Contact: Emma Barnet
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Mr Vince DiFalco
De-Construct and Recycle Pty Ltd
PO Box 286
Annerley QLD 4118

SSD 9074

Dear Mr DiFalco

State Significant Development – Secretary's Environmental Assessment Requirements
De-Construct and Recycle Resource Recovery Facility, St Marys (SSD 9074)

Please find attached the Secretary's Environmental Assessment Requirements (SEARs) for the proposed resource recovery facility for De-Construct and Recycle Pty Ltd at 40 Charles Street, St Marys in the Penrith local government area (LGA).

The SEARs have been prepared in consultation with the relevant government agencies as well as Penrith City Council (see **Attachment 2**), and are based on the information you have provided to date. Please note that the Department has not yet received comments from SafeWork NSW, NSW Fire and Rescue and the Roads and Maritime Authority, these will be provided to you once they have been received.

Please also note that the Department may alter the SEARs at any time. You must consult further with the Department if you do not lodge a development application and Environmental Impact Statement (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 the proposal to proactively respond to the community's concerns. Accordingly, you must undertake a comprehensive, detailed and genuine community consultation and engagement process during the preparation of the EIS. This process must ensure that the community is informed of the development and engaged with issues of concern to them. Sufficient information must be provided to the community to enable a good understanding of the development and any 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 at least two weeks before you intend lodge the EIS and any associated documentation for the development. This will enable the Department to determine the:

- applicable fee (under Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements, including copies and format requirements of the EIS.

If you have any enquiries about these SEARs, please contact Emma Barnet on the above details.

Yours sincerely

Chris Ritchie
Director
Industry Assessments
as delegate of the Secretary

13/3/18

Secretary's Environmental Assessment Requirements

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

State significant development

Application Number	SSD 9074
Development	Construction and operation of a resource recovery facility with the capacity to recover, process and store up to 200,000 tonnes per annum of a range of waste types including construction and demolition waste, metals, food waste, lead acid batteries, grease trap waste, fly ash, septic waste and asbestos
Location	40 Charles Street, St Marys (Lot 100 DP 125633)
Applicant	De-Construct and Recycle Pty Ltd
Date of Issue	13 March 2018
General Requirements	The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. In addition, the EIS must include a: • detailed description of the development, including: – existing operations carried out on the site and how the site operates lawfully under the *Environmental Planning and Assessment Act 1979* (EP&A Act) including any reliance on existing use rights and/or planning approvals and how these will be consolidated; – accurate history of the site, including development consents; – need for the proposed development; – justification for the proposed development; – likely staging of the development - including demolition, construction, and operational stage/s; – likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; – plans of any proposed building works; and – contributions required to offset the proposal. • demonstrate that the site is suitable for the proposed use in accordance with *State Environmental Planning Policy No 55 – Remediation of Land*; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • consideration of issues discussed in **Attachment 2** (public authority responses to key issues); • risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment; • detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: – a description of the existing environment, using adequate baseline data; – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and • a consolidated summary of all the proposed environmental management

	and monitoring measures, highlighting commitments included in the EIS. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the capital investment value (as defined in clause 3 of the *Environmental Planning and Assessment Regulation 2000*) of the proposal, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must address the following specific matters: • **Community and Stakeholder Engagement** – including – a detailed community and stakeholder participation strategy which identifies who in the community has been consulted and a justification for their selection, other stakeholders consulted and the form(s) of the consultation, including a justification for this approach – a report on the results of the implementation of the strategy including issues raised by the community and surrounding occupiers and landowners that may be impacted by the proposal – details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal – details of the proposed approach to future community and stakeholder engagement based on the results of the consultation. • **Suitability of the Site** – including: – details of all development consents and approved plans for the existing development, including for all structures, plant and equipment – details of all current development applications and supporting documentation relating to site preparation and remediation presently under assessment by Council – a detailed justification that the site can accommodate the development. – a detailed justification that the site can accommodate the proposed processing capacity and waste types. • **Waste Management** – including: – 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 and liquid waste storage – a description of waste processing operations (including flow diagrams for each waste stream) including a description of the technology to be installed, resource outputs, and the quality control measures that would be implemented including proposed procedures to ensure general solid waste is not contaminated by restricted, hazardous and/or liquid waste – 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 – details of the waste tracking system for incoming and outgoing waste – details of the final dispatch locations of waste – details of the waste management strategy for demolition, construction and ongoing operational waste generated – the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021*. • **Soil & Water** – including: – an assessment of potential impacts to soil and water resources, topography, hydrology, drainage lines, watercourses and riparian

