

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-7645
Development	<p>Construction and operation of an abattoir and cattle feedlot. The abattoir would have the capacity to process up to 250,000 head cattle annually. The cattle feedlot would have a maximum 55,100 head annual throughput. Works include:</p> <ul style="list-style-type: none"> • Abattoir: construction and operation of a rendering plant, cool store room, cattle processing areas, waste and wastewater treatment systems, compositing and irrigation areas and associated car parking; and • Feedlot: construction of pens, handling yards, drains and ponds, stock lanes and feed alleys, manure stockpiling and composting areas, irrigation areas, feed mill and storage facilities and associated car parking.
Location	<p>Merriwa Road, Hollydeen</p> <p>Abattoir: Lots 1, 3, 4, 5, 6 and 7 in DP 1160936 (approximately 330 ha)</p> <p>Feedlot: Lot 1 DP 342371 and Lots 17, 34, 55, 57, 74 and Lot 100 DP 750969 (approximately 163 ha).</p>
Applicant	FJT Australia Pty Ltd
Date of Amended SEARs Issued	April 2021
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> • detailed description of the development, including: <ul style="list-style-type: none"> – an accurate history of the site, including development consents; – need for the proposed development; – justification for the proposed development; – likely staging of the development; – clear description of the relationship between the abattoir and feedlot operations and suitability of the sites; – likely interactions with and compatibility of the development and any existing, approved and proposed operations in the vicinity of the site; and – plans of any proposed building works including details of the classification of all structures that may require an approval/certification under the Building Code of Australia; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes:

	<ul style="list-style-type: none"> – a description of the existing environment, using sufficient baseline data; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and – cumulative impacts, taking into consideration any existing on-site operations, nearby operating mines (including Mangoola Coal Mine), extractive industries, and other nearby approved and proposed developments particularly in relation to noise, air quality, traffic and water resources; <ul style="list-style-type: none"> • 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"> high quality files of maps and figures of the subject site and proposal a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and certification that the information provided is accurate at the date of preparation.
Key Issues	<p>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Statutory and strategic context – including: <ul style="list-style-type: none"> – detailed justification for the proposal and the suitability of the site – detailed justification that the proposed land use is permissible with consent; and – a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site; and – demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. This includes, but is not limited to: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007; ○ State Environmental Planning Policy (State and Regional Development) 2011; ○ State Environmental Planning Policy (Koala Habitat Protection) 2021 ○ State Environmental Planning Policy (Primary Production and Rural Development) 2019 ○ State Environmental Planning Policy No 33 – Hazardous and

- Offensive Development;
 - State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55);
 - Draft Remediation of land State Environmental Planning Policy; and
 - Muswellbrook Local Environmental Plan 2009.
- **Suitability of the Site** – including:
 - a detailed justification that the site can accommodate the proposed abattoir and cattle feedlot.
- **Community and Stakeholder Engagement** – including:
 - a community and stakeholder participation strategy identifying key community members and other stakeholders;
 - details and justification for the proposed consultation approach(s);
 - clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted;
 - issues raised by the community and surrounding landowners and occupiers;
 - clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development; and
 - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.
- **Soils and Water** - including:
 - a description of the water demands of the development including details of adequate and secure water supplies at each site and confirmation that water can be sourced from an appropriately authorised and reliable supply;
 - a detailed and consolidated water balance, sources of water (surface and groundwater), disposal methods and storage structures;
 - a description of the measures to minimise water use;
 - a description of the water licensing and approval framework;
 - a description of the surface and stormwater management system, including on site detention, and measures to treat or reuse water;
 - an assessment of potential surface and groundwater (both quality and quantity) and flooding impacts, including impacts on creeks/rivers (including Wybong Creek), any licensed water users, landholder rights and groundwater dependent ecosystems;
 - details of impact mitigation, management and monitoring measures;
 - proposed surface and groundwater monitoring activities and methodologies; and
 - a description of the erosion and sediment controls during construction and operation.
- **Air Quality and Odour** - including:
 - a quantitative assessment of all potential air quality and odour sources from construction and operation of the development and its wastewater treatment systems, including details of air quality and odour impacts on nearby private properties, in accordance with the relevant Environment Protection Authority (EPA) guidelines;
 - details of mitigation, management and monitoring measures for preventing and/or minimising both point and fugitive emissions; and
 - an assessment of the effectiveness of the proposed air quality and odour mitigation measures.
- **Wastewater** – including:
 - a detailed description of the wastewater treatment requirements for the development including design/layout, the volumes of wastewater generated, treated, reused/recycled, or stored at each site;

