



Mr Ray Davis  
Kariong Sand and Soil Supplies  
PO Box 19  
Terry Hills NSW 2084

Dear Mr Davis

**State Significant Development – Secretary’s Environmental Assessment Requirements (SEARs)  
Kariong Sand and Soils Supplies Facility Upgrade (SSD 8660)  
90 Gindurra Road, Somersby (Lot 4, DP 227279)**

Thank you for your request for SEARs dated 31 July 2017 for the preparation of an Environmental Impact Statement (EIS) for the abovementioned development proposal. A copy of the SEARs is attached.

The attached SEARs have been prepared in consultation with the relevant government authorities and Central Coast Council (see **Attachment 2**) and are based on the information you have provided to date. The Department is still waiting on comments from NSW Rural Fire Service, Fire and Rescue NSW and Roads and Maritime Services. These will be sent to you shortly. Please note that the Secretary may alter these SEARs at any time and that you must consult further with the Secretary if you do not lodge a development application and EIS for the development within two years of the date of issue of these SEARs.

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

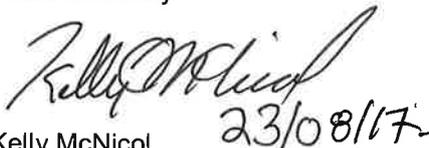
Your development may require separate approval under the provisions of the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, please advise the Department accordingly, as the Commonwealth assessment process may be integrated into the NSW assessment process, and supplementary SEARs may need to be issued.

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

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); 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 Nikki Matthews, Planning Services at the Department on (02) 8289 6679 or via email at [nikki.matthews@planning.nsw.gov.au](mailto:nikki.matthews@planning.nsw.gov.au)

Yours sincerely



Kelly McNicol  
**Acting Director**  
**Industry Assessments**  
*as delegate of the Secretary*

# Secretary's Environmental Assessment Requirements

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

<b>Application Number</b>	SSD 8660
<b>Development</b>	Construction and operation of a resource recovery facility to process up to 200,000 tonnes per annum of soil, sand and building materials.
<b>Location</b>	90 Gindurra Road, Somersby (Lot 4 DP 227279)
<b>Applicant</b>	Kariong Sand and Soil Supplies
<b>Date of Issue</b>	August 2017
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> <li>• detailed description of the development, including:             <ul style="list-style-type: none"> <li>– accurate history of the site, including development consents;</li> <li>– need for the proposed development;</li> <li>– justification for the proposed development;</li> <li>– likely staging of the development - including demolition, construction, and operational stage/s;</li> <li>– likely interactions between the development and existing, approved and proposed operations in the vicinity of the site;</li> <li>– plans of any proposed building works;</li> <li>– any contributions required to offset the proposal; and</li> <li>– any impacts on matters of National Environmental Significance.</li> </ul> </li> <li>• demonstrate that the site is suitable for the proposed use in accordance with <i>State Environmental Planning Policy No 55 – Remediation of Land</i>;</li> <li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;</li> <li>• consideration of issues discussed in <b>Attachment 2</b> (public authority responses to key issues);</li> <li>• risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;</li> <li>• 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"> <li>– a description of the existing environment, <u>using sufficient baseline data</u>;</li> <li>– 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;</li> <li>– 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</li> </ul> </li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>• 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</li> </ul>

	<p>the CIV calculation is derived;</p> <ul style="list-style-type: none"> <li>• a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and</li> <li>• certification that the information provided is accurate at the date of preparation.</li> </ul>
<p><b>Key issues</b></p>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Waste Management</b> – including: <ul style="list-style-type: none"> <li>- a description of the waste streams that would be accepted at the site including maximum daily, weekly and annual throughputs and the maximum size for stockpiles;</li> <li>- a description of waste processing operations, including a description of the technology to be installed, resource outputs, and the quality control measures that would be implemented;</li> <li>- details of how waste would be stored (including the maximum daily waste storage capacity of the site) and handled on site, and transported to and from the site including details of how the receipt of non-conforming waste would be dealt with;</li> <li>- detail the developments waste tracking system for incoming and outgoing waste;</li> <li>- detail the quality of waste produced and final dispatch locations;</li> <li>- details of the waste management strategy for demolition, construction and ongoing operational waste generated; and</li> <li>- the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – including: <ul style="list-style-type: none"> <li>- details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes;</li> <li>- an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model;</li> <li>- detailed plans of the proposed layout of the internal road and pedestrian network and parking on site in accordance with the relevant Australian Standards;</li> <li>- plans of any proposed road upgrades, infrastructure works or new roads required for the development;</li> <li>- plans demonstrating how all vehicles associated with construction and operation awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network; and</li> <li>- swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site for both heavy and light vehicles.</li> </ul> </li> <li>• <b>Air Quality and Odour</b> – including: <ul style="list-style-type: none"> <li>- a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines;</li> <li>- the details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to a building; and</li> <li>- details of proposed mitigation, management and monitoring measures; and</li> </ul> </li> <li>• <b>Fire and Incident Management</b> – including: <ul style="list-style-type: none"> <li>- as assessment of bushfire risks and asset protection zones (APZ) in accordance with NSW Rural Fire Service guidelines; and</li> <li>- technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures.</li> </ul> </li> <li>• <b>Noise and Vibration</b> – including:</li> </ul>

	<ul style="list-style-type: none"> <li>- a quantitative assessment of potential demolition, construction, operational and transport noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines; and</li> <li>- details and justification of the proposed noise mitigation and monitoring measures.</li> <li>• <b>Soil &amp; Water</b> – including: <ul style="list-style-type: none"> <li>- an investigation to identify any soil or water contamination on the site and proposed management measures;</li> <li>- a description of water and soil resources, topography, hydrology, watercourses and riparian lands on or nearby to the site;</li> <li>- a detailed site water balance, including identification of water requirements for the life of the project, measures that would be implemented to ensure an adequate and secure water supply is available for the proposal and a detailed description of the measures to minimise the water use at the site;</li> <li>- characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria (including details of the contaminants of concern that may leach from the waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters);</li> <li>- details of stormwater/wastewater/leachate management systems including the capacity of onsite detention systems, onsite sewage management and measures to treat, reuse or dispose of water;</li> <li>- a description of erosion and sediment controls;</li> <li>- an assessment of potential impacts to soil and water resources, topography, drainage lines, watercourses and riparian lands on or nearby to the site; and</li> <li>- consideration of salinity and acid sulphate soil impacts.</li> </ul> </li> <li>• <b>Flora and Fauna</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the proposal under the Framework for Biodiversity Assessment including an assessment of any potential impacts on aquatic and riparian vegetation and groundwater dependent ecosystems; and</li> <li>- an assessment of the proposed development against the North East Regional Forest Agreement and the <i>Regional Forest Agreement Act 2002</i>.</li> </ul> </li> <li>• <b>Hazards</b> – including: <ul style="list-style-type: none"> <li>- a preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development; and</li> <li>- should preliminary screening indicate that the project 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) and Multi-Level Risk Assessment (DoP, 2011).</li> </ul> </li> <li>• <b>Heritage</b> – including <ul style="list-style-type: none"> <li>- a detailed assessment of Aboriginal cultural heritage; and</li> <li>- an assessment of environmental heritage, including identification of measures to mitigate and manage impacts on the adjoining heritage conservation area and items of heritage significance.</li> </ul> </li> <li>• <b>Visual</b> – including an assessment of the potential visual impacts of the project on the amenity of the surrounding area.</li> </ul>
<b>Plans and Documents</b>	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.
<b>Consultation</b>	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>In particular, you must consult with:</p> <ul style="list-style-type: none"> <li>• Gosford City/Central Coast Council;</li> <li>• Environmental Protection Authority;</li> <li>• Office of Environment and Heritage;</li> <li>• Department of Primary Industries;</li> <li>• Ausgrid;</li> <li>• Roads and Maritime Service;</li> <li>• NSW Fire and Rescue;</li> <li>• Rural Fire Service; and</li> <li>• the surrounding land owners and occupiers that may be affected by the proposal.</li> </ul> <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>
<p><b>Further consultation after 2 years</b></p>	<p>If you do not lodge an EIS for the development within 2 years of the issue date of these SEAR's, you must consult with the Secretary in relation to the requirements for lodgement.</p>
<p><b>References</b></p>	<p>The assessment of the key issues listed above must consider 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.</p>

## 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 *Gosford 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 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

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.

