential to generate emissions to air.

Noise and vibration

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

Water

- Provide details of the project that are essential for predicting and assessing impacts to waters including:
  a) the quantity and physio-chemical properties of all potential water pollutants and the risks they pose to the environment and human health, including the risks they pose to Water Quality Objectives in the ambient waters (as defined on http://www.environment.nsw.gov.au/ieo/index.htm, using technical criteria derived from *the Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, ANZECC 2018)
  b) the management of discharges with potential for water impacts
  c) drainage works and associated infrastructure; land-forming and excavations; working capacity of structures; and water resource requirements of the proposal.

- Outline site layout, demonstrating efforts to avoid proximity to water resources (especially for activities with significant potential impacts e.g. effluent ponds) and showing potential areas of modification of contours, drainage etc.
- Outline how total water cycle considerations are to be addressed showing total water balances for the development (with the objective of minimising demands and impacts on water resources). Include water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

Waste and chemicals

Provide details of the quantity and type of both liquid waste and non-liquid waste generated, handled, processed or disposed of at the premises. Waste must be classified according to the EPA's Waste Classification Guidelines 2014 (as amended from time to time)

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

- Reference should be made to the guidelines: EPA's *Waste Classification Guidelines 2014 (as amended from time to time)*

3. Rehabilitation

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

4. Consideration of alternatives and justification for the proposal

- Consider the environmental consequences of adopting alternatives, including alternative:
  a) sites and site layouts
  b) access modes and routes

c) materials handling and production processes
d) waste and water management
e) impact mitigation measures
f) energy sources

- Selection of the preferred option should be justified in terms of:
  a) ability to satisfy the objectives of the proposal
  b) relative environmental and other costs of each alternative
  c) acceptability of environmental impacts and contribution to identified environmental objectives
  d) acceptability of any environmental risks or uncertainties
  e) reliability of proposed environmental impact mitigation measures
  f) efficient use (including maximising re-use) of land, raw materials, energy and other resources.

C The location

1. General

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

2. Air

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

3. Noise and vibration

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

4. Water

- Describe the catchment including proximity of the development to any waterways and provide an assessment of their sensitivity/significance from a public health, ecological and/or economic perspective. The Water Quality and River Flow Objectives on the website: http://www.environment.nsw.gov.au/ieo/index.htm should be used to identify the agreed environmental values and human uses for any affected waterways. This will help with the description of the local and regional area.

5. Soil Contamination Issues

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

D Identification and prioritisation of issues / scoping of impact assessment

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

E The environmental issues

1. General

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

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

Describe baseline conditions

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

Assess impacts

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

Describe management and mitigation measures

- Describe any mitigation measures and management options proposed to prevent, control, abate or mitigate identified environmental impacts associated with the proposal and to reduce risks to human health and prevent the degradation of the environment. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
- Proponents are expected to implement a 'reasonable level of performance' to minimise environmental impacts. The proponent must indicate how the proposal meets reasonable levels of performance. For example, reference technology based criteria if available, or identify good practice for this type of activity or development. A 'reasonable level of performance' involves adopting and implementing technology and

management practices to achieve certain pollutant emissions levels in economically viable operations. Technology-based criteria evolve gradually over time as technologies and practices change.

- Use environmental impacts as key criteria in selecting between alternative sites, designs and technologies, and to avoid options having the highest environmental impacts.

Outline any proposed approach (such as an Environmental Management Plan) that will demonstrate how commitments made in the EIS will be implemented. Areas that should be described include:

a) operational procedures to manage environmental impacts

b) monitoring procedures

c) training programs

d) community consultation

e) complaint mechanisms including site contacts

f) strategies to use monitoring information to improve performance

g) strategies to achieve acceptable environmental impacts and to respond in event of exceedences.

2. Air

Describe baseline conditions

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

Assess impacts

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

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

- Reference should be made to relevant guidelines, including *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (EPA, 2022)*; Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (EPA, 2022)*; Assessment and Management of Odour from Stationary Sources in*

NSW (DEC, 2006)*; Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006); Load Calculation Protocol for use by holders of NSW Environment Protection Licences when calculating Assessable Pollutant Loads* (DECC, 2009)>.

