

Secretary's Environmental Assessment Requirements

Section 78A (8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 8788
Proposal Name	Pacific National Intermodal Freight Facility
Location	Lots 360, 98 and 99 DP750179, Brolgan Road, Parkes. The site is within the Parkes Local Government area.
Applicant	Pacific National Pty Ltd
Date of Issue	3 November 2017
General Requirements	<p>The Environmental Impact Statement report must:</p> <ul style="list-style-type: none"> • include an executive summary; • a description of the project, including all components and activities required to construct and operate it; • a statement of the objective(s) of the project; • a statement of the strategic need for the project and relevant government policy; • an analysis of any feasible alternatives to the project (alternatives being a different project that would achieve the same project objective(s) including the consequences of not carrying out the project); • a description of feasible options within the project (i.e. variations of the same project); • a description of how alternatives to and options within the project were analysed to inform the selection of the preferred alternative / option. The description must contain sufficient detail to enable an understanding of why the preferred alternative to and option(s) within the project were selected; • a description of the general biophysical and socio-economic environment likely to be impacted by the project (on and off site impacts); • the identification and assessment of key issues and statement of the outcome(s) the proponent will achieve for each key issue; • measures to avoid, minimise or offset impacts must be linked to the impact(s) they treat, so it is clear which measures will be applied to each impact; • consideration of the interactions between measures proposed to avoid or minimise impact(s), between impacts themselves and between measures and impacts; • an assessment of the cumulative impacts of the project taking into account other projects that have been approved but where construction has not commenced, projects that have commenced construction, and projects that have recently been completed; • statutory context of the project as a whole, including how the project meets the provisions of the EP&A Act and Regulation, and a list of any approvals that must be obtained under any other Act or law before the project may be lawfully carried out; • a chapter that synthesises the environmental impact assessment and provides:

	<ul style="list-style-type: none"> - a succinct but full description of the project for which approval is sought; - a description of any uncertainties that still exist around design, construction methodologies and/or operational methodologies and how these will be resolved during the project; - a compilation of the impacts of the project that have not been avoided; - a compilation of the proposed measures associated with each impact to avoid or minimise (through design refinements or ongoing management during construction and operation) or offset these impacts); - a compilation of the outcome(s) the proponent will achieve; and - reasons justifying carrying out the project as proposed, having regard to the biophysical, economic and social considerations, including ecologically sustainable development and cumulative impacts; and <ul style="list-style-type: none"> • relevant project plans, drawings, diagrams in an electronic format that enables integration with mapping and other technical software. <p>The EIS must only include data and analysis that is reasonably needed to make a decision on the proposal. Relevant information must be succinctly summarised in the EIS and included in full in appendices. Irrelevant, conflicting or duplicated information must be avoided.</p>
<p>Key Issues</p>	<p>The EIS Report must include the following:</p> <ul style="list-style-type: none"> • traffic and transport – including: <ul style="list-style-type: none"> - an assessment of construction and operational traffic (vehicle, pedestrian, bus services, train operation and cyclists) impacts, including, but not necessarily limited to): <ol style="list-style-type: none"> a) a considered approach to route identification and scheduling of transport movements; b) the number, frequency and size of construction related vehicles (passenger, commercial and heavy vehicles, including spoil management movements and track machines); c) the nature of existing traffic (types and number of movements) on construction access routes (including consideration of peak traffic times and sensitive road users and parking arrangements) and assessment of traffic impacts on these routes including identifying traffic management measures to mitigate any issues; d) construction worker parking; e) provisions proposed to ensure safe access and egress to/from the classified road network; f) the nature of any train paths (types and number of movements) and potential impact to these train paths due to additional track possession requirements; and g) the need to close, divert or otherwise reconfigure elements of the road and cycle network associated with construction of the project. - an assessment (and modelling) of the operational transport impacts of the project for both road and rail in accordance with the Roads and Maritime Services (formerly RTA) <i>Guide to Traffic Generating Developments</i>, including: <ol style="list-style-type: none"> a) existing and forecast travel demand and traffic volumes for the project (road and rail); b) assessment of rail transport movements, including the number and frequency of train movements and potential conflicts with current rail traffic; c) consideration of cumulative traffic impacts and the effect of likely and target modal splits (including maximization of rail haulage);