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## Policies, Guidelines & Plans

Aspect	Policy /Methodology
<b>Waste</b>	
	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)
<b>Traffic and Transport</b>	
	Guide to Traffic Generating Development (RTA)
	Guide to Traffic Management Part 12: Traffic Impacts of Developments (Austroads 2016)
	NSW Long Term Transport Master Plan (TfNSW 2012)
	Road Design Guide (RTA)
<b>Air Quality and Odour</b>	
<i>Air Quality</i>	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2016)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
<i>Odour</i>	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)
<i>Greenhouse Gas</i>	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
<b>Fire and Incident Management</b>	
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
<b>Noise and Vibration</b>	
<i>Noise</i>	NSW Industrial Noise Policy (DECC)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
	Interim Construction Noise Guideline (DECC 2009)
<i>Vibration</i>	Assessing Vibration: A Technical Guideline (DEC 2006)
<b>Soil and Water</b>	
<i>Soil</i>	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 – Remediation of

	Land (DOP)
<i>Surface Water</i>	Acid Sulfate Soils Manual (Stone et al. 1998)
	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)
	NSW State Rivers and Estuaries Policy (1993)
	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
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document 1997 (DLWC)
	NSW State Groundwater Quality Protection Policy 1998 (DLWC)
	NSW State Groundwater Dependent Ecosystems Policy (2002)
	NSW State Groundwater Quantity Management Policy 2002 (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DEC 2007)
	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
Australian Groundwater Modelling Guidelines (NWC, 2012)	
<i>Wastewater</i>	Environmental Guidelines: Use of Effluent by Irrigation (DECC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) 2006 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of Drinking Water Supplies 2008 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)
Recycled Water Guidance Document: Recycled Water Management Systems (DPI, 2015)	
<b>Flora and Fauna</b>	
	NSW Biodiversity Offsets Policy for Major Projects (2014) and the Framework for Biodiversity Assessment
<b>Hazards and Risk</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)

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AS/NZS 4360:2004 Risk Management

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HB 203:2006 Environmental Risk Management – Principles and Process

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Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis

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Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)

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Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)

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#### Heritage

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Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)

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Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010)

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Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation (Department of Planning 2005)

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Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010)

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#### Visual

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Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)

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State Environmental Planning Policy No 64 - Advertising and Signage

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**ATTACHMENT 2**

**Public Authority Responses to Request for Key Issues**



17 Aug 2017

Attn: Nikki Matthews  
Planning Officer,  
Industry Assessment  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

570 George Street  
Sydney NSW 2000  
All mail to GPO Box 4009  
Sydney NSW 2001  
T +61 2 131 525  
F +61 2 9269 2830  
[www.ausgrid.com.au](http://www.ausgrid.com.au)

Dear Nikki,

**Enquiry Regarding the Kariong Sand and Soils Supply site**

I acknowledge receipt and refer to your email enquiry on 4 Aug 2017 regarding the proposed Kariong Sand and Soils Supply capacity expansion.

Ausgrid has been asked to provide feedback on proposed conditions for the project. The key issue for Ausgrid in this proposal is to ensure that any changes to traffic, dust and vibration as a result of the proposed capacity increase do not impact on the operation of the main Ausgrid Warehouse located at Lot 11 Kangaroo Road Somersby or the Somersby zone substation located at 22 Gindurra Road Somersby.

The Senior Environmental Officer contact for Ausgrid for the Somersby area is Brad Whittard (49519292).

Should you require any further information please do hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read "R Mitchison".

Robert Mitchison

Senior Area Development Manager – Hunter and Central Coast  
Direct Telephone Number: 43998132  
Email: [rmitchison@ausgrid.com.au](mailto:rmitchison@ausgrid.com.au)

## Nikki Matthews

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**From:** Robert Eyre <Robert.Eyre@centralcoast.nsw.gov.au>  
**Sent:** Friday, 11 August 2017 10:02 AM  
**To:** Nikki Matthews  
**Subject:** SEARs 90 Gindurra Road, Somersby.  
**Attachments:** Record of Pre Application Meeting L4 DP227279 H90 Gindurra Road SOMERSBY.docx

Nikki, I refer to your email of 4 August 2017 requesting Councils requirements for preparation of an EIS for the receiving, storing and processing of building materials, sand ,soil etc.

See attached Pre-DA minutes from a meeting Council had with the owner and his planning consultant. The pre-da notes generally cover the matters which need to be addressed.

In particular, the EIS needs to include/address;

- noise impacts, air quality, ground and surface water impacts.
- compliance with conditions of the past consent for the site.
- the proposal intends to rely on an site effluent system. Reticulated water and sewer are available in the area and can be extended/provided to the site. This is preferable to an on- site system.
- the EIS needs to address materials which cannot be recycled and must be disposed of to landfill or other approved sites. This includes type and quantity, and how regularly such material is removed from the site.
- detail plans showing existing and proposed finished surface levels, all buildings and structures, and existing vegetation.
- the need for such an activity and the economic/social impacts and benefits. What is impact if the proposal does not proceed, and what other uses the land may be developed for.
- the traffic generated and impact on surrounding development, particularly residences.
- measures to mitigate any impacts.
- provision of an operation management plan, and risks associated with such use.
- restrictions on quantity and type of material that can be taken to the site, and methods of ensuring material not permitted is prevented from being taken to the site.
- reporting process to Council, EPA, and any other relevant authority on type and quantity of material processed at least every 3 months from commencement of operation.
- operating methods to ensure no waste water or pollutants leave the site, and recording any complaints received and action taken to resolve complaints.
- full details and description of the proposal.
- prohibition of green, toxic or domestic waste being taken or processed on the site.

Robert Eyre | Town Planner | 11/08/2017

*Attachments:*

**Record of Pre Application Meeting L4 DP227279 H90 Gindurra Road SOMERSBY**

**Robert Eyre**

Town Planner

Development & Compliance

**Central Coast Council**

PO Box 21, Gosford NSW 2250

t: 02 4325 8216

m: 0408 954 697

e: Robert.Eyre@centralcoast.nsw.gov.au



# RECORD OF PROFESSIONAL CONSULTATION MEETING

APPLICANT DETAILS					
Name	Ray Davis				
Phone No	02 9450 2288	Email	susanne.davis5@bigpond.com		
MEETING DETAILS					
Date	6 July 2017	Time	10.30am to 11.30am		
Venue	5 <sup>th</sup> Floor Meeting Room				
PROPERTY DETAILS					
Proposal	Upgrade to the existing sand, soil and metal recycling facility to a best practice designed 30,000 tonne per annum facility for recycling of soil, sand, landscaping and building materials.				
Owner	R J & S M Davis				
Lot No	4	DP	227279	Zonings	IN1 GENERAL INDUSTRIAL
Address	90 Gindurra Road SOMERSBY NSW				
Previous Approvals	DAs		BAs		CAs
COUNCIL ATTENDEES					
Development Planner	Robert Eyre			Phone No	
Building Surveyor				Phone No	
Development Engineer	John Noakes				
Environment Health Officer	Cameron Hilaire & Tansy Collyer				
Water & Sewer	R Brocklehurst				
Waste	R Spare				
Ecologist	M Ireland				
ISSUES					
<b>Gosford LEP 2014 and DCP 2013</b>			<b>Amenity impacts on surrounding land uses- Noise and air quality</b>		
<b>EPA Act &amp; Regulations-Schedule 3.</b>			<b>Flora and Fauna assessment</b>		
<b>Designated/Integrated Development</b>			<b>Somersby Plan of Management- Refer clause 7.4 of Gosford LEP 2014</b>		
<b>B Double route approval required</b>			<b>Bushfire prone land.</b>		

# MINUTES

<b>DA lodgement requirements</b>	<b>Traffic impact/roadworks</b>
<b>Water and Sewer/OSSM</b>	<b>Aboriginal Heritage</b>
<b>Somersby Deed of Agreement/Contributions payable.</b>	



**Locality Plan**

# MINUTES

## Planning comments

- Land zoned IN1 General Industrial under Gosford LEP 2014. Proposal is permissible with consent.
- If proposal within 250m of a dwelling-house not associated with the development, the proposal is classified as Designated Development and an Environmental Impact Statement must accompany the DA. It is considered the proposal is classified as Designated Development as a dwelling-house is located within 250m of the access driveway to the site which is part of the proposal. A specification must be requested from the Department of Planning and Environment for matters to be addressed in the EIS.
- The DA must consider the requirements of Clause 7.4 of the LEP and the Somersby POM.
- The proposal will be Integrated development with a licence required from the EPA. A cheque made out to the EPA for \$320.00 must accompany the DA.
- The DA will be notified/exhibited for a minimum 30 days.
- The DA/EIS must consider the history of the site, past approvals and compliance with conditions of previous consents.
- The main impacts of such a use are noise, dust, traffic, and waste quantities.
- Site identified as being acid sulphate soils class 5.
- Sydney Regional Environmental Plan No 20- Hawkesbury/Nepean River applies.
- EIS needs to address impacts, life of development, mitigation measures, measuring/monitoring and reporting criteria, erosion and sedimentation controls, air quality, surface and groundwater impacts, and others.
- Need to address relevant parts of Gosford DCP 2013, including Chapter 3.11 Industrial Development, Chapter 6.1 Acid Sulphate Soils, Chapter 6.3 Erosion Sedimentation Control, Chapter 6.5 On-Site Effluent Disposal, Chapter 6.6 Preservation of Trees and Vegetation, Chapter 6.7 Water Cycle Management, Chapter 7.1 Carparking, and Chapter 7.2 Waste management.
- Aboriginal heritage to be assessed and addressed, in detail.
- Economic and social impacts to be addressed.
- Property subject to Somersby Deed of Agreement re: contributions. Council's records indicate contribution has not been paid and is required to be paid.