Describe management and mitigation measures

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

3. Noise and vibration

Describe baseline conditions

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

Assess impacts

- Determine the project noise trigger levels for the site. For each identified potentially affected receiver, this should include:
  a) determination of the project intrusive noise level for each identified potentially affected receiver
  b) selection and justification of the appropriate amenity category for each identified potentially affected receiver

c) determination of the project amenity noise level for each receiver

d) determination of the appropriate maximum noise level event assessment (sleep disturbance) trigger level.

- Maximum noise levels during night-time period (10pm-7am) should be assessed to analyse possible affects on sleep. Determine expected noise level and noise character likely to be generated from noise sources during:

  a) site establishment

  b) construction

  c) operational phases

  d) transport including traffic noise generated by the proposal

  e) other services.

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

- Determine the noise levels likely to be received at the reasonably most affected location(s) (these may vary for different activities at each phase of the development).
- The noise impact assessment report should include:

  a) a plan showing the assumed location of each noise source for each prediction scenario

  b) a list of the number and type of noise sources used in each prediction scenario to simulate all potential significant operating conditions on the site

  c) any assumptions made in the predictions in terms of source heights, directivity effects, shielding from topography, buildings or barriers, etc

  d) methods used to predict noise impacts including identification of any noise models used.

  e) the weather conditions considered for the noise predictions

  f) the predicted noise impacts from each noise source as well as the combined noise level for each prediction scenario

  g) for developments where a significant level of noise impact is likely to occur, noise contours for the key prediction scenarios should be derived

  h) an assessment of the need to include modification factors as detailed in Fact Sheet C of the *NSW Noise Policy for Industry*.

- Discuss the findings from the predictive modelling and, where relevant noise criteria have not been met, recommend additional feasible and reasonable mitigation measures.
- The noise impact assessment report should include details of any mitigation proposed including the attenuation that will be achieved and the revised noise impact predictions following mitigation.

  a) Where relevant noise/vibration levels cannot be met after application of all feasible and reasonable mitigation measures the residual level of noise impact needs to be quantified

- For the assessment of existing and future traffic noise, details of data for the road should be included such as assumed traffic volume; percentage heavy vehicles by time of day; and details of the calculation process. These details should be consistent with any traffic study carried out in the EIS.
- Where blasting is intended an assessment in accordance with the *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration* (ANZECC, 1990) should be undertaken. The following details of the blast design should be included in the noise assessment:
  a) bench height, burden spacing, spacing burden ratio
  b) blast hole diameter, inclination and spacing
  c) type of explosive, maximum instantaneous charge, initiation, blast block size, blast frequency.

Describe management and mitigation measures

- Determine the most appropriate noise mitigation measures and expected noise reduction including both noise controls and management of impacts for both construction and operational noise. This will include selecting quiet equipment and construction methods, noise barriers or acoustic screens, location of stockpiles, temporary offices, compounds and vehicle routes, scheduling of activities, etc.
- For traffic noise impacts, provide a description of the ameliorative measures considered (if required), reasons for inclusion or exclusion, and procedures for calculation of noise levels including ameliorative measures. Also include, where necessary, a discussion of any potential problems associated with the proposed ameliorative measures, such as overshadowing effects from barriers. Appropriate ameliorative measures may include:
  a) use of alternative transportation modes, alternative routes, or other methods of avoiding the new road usage
  b) control of traffic (eg: limiting times of access or speed limitations)
  c) resurfacing of the road using a quiet surface
  d) use of (additional) noise barriers or bunds
  e) treatment of the façade to reduce internal noise levels buildings where the night-time criteria is a major concern
  f) more stringent limits for noise emission from vehicles (i.e. using specially designed ‘quite’ trucks and/or trucks to use air bag suspension
  g) driver education
  h) appropriate truck routes
  i) limit usage of exhaust brakes
  j) use of premium muffles on trucks
  k) reducing speed limits for trucks
  l) ongoing community liaison and monitoring of complaints
  m) phasing in the increased road use.

