

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 9691
Project Name	Orica Southlands Warehouse Estate
Development	Establishment of a warehouse estate, comprising: • a suspended concrete platform above the flood detention basin to support warehouse buildings and hardstand / parking areas • construction of two warehouse buildings for the storage and distribution of general merchandise including goods arriving from Port Botany
Location	28 McPherson Street, Banksmeadow in the Bayside Local Government Area (Lot 9 DP 1205673)
Applicant	Orica Limited
Date of Issue	14 December 2018
General Requirements	The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of, clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (the Regulation). In addition, the EIS must include: • a detailed description of the development, including: – 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 • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments • 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: – a description of the existing environment, using sufficient baseline data – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes – a description of the measures that would be implemented to avoid, minimise, 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 • 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 (CIV) (as defined in clause 3 of the Regulation) 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 applicable GST component of the CIV • an estimate of jobs that will be created during the construction and operational phases of the proposed development • certification that the information provided is accurate at the date of preparation
Key issues	The EIS must address the following specific matters: • Statutory and Strategic Context – including: – detailed justification that the proposed land use is permissible – details of any proposed consolidation or subdivision of land – a description of how the proposal complies with the land restrictions contained within the section 88B(E) public covenant instrument for the land pursuant to the <i>Conveyancing Act 1919</i> – a description of how the proposal is consistent with the relevant requirements of the project approval for the Orica Southlands Remediation and Warehouse Project (MP_06_0191) (as modified) – 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: - o State Environmental Planning Policy (Three Ports) 2013 - o Greater Sydney Region Plan: A Metropolis of Three Cities - o Our Greater Sydney 2056: Eastern City District Plan - o Future Transport Strategy 2056. • Suitability of the Site – including: – an analysis of site constraints, such as hazard and risk, flooding impacts and road access to the site – a detailed justification that the site is suitable for the scale of the proposal and any constraints identified, having regard to the sites surrounds and the potential contamination, flooding and hazard impacts • 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 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 land owners and occupiers 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 consultation • Hazards and Risk – 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 development is "potentially hazardous," a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011) – an evaluation and assessment of the risks posed by the Botany Industrial Park complex on the development and demonstrate that the

	development complies with the risk criteria for development in the vicinity of potentially hazardous facilities published in Hazardous Industry Planning Advisory Paper No. 10 – Land Use Safety Planning (DoP, 2011). The assessment must be undertaken in consultation with BIP, must be based on the most recently available data and must demonstrate that the development would not result in any increase of the overall societal risk in the area – address all relevant recommendations published in Botany-Randwick Industrial Area Land Use Safety Study (DUAP 2001) • Flooding – a detailed hydrological and hydraulic assessment which includes the following: – a comprehensive assessment of the impact of flooding on the development for the full range of flood events up to the probable maximum flood. – an assessment of the impacts of the development on flood behaviour (i.e. levels, velocities and duration of flooding) and on adjacent, downstream and upstream areas – details of proposed floor levels for all proposed habitable structures on the site having considered the full range of flood events up to the probable maximum flood – an emergency response plan for the site, which includes consideration of site accessibility, a flood-free access to and from the development site and evacuation measures in extreme flood events • Contamination – including: - assessment of the extent and nature of any contamination of the soil, groundwater and soil vapour including the potential risks to human health and the environmental receptors near the site - a remediation action plan (RAP) detailing the measures that will be undertaken to remediate and manage any contamination identified at the site - the engagement of a Site Auditor accredited under the <i>Contaminated Land Management Act 1997</i> NSW Site Auditor Scheme - a Section B Site Audit Statement and Site Audit Report prepared by a NSW Site Auditor, certifying site suitability for the intended use subject to the implementation of an appropriate RAP • Traffic and Transport – including: – a Traffic Impact Assessment prepared in accordance with relevant guidelines – details of all daily and peak traffic and transport movements likely to be generated by the development including the impact on the nearby intersections and the need/associated funding for the upgrading or road improvements works (if required) – impacts on the safety and capacity of the surrounding road network and access points, using SIDRA or similar modelling, to assess impacts from current traffic counts and cumulative traffic from existing and proposed development – demonstrate that sufficient loading/unloading, car parking and pedestrian and cyclist facilities have been provided for the development – details and a justification of access to, from and within the site (vehicular and pedestrian) – details of road upgrades, new roads or access points required for the development, if necessary • Soils and Water – including: – a description of the water demands and a breakdown of water supplies, including a detailed site water balance – identification of any water licensing requirements under the <i>Water Act 1912</i> or <i>Water Management Act 2000</i> – details of proposed erosion and sediment controls during construction
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	– an assessment of potential impacts on surface and groundwater resources, drainage patterns, soil (stability, salinity and acid sulfate soils), related infrastructure, watercourses and riparian land and proposed mitigation, management and monitoring measures • Infrastructure Requirements – including: – a detailed written and/or graphical description of infrastructure required on the site – identification of any infrastructure upgrades required off-site to facilitate the development, and describe any arrangements to ensure that the upgrades will be implemented in a timely manner and maintained – detailed design plans to demonstrate the development will allow safe heights under the floor slab of the warehouse, to allow for access and maintenance and installation of service – 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 – an assessment of the impacts of the development (construction and operation) on existing infrastructure surrounding the site – consideration of the <i>Civil Aviation (Buildings Control) Regulation 1988</i> (Cwth) • 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 • Urban Design and Visual – including: – consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks – detailed plans showing suitable landscaping and urban green cover design which incorporates endemic species • Noise and Vibration– including: – a quantitative noise and vibration impact assessment undertaken by a suitably qualified person in accordance with the relevant Environment Protection Authority guidelines and including an assessment of nearby sensitive receivers – cumulative impacts of other developments – details of proposed mitigation, management and monitoring measures • Air Quality – including: – an assessment of the air quality impacts (including dust) during the construction and operation of the development, in accordance with the relevant Environment Protection Authority guidelines – details of proposed mitigation, management and monitoring measures • Waste – including: – details of the quantities and classification of all waste streams to be generated on site during the development – details of waste storage, handling and disposal during the development – details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the NSW Waste Avoidance and Resource Recovery Strategy 2014-2021
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation.