## Environment comments

### Ecology

The vegetation on site is mapped as E26 – Exposed Hawkesbury Woodland and E29 – Hawkesbury Banksia Scrub – Woodland. Areas of Sandstone Hanging Swamp Endangered Ecological Community have also been identified in the southern portion of the site.

# MINUTES

The northern half of the site has been historically cleared and disturbed by previous and current land use activities. Invasive Pine trees and weeds dominate the disturbed northern portion of the site.

The existing cleared areas on site appear to be greater than the original area approved under consent 15337/1992.

It is encouraged that any future development of the site occurs within the disturbed and partially cleared areas in the northern half of the site. Removal of invasive Pine Trees is preferred over removal of native species where possible.

## Somersby Industrial Park Plan of Management

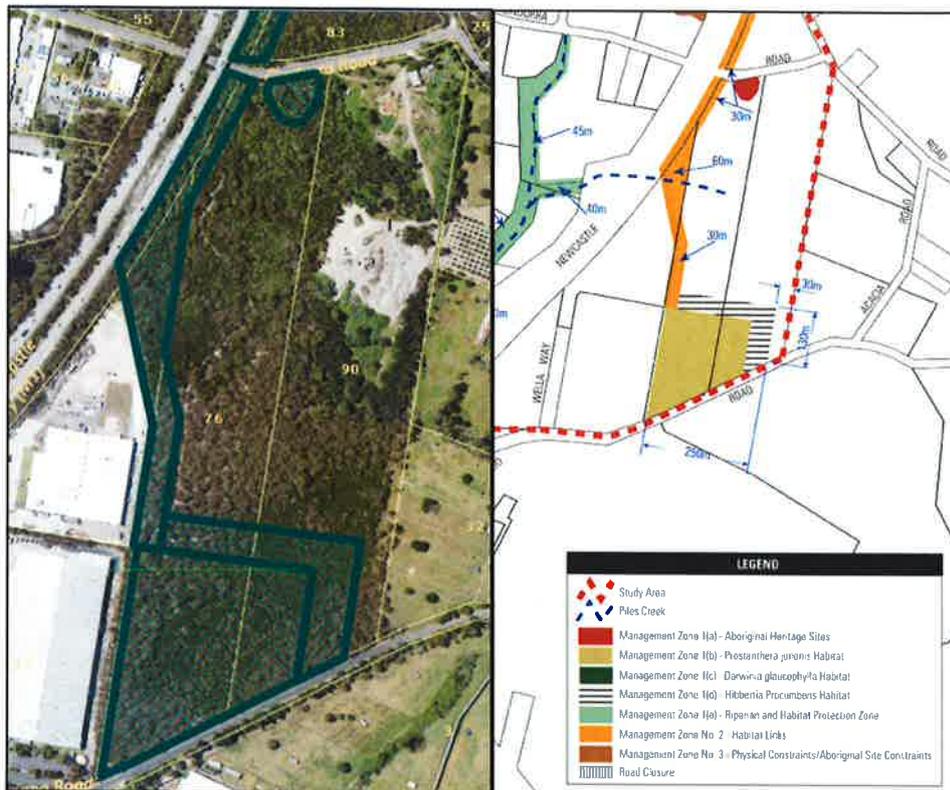
The site is subject to multiple Management Zones under the Somersby Industrial Park Plan of Management. Under Clause 64 of the *Environmental Planning and Assessment Act*, the Director General of the NSW Office of Environment and Heritage has issued an assumed concurrence for areas within the industrial park that are outside the management zones. This means that a Species Impact Statement is not required for works outside of the Management Zones.

Development on the site is still however subject to the undertaking of a threatened species assessment. A Threatened Species Assessment addressing Section 5A of the *Environmental Planning and Assessment Act 1979* shall be prepared and submitted to Council. The assessment is to be underpinned by a Flora and Fauna Survey undertaken in accordance with Council's *Flora and Fauna Survey Guidelines Version 2.4 (Wyong Shire Council, 2016)*.

The Flora and Fauna surveys shall include as a minimum:

- Targeted survey efforts for threatened frogs in the area around the dam on site (Red Crowned Toadlet and Giant Burrowing Frog).
- Surveys for cryptic threatened flora species within the proposed disturbance area (Somersby Mintbush, *Hibbertia procumbens* and *Darwinia glaucophylla*). Confirm flowering period with a known reference population in the surrounding area.
- Identification of hollow bearing trees within the proposed disturbance area.

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Figures 1 and 2: Somersby Industrial Park Plan of Management Zones from Council's GIS and the SIPPOM.

## Aboriginal Heritage

The Somersby area is known to be rich in Aboriginal Heritage. The site does not contain a specific Aboriginal Heritage Management Zone under the Somersby Industrial Park Plan of Management however Aboriginal heritage objects/sites are mapped in close proximity to the site.

Include with the development application, an Aboriginal Heritage Due Diligence Assessment in accordance with the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW, 2010)*. Include any potential indirect impacts to the mapped Aboriginal object/site that may occur from the proposed activities on the site (e.g. runoff, dust, vibration etc).

## **Environmental Health comments**

- The nearest sensitive receptor for noise impacts is approximately 130m to the East of the property boundary. Include with the development application a Noise Assessment in accordance with the *NSW Industrial Noise Policy (NSW EPA, 2000)*. Control measures for noise should be outlined.

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- Include with the development application an Air Impact Statement in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (NSW EPA, 2016). Control measures for dust should be outlined.
- During the meeting the applicant's client informed Council staff that no odorous material (such as compost) will be processed on site. Council recommends an Odour Assessment in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (NSW EPA, 2016) is included with the development application.
- Include with the development application a Soil and Water management Plan in accordance with *Managing Urban Stormwater – Soils and Construction* (LandCom, 2004).
- It is likely that the development is integrated development and a licence is required from the EPA.
- The works may be Designated Development in accordance with Section 32 of Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*. Should the works trigger the requirement for Designated Development, an Environmental Impact Statement will be required.
- Further information regarding the following matters are to be addressed in the Development Application;
  - Chemical storage locations and details of chemicals in use.
  - Hours of operation.
  - Emergency and pollution incident management
  - Management of any leachate or runoff from within the site
  - Potential environmental impacts associated with the construction of the facility as well as ongoing operations.
  - Types and volumes of waste to be processed
  - Waste processing and disposal methods.
  - Record keeping requirements for waste.
  - Management of hazardous waste that may be encountered in skips.
  - Management of stormwater on site and details regarding stormwater collection systems.

## Waste comments

1. Submission plans are to clearly indicate existing and proposed recyclable waste and residual waste storage area/s suitably sized to accommodate anticipated recyclable and residual waste volumes generated by the proposed activity. Waste storage area/s are to be located to be readily accessible to commercial waste collection contractors. Screening to waste storage areas is to be provided to screen the areas from public view.
2. Submission of a Waste Management Plan in accordance with the Gosford City Council Development Application Guide and Chapter 7.2 – Waste Management of



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Gosford DCP 2013 for all site preparation, demolition, construction, use of premises and on-going management of waste.

All major demolition and construction components are required to be identified with an estimated volume of waste indicated. Ensure a figure is provided for residual waste to cover those materials that are unable or not feasible to separate.

Rules of thumb for estimating waste can be found under Appendix B Waste/Recycling Generation Rates of the Better Practice Guide for Waste Management in Multi-Unit Dwellings published by Department of Environment & Climate Change i.e. timber 5-7% of material ordered, bricks 5-10% of material ordered etc.

## **Water and Sewer comments**

The site is located within the Somersby Industrial Estate and is subject to the Somersby Industrial Estate Deed of Agreement.

There is no sewer available. Provision of and connection to Councils sewer system shall be subject to payment of the Somersby Industrial Estate contribution charge.

A water main is located within Gindurra Road. Although a 20mm water meter services the land any increase in service size is subject to payment of the Somersby Industrial Estate contribution charge

NOTE: Water & Sewer S307 contributions are utilised to ensure suitable capacity is available within the system to accommodate development within the area and in this instance, ensure sewer is available to each lot.

## **Engineering comments**

### Stormwater Management

The management of all generated stormwater from the internal road network, roofed areas and storage areas shall be detailed in a strategy to ensure the protection of the downstream vegetation and management zone. The strategy must demonstrate compliance with Councils DCP, Australian Rainfall Quality and the required pollution reduction targets using "Music link".