4. Water

Describe baseline conditions

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

  Note: Methods of sampling and analysis need to conform with an accepted standard (e.g. Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA 2022) *or be approved and analyses undertaken by accredited laboratories).*

- Provide site drainage details and surface runoff yield.
- State the ambient Water Quality and River Flow Objectives for the receiving waters. These refer to the community's agreed environmental values and human uses endorsed by the Government as goals for the ambient waters. These environmental values are published on the website: http://www.environment.nsw.gov.au/ieo/index.htm. The EIS should state the environmental values listed for the catchment and waterway type relevant to your proposal. NB: A consolidated and approved list of environmental values are not available for groundwater resources. Where groundwater may be affected the EIS should identify appropriate groundwater environmental values and justify the choice.
- State the indicators and associated trigger values or criteria for the identified environmental values. This information should be sourced from the ANZECC 2018 *Guidelines for Fresh and Marine Water Quality* (https://www.waterquality.gov.au/anz-guidelineshttps://www.waterquality.gov.au/anz-guidelines)
- State any locally specific objectives, criteria or targets, which have been endorsed by the government e.g. the Healthy Rivers Commission Inquiries
- Where site specific studies are proposed to revise the trigger values supporting the ambient Water Quality and River Flow Objectives, and the results are to be used for regulatory purposes (e.g. to assess whether a licensed discharge impacts on water quality objectives), then prior agreement from the EPA on the approach and study design must be obtained.
- Describe the state of the receiving waters and relate this to the relevant Water Quality and River Flow Objectives (i.e. are Water Quality and River Flow Objectives being achieved?). Proponents are generally only expected to source available data and information. However, proponents of large or high risk developments may be required to collect some ambient water quality / river flow / groundwater data to enable a suitable level of impact assessment. Issues to include in the description of the receiving waters could include:

  a) lake or estuary flushing characteristics

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

  c) sensitive ecosystems or species conservation values

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

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

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

Assess impacts

- No proposal should breach section 120 of the *Protection of the Environment Operations Act* 1997 (i.e. pollution of waters is prohibited unless undertaken in accordance with relevant regulations).
- Identify and estimate the quantity of all pollutants that may be introduced into the water cycle by source and discharge point including residual discharges after mitigation measures are implemented.
- Include a rationale, along with relevant calculations, supporting the prediction of the discharges.
- Describe the effects and significance of any pollutant loads on the receiving environment. This should include impacts of residual discharges through modelling, monitoring or both, depending on the scale of the proposal. Determine changes to hydrology (including drainage patterns, surface runoff yield, flow regimes, wetland hydrologic regimes and groundwater).
- Describe water quality impacts resulting from changes to hydrologic flow regimes (such as nutrient enrichment or turbidity resulting from changes in frequency and magnitude of stream flow).
- Identify any potential impacts on quality or quantity of groundwater describing their source.
- Identify potential impacts associated with geomorphological activities with potential to increase surface water and sediment runoff or to reduce surface runoff and sediment transport. Also consider possible impacts such as bed lowering, bank lowering, instream siltation, floodplain erosion and floodplain siltation.
- Identify impacts associated with the disturbance of acid sulfate soils and potential acid sulfate soils.
- Containment of spills and leaks shall be in accordance with relevant EPA's guidelines and the most recent versions of the Australian Standards referred to in the Guidelines. Containment should be designed for no-discharge.
- The significance of the impacts listed above should be predicted. When doing this it is important to predict the ambient water quality and river flow outcomes associated with the proposal and to demonstrate whether these are acceptable in terms of achieving protection of the Water Quality and River Flow Objectives. In particular the following questions should be answered:
  a) will the proposal protect Water Quality and River Flow Objectives where they are currently achieved in the ambient waters; and
  b) will the proposal contribute towards the achievement of Water Quality and River Flow Objectives over time, where they are not currently achieved in the ambient waters.
- A mixing zone is an area around a discharge where the quality of the water does not immediately meet water quality objectives. The EPA's policy is that the NSW WQOs should be met at the edge of the area where initial mixing occurs.