- details of the key pollutant concentrations of the wastewater before and after treatment with reference to relevant water quality guidelines;
- details of the proposed irrigation area, including baseline data on soil characteristics, a technical assessment of the suitability of the soil to sustain on-going wastewater irrigation and assessment of potential impacts to nearby rivers/creeks (including Wybong Creek) and groundwater systems;
- an irrigation land capability assessment which assesses long-term effluent use in accordance with EPA Guidelines;
- an irrigation management plan detailing proposed irrigation practices and soil nutrient and water balance; and
- a detailed assessment of wastewater management strategies in accordance with relevant guidelines.
- **Waste Management** – including:
 - details of the quantities and classification of all waste streams (including hazardous waste) generated on site;
 - details on waste storage, handling and disposal; and
 - details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21*.
- **Traffic and Transport** – including:
 - all traffic and transport demands likely to be generated during construction and operation including daily and peak traffic movements;
 - a description of proposed haul routes and vehicle types;
 - an assessment of predicted impacts on the safety and capacity of roads and intersections to accommodate the development (in particular the intersections of the Golden Highway with Yarraman Road and Reedy Creek Road), including consideration of cumulative traffic impacts from other developments, using SIDRA or a similar traffic model;
 - a pavement assessment of local roads, in particular Reedy Creek Road in accordance with Council requirements;
 - demonstrate the development has suitable access from the road network including intersection location and treatment, design and sight distance;
 - details of any utility services which will need to be located within or across the Golden Highway and Wybong Road;
 - detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian standards;
 - identification of any necessary network infrastructure upgrades to maintain existing levels of service on the local and classified road network, including any preliminary concept drawings; and
 - consideration of the findings and recommendations of the *Muswellbrook Mine Affected Roads Network Plan Review*, dated 19 May 2020.
- **Landuse Conflict** - including:
 - a landuse conflict risk assessment of the development in accordance with DPI Guidelines, in particular separation distances and management practices to minimise odour, dust and noise from sensitive receivers; and
 - an assessment of potential impacts of the development on any significant mineral resources, including metallic minerals, industrial and extractive minerals, petroleum, gas and coal resources in the vicinity of the development.
- **Noise and Vibration** – including:

- a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines and Australian Standards;
- details of noise monitoring survey, background noise levels and noise emission levels of proposed activities;
- the identification of impacts associated with site emission and traffic generation at noise affected sensitive receivers during construction and operation, including the provision of operational noise contours; and
- a detailed description of noise and vibration monitoring, management and mitigation measures.
- **Biodiversity** – including:
 - accurate predictions of any vegetation clearing on-site or for any road upgrades;
 - a detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats and groundwater dependent ecosystems using contemporary datasets;
 - a detailed description of the measures to avoid, minimise, mitigate and offset biodiversity impacts; and
 - an assessment of the proposal's biodiversity impacts in accordance with the *Biodiversity Conservation Act 2016*, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.
- **Cultural Heritage and Aboriginal Cultural Heritage** – including:
 - identify and describe the Aboriginal cultural heritage values that exist across the development and document in an Aboriginal Cultural Heritage Assessment Report (ACHAR);
 - consultation with Aboriginal people must be undertaken and documented in the ACHAR;
 - a description of the impacts on Aboriginal cultural heritage values;
 - an assessment of potential impacts on State and local heritage items in the surrounding area.
- **Social and Community** – including:
 - consideration of the increased demand on local community services and facilities; and
 - an assessment of local housing availability and affordability to accommodate the increased workforce.
- **Land Use Safety** – including:
 - a preliminary risk screening completed in accordance with *Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines* (DoP 2011). Should the screening indicate that the development is "potentially hazardous", a Preliminary Hazard Analysis (PHA) must be prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis* (DoP, 2011). The PHA should estimate the cumulative risks from the existing and proposed development.
- **Food Safety** – in relation to meat handling and processing and how NSW Food Authority standards and requirements would be met.
- **Animal Welfare, Biosecurity and Disease Management** – including:
 - details of how the proposed development would comply with the relevant codes of practice and guidelines;
 - the potential for increased risk in the transmission of Q fever as a result of the transportation, handling and processing of cattle and

	<p>recycled wastewater for irrigation;</p> <ul style="list-style-type: none"> – details for disease control measures; and – a detailed description of the contingency measures that would be implemented for the mass disposal of livestock in the event of disease outbreak. <ul style="list-style-type: none"> • Visual – including: <ul style="list-style-type: none"> – a description of the visual catchment and visual impacts including lighting impacts, as seen from the Golden Highway and Wybong Road and any other publicly accessible vantage points or residences; and – an appraisal of visual impact mitigation measures. • Greenhouse Gas – including an assessment of the energy use of the proposal and all reasonable and feasible measures that would be implemented on site to minimise the proposal's greenhouse gas and carbon emissions (reflecting the Government's goal of net zero emissions by 2050). • Bushfire risk – including: <ul style="list-style-type: none"> – a bushfire assessment for the proposal, prepared in accordance with the requirements of Planning for Bush Fire Protection (RFS, 2019). • Contamination – including: <ul style="list-style-type: none"> – characterisation of the nature and extent of any contamination on the site, in accordance with SEPP 55 and Draft Remediation of Land SEPP; and – identify any mitigation strategies or remedial and/or disposal actions that may be required/undertaken.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. These documents should be included as part of the EIS rather than as separate documents.</p>
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"> • Muswellbrook Shire Council; • NSW Health – Hunter New England Local Health District; • NSW Rural Fire Service; • The Department of Planning, Industry and Environment, including: <ul style="list-style-type: none"> ○ Environment Protection Authority ○ Environment, Energy and Science Group ○ Water Group • Department of Regional NSW, including: <ul style="list-style-type: none"> ○ Department of Primary Industries and DPI Agriculture • Heritage NSW • Transport for NSW • any holders of a lease/licence issued under the <i>Mining Act 1992</i> (including Mangoola Coal Mine); and • surrounding local landowners and stakeholders. <p>The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a development application and an EIS for the development within 2 years of the issue date of these SEARs, you must consult further with</p>