### Traffic & Access

Any future application shall be supported by a Traffic Analysis and Report. The report should detail the predicted traffic volumes entering and exiting the site in the am and pm peaks

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during the operation of the facility at 100% production capacity. The report should also address the haulage routes in the local road network and specify the type of vehicle i.e. B Double.

Turning paths prepared in accordance with AS 2890 shall support the preliminary design plans and detail any works necessary within the Gindurra Road carriageway to maintain lane discipline.

The internal roadworks should be supported by preliminary engineering plans detailing longitudinal and cross sectional views of all proposed access driveways, turning areas and circulation roads.

## NOTE

- 1 Development Application, Section 96 Amendment, Construction Certificate and Complying Development Certificate applications can be lodged through Council's e-Planning online lodgement service. Lodging online is the quick, easy and secure way for you to prepare and lodge your application and is available 24/7.

Visit the Central Coast Council [ePlanning Portal](#) for the former Gosford Local Government Area and click the *Application Lodge* button. Follow the steps in the Lodge Online home page to get started.

Alternatively, applications can be lodged in person at Council's Customer Service Centre located at 49 Mann Street, Gosford or by post to PO Box 21, Gosford.

Please note that Council has moved to electronic lodgement. A USB flash drive containing a complete copy all documents, including the forms Part A - Application for Approval and Part B - Application Detail & Owner(s) Consent is required, along with a hardcopy of the Part A and Part B application forms when you lodge your application. Hard copies of other documents are not accepted.

For full document lodgement requirements including naming convention and document preparation, refer to the website.

- 2 This is a pre application meeting only. The details are intended to guide the applicant in the preparation and lodgement of a formal development application. The proposal has undergone preliminary assessment only. Further issues may become apparent, and additional information may be required from the applicant during the formal assessment phase. This meeting in no way infers nor implies that development consent will be granted to this proposal. Applications as indicated above may not reflect the full development history of the property. Should a full development history be required a search application and fee will apply.
- 3 For future reference, find the permissibility and rules on a property for a development, activity or use under Gosford LEP 2014 and Gosford DCP 2013 by completing a Planning Enquiry via Central Coast Council [ePlanning Portal](#). Planning Enquiry is an interactive tool to assist you with your planning enquiry that provides advice on whether your development can proceed within the former Gosford Local Government Area.



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Signed: *R A Eyre*

Date: 24 July 2017



Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Attention: Nikki Mathews

Notice Number 1555380

**RE: Proposed resource recovery facility - Kariong Sand and Soil Supplies - 90 Gindurra Rd, Somersby**

I refer to your request for the Environment Protection Authority's (EPA) requirements for the environmental assessment (EA) in regard to the above proposal received by EPA on 4 August 2017.

The EPA has considered the details of the proposal as provided by DPE and has identified the information it requires to be addressed in the EA, in Attachment A. In summary, the EPA's key information requirements for the proposal include an adequate assessment of:

1. The management, processing or storage of waste received at the premises.
2. Impacts on water quality and site water management
3. Potential noise impacts during construction and operations
4. Potential odour issues during operation
5. Impacts on air quality

In carrying out the assessment, the proponent should refer to the relevant guidelines as listed in Attachment B and any relevant industry codes of practice and best practice management guidelines. Please note that this response does not cover biodiversity or Aboriginal cultural heritage issues, which are the responsibility of the Office of Environment and Heritage.

The Proponent should be made aware that any commitments made in the EA may be formalised as approval conditions and may also be placed as formal licence conditions.

The Proponent should be made aware that, consistent with provisions under Part 9.4 of the *Protection of the Environment Operations Act 1997* ("the Act") the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of an Environment Protection Licence ("EPL").

As a requirement of the Act, the proposed facility will be liable for the waste levy and will be required to install a weighbridge. In addition, the EPA will require the Proponent to prepare, test and implement a Pollution Incident Response Management Plan and/or Plans in accordance with Section 153A of the Act.

If you have any enquiries regarding this matter please contact Tristan Hinchcliffe on (02) 4908 6896.



Yours sincerely

A handwritten signature in blue ink, appearing to read 'Melissa Moore', positioned above a horizontal dotted line.

**Melissa Moore**  
**Acting Unit Head**  
**Waste & Resource Recovery**  
(by Delegation)

## **ATTACHMENT A: EIS REQUIREMENTS FOR**

**Proposed resource recovery facility - Kariong Sand and Soil Supplies - 90 Gindurra Rd,  
Somersby**

### **How to use these requirements**

The EPA requirements have been structured in accordance with the DIPNR 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
- I. Specific Requirements for the Resource Recovery Facility

## **A Executive summary**

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

## **B The proposal**

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### **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 2000)
  - 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)*.

### **Ecological Sustainable Development ESD**

- Demonstrate that the planning process and any subsequent development incorporates objectives and mechanisms for achieving ESD, including:



- a) an assessment of a range of options available for use of the resource, including the benefits of each option to future generations
- b) proper valuation and pricing of environmental resources
- c) identification of who will bear the environmental costs of the proposal.

### **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**

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### **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**

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- 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**

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### **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. This description should include the following parameters

- TSP
- PM10
- PM2.5

### ***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 *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (DEC, 2016); *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (DEC, 2007).

### ***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 in accordance with the *NSW Industrial Noise Policy*.
- Determine the existing road traffic noise levels in accordance with the *NSW Environmental Criteria for Road Traffic Noise*, 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, including the procedure used to choose the site, having regards to the definition of 'noise sensitive locations(s)' and 'most affected locations(s)' described in Section 3.1.2 of the *NSW Industrial Noise Policy*
  - 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 under Step 1 in Section B1.3 of the *NSW Industrial Noise Policy*
  - j) determination of LAeq noise levels from existing industry.

### ***Assess impacts***

- Determine the project specific noise levels for the site. For each identified potentially affected receiver, this should include:
  - a) determination of the intrusive criterion 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 amenity criterion for each receiver
- d) determination of the appropriate sleep disturbance limit.
- Maximum noise levels during night-time period (10pm-7am) should be assessed to analyse possible effects on sleep. Where LA1(1min) noise levels from the site are less than 15 dB above the background LA90 noise level, sleep disturbance impacts are unlikely. Where this is not the case, further analysis is required. Additional guidance is provided in Appendix B of the *NSW Environmental Criteria for Road Traffic Noise*.
- Determine expected noise level and noise character (e.g. tonality, impulsiveness, vibration, etc) 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 most sensitive locations (these may vary for different activities at each phase of the development). Potential impacts should be determined for any identified significant adverse meteorological conditions. Predicted noise levels under calm conditions may also aid in quantifying the extent of impact where this is not the most adverse condition.
- 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. Where modelling approaches other than the use of the ENM or SoundPlan computer models are adopted, the approach should be appropriately justified and validated
  - e) an assessment of appropriate weather conditions for the noise predictions including reference to any weather data used to justify the assumed conditions
  - f) the predicted noise impacts from each noise source as well as the combined noise level for each prediction scenario under any identified significant adverse weather conditions as well as calm conditions where appropriate
  - 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 Section 4 of the *NSW Industrial Noise Policy*.

- Discuss the findings from the predictive modelling and, where relevant noise criteria have not been met, recommend additional 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.
- Where relevant noise/vibration criteria cannot be met after application of all feasible and cost effective mitigation measures the residual level of noise impact needs to be quantified by identifying:
  - a) locations where the noise level exceeds the criteria and extent of exceedence
  - b) numbers of people (or areas) affected
  - c) times when criteria will be exceeded
  - d) likely impact on activities (speech, sleep, relaxation, listening, etc)
  - e) change on ambient conditions
  - f) the result of any community consultation or negotiated agreement.
- 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.

***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 breaks
  - j) use of premium muffles on trucks
  - k) reducing speed limits for trucks

- l) ongoing community liaison and monitoring of complaints 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 (DEC 2004) 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 2000 *Guidelines for Fresh and Marine Water Quality* (<http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html>) (Note that, as at 2004, the NSW Water Quality Objectives booklets and website contain technical criteria derived from the 1992 version of the ANZECC Guidelines. The Water Quality Objectives remain as Government Policy, reflecting the community's environmental values and long-term goals, but the technical criteria are replaced by the more recent ANZECC 2000 Guidelines). NB: While specific guidelines for groundwater are not available, the ANZECC 2000 Guidelines endorse the application of the trigger values and decision trees as a tool to assess risk to environmental values in groundwater.
- State any locally specific objectives, criteria or targets, which have been endorsed by the government e.g. the Healthy Rivers Commission Inquiries or the NSW Salinity Strategy (DLWC, 2000) (<http://www.environment.nsw.gov.au/salinity/government/nswstrategy.htm>).
- 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 clause 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 EPA's guidelines section 'Bunding and Spill Management' at <http://www.epa.nsw.gov.au/mao/bundingspill.htm> 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.
- Consult with the EPA as soon as possible if a mixing zone is proposed (a mixing zone could exist where effluent is discharged into a receiving water body, where the quality of the water being discharged does not immediately meet water quality objectives. The mixing zone could result in dilution, assimilation and decay of the effluent to allow water quality objectives to be met further downstream, at the edge of the mixing zone). The EPA will advise the proponent under what conditions a mixing zone will and will not be acceptable, as well as the information and modelling requirements for assessment.