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

- Where a licensed discharge is proposed, provide the rationale as to why it cannot be avoided through application of a reasonable level of performance, using available technology, management practice and industry guidelines.
- Where a licensed discharge is proposed, provide the rationale as to why it represents the best environmental outcome and what measures can be taken to reduce its environmental impact.

- Reference should be made to relevant guidelines including *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004), *Guidelines for Fresh and Marine Water Quality* ANZECC 2018), *Environmental Guidelines: Use of effluent by Irrigation* (DEC, 2004).

Describe management and mitigation measures

- Outline stormwater management to control pollutants at the source and contain them within the site. Also describe measures for maintaining and monitoring any stormwater controls.
- Outline erosion and sediment control measures directed at minimising disturbance of land, minimising water flow through the site and filtering, trapping or detaining sediment. Also include measures to maintain and monitor controls as well as rehabilitation strategies.
- Describe waste water treatment measures that are appropriate to the type and volume of waste water and are based on a hierarchy of avoiding generation of waste water; capturing all contaminated water (including stormwater) on the site; reusing/recycling waste water; and treating any unavoidable discharge from the site to meet specified water quality requirements.
- Outline pollution control measures relating to storage of materials, possibility of accidental spills (e.g. preparation of contingency plans), appropriate disposal methods, and generation of leachate.
- Describe hydrological impact mitigation measures including:
  a) site selection (avoiding sites prone to flooding and waterlogging, actively eroding or affected by deposition)
  b) minimising runoff
  c) minimising reductions or modifications to flow regimes
  d) avoiding modifications to groundwater.
- Describe groundwater impact mitigation measures including:
  a) site selection
  b) retention of native vegetation and revegetation
  c) artificial recharge
  d) providing surface storages with impervious linings
  e) monitoring program.
- Describe geomorphological impact mitigation measures including:
  a) site selection
  b) erosion and sediment controls
  c) minimising instream works
  d) treating existing accelerated erosion and deposition
  e) monitoring program.
- Any proposed monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (EPA 2022).

5. Soils and contamination

Describe baseline conditions

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

Assess impacts

- Identify any likely impacts resulting from the construction or operation of the proposal, including the likelihood of:
  a) disturbing any existing contaminated soil
  b) contamination of soil by operation of the activity
  c) subsidence or instability
  d) soil erosion
  e) disturbing acid sulfate or potential acid sulfate soils.
- Reference should be made to the relevant guidelines including *Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites* (EPA 2022)*; Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997* (EPA, 2015).

Describe management and mitigation measures

- Describe and assess the effectiveness or adequacy of any soil management and mitigation measures during construction and operation of the proposal including:
  a) erosion and sediment control measures
  b) proposals for site remediation – see State Environmental Planning Policy (Resilience and Hazards) 2021
  c) proposals for the management of these soils – see *Acid Sulfate Soil Manual* (Acid Sulfate Soil Advisory Committee 1998) and *Acid Sulfate Soils Assessment Guidelines* (Acid Sulfate Soil Advisory Committee 1998).

6. Waste and chemicals

Describe baseline conditions

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

Assess impacts

- Assess the adequacy of proposed measures to minimise natural resource consumption and minimise impacts from the handling, transporting, storage, processing and reprocessing of waste and/or chemicals.
- Reference should be made to: the EPA's *Waste Classification Guidelines 2014 (as in force from time to time)*
- If the proposal is an energy from waste facility it must:
    - demonstrate that the proposed operation will comply with the NSW EPA's Energy from Waste Policy Statement;
    - describe of the classes and quantities of waste that would be thermally treated at the facility;
    - demonstrate that waste used as a feedstock in the waste to energy plant would be the residual from a resource recovery process that maximises the recovery of material;
    - detail procedures that would be implemented to control the inputs to the waste to energy plant, including contingency measures that would be implemented if inappropriate materials are identified;
    - detail the location and size of stockpiles of unprocessed and processed recycled waste at the site;
    - demonstrate any waste material (e.g. biochar, ash) produced from the waste to energy facility for land application is fit-for-purpose and poses minimal risk of harm to the environment in order to meet the requirements for consideration of a resource recovery order and /or exemption by the EPA;
    - detail procedures for the management of other solid, liquid and gaseous waste streams;
    - describe how waste would be treated, stored, used, disposed and handled on site, and transported to and from the site, and the potential impacts associated with these issues, including current and future offsite waste disposal methods; and
    - identify the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21*.

