

Planning Secretary's Environmental Assessment Requirements

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

Application Number	SSD-9540
Project Name	Brandown Resource Recovery Facility
Development	<p>The proposed development includes the construction of new resource recovery infrastructure and alterations to the existing quarry, landfill and resource recovery facility including:</p> <ul style="list-style-type: none"> · Alterations, re-siting and continued use of an existing Crushing and Screening Facility, Construction and Demolition (C&D) Recycling Facility, Composting Facility and Soil Processing Facility; · Construction of a Refuse Derived Fuel (RDF) Production Facility with capacity to process up to 250,000 tpa of waste; · Construction of a Mechanical Biological Treatment (MBT) Facility with capacity to process 250,000 tpa of waste; · Construction of a Cement Stabilisation Facility with capacity to process up to 50,000 tpa of road base and sand; · Alterations to existing weighbridges and amenities buildings; and · Extended hours of recycling operations.
Location	Lot 90 Elizabeth Drive, Kemp's Creek
Applicant	Brandown Pty Ltd
Date of Issue	22/03/2021
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> · a detailed description of the development, including: <ul style="list-style-type: none"> - an accurate history of the site, including development consents - the need for the proposed development - justification for the proposed development - likely staging of the development - likely interactions between the development and existing, approved and proposed operations in the vicinity of the site - plans of any proposed building works - contributions required to offset the proposal and - infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained. · consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments · consideration of issues raised by in the public authority responses to key issues, available for download on the Department's Major Project's website. · a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment · a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes:

	<ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data - an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes and - a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment. <p>· a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</p> <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> · high quality files of maps and figures of the subject site and proposal · a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> - a detailed calculation of the capital investment value (CIV) of the proposal (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. The report shall be prepared on company letterhead and indicate the applicable GST component of the CIV - an estimate of the jobs that will be created by the development during the construction and operational phases of the proposed development and - certification that the information provided is accurate at the date of preparation.
<p>Key issues</p>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> · Statutory and Strategic Context – including: <ul style="list-style-type: none"> - details of any proposed consolidation or subdivision of land - demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. The following must be addressed: <ul style="list-style-type: none"> o A Metropolis of Three Cities o Western City District Plan o State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 o State Environmental Planning Policy (Major Infrastructure Corridors) 2020 o Western Sydney Aerotropolis Plan · Community and Stakeholder Engagement – including: <ul style="list-style-type: none"> - 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; and - details of the proposed approach to future community and stakeholder engagement based on the results of the consultation. · Waste Management – including: <ul style="list-style-type: none"> - 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;

- 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;
- detail the developments waste tracking system for incoming and outgoing waste;
- detail the quality of waste produced and final dispatch locations;
- details of spoil disposal such as the quantity of spoil material to be generated;
- strategies for handling, stockpiling, recycling and disposal of spoil;
- maximisation of spoil material reuse in the construction industry;
- identification of the history of spoil material and the management measures in the event of contaminated material;
- 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*; and
- demonstrating compliance with the *NSW Energy from Waste Policy Statement*.
- **Suitability of the Site** – including:
 - details of all development consents and approved plans for the existing facility, including for all structures, plant and equipment; and
 - a detailed justification that the site can accommodate the proposed resource recovery facility, having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures.
- **Soil & Water** – including:
 - characterisation of the nature and extent of contamination on the site and a description of proposed management measures;
 - a description of water and soil resources, topography, hydrology, 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 the waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters);
 - detailed flooding assessment;
 - details of stormwater/wastewater/leachate management systems including the capacity of onsite detention system/s, onsite sewage management and measures to treat, reuse or dispose of water;
 - a description of erosion and sediment controls;
 - an assessment of potential impacts to soil and water resources, topography, drainage lines, watercourses and riparian lands on or nearby to the site; and
 - consideration of salinity and acid sulphate soil impacts.
- **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. This is to include the identification of existing and potential future sensitive receivers and consideration of approved and/or proposed developments in the vicinity;
 - the details of buildings and air handling systems and strong justification (including quantitative evidence) for any material handling, processing or stockpiling external to a building;
 - a greenhouse gas assessment; and
 - details of proposed mitigation, management and monitoring measures.
- Noise and Vibration** – including:
- a quantitative assessment of potential demolition, construction, operational and transport noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines and Australian Standards which includes:
 - o the identification of impacts associated with site emission and traffic generation at noise affected sensitive receivers
 - o details of noise monitoring survey, background noise levels and noise emission levels of proposed activities
 - o consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
 - o a cumulative impact assessment inclusive of impacts from other developments
 - o details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of mitigation these measures and details of any proposed compliance monitoring programs.
 - o Specify the times of operation for all phases of the development and for all noise producing activities.
- 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;
 - 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. This is to include the identification and consideration of approved and/or proposed developments in the vicinity;
 - an assessment of the existing and future performance of key intersections providing access to the site (Elizabeth Drive and Range Road), and any upgrades (road/ intersections) required as a result of the development;
 - details of any likely dangerous goods to be transported on arterial and local roads to/from the site, if any, and the preparation of an incident management strategy, if necessary;
 - detailed plans of the proposed layout of the internal road and pedestrian network and parking on site in accordance with the relevant Australian Standards;
 - plans of any proposed road upgrades, infrastructure works or new roads required for the development;
 - 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;
 - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site for both heavy and light vehicles;
 - identification of any infrastructure upgrades required off-site to facilitate the development, and describe any arrangements to ensure that the upgrades