*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 *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004) and *Guidelines for Fresh and Marine Water Quality* ANZECC 2000).

### **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* (DEC 2004).

## **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 *Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011) and *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 *Managing Land Contamination, Planning Guidelines SEPP 55 – Remediation of Land* (Department of Urban Affairs and Planning and Environment Protection Authority, 1998)
  - 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 operations related to the proposal.
- Details of the layout of the facility and how incoming waste material will be handled and stored at the premises.
- Details of the quantity and type of waste generated, handled, processed or disposed of at the premises.
- The details of any waste products intended to be produced at the premises under a resource Recovery Order.
- Details of the waste management at the facility, including:
  - the transportation, assessment and handling of waste arriving at or generated at the site.
  - any stockpiling of waste or recovered materials at the site
  - any waste processing related to the facility, including re-use, recycling, reprocessing, or treatment both on and off the premises.
  - the method for disposing of all wastes or recovered materials at the facility.
  - the emissions arising from the handling, storage, processing and reprocessing of waste.
  - the proposed controls for managing environmental impacts of these activities
  - the quantities of each type of waste proposed to be received at the Premises
  - the details of the maximum volume of each waste type proposed to be stockpiled at the premises at any one time and the annual throughput of each waste type
  - a description of waste processing procedures for each waste type proposed to be received at the premises.

### ***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*

### ***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**

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- 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**

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- 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**

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

## **I. Specific requirements for the Resource Recovery Facility**

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The Proponent shall address all requirements listed in Sections A - H above (where applicable) in respect to the proposal. If not addressed in sections A - H, the EPA requires the following specific issues to be addressed in the EIS.

### **Location**

- The Proponent must provide detail on the proposed boundaries for the area to be included in the Environment Protection Licence.

### **Construction**

- The Proponent must provide a detailed description of all stages of construction including timeframes for completion.
- If any waste is proposed to be bought on site during the construction phase, the Proponent must provide details of the classification of the waste, quantities of the waste and source location of the waste.
- If any waste is proposed to be transported off site during construction, the EIS must provide the following detail;
  - the types of waste leaving the site
  - the quantities of waste leaving the site
  - the transporters of the waste
  - the final disposal or re-use location of the waste

## ATTACHMENT B: GUIDANCE MATERIAL

Title	Web address
<b>Relevant Legislation</b>	
<i>Contaminated Land Management Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/1997/140">http://www.legislation.nsw.gov.au/#/view/act/1997/140</a>
<i>Environmentally Hazardous Chemicals Act 1985</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/1985/14">http://www.legislation.nsw.gov.au/#/view/act/1985/14</a>
<i>Environmental Planning and Assessment Act 1979</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/1979/203">http://www.legislation.nsw.gov.au/#/view/act/1979/203</a>
<i>Protection of the Environment Operations Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/1997/156">http://www.legislation.nsw.gov.au/#/view/act/1997/156</a>
<i>Water Management Act 2000</i>	<a href="http://www.legislation.nsw.gov.au/#/view/act/2000/92">http://www.legislation.nsw.gov.au/#/view/act/2000/92</a>
<b>Licensing</b>	
Guide to Licensing	<a href="http://www.epa.nsw.gov.au/licensing/licenceguide.htm">www.epa.nsw.gov.au/licensing/licenceguide.htm</a>
<b>Air Issues</b>	
<b>Air Quality</b>	
Approved methods for modelling and assessment of air pollutants in NSW (2016)	<a href="http://www.epa.nsw.gov.au/air/appmethods.htm">http://www.epa.nsw.gov.au/air/appmethods.htm</a>
POEO (Clean Air) Regulation 2010	<a href="http://www.legislation.nsw.gov.au/#/view/regulation/2010/428_">http://www.legislation.nsw.gov.au/#/view/regulation/2010/428_</a>
<b>Noise and Vibration</b>	
Interim Construction Noise Guideline (DECC, 2009)	<a href="http://www.epa.nsw.gov.au/noise/constructnoise.htm">http://www.epa.nsw.gov.au/noise/constructnoise.htm</a>
Assessing Vibration: a technical guideline (DEC, 2006)	<a href="http://www.epa.nsw.gov.au/noise/vibrationguide.htm">http://www.epa.nsw.gov.au/noise/vibrationguide.htm</a>
Industrial Noise Policy Application Notes	<a href="http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm">http://www.epa.nsw.gov.au/noise/applicnotesindustnoise.htm</a>
Environmental Criteria for Road Traffic Noise (EPA, 1999)	<a href="http://www.epa.nsw.gov.au/resources/noise/roadnoise.pdf">http://www.epa.nsw.gov.au/resources/noise/roadnoise.pdf</a>
Interim Guideline for the Assessment of Noise from Rail Infrastructure Projects (DECC, 2007)	<a href="http://www.epa.nsw.gov.au/noise/railinfranoise.htm">http://www.epa.nsw.gov.au/noise/railinfranoise.htm</a>
Environmental assessment requirements for rail traffic-generating developments	<a href="http://www.epa.nsw.gov.au/noise/railnoise.htm">http://www.epa.nsw.gov.au/noise/railnoise.htm</a>

<b>Human Health Risk Assessment</b>	
Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)	<a href="http://www.eh.org.au/documents/item/916">http://www.eh.org.au/documents/item/916</a>
<b>Waste, Chemicals and Hazardous Materials and Radiation</b>	
<b>Waste</b>	
Environmental Guidelines: Solid Waste Landfills (EPA, 2016)	<a href="http://www.epa.nsw.gov.au/waste/landfill-sites.htm">http://www.epa.nsw.gov.au/waste/landfill-sites.htm</a>
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	<a href="http://www.epa.nsw.gov.au/resources/waste/envguidlms/industrialfill.pdf">http://www.epa.nsw.gov.au/resources/waste/envguidlms/industrialfill.pdf</a>
EPA's Waste Classification Guidelines 2014	<a href="http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm">http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm</a>
Resource recovery orders and exemptions	<a href="http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm">http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm</a>
European Union's Waste Incineration Directive 2000	<a href="http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm">http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm</a>
EPA's Energy from Waste Policy Statement	<a href="http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm">http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm</a>
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	<a href="http://www.epa.nsw.gov.au/wastestrategy/warr.htm">http://www.epa.nsw.gov.au/wastestrategy/warr.htm</a>
<b>Chemicals subject to Chemical Control Orders</b>	
Chemical Control Orders (regulated through the EHC Act )	<a href="http://www.epa.nsw.gov.au/pesticides/CCOs.htm">http://www.epa.nsw.gov.au/pesticides/CCOs.htm</a>
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
<b>Water and Soils</b>	
<b>Acid sulphate soils</b>	
Coastal acid sulfate soils guidance material	<a href="http://www.environment.nsw.gov.au/acidsulfatesoil/">http://www.environment.nsw.gov.au/acidsulfatesoil/</a> and <a href="http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm">http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm</a>
Acid Sulfate Soils Planning Maps	<a href="http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm">http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm</a>
<b>Contaminated Sites Assessment and Remediation</b>	

Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	<a href="http://www.epa.nsw.gov.au/clm/planning.htm">http://www.epa.nsw.gov.au/clm/planning.htm</a>
Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)	<a href="http://www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf">http://www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf</a>
Guidelines for the NSW Site Auditor Scheme - 2nd edition (DEC, 2006)	<a href="http://www.epa.nsw.gov.au/resources/clm/auditorguidelines06121.pdf">http://www.epa.nsw.gov.au/resources/clm/auditorguidelines06121.pdf</a>
Sampling Design Guidelines (EPA, 1995)	<a href="http://www.epa.nsw.gov.au/resources/clm/95059samplguid.pdf">http://www.epa.nsw.gov.au/resources/clm/95059samplguid.pdf</a>
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	<a href="http://www.scew.gov.au/nepms/assessment-site-contamination">http://www.scew.gov.au/nepms/assessment-site-contamination</a>
<b>Soils – general</b>	
Managing land and soil	<a href="http://www.environment.nsw.gov.au/soils/landandsoil.htm">http://www.environment.nsw.gov.au/soils/landandsoil.htm</a>
Managing urban stormwater for the protection of soils	<a href="http://www.environment.nsw.gov.au/stormwater/publications.htm">http://www.environment.nsw.gov.au/stormwater/publications.htm</a>
Landslide risk management guidelines	<a href="http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf">http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf</a>
Site Investigations for Urban Salinity (DLWC, 2002)	<a href="http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf">http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf</a>
Local Government Salinity Initiative Booklets	<a href="http://www.environment.nsw.gov.au/salinity/solutions/urban.htm">http://www.environment.nsw.gov.au/salinity/solutions/urban.htm</a>
<b>Water</b>	
Water Quality Objectives	<a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	<a href="http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html">http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html</a>
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	Contact the EPA on 131555
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	<a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>