Describe management and mitigation measures

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

7. Cumulative impacts

- Identify the extent that the receiving environment is already stressed by existing development and background levels of emissions to which this proposal will contribute.
- Assess the impact of the proposal against the long term air, noise and water quality objectives for the area or region.

- Identify infrastructure requirements flowing from the proposal (e.g. water and sewerage services, transport infrastructure upgrades).
- Assess likely impacts from such additional infrastructure and measures reasonably available to the proponent to contain such requirements or mitigate their impacts (e.g. travel demand management strategies).

F. List of approvals and licences

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

G. Compilation of mitigation measures

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

H. Justification for the Proposal

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

ATTACHMENT C: GUIDANCE MATERIAL

Title	Web address
Relevant Legislation	
Contaminated Land Management Act 1997	http://www.legislation.nsw.gov.au/#/view/act/1997/140
Environmentally Hazardous Chemicals Act 1985	http://www.legislation.nsw.gov.au/#/view/act/1985/14
Environmental Planning and Assessment Act 1979	http://www.legislation.nsw.gov.au/#/view/act/1979/203
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/#/view/act/1997/156
Water Management Act 2000	http://www.legislation.nsw.gov.au/#/view/act/2000/92
Protection of the Environment Operations (General) Regulation 2021	https://legislation.nsw.gov.au/view/pdf/asmade/sl-2021-486
Licensing	
Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
Air Issues	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2022)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants
Approved methods for sampling and analysis of air pollutants in NSW (2022)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/sampling-analysing-air-emissions
POEO (Clean Air) Regulation 2022	https://legislation.nsw.gov.au/view/pdf/asmade/sl-2022-811
Noise and Vibration	
NSW Noise Policy for Industry	http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
Interim Construction Noise Guideline (DECC, 2009)	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise

NSW Rail Infrastructure Noise Guideline (EPA, 2013)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
Human Health Risk Assessment	
Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)	http://www.eh.org.au/documents/item/916
Waste, Chemicals and Hazardous Materials and Radiation	
Waste	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Environmental Guidelines: Solid Waste Landfills (EPA, 2016)	http://www.epa.nsw.gov.au/waste/landfill-sites.htm
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	http://www.epa.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf
EPA's Waste Classification Guidelines 2014	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery orders and exemptions	http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm
European Unions Waste Incineration Directive 2000	http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm
EPA's Energy from Waste Policy Statement	http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Chemicals subject to Chemical Control Orders	
Chemical Control Orders (regulated through the EHC Act)	http://www.epa.nsw.gov.au/pesticides/CCOs.htm
National Protocol - Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
Water and Soils	
Acid sulphate soils	
Coastal acid sulfate soils guidance material	http://www.environment.nsw.gov.au/acidsulfatesoil/ and http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm
Acid Sulfate Soils Planning Maps	http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm
Contaminated Sites Assessment and Remediation	

Managing land contamination: State Environmental Planning Policy (Hazards and Resilience (2021)	https://legislation.nsw.gov.au/view/html/inforce/current/epi-2021-0730
Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2022)	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/20p2233-consultants-reporting-on-contaminated-land-guidelines.pdf
Guidelines for the NSW Site Auditor Scheme - 3nd edition (EPA, 2017)	https://www.epa.nsw.gov.au/your-environment/contaminated-land/site-auditor-scheme
Sampling Design Guidelines- part 1 - Application (EPA, 2022) part 2 - Interpretation (EPA, 2022)	Part 1- https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/22p3915-sampling-design-guidelines-part1.pdf?la=en&hash=C12162FBB9438F9BF59782EE4E4A953AE569913D Part 2- https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/22p3916-sampling-design-guidelines-part2.pdf?la=en&hash=56F1C2DB8A6DAC3303C676F679719A661DAA97D2
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	http://www.scew.gov.au/nepms/assessment-site-contamination
Soils – general	
Managing land and soil	http://www.environment.nsw.gov.au/soils/landandsoil.htm
Managing urban stormwater for the protection of soils	http://www.environment.nsw.gov.au/stormwater/publications.htm
Landslide risk management guidelines	http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf http://www.australiangeomechanics.org/resources/downloads/
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Local Government Salinity Initiative Booklets	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2018) Guidelines for Fresh and Marine Water Quality	http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html
Applying Goals for Ambient Water Quality Guidance for Operations Officers - Mixing Zones	https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