	the Secretary in relation to the requirements for the preparation of the EIS.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

ATTACHMENT 1

Technical and Policy Guidelines

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

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

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

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

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

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

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

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

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 (sqm) 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
 - all levels to be to Australian Height Datum (AHD).
2. Locality/context plan drawn at an appropriate scale should be submitted indicating:
 - significant local features such as heritage items
 - the location and uses of existing buildings, shopping and employment areas
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed buildings
 - detailed plans of proposed access driveways, internal roads, carparking and external alterations services infrastructure.
4. Schedule of materials, colours and additions. finishes.

Documents to be Submitted

Documents to submit include:

- one (1) hard copy and one (1) electronic copy of all the documents and plans for review prior to exhibition
 - other copies as determined by the Department once the development application is lodged.
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Policies, Guidelines & Plans

Aspect	Policy / Methodology
Traffic, Transport and Access	
	<i>Roads Act 1993</i>
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (RTA, 2002 as updated)
	Road Design Guide (RMS, 2015-2017)
	Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
	Bicycle Parking Facilities: Guidelines for Design and Installation (AS 2890.3:2015)
	Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area (TfNSW, 2013)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
Soils and Water	
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
<i>Stormwater</i>	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
<i>Wastewater</i>	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMCC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC,

	NRMMC & AHMC, 2009)
	Approved Methods for the Sampling and Analysis of Water Pollutants in New South Wales (DEC, 2004)
	Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (2006)
	NSW Guidance for Recycled Water Management Systems (NSW DPI, 2015)
Contamination	State Environmental Planning Policy No. 55 – Remediation of Land Draft Remediation of Land SEPP
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
Biodiversity	
	<i>Biodiversity Conservation Act 2016</i> Biodiversity Assessment Method (OEH, 2017)
Heritage	
	<i>Heritage Act 1977</i> NSW Heritage Manual (HO and DUAP, 1996) The Burra Charter (ICOMOS Australia, 2013) Statements of Heritage Impact (HO and DUAP, 2002) Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010) Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
Noise and Vibration	
	Assessing Vibration: A Technical Guide (DEC, 2006) Acoustics - Description and measurement of environmental noise (AS1055:2018) Noise Policy for Industry (EPA, 2017) NSW Road Noise Policy (DECCW, 2011) Noise Guide for Local Government (EPA, 2013) Interim Construction Noise Guideline (DECC, 2009)
Air Quality	
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2002 Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007) Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)
	Technical Framework - 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)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)

<i>Greenhouse Gas</i>	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Bushfire	
	Planning for Bushfire Protection (RFS, 2019)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA, 2014)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC, 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA, 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	NSW Energy from Waste Policy Statement (EPA, 2015)
	Standards for Managing Construction Waste in NSW (EPA, 2018)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
Social	
	Draft Social Impact Assessment Guideline: State significant projects (DPIE, 2020)
Q-Fever	
	Guideline for Assessing Human Health Risks from Environmental Hazards 2012 (enHealth)
Agriculture	
	Land Use Conflict Risk Assessment Guide (Department of Primary Industries, 2011)
Animal Welfare and Biosecurity	
	Model Code of Practice for the Welfare of Animals – Livestock at Slaughtering Establishments (CSIRO Publishing, 2006)
	National Guidelines for Beef Cattle Feedlots in Australia, 3 rd Edition (MLA, 2012)
	https://www.mla.com.au/research-and-development/search-rd-reports/final-report-details/Productivity-On-Farm/National-Guidelines-for-Beef-Cattle-Feedlots-in-Australia-3rd-Edition/956
	National Biosecurity Manual for Beef Cattle Feedlots
	https://www.farmbiosecurity.com.au/industry/lot-feeding/
	Australian Animal Welfare Standards and Guidelines
	http://animalwelfarestandards.net.au/
	National Beef Cattle Feedlot Environmental Code of Practice
	https://www.mla.com.au/research-and-development/search-rd-reports/final-report-details/Productivity-On-Farm/National-Beef-Cattle-Feedlot-Environmental-Code-of-Practice-2nd-Edition/955

ATTACHMENT 2
Government Authority Responses to Request for Key Issues