## Nikki Matthews

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**From:** Jenn Warner <jenn.warner@industry.nsw.gov.au>  
**Sent:** Friday, 18 August 2017 12:06 PM  
**To:** Nikki Matthews  
**Cc:** Landuse Minerals  
**Subject:** Resource Recovery Facility (Kariong Sand & Soil Supplies) - GSNSW Response (OUT17/34093)

Hi Nikki,

Your RM8 ref: V17/8477#1

Thank you for the opportunity to provide advice on the: **SEARs for Kariong Sand & Soil Supplies, within the Central Coast LGA.**

The New South Wales Department of Industry Geological Survey of New South Wales (GSNSW) has reviewed the subject area for potential resource issues and as such determined that there are no SEARs to issue.

Queries regarding the above information, and future requests for advice in relation to this matter, should be directed to the GSNSW Land Use team at [landuse.minerals@industry.nsw.gov.au](mailto:landuse.minerals@industry.nsw.gov.au).

Kind regards

Jenn

**Jennifer Warner** | Geoscientist | Land Use & Titles Advice | Geological Survey of NSW  
Division of Resources and Geoscience  
516 High Street | Maitland NSW 2320 | PO Box 344 | Hunter Region Mail Centre | NSW 2310  
T: 02 4931 6548 | E: [jenn.warner@industry.nsw.gov.au](mailto:jenn.warner@industry.nsw.gov.au)



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DOC17/406152-1  
SSD\_8660

Ms Nikki Matthews  
Planning Officer, Industry Assessments  
Department of Planning and Environment  
nikki.matthews@planning.nsw.gov.au

Dear Ms Matthews

**RE: SEARs for the Kariong Sand and Soil Supplies Facility Upgrade Project**

I refer to your e-mail dated 4 August 2017 seeking input into the Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Assessment for the Kariong Sand and Soil Supplies Facility Upgrade Project.

The Office of Environment and Heritage (OEH) understands that the proposal involves increasing the capacity of the site to receive, process and store up to 200,000 tonnes per annum of soil, sand, building materials, demolition and construction waste, and landscaping supplies.

OEH has considered your request and provides SEARs for the proposed development in **Attachments A, B, C, D and E**.

OEH recommends the EIS needs to appropriately address the following, if applicable:

1. Biodiversity and offsetting
2. Aboriginal cultural heritage
3. Water and soils
4. Flooding.

Please note that the NSW Biodiversity Offsets Policy for Major Projects <http://www.environment.nsw.gov.au/resources/biodiversity/140672biopolicy.pdf> applies to the project. The policy provides a standard method for assessing impacts of major projects on biodiversity and determining offsetting arrangements. The policy is underpinned by the Framework for Biodiversity Assessment (FBA) <http://www.environment.nsw.gov.au/resources/biodiversity/140675fba.pdf> which contains the assessment methodology that is adopted by the policy to quantify and describe the impact assessment requirements and offset guidance that applies to Major Projects. The FBA must be used by a proponent to assess all biodiversity values on the development site.

If you require any further information regarding this matter please contact Robert Gibson, Regional Biodiversity Conservation Officer, on 4927 3154.

Yours sincerely,



**MARK SQUIRES**  
**A/Director Hunter Central Coast Branch**  
**Regional Operations Division**

21 August 2017

- Attachment A** - Standard Environmental Assessment Requirements
- Attachment B** - Project Specific Environmental Assessment Requirements
- Attachment C** - Threatened Species and Threatened Ecological Communities Which Require Further Consideration
- Attachment D** - Critically Endangered Entities Specifically Excluded From Requiring Further Consideration
- Attachment E** - Guidance Material

## Attachment A – Standard Environmental Assessment Requirements

<p><b>Biodiversity</b></p> <p>1. Biodiversity impacts related to the proposed Kariong Sand and Soil Supplies Facility Upgrade Project are to be assessed and documented in accordance with the Framework for Biodiversity Assessment, unless otherwise agreed by OEH, by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>.</p>
<p><b>Aboriginal Cultural Heritage</b></p> <p>2. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the Kariong Sand and Soil Supplies Facility Upgrade Project and document these in the EIS. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) and consultation with OEH regional officers.</p> <p>3. Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the Kariong Sand and Soil Supplies Facility Upgrade Project.</p> <p>4. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the EIS. The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.</p>
<p><b>Historic Heritage</b></p> <p>5. The Kariong Sand and Soil Supplies Facility Upgrade Project must provide a heritage assessment including but not limited to an assessment of impacts to <i>State and local heritage</i> including conservation areas, natural heritage areas, places of Aboriginal heritage value, buildings, works, relics, gardens, landscapes, views, trees should be assessed. Where impacts to State or locally significant heritage items are identified, the assessment shall:</p> <ol style="list-style-type: none"> <li>outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the mitigation measures) generally consistent with the NSW Heritage Manual (1996),</li> <li>be undertaken by a suitably qualified heritage consultant(s) (note: where archaeological excavations are proposed the relevant consultant must meet the NSW Heritage Council's Excavation Director criteria),</li> <li>include a statement of heritage impact for all heritage items (including significance assessment),</li> <li>consider impacts including, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, landscape and vistas, and architectural noise treatment (as relevant), and</li> <li>where potential archaeological impacts have been identified develop an appropriate archaeological assessment methodology, including research design, to guide physical</li> </ol>

<p>archaeological test excavations (terrestrial and maritime as relevant) and include the results of these test excavations.</p>
<p><b>Water and Soils</b></p>
<p>6. The EIS must map the following features relevant to water and soils including:</p> <ol style="list-style-type: none"> <li>a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).</li> <li>b. Rivers, streams, wetlands, estuaries (as described in Appendix 2 of the Framework for Biodiversity Assessment).</li> <li>c. Groundwater.</li> <li>d. Groundwater dependent ecosystems.</li> <li>e. Proposed intake and discharge locations.</li> </ol>
<p>7. The EIS must describe background conditions for any water resource likely to be affected by the Kariong Sand and Soil Supplies Facility Upgrade Project, including:</p> <ol style="list-style-type: none"> <li>a. Existing surface and groundwater.</li> <li>b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.</li> <li>c. Water Quality Objectives (as endorsed by the NSW Government <a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.</li> <li>d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.</li> </ol>
<p>8. The EIS must assess the impacts of the Kariong Sand and Soil Supplies Facility Upgrade Project on water quality, including:</p> <ol style="list-style-type: none"> <li>a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the Kariong Sand and Soil Supplies Facility Upgrade Project protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.</li> <li>b. Identification of proposed monitoring of water quality.</li> </ol>
<p>9. The EIS must assess the impact of the Kariong Sand and Soil Supplies Facility Upgrade Project on hydrology, including:</p> <ol style="list-style-type: none"> <li>a. Water balance including quantity, quality and source.</li> <li>b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.</li> <li>c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.</li> <li>d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).</li> <li>e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.</li> </ol>

- f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
- g. Identification of proposed monitoring of hydrological attributes.

#### **Flooding**

10. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
  - a. Flood prone land
  - b. Flood planning area, the area below the flood planning level.
  - c. Hydraulic categorisation (floodways and flood storage areas).
11. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year flood levels and the probable maximum flood, or an equivalent extreme event.
12. The EIS must model the effect of the proposed Kariong Sand and Soil Supplies Facility Upgrade Project (including fill) on the flood behaviour under the following scenarios:
  - a. Current flood behaviour for a range of design events as identified in 11 above. This includes the 1 in 200 and 1 in 500 year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
13. Modelling in the EIS must consider and document:
  - a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
  - b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
  - c. Relevant provisions of the NSW Floodplain Development Manual 2005.
14. The EIS must assess the impacts on the proposed Kariong Sand and Soil Supplies Facility Upgrade Project on flood behaviour, including:
  - a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
  - b. Consistency with Council floodplain risk management plans.
  - c. Compatibility with the flood hazard of the land.
  - d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
  - e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
  - f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
  - g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
  - h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
  - i. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum

flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.