File Ref. No: FRN23/949 BFS24/885 8000033747
TRIM Doc. No: D24/22068
Contact: Senior Firefighter Barton Hill

22 February 2024

EMMA BARNET
NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Emma,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – AUSSIE SKIPS RECYCLING - BELLFROG ST SITE UPGRADES - 13 BELLFROG STREET, GREENACRE (SSD-67497708)

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on 19 February 2024, requesting input into the preparation of the SEARs for the AUSSIE SKIPS RECYCLING - BELLFROG ST SITE UPGRADES - 13 BELLFROG STREET, GREENACRE (SSD-67497708). FRNSW have reviewed the SEARs along with the Scoping Report with particular focus to Section 7.13 Hazards and Risks.

FRNSW notes the proposal of a Waste Facilty. Waste facilities present special problems of firefighting and special hazards exist that may require additional fire safety and management measures. Below is a publicly available resource that may assist in the planning and design stages of this project:

1. Access for fire brigade vehicles and firefighters[1] is a FRNSW guideline document that may be used to ensure the provision of safe, efficient, and effective access for fire brigade vehicles to any premises and allow firefighters to rapidly intervene when a fire or other emergency incident occurs.

FRNSW notes a Fire Safety Study for the development will be conducted in consideration with the consistency with NSW Fire & Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (February 2020).

There is currently insufficient information available regarding the fire safety and emergency response management aspects of the project. If required, FRNSW will review and provide comment at the Exhibition stage of the project.

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS24/885. Please ensure that all correspondence in relation to this matter is submitted electronically to firesafety@fire.nsw.gov.au.

Fire and Rescue NSW **ABN** 12 593 473 110

Community Safety Directorate
Operational Liaison and Special Hazards Unit
Locked Bag 12,
Greenacre NSW 2190
T 02 9742 7434
F 02 9742 7483

www.fire.nsw.gov.au

Yours sincerely,

Inspector Lynden Moyes
Team Leader
Operational Liaison and Special Hazards Unit

Cc: emma.barnet@planning.nsw.gov.au

[1] https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_access_for_emergency_vehicles.pdf

Department of Climate Change, Energy, the Environment and Water

Our ref: DOC24/107764

Your ref: SSD-67497708

Emma Barnet

Department of Planning, Housing and Infrastructure

emma.barnet@planning.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – Aussie Skips Recycling -Bellfrog St Site upgrades

Received: 9 February 2024

Dear Emma

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal. In preparing this advice Heritage NSW has reviewed the Aussie Recycling Greenacre Soil Processing Upgrades Scoping Report, prepared by 4 Pillars Environmental Consulting, dated 24 January 2024.

Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed project:

- The Environmental Impact Statement should include an assessment of potential for Aboriginal objects to be present within the project area, with consideration of its land use history.
- The Environmental Impact Statement should include evidence of consultation with Aboriginal parties to inform the assessment of the potential impacts of the project on Aboriginal cultural values and Aboriginal objects. Consultation should be undertaken in substantial compliance with the process outlined in the Aboriginal cultural heritage consultation requirements for proponents 2010

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions regarding these comments, please contact Nicola Roche, Principal Assessments Officer, at Heritage NSW on 9228 6424 or nicola.roche@evironment.nsw.gov.au.

Yours sincerely

Nicole Davis

Nicole Davis
Manager Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under National Parks and Wildlife Act 1974
12 February 2024