



Mr Frank Jacobsen
Cheminova MFG Pty Ltd
16 Lucca Road
Wyong NSW 2259

Our ref: SSD 15_7020

cc: Mr Darren Kane
OHS Officer
darren.kane@cheminova.com

Dear Mr Jacobsen,

SEARs for the Cheminova Chemical Manufacturing Facility (SSD 15_7020)

Thank you for your request for the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development. I have attached a copy of these requirements.

These requirements are based on the information you have provided to date and have been prepared in consultation with the relevant government agencies. Their comments, which you should address appropriately in preparing the EIS, are attached (see **Attachment 2**).

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

The Department prefers operations like the Cheminova facility to operate under a single, modern planning approval. Consequently, the Department encourages you to develop the project with this preference in mind and to consider surrendering all of the existing planning approvals for the development, if the project is approved.

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


If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

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

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS that will be required for reviewing purposes.

If you have any enquiries about these requirements, please contact Kerry Hamann on (02) 9228 6516 or via email at kerry.hamann@planning.nsw.gov.au.

Yours sincerely


Chris Ritchie 26/6/15.
Manager
Industry Assessments
as delegate of the Secretary

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD 15_7020
Development	The expansion of an existing chemical manufacturing facility to produce 25,000 tonnes per annum of chemical products, including crop protection chemicals such as pesticides.
Location	16 Lucca Road, Wyong (Lot 41 DP 773092)
Applicant	Wyong Shire Council
Date of Issue	26 June 2015
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>. The EIS must include:</p> <ul style="list-style-type: none">• details of the existing operations on the site, including:<ul style="list-style-type: none">– existing and approved operations/facilities, including any statutory approvals that apply to these operations/facilities;– a summary of existing conditions of consent that are relevant to the ongoing operation and management and justification for the modification of or removal of any other conditions for the development; and– the existing environmental management and monitoring regime;• a detailed description of the proposed development, including:<ul style="list-style-type: none">– plans of any proposed works;– justification for the proposed development;– consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;– risk assessment of the potential environmental impacts of the development, identifying key issues for further assessment;• detailed assessment of the key issues below, and any other potential significant issues identified in the risk assessment, including:<ul style="list-style-type: none">– a description of the existing environment, using adequate baseline data;– consideration of potential cumulative impacts due to the proposed facility and other development in the vicinity; and– measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment;– consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none">– a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived;– an estimate of the jobs that will be created during the construction and operational phases of the proposed development; and <p>certification that the information provided is accurate at the date of preparation.</p>