- j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

## Attachment B – Project Specific Environmental Assessment Requirements

<p><b>Biodiversity</b></p>
<p>A. Impacts on the species/populations/ecological communities listed in <b>Attachment C</b> will require further consideration and provision of the information specified in s9.2 of the Framework for Biodiversity Assessment.</p> <p>B. The EIS must identify:</p> <ul style="list-style-type: none"> <li>a. In the case of a project that adjoins, is in the immediate vicinity or upstream of NPWS estate, the assessment of impacts must address the matters outlined in the <i>Guidelines for developments adjoining land and water managed by DECCW</i> (DECCW 2010) and include: <ul style="list-style-type: none"> <li>i. The nature of the impacts, including direct and indirect impacts.</li> <li>ii. The extent of the direct and indirect impacts.</li> <li>iii. The duration of the direct and indirect impacts.</li> <li>iv. The objectives of the reservation of the land.</li> </ul> </li> <li>b. Measures proposed to prevent, control, abate, minimise and manage the direct and indirect impacts including an evaluation of the effectiveness and reliability of the proposed measures.</li> <li>c. Residual impacts.</li> </ul> <p>C. Where field surveys are undertaken for threatened flora species they must be undertaken according to the 2016 NSW Guide to Surveying Threatened Plants.</p> <p>D. As required by the FBA, the submission of the EIS to the consent authority must also include the provision of the following data:</p> <ul style="list-style-type: none"> <li>a. Digital shape files for all maps and spatial data relating to the development site and proposed biodiversity offset areas. This includes <ul style="list-style-type: none"> <li>i. digital shape files for all figures shown in the Biodiversity Assessment Report (BAR) and Biodiversity Offset Strategy (BOS)</li> <li>ii. shape files used to calculate the mapping requirements of the FBA, such as the amount of native vegetation in assessment circles and the size of species credit habitat polygons.</li> </ul> </li> <li>b. Plot and transect field data for all vegetation mapping, ideally provided as copies of field sheets and in spreadsheet format. This includes <ul style="list-style-type: none"> <li>i. Floristic survey data, comprising species lists and cover abundance scores for each plot/transect</li> <li>ii. Biometric survey data for each plot/transect</li> </ul> </li> <li>c. The "major project" and "offset" modules of the online credit calculator to be submitted to OEH.</li> </ul>
<p><b>Aboriginal Cultural Heritage</b></p>
<p>E. The assessment of cultural heritage values must include a surface survey undertaken by a qualified archaeologist in areas with potential for subsurface Aboriginal deposits. The result of the surface survey is to inform the need for targeted subsurface test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The</p>

results of surface surveys and test excavations undertaken at this stage are to be documented in the EIS.

- F. The EIS must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the Kariong Sand and Soil Supplies Facility Upgrade Project to formulate appropriate measures to manage unforeseen impacts.
- G. The EIS must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

**Cumulative Impact**

- H. The cumulative impacts from all clearing activities and operations, associated edge effects and other indirect impacts on cultural heritage, biodiversity and OEH Estate need to be comprehensively assessed in accordance with the *Environmental Planning and Assessment Act 1979*.

This should include the cumulative impact of the proponent's existing and proposed development and associated infrastructure (such as access tracks etc.) as well as the cumulative impact of other developments located in the vicinity. This assessment should include consideration of both construction and operational impacts.

**Attachment C – Threatened Species and Threatened Ecological Communities Which Require Further Consideration**

<b>Class</b>	<b>Scientific Name</b>	<b>Common Name</b>	<b>NSW Status</b>	<b>Comm. Status</b>
Aves	<i>Anthochaera phrygia</i>	Regent Honeyeater	Critically Endangered	Critically Endangered

### Attachment D - Critically Endangered Entities Specifically Excluded From Requiring Further Consideration \*

Class	Scientific Name	Common Name	NSW Status	Comm. Status
Aves	<i>Esacus magnirostris</i>	Beach Stone-curlew	Critically Endangered	Not listed
Aves	<i>Neophema chrysogaster</i>	Orange-bellied Parrot	Critically Endangered	Critically Endangered
Flora	<i>Grevillea caleyi</i>	Caley's Grevillea	Critically Endangered	Endangered
Flora	<i>Hibbertia spanantha</i>	Julian's Hibbertia	Critically Endangered	Critically Endangered
Flora	<i>Prostanthera marifolia</i>	Seaforth Mintbush	Critically Endangered	Critically Endangered
CEEC	Blue Gum High Forest in the Sydney Basin Bioregion	Blue Gum High Forest in the Sydney Basin Bioregion	Critically Endangered Ecological Community	Critically Endangered Ecological Community
CEEC	Hygrocybeae Community of Lane Cove Bushland Park in the Sydney Basin Bioregion	Hygrocybeae Community of Lane Cove Bushland Park in the Sydney Basin Bioregion	Critically Endangered Ecological Community	Not listed

\* Further information, as detailed in section 9.2.5.2 of the FBA, is not required for the excluded entities above. However, assessment of impacts and offset requirements must still be included in the Biodiversity Assessment Report for these entities in accordance with the FBA.

## Attachment E – Guidance Material

Title	Web address
<b>Relevant Legislation</b>	
<i>Coastal Protection Act 1979</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+13+1979+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+13+1979+cd+0+N</a>
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	<a href="http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/">http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/</a>
<i>Environmental Planning and Assessment Act 1979</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N</a>
<i>Fisheries Management Act 1994</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N</a>
<i>Marine Parks Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N</a>
<i>National Parks and Wildlife Act 1974</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N</a>
<i>Protection of the Environment Operations Act 1997</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N</a>
<i>Threatened Species Conservation Act 1995</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+101+1995+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+101+1995+cd+0+N</a>
<i>Water Management Act 2000</i>	<a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N</a>
<i>Wilderness Act 1987</i>	<a href="http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N">http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N</a>
<b>Biodiversity</b>	
NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014)	<a href="http://www.environment.nsw.gov.au/biodivoffsets/biooffsetspol.htm">http://www.environment.nsw.gov.au/biodivoffsets/biooffsetspol.htm</a>
Framework for Biodiversity Assessment (OEH, 2013)	<a href="http://www.environment.nsw.gov.au/resources/biodiversity/140675fba.pdf">http://www.environment.nsw.gov.au/resources/biodiversity/140675fba.pdf</a>
Fisheries NSW policies and guidelines	<a href="http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies.-guidelines-and-manuals/fish-habitat-conservation">http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies.-guidelines-and-manuals/fish-habitat-conservation</a>
List of national parks	<a href="http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx">http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx</a>
Revocation, recategorisation and road adjustment policy (OEH, 2012)	<a href="http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm">http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm</a>
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	<a href="http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm">http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm</a>
<b>Heritage</b>	
The Burra Charter (The Australia ICOMOS charter for places of cultural significance)	<a href="http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf">http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf</a>
Statements of Heritage Impact 2002 (HO & DUAP)	<a href="http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf">http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf</a>
NSW Heritage Manual (DUAP) (scroll through alphabetical list to 'N')	<a href="http://www.environment.nsw.gov.au/Heritage/publications/">http://www.environment.nsw.gov.au/Heritage/publications/</a>

Title	Web address
<b>Aboriginal Cultural Heritage</b>	
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf</a>
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf</a>
Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/2010263ACHguide.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/2010263ACHguide.pdf</a>
Aboriginal Site Recording Form	<a href="http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf">http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf</a>
Aboriginal Site Impact Recording Form	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf</a>
Aboriginal Heritage Information Management System (AHIMS) Registrar	<a href="http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm">http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm</a>
Care Agreement Application form	<a href="http://www.environment.nsw.gov.au/resources/cultureheritage/2010914TransferObject.pdf">http://www.environment.nsw.gov.au/resources/cultureheritage/2010914TransferObject.pdf</a>
<b>Water and Soils</b>	
<b>Acid Sulphate Soils</b>	
Acid Sulfate Soils Planning Maps via Data.NSW	<a href="http://data.nsw.gov.au/data/">http://data.nsw.gov.au/data/</a>
Acid Sulfate Soils Manual (Stone et al. 1998)	<a href="http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf">http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf</a>
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	<a href="http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf">http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf</a> This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
<b>Flooding and Coastal Erosion</b>	
Reforms to coastal erosion management	<a href="http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm">http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm</a>
Floodplain development manual	<a href="http://www.environment.nsw.gov.au/floodplains/manual.htm">http://www.environment.nsw.gov.au/floodplains/manual.htm</a>
Guidelines for Preparing Coastal Zone Management Plans	Guidelines for Preparing Coastal Zone Management Plans <a href="http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf">http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf</a>
NSW Climate Impact Profile	<a href="http://climatechange.environment.nsw.gov.au/">http://climatechange.environment.nsw.gov.au/</a>
Climate Change Impacts and Risk Management	<a href="#">Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation</a>
<b>Water</b>	
Water Quality Objectives	<a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	<a href="http://www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1">www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1</a>
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	<a href="http://deccnet/water/resources/AWQGuidance7.pdf">http://deccnet/water/resources/AWQGuidance7.pdf</a>

Title	Web address
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	<a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>



File No: SF17/36161  
Ref No: DOC17/405393

Ms Nikki Matthews  
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Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Email: [nikki.matthews@planning.nsw.gov.au](mailto:nikki.matthews@planning.nsw.gov.au)

Dear Ms Matthews

**Secretary's Environmental Assessment Requirements (SEARs) to increase the capacity of the Kariong Sand and Soils Supply site 90 Gindurra Road, Somersby**

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I refer to your correspondence received on 4 August 2017 requesting advice on SEARs from the Heritage Council of NSW in relation to a proposal to increase the capacity of the Kariong Sand and Soils Supply site at 90 Gindurra Road, Somersby.

