Appendix B – Secretary's Environmental Assessment Requirements

General requirements

SEARs requirement	Where addressed in EIS
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).	Throughout

Key issues

SEARs requirement	Where addressed in EIS
In addition, the EIS must include:	

• a detailed description of the development, including:
  • 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; and
  • plans of any proposed building works.
	Chapters 5 and 6

• demonstrate that the site is suitable for the proposed use in accordance with State Environmental Planning Policy No 55 – Remediation of Land;	Chapter 12
• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;	Section 2.2
• consideration of issues discussed in Attachment 2 (public authority to key issues);	Throughout
• risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;	Chapter 7

• 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; 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; and
  • consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.
	Chapters 8 to 18

The EIS must also be accompanied by a report from a qualified quantity surveyor providing: • 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, including details of all components of the CIV;	Appendix G

SEARs requirement	Where addressed in EIS
• a close estimate of jobs that will be created during the construction and operational phases of the proposed development; and • certification that the information provided is accurate at the date of preparation.	

The EIS must address the following specific matters:
• **Statutory and Strategic Context** – including:
  • 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. This includes, but is not limited to:
    ▪ State Environmental Planning Policy (Infrastructure) 2007
    ▪ State Environmental Planning Policy (State and Regional Development) 2011
    ▪ State Environmental Planning Policy No 33 – Hazardous and Offensive Development
    ▪ State Environmental Planning Policy No 55 – Remediation of Land
    ▪ Shoalhaven Local Environmental Plan 2014
    ▪ Illawarra-Shoalhaven Regional Plan
    ▪ Draft State Environmental Planning Policy (Remediation of Land)
  • a demonstration the proposal is consistent with the requirements, development standards and environmental impact envelope of the West Nowra Resource Recovery Facility Concept Proposal (SSD 7015).
	Not applicable
	Chapter 2
	
	Section 19.1.6

• **Suitability of the Site** – including: • 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.	Section 19.1.4

• **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 landowners 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; and
  • details of the proposed approach to future community and stakeholder engagement based on the results of the consultation.
	Appendix D
	
	Appendix E
	
	Sections 3.2 and 3.2.1
	
	Section 3.4

• **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;
  • 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;
  • details of how waste would be stored (including the maximum daily 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;
	Section 8.2.1
	
	Section 0
	
	Section 0

SEARs requirement	Where addressed in EIS
• detail the developments waste tracking system for incoming and outgoing waste;	Section 8.3.8
• detail the quality of waste produced and final dispatch locations;	Section 8.3.7
• details of the waste management strategy for demolition, construction and ongoing operational waste generated; and	Section 8.1.2
• 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*.	Chapter 8 and Section 5.1
• **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;	Chapter 9
• the details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings;	Section 9.4
• a greenhouse gas assessment; and	Chapter 10
• details of proposed mitigation, management and monitoring measures.	Sections 9.6 and 10.4
• **Soils and Water** – including:	
• an assessment of potential impacts to soil and water resources, topography, hydrology, groundwater, drainage lines, watercourses and riparian lands on or nearby the site, including mapping and description of existing background conditions and cumulative impacts;	Chapter 11
• 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;	Sections 11.1 and 11.3.2
• 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);	Section 11.2
• details of stormwater/wastewater management system including the capacity of onsite detention system(s), onsite sewage management and measures to treat, reuse or dispose of water;	Section 11.3
• detailed flooding assessment;	Section 11.3.2
• a description of erosion and sediment controls;	Sections 11.3 and 11.4
• consideration of salinity and acid sulphate soil impacts; and	Section 11.1
• characterisation of the nature and extent of contamination on the site and a description of proposed management measures.	Chapter 12
• **Traffic and Transport** – including:	Chapter 13
• details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes. Traffic flows are to be shown diagrammatically to a level of detail sufficient for easy interpretation;	
• 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;	

SEARs requirement	Where addressed in EIS
• swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site; and • plans of any proposed road upgrades, infrastructure works or new roads required for the development.	
• **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; and • details and justification of the proposed noise mitigation and monitoring measures.	Chapter 14
• **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 cleanup equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures; • demonstrating consistency with the Fire Safety in Waste Facilities Guideline (FRNSW 2020) • As assessment against the requirements of Planning for Bush Fire Protection (RFS 2019); and • detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC).	Chapter 15
• **Hazard** – including: • a preliminary risk screening completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* and Applying SEPP 33 (NSW Department of Planning 2011a), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development; and	Chapter 16
• 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* (NSW Department of Planning 2011c) and *Multi-Level Risk Assessment* (NSW Department of Planning 2011e).	Chapter 16 and Appendix P

Consultation

SEARs requirement	Where addressed in EIS
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: • NSW Environment Protection Authority • Shoalhaven City Council • Biodiversity and Conservation Division, Department of Planning, Industry and Environment • Transport for NSW (including Roads and Maritime Services) • Fire and Rescue NSW • NSW Rural Fire Service • Local community and other stakeholders.	Chapter 2.4

SEARs requirement	Where addressed in EIS
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.	