	<ul style="list-style-type: none"> d) performance of key interchanges and intersections by undertaking a level of service analysis at key locations; e) wider transport interactions (including assessment of impacts on local and regional roads (including the proposed Newell Highway upgrade at Parkes), cycling, public and freight transport and the broader NSW rail network); f) details of design of rail sidings, capacity for longer trains and double-stacking and related infrastructure, including accreditation requirements; g) risk impacts and proposed routes for any dangerous goods transport must be included in the EIS; and h) identification of traffic and transport measures to mitigate any impacts, including clear details of any road and rail infrastructure upgrades, particularly at the entrance to the site and at any road/rail interfaces. <ul style="list-style-type: none"> • visual assessment – including but not limited to: <ul style="list-style-type: none"> - an assessment of the visual impact of the project on views and vistas; streetscapes, key sites and buildings; heritage items including Aboriginal places and environmental heritage; and local community; and - details of any proposed visual amenity mitigation and management measures proposed. • soil – including: <ul style="list-style-type: none"> - an assessment to ascertain whether the land is likely to be contaminated and identify if remediation of the land is required, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses. Where assessment and/or remediation is required it must be documented how the assessment and/or remediation would be undertaken in accordance with current guidelines; - an assessment of the likelihood of salinity issues should be conducted and if so, determine the presence, extent and severity within the project area; - if salinity is identified as an issue its impacts and how it may affect groundwater resources and hydrology should be assessed; - conduct an assessment of impacts on soil and land resources (including erosion risk or hazard). Particular attention must be given to soil erosion and sediment transport consistent with the practices and principles in the current guidelines; and - an assessment of any potential impacts on any significant mineral resources, including consideration of: <ul style="list-style-type: none"> a) any operating mines, extractive industries, title holders or known mineral or petroleum resources; b) exploration activities in the vicinity of the proposed development; c) access for future exploration in the area; and d) consultation with title holders (with evidence of the consultation to be provided). • air quality – including: <ul style="list-style-type: none"> - a description of all potential sources of air and odour emissions during construction and operation; and - an air quality impact assessment and a demonstrated ability to comply with relevant Environment Protection Authority guidelines, specifically the ability to comply with the <i>Protection of the Environment Operations Act 1997</i> and the <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i>.
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	<ul style="list-style-type: none"> • noise and vibration – including: <ul style="list-style-type: none"> - assessment of construction and operational noise and vibration impacts in accordance with relevant NSW noise and vibration guidelines. The assessment must include consideration to sensitive receivers including small businesses, residential premises, consideration of sleep disturbance and, as relevant, the characteristics of noise and vibration (eg. low frequency noise); and - the assessment must also include consideration of impacts to the structural integrity and heritage significance of items (including Aboriginal places and items of environmental heritage). • biodiversity – including: <ul style="list-style-type: none"> - an assessment of in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s.6.12), <i>Biodiversity Conservation Regulation 2017</i> (s.6.8) and Biodiversity Assessment Method including details of the measures proposed to address the offset obligation as follows: <ol style="list-style-type: none"> a) the total number and classes of biodiversity credits proposed to be retired; b) the number and classes of like-for-like biodiversity credits proposed to be retired; c) the number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; d) any proposal to fund a biodiversity conservation action; and e) any proposal to make a payment to the Biodiversity Conservation Fund. <p>If requesting the application of the variation rules, the BDAR must contain details of what reasonable steps have been taken to attempt to obtain the required like-for-like biodiversity credits; and</p> - the BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the <i>Biodiversity Assessment Method Order 2017</i> under s.6.10 of the <i>Biodiversity Conservation Act 2016</i>. • flooding – including: <ul style="list-style-type: none"> - an assessment and modelling of the impacts on flood behaviour during construction and operation for a full range of flood events up to the probable maximum flood (taking into account storm intensity due to climate change) including: <ol style="list-style-type: none"> a) any detrimental increases in the flood affection of other properties, assets and infrastructure; b) consistency (on inconsistency) with applicable Council floodplain risk management plans; c) compatibility with the flood hazard of the land; d) compatibility with the hydraulic functions of flow conveyance in flood ways and storage areas of the land; e) downstream velocity and scour potential; f) impacts the development may have upon existing community emergency management arrangements for flooding. These matters must be discussed with the State Emergency Services and Council; and g) any impacts the development may have on the social and economic costs to the community as a consequence of flooding.