	<ul style="list-style-type: none"> - will be implemented in a timely manner and maintained; and - an infrastructure delivery and staging plan, including a description of how infrastructure on and off-site will be co-ordinated and funded to ensure it is in place prior to the commencement of construction • Fire and Incident Management – including: <ul style="list-style-type: none"> - a bushfire assessment report which provides an assessment of bushfire hazard, including: <ul style="list-style-type: none"> o details of the storage of flammable materials o an assessment against the requirements of 'Planning for Bushfire Protection 2019', particularly access and provision of water supply for firefighting purposes o a description of measures to ensure the proposal will not increase the bushfire risk to adjoining lands. - 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; - details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site's largest stockpile fire load; - details of size and volume of stockpiles and their management and separation to minimise fire spread and facilitate emergency vehicle access; - consideration of consistency with NSW Fire & Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (February 2020); and - detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC). • Hazards – including: <ul style="list-style-type: none"> - 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 - 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). • Biodiversity – including an assessment of the proposal's biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i>, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted. • Heritage – including: <ul style="list-style-type: none"> - a detailed assessment of Aboriginal cultural heritage - an assessment of environmental heritage, including identification of measures to mitigate impacts on any heritage conservation area and/or items of heritage significance nearby the site. • Visual – including an assessment of the potential visual impacts of the development on the amenity of the surrounding area.
Consultation	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"> · Environment Protection Authority · Liverpool City Council · Environment, Energy and Science Group · DPIE Water Group · NSW Fire and Rescue · NSW Rural Fire Service · Transport for NSW · Western Sydney Planning Partnership · Western Sydney Airport · Local community and other stakeholders <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	<p>If you do not lodge a Development Application and EIS for the development within two (2) years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.</p>
References	<p>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 proposal.</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.shop.nsw.gov.au/index.jsp>

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

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

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

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

Plans and Documents

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

In addition, the EIS must include the following:

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

Documents to be Submitted

Documents to submit include:

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

Policies, Guidelines & Plans

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

	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMMC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
Contamination	State Environmental Planning Policy No. 55 – Remediation of Land
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
Biodiversity	
	Biodiversity Conservation Act 2016
	Biodiversity Assessment Method (OEH, 2017)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
Heritage	
	Heritage Act 1977
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
Noise and Vibration	
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Acoustics - Description and measurement of environmental noise (AS1055:2018)
	Noise Policy for Industry (EPA, 2017)
	NSW Road Noise Policy (DECCW, 2011)
	Noise Guide for Local Government (EPA, 2013)
	Interim Construction Noise Guideline (DECC, 2009)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
<i>Air Quality</i>	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)

<i>Odour</i>	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
<i>Greenhouse Gas</i>	AGO Factors and Methods Workbook (AGO, 2018) Guidelines for Energy Savings Action Plans (DEUS, 2005)
Upper Canal and Warragamba Pipeline Corridors	
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2018)
Bushfire	
	Planning for Bushfire Protection (RFS, 2006)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA 2008)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	NSW Energy from Waste Policy Statement (EPA 2015)
	Standards for Managing Construction Waste in NSW (EPA 2018)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
Social	
	Social Impact Assessment Guideline (DPE, 2017)