It is noted that the proposal is to increase the capacity of the site to receive, process and store up to 200,000 tonnes per annum (tpa) of soil, sand building materials including Virgin Excavated Natural Materials (VENM), Excavated Natural Materials (ENM), construction and demolition (C&D) waste and landscaping supplies.

No heritage items, either locally listed on the Gosford Local Environmental Plan (GLEP) 2014 or on the State Heritage Register under the *Heritage Act 1977*, are present within the proposed project area. The rear of 90 Gindurra Road, Somersby is opposite Mount Penang Parklands which is listed on the State Heritage Register (SHR No 1667). I understand that the proposal described will not affect the Mount Penang Parklands (SHR No 1667).

It is noted that the northern half of the site has been extensively disturbed by the Landscaping and Resource Recovery Facility which has operated there since 1992, and there is low likelihood that historic heritage features which have not yet been identified in the GLEP 2014, would be present in the areas affected by the increase in capacity. However, archaeological resources, including relics, as defined under the *Heritage Act 1977*, may be present. The following requirements are recommended:

**Historic Archaeology**

- **Undertake a comprehensive historical archaeological assessment prepared by a suitably qualified historical archaeologist in accordance with the Heritage Division, Office of Environment and Heritage Guidelines *Assessing Significance for Historical Archaeological Sites and 'Relics'* 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and**

**Excavation Methodology should also be prepared to guide any proposed excavations.**

In addition, the following list of documents are recommended to be included in the SEARs as policy and guideline reference material:

- **Heritage Council of NSW. Archaeological Assessments Guidelines 1996.**  
Which are located in Appendix 8.7 of Heritage Council of NSW, Local Government Guidelines March 2002  
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/localgovernmentheritageguidelines.pdf>
- **Heritage Council of NSW. Assessing significance for historical archaeological sites and relics 2009.**  
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/ArchSignificance.pdf>
- **Heritage Council of NSW. Criteria for the Assessment of Excavation Directors. Updated 2011.**  
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/excavationdirectors.pdf>

If you have any questions regarding this matter, please contact Ed Beebe, Senior Heritage Assessment Officer, at the Heritage Division, Office of Environment and Heritage on (02) 9585 6045 or [ed.beebe@environment.nsw.gov.au](mailto:ed.beebe@environment.nsw.gov.au).

Yours sincerely



**Rochelle Johnston**  
Manager, Conservation  
Heritage Division  
Office of Environment & Heritage

**As Delegate of the Heritage Council of NSW**

18 August 2017



OUT17/32104

Ms Nikki Matthews  
Industry Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

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Dear Ms Matthews

**Kariong Sand and Soils Supply - 90 Gindurra Road, Somersby - SEARs  
Request for Secretary's Environmental Assessment Requirements**

I refer to your email of 4 August 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant branches of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI.

Any further referrals to DPI can be sent by email to [landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

DPI recommends the EIS for the proposal be required to address the following:

**Water**

- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- 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, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant policies and guidelines.

**Biosecurity**

- Include a biosecurity (pests and weeds) risk assessment outlining the likely plant, animal and community risks from imported material.
- Develop a biosecurity response plan to manage identified weed / pest animal risks.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Isaacs', with a stylized, cursive script.

Mitchell Isaacs

**Director, Planning Policy & Assessment Advice**

1 September 2017

*DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:*

<https://goo.gl/o8TXW>



# NSW RURAL FIRE SERVICE



The Director General  
NSW Department of Planning & Environment  
GPO Box 39  
Sydney NSW 2001

Your reference: -  
Our reference: D17/2639  
DA17080808607 KV  
23 August 2017

**Attention:** Nikki Matthews

Dear Sir/Madam,

## **Proposed development for a resource recovery facility at 90 Gindurra Road Somersby**

Reference is made to correspondence dated 04 August 2017 seeking input regarding the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the above State Significant Development in accordance with the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the information provided and advises that a bush fire assessment report shall be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provision under section 4.3.6(f) of *Planning for Bush Fire Protection 2006* (PBP 2006). In particular, the proposed development needs to demonstrate compliance with the aim and objectives of PBP 2006 in relation to access, water and services, emergency planning, landscaping and vegetation management.

If you have any queries regarding this advice, please contact Kalpana Varghese, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,

Jason Maslen  
Team Leader, Development Assessment and Planning  
Planning and Environment Services (East)

### **Postal address**

NSW Rural Fire Service  
Records Management  
Locked Bag 17  
GRANVILLE NSW 2141

### **Street address**

NSW Rural Fire Service  
Planning and Environment Services (East)  
42 Lamb Street  
GLENDENNING NSW 2761

T 1300 NSW RFS  
F (02) 8741 5433  
E [pes@rfs.nsw.gov.au](mailto:pes@rfs.nsw.gov.au)  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)





31 August 2017

CR2017/003014  
SF2017/176911  
DC

Department of Planning & Environment  
Industry Assessments  
GPO Box 39  
SYDNEY NSW 2001

Attention: Nikki Matthews,

SEARS REQUEST – KARIONG SAND AND SOILS SUPPLY, 90 GINDURRA ROAD, SOMERSBY  
- LOT 4 DP 227279

Reference is made to Department of Planning and Environment's email received 4 August 2017, requesting Roads and Maritime Services' (Roads and Maritime) requirements under Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* for the abovementioned proposal.

Transport for NSW and Roads and Maritime's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport. Nearby classified roads to the subject site include Central Coast Highway (HW30) and the Pacific Motorway (M1), classified Freeway.

Roads and Maritime understands the proposal involves increasing the capacity of the site to receive, process and store up to 200,000 tonnes per annum (tpa) of soil, sand building materials including Virgin Excavated Natural Materials (VENM), Excavated Natural Materials (ENM), construction and demolition (C&D) waste and landscaping supplies.

Vehicular access will be from the existing driveway on Gindurra Road (Local Road) however details of the type of vehicles or traffic generated by the development has not been included in the preliminary assessment report.

#### Roads and Maritime response

The EIS should refer to the following guidelines with regard to the traffic and transport impacts of the proposed development:

- *Road and Related Facilities* within the Department of Planning *EIS Guidelines*, and,
- Section 2 *Traffic Impact Studies* of Roads and Maritime's *Guide to Traffic Generating Developments 2002*.

Furthermore, a traffic and transport study shall be prepared in accordance with Austroads Guide to Traffic Management Part 12 the Roads and Maritime's *Guide to Traffic Generating Developments 2002* and is to include (but not be limited to) the following:

- Assessment of all relevant vehicular traffic routes and intersections for access to / from the subject properties.
- Current traffic counts for all relevant traffic routes and intersections.
- The anticipated additional vehicular traffic generated from both the construction and operational stages of the project.
- The distribution on the road network of the trips generated by the proposed development. It is requested that the predicted traffic flows are shown diagrammatically to a level of detail sufficient for easy interpretation.
- Consideration of the traffic impacts on existing and proposed intersections, in particular, the intersection of Central Coast Highway and Kangoo Road, and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development during both the construction and operational stages. The traffic impact shall also include the cumulative traffic impact of other proposed developments in the area.
- Identify the necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network for the development. In this regard, preliminary concept drawings should be submitted with the EIS for any identified road infrastructure upgrades. However, it should be noted that any identified road infrastructure upgrades will need to be to the satisfaction of Roads and Maritime and Council.
- Traffic analysis of any major / relevant intersections impacted, using SIDRA or similar traffic model.
- Any other impacts on the regional and state road network including consideration of pedestrian, cyclist and public transport facilities and provision for service vehicles.
- Details of any measures proposed to manage and / or mitigate impacts as a result of the proposal identified in traffic and transport study.

On determination of this matter, please forward a copy of the Notice of Determination to Roads and Maritime for record and / or action purposes. Should you require further information please contact Hunter Land Use on 4924 0688 or by email at [development.hunter@rms.nsw.gov.au](mailto:development.hunter@rms.nsw.gov.au)

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Marler', with a circular flourish at the beginning.

Peter Marler  
Manager Land Use Assessment  
Hunter Region