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	<ul style="list-style-type: none"> • Aboriginal cultural heritage – including: <ul style="list-style-type: none"> - the EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the 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 <i>Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW</i> (DECCW, 2011) and consultation with OEH regional officers; - where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the <i>Aboriginal cultural heritage consultation requirements for proponents 2010</i> (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS; and - 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. • historic heritage – including: <ul style="list-style-type: none"> - the EIS 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: <ol style="list-style-type: none"> a) 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); b) 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); c) include a statement of heritage impact for all heritage items (including significance assessment); d) 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 e) where potential archaeological impacts have been identified develop an appropriate archaeological assessment methodology, including research design, to guide physical archaeological test excavations and include the results of these test excavations. • socio-economic, land use property, utilities, agriculture and biosecurity – including: <ul style="list-style-type: none"> - an assessment of social and economic impacts in accordance with the current guidelines; - assess agricultural land use impacts in accordance with the current guidelines; - undertake an assessment of biosecurity risks and management measures relating to the potential for spread of pests, diseases or weeds around the project site and alignment; - assessment of the impacts from construction and operation on
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	<p>potentially affected properties, businesses, recreational users and land and water users;</p> <ul style="list-style-type: none"> - assessment of impacts on utilities, and information on the existing capacity and any augmentation and easement requirements of the development for the provision of utilities including staging of infrastructure, and evidence of consultation with relevant agencies; - encroachments into adjoining road reserves, and any Crown affected land affected by the proposal must be identified; - provision of drawings and plans identifying the proximity to the township, taking into consideration the buffer as required by the Parkes LEP, clause 6.9; and - an assessment on lighting and potential associated impacts, with consideration to the <i>Dark Sky Planning Guideline 2016</i> and local development controls for lighting (where applicable). <ul style="list-style-type: none"> • waste – including: <ul style="list-style-type: none"> - assess predicted waste generated from the project during construction and operation, including: <ol style="list-style-type: none"> a) classification of the waste in accordance with the current guidelines; b) estimates / details of the quantity of each classification of waste to be generated during the construction of the project, including bulk earthworks and spoil balance; c) handling of waste including measures to facilitate segregation and prevent cross contamination; d) management of waste including estimated location and volume of stockpiles; e) waste minimisation and reuse; f) lawful recycling or disposal locations for each type of waste; and g) contingencies for the above, including managing unexpected waste volumes; and - assess potential environmental impacts from the excavation, handling, storage on site and transport of the waste particularly with relation to sediment/leachate control, noise and dust. • water (hydrology) – including: <ul style="list-style-type: none"> - describe (and map) the existing hydrological regime for any surface and groundwater resource (including reliance by users and for ecological purposes) likely to be impacted by the project; - assess (and model if appropriate) the impact of the construction and operation of the project and any ancillary facilities (both built elements and discharges) on surface and groundwater hydrology in accordance with the current guidelines; and - identify any requirements for baseline monitoring of hydrological attributes. • water (quality) – including: <ul style="list-style-type: none"> - an assessment in which the Proponent must: <ol style="list-style-type: none"> a) include 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 (WQOs) in the ambient waters, using technical criteria derived from the Australian and New Zealand Guidelines for Fresh and Marine Water Quality, (ANZECC 2000); b) identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle. Assessment of all pollutants that pose a risk of harm to human health and the
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	<p>environment;</p> <ul style="list-style-type: none"> c) demonstrate how construction and operation of the project will, to the extent that the project can influence, ensure that: <ul style="list-style-type: none"> * where the NSW WQOs for receiving waters are currently being met they will continue to be protected; and * where the NSW WQOs are not currently being met, activities will work toward their achievement over time d) justify, if required, why the WQOs cannot be maintained or achieved over time; e) demonstrate that all practical measures to avoid or minimise water pollution and protect human health and the environment from harm are investigated and implemented; f) identify sensitive receiving environments and develop a strategy to avoid or minimise impacts on these environments; and g) identify proposed monitoring locations, monitoring frequency and indicators of surface water quality. <ul style="list-style-type: none"> • public benefits, contributions and/or voluntary planning agreement <ul style="list-style-type: none"> - addressing the benefits to the public, services and infrastructure in consultation with key stakeholders, such as Council and TfNSW and provide details of any voluntary planning agreement (VPA) or other legally binding instrument agreed between relevant public authorities and the applicant. • general environmental risk analysis – notwithstanding the above key assessment requirements, the EIS must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts. <p>Where additional environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of these additional key environmental impacts must be included in the EIS Report.</p>
Consultation	<p>The project must be informed by consultation, including with relevant government agencies, infrastructure and service providers, special interest groups, affected landowners, businesses and the community. The consultation process must be undertaken in accordance with the current guidelines.</p> <p>The Proponent must document the consultation process, and demonstrate how the project has responded to the inputs received.</p> <p>The Proponent must describe the timing and type of community consultation proposed during the design and delivery of the project, the mechanisms for community feedback, the mechanisms for keeping the community informed, and procedures for complaints handling and resolution.</p>
Further consultation after 2 years	<p>If you do not lodge an EIS for the proposal within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS Report.</p>