<p>Key issues</p>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Strategic Landuse Planning – including: <ul style="list-style-type: none"> - demonstration that the proposal is generally consistent with the aims and objectives of all relevant environmental planning instruments, policies and strategies including the relevant Development Control Plans; - justification for any inconsistency between the proposed development and these plans; and - details on the suitability of the site for the proposed development. • Hazards and Risks – including: <ul style="list-style-type: none"> - demonstration of compliance with the <i>Work Health and Safety Act 2011</i> and its accompanying Regulation, particularly Chapter 9; - a Preliminary Hazards Analysis (PHA). The PHA should be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> and it should, in particular: <ul style="list-style-type: none"> o identify the hazards arising out of the existing and proposed development as well as any external hazards (i.e. natural hazards) to determine the potential for both on and off-site impacts; and o estimate the risks from the proposed development, the existing site and the overall site; and - an evaluation of the impacts of the transport of Dangerous Goods to and from the site in the surrounding area. • Air Quality – including: <ul style="list-style-type: none"> - a detailed air quality impact assessment including all potential air emissions from the facility and potential impacts on surrounding landowners in accordance with relevant EPA guidelines; - cumulative impacts of the proposal in relation to existing operations and other existing and approved developments in the area; and - details of proposed control measures including mitigation, management and monitoring measures. • Soil and Water – including: <ul style="list-style-type: none"> - details on water supply, a site water balance, and measures to minimise potable water used at the site; - assessment of impacts on surface and groundwater sources, and measures to minimise and mitigate these impacts; - the proposed stormwater management, first flush system and onsite bunding to reduce potential impacts on the adjacent SEPP 14 wetland; - wastewater management systems including the capacity of the wastewater treatment plant and measures to treat, reuse or dispose of water; and - consideration of any potential salinity, soil contamination, flooding and acid sulfate soil impacts of the project. • Waste – including: <ul style="list-style-type: none"> - details on the quantities and classification of waste to be generated on site; - details of waste storage, handling and disposal; and - details of the measures that would be implemented to ensure that the proposal is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2007</i>. • Traffic and Transport – including: <ul style="list-style-type: none"> - details of all traffic types and volumes likely to be generated during operation, including a description of haul routes; - an assessment of the predicted impacts of traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections; - detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian standards; and - detailed plans of any proposed road upgrades, infrastructure works or new roads required for the development.
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	<ul style="list-style-type: none"> • Noise – including: <ul style="list-style-type: none"> - a quantitative assessment of potential operational and transport noise impacts on nearby noise sensitive receivers, including any cumulative impacts; and - details and justification of the proposed noise mitigation and monitoring measures. • Greenhouse Gas – including: <ul style="list-style-type: none"> - a quantitative assessment of the potential greenhouse gas emissions from the site, and a qualitative assessment of the potential impacts of these emissions on the environment; and - a detailed description of the measures that would be implemented on site to ensure that the development is energy efficient. • Socio-economic – including and assessment of the economic and social impacts of the development, particularly of any benefits to the community.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . You should provide these as part of the EIS rather than as separate documents.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Wyong Shire Council; • Environment Protection Authority; • WorkCover NSW; • NSW Office of Water; • Office of Environment and Heritage; • NSW Roads and Maritime Service; and • the surrounding land owners and occupiers that may be affected by the proposal. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after two years	If you do not lodge an EIS for the development within two years of the issue date of these SEARs, you must consult with the Secretary in relation to any further requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

ATTACHMENT 1 Technical and Policy Guidelines

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

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

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

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

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

Policies, Guidelines & Plans

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sq. m) and north point;
 - the existing levels of the land in relation to buildings and roads;
 - location and height of existing structures on the site;
 - location and height of adjacent buildings and private open space; and
 - all levels to be to Australian Height Datum (AHD).
2. A locality/context plan drawn at an appropriate scale should be submitted indicating:
 - watercourses including nearby rivers and creeks, and dams;
 - significant local features such as heritage items;
 - the location and uses of nearby buildings, shopping and employment areas, hospitals and schools; and
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. An indication of the location of the site with respect to the relevant Land Zoning Map within the *Shoalhaven Local Environment Plan 2014*.
4. Drawings at an appropriate scale illustrating:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

Documents to be submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
- other copies as determined by the Department once the development application is lodged.

Technical and Policy Guidelines

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Policies, Guidelines & Plans

Aspect	Policy /Methodology
Waste	Waste Avoidance and Resource Recovery Strategy 2010-2021 (EPA) The National Waste Policy: Less Waste More Resources 2009 Waste Classification Guidelines (DECC) Environmental guidelines: Composting and Related Organics Processing Facilities (DEC) Environmental guidelines: Use and Disposal of Biosolid Products (NSW EPA) Composts, soil conditioners and mulches (Standards Australia, AS 4454)
Transport	Guide to Traffic Generating Development (RTA) Road Design Guide (RTA)
Noise	NSW Industrial Noise Policy (DECC) NSW Road Noise Policy (EPA, 2011) Environmental Criteria for Road Traffic Noise (NSW EPA) Interim Construction Noise Guideline (2009)
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2010 Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Odour	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC) Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
Greenhouse Gas	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines) Guidelines for Energy Savings Action Plans (DEUS, 2005)
Soil and Water	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC) National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC) Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC) State Environmental Planning Policy No. 55 – Remediation of Land Managing Land Contamination – Planning Guidelines SEPP 55 –
<i>Soil</i>	

	Remediation of Land (DOP)
	Acid Sulfate Soils Manual (Stone et al. 1998)
<i>Surface Water</i>	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
	NSW Floodplain Development Manual 2005
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Australian Groundwater Monitoring Guidelines (NWC, 2012)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft Guidelines for the Assessment and Management of Groundwater Contamination (DEC, 2007)
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Bushfire	
	Planning for Bushfire Protection (NSW RFS 2010)