lands on or nearby to the site
  - 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
  - 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 waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters)
  - details of stormwater/wastewater/leachate management systems including the capacity of onsite detention systems and measure to treat, reuse or dispose of water
  - a description of erosion and sediment controls
  - an assessment of flooding impacts associated with the development including details of the flood liability of the site and changes to flooding behaviour
  - consideration of salinity and acid sulfate soil impacts
  - characterisation of the nature and extent of any contamination on the site and a description of proposed management measures in accordance with the OEH's *Guidelines for Consultants Reporting on Contaminated Sites*.
- **Traffic and Transport** – including:
  - details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes
  - plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network
  - 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
  - detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian Standards and Council's DCP
  - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site
  - plans of any proposed road upgrades, infrastructure works or new roads required for the development
  - an assessment of potential impacts on local road pavement lifespan
  - an assessment of the accessibility of the development by public transport and bicycle.
- **Air Quality and Odour** – including:
  - a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines
  - the details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to a building
  - a greenhouse gas assessment
  - details of proposed mitigation, management and monitoring measures.
- **Noise and Vibration** – including:
  - a quantitative assessment of potential construction, operational and transport noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines
  - details and justification of the proposed noise mitigation and monitoring measures.
- **Fire and Incident Management** – including
  - identification of the aggregate quantities of combustible waste products to be stockpiled at any one time

	- 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 - detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC) - details of how Clauses E.10 and E2.3 of the NCC would be addressed. • **Hazards** – including: - 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. 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). • **Flora and Fauna** – including - An assessment of the proposal in accordance with the *Biodiversity Assessment Method* (BAM) including an assessment of any potential impacts on aquatic and riparian vegetation and groundwater dependent ecosystems. • **Contamination** – including: - An assessment and quantification of any soil and groundwater contamination in accordance with SEPP 55 and the most recent version of the relevant guidelines associated with the SEPP.
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*. These documents should be included as part of the EIS rather than as separate documents.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and potentially affected landowners. In particular you must consult with: • Penrtih City Council; • Environment Protection Authority; • Department of Primary Industries; • Sydney Water; • Roads and Maritime Services; and • nearby land owners and occupiers that may be affected by the proposal. 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.
Further consultation after 2 years	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.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.

ATTACHMENT 1
Technical and Policy Guidelines

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

Many of these documents can be found on the following websites:
http://www.planning.nsw.gov.au
http://www.bookshop.nsw.gov.au
http://www.publications.gov.au

Policies, Guidelines & Plans

Plans and Documents

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

1. An existing site survey plan drawn at an appropriate scale illustrating:
- the location of the land, boundary measurements, area (sq. m) and north point;
- the existing levels of the land in relation to buildings and roads;
- location and height of existing structures on the site;
- location and height of adjacent buildings and private open space; and
- all levels to be to Australian Height Datum (AHD).

2. A locality/context plan drawn at an appropriate scale should be submitted indicating:
- watercourses including nearby rivers and creeks, and dams;
- significant local features such as heritage items;
- the location and uses of nearby buildings, shopping and employment areas, hospitals and schools; and
- traffic and road patterns, pedestrian routes and public transport nodes.

3. An indication of the location of the site with respect to the relevant Land Zoning Map within the relevant Local Environment Plan.

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

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Policies, Guidelines & Plans

Aspect	Policy /Methodology
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA 2014)
	Waste Classification Guidelines (DECC)
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (EPA)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC)
	Environmental guidelines: Use and Disposal of Biosolids Products (EPA)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
Soil and Water	
Soil	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)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (OEH 2011)
Surface Water	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)
Groundwater	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 Quantity Management Policy 2002 (DLWC)
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC)

	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
	Australian Groundwater Modelling Guidelines 2012
Wastewater	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)
Air Quality and Odour	
Air Quality	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 2007)
	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
Odour	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)
Noise and Vibration	
Noise	Noise Policy for Industry (EPA 2017)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
	Interim Construction Noise Guideline (DECC 2009)
Vibration	Assessing Vibration: A Technical Guideline (DEC 2006)
Traffic and Transport	
	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)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principles and Process
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)
	Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage

ATTACHMENT 2
Public Authority Responses to Request for Key Issues