	You should provide these 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 affected landowners In particular you must consult with: • Bayside Council • Office of Environment and Heritage • Environment Protection Authority • Roads and Maritime Services • Transport for NSW • Department of Industry – Crown Lands and Water • Ausgrid • AirServices Australia • Civil Aviation Safety Authority • Sydney Airport • Sydney Water • surrounding local residents and stakeholders • any other public transport or community service providers 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 a Development Application and EIS for the development 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
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 proposal

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.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/>

Policies, Guidelines & Plans

Aspect	Policy / Methodology
Hazards and Risk	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP) Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DoP 2011)
Soils and Water	
<i>Contamination</i>	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 (DUAP and EPA) Guidelines for the assessment and management of groundwater contamination (EPA, March 2007) Guidelines for the NSW Site Auditor Scheme, 3rd edition (EPA, October 2017)
<i>Acid Sulfate Soils</i>	Acid Sulfate Soil Manual (ASSMAC) Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Erosion and Sediment</i>	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW) Soil and Landscape Issues in Environmental Impact Assessment (DLWC) Wind Erosion – 2nd Edition
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) NSW State Groundwater Policy Framework Document (DLWC) NSW State Groundwater Quality Protection Policy (DLWC) NSW State Groundwater Quantity Management Policy (DLWC) Draft The NSW State Groundwater Dependent Ecosystem Policy (DLWC) NSW Aquifer Interference Policy (NOW) Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW) 2011
<i>Stormwater</i>	Bunding and Spill Management (EPA) Managing Urban Stormwater: Strategic Framework. Draft (EPA)

Policies, Guidelines & Plans

Aspect	Policy / Methodology
	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Harvesting and Reuse (DEC)
<i>Flooding</i>	NSW Floodplain Development Manual (2005)
<i>Wastewater</i>	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)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) (EPHC, NRMMC & AHMC)
Traffic, Transport and Access	
	<i>Roads Act 1993</i>
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (Roads and Maritime Services)
	Road Design Guide (Roads and Maritime Services)
	Austroads Guide to Traffic Management – Pt 12: Traffic Impacts of Development
	Austroads Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas
	NSW Long Term Transport Master Plan
Biodiversity	
	The Biodiversity Assessment Method (OEH, 2017)
Heritage	
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010)
	Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation (Department of Planning 2005)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010)
	<i>Heritage Act 1977</i>
Noise and Vibration	
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Policy for Industry (EPA, 2017)
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Noise Guide for Local Government (EPA, 2013)
	Interim Construction Noise Guideline (DECC, 2009)
Hazards and Risk	
<i>Air Quality</i>	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA 2016)
<i>Greenhouse Gas</i>	Guidelines for Energy Savings Action Plans (DEUS, 2005)
	AGO Factors and Methods Workbook (AGO)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA)
Visual	

Policies, Guidelines & Plans

Aspect	Policy / Methodology
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 2482)
	State Environmental Planning Policy No 64 - Advertising and Signage
	Urban Green cover in NSW Technical Guidelines (OEH, 2015)
Social	
	Social Impact Assessment Guideline (Department of Planning and Environment)

ATTACHMENT 2

Government Authority Responses to Request for Key Issues