

# Planning Secretary's Environmental Assessment Requirements

## Section 5.16 of the *Environmental Planning and Assessment Act 1979*

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| <b>Application Number</b>   | SSI-10033   |
| <b>Project Name</b>         | <p>The Shoalhaven Hydro Expansion Project – Main Works, which includes:</p> <ul style="list-style-type: none"> <li>the construction and operation of: <ul style="list-style-type: none"> <li>an underground cavern and underground pumped hydro power station;</li> <li>tunnels and underground and overground water pipelines;</li> <li>surge tanks and intake and outlet structures;</li> <li>vertical shaft and headrace tunnel; and</li> <li>development of associated infrastructure, including construction compounds, road upgrades and grid connection.</li> </ul> </li> </ul>  |
| <b>Location</b>             | Land between the Fitzroy Falls Reservoir and the Bendeela Power Station, within the Shoalhaven and Wingecarribee local government areas.  |
| <b>Applicant</b>            | Origin Energy Eraring Pty Ltd   |
| <b>Date of Issue</b>        | 12 July 2021  |
| <b>General Requirements</b> | <p>The Environmental Impact Statement (EIS) for the project must comply with the requirements in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&amp;A Regulation).</p> <p>In particular, the EIS must include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> <li>a stand-alone executive summary;</li> <li>a summary of the background to the project, including the alternatives that were considered to the project; a full description of the project, including: <ul style="list-style-type: none"> <li>all components, materials and activities required to construct the project (including any infrastructure that would be required for the development, but the subject of a separate approvals process);</li> <li>likely staging or sequencing of the project, including construction, decommissioning and rehabilitation;</li> <li>a strategy for the design, management and rehabilitation of the project;</li> <li>site plans and maps at an adequate scale with dimensions showing: <ul style="list-style-type: none"> <li>the location and dimensions of all project components;</li> <li>existing infrastructure, land use, and environmental features;</li> <li>the development corridor that has been assessed and consideration of design options;</li> <li>cross-sectional mapping that identifies underground components;</li> </ul> </li> <li>the likely interactions between the project and any other existing, approved or proposed development in the vicinity of the site, including the existing Shoalhaven Scheme and WaterNSW infrastructure;</li> </ul> </li> <li>a summary of the strategic context for the project having regard to its critical significance for NSW and relevant State and Commonwealth Governments policies and reports relating to energy security and reliability;</li> <li>statutory context for the project, including: <ul style="list-style-type: none"> <li>how the project meets the provisions and objectives of the <i>Environmental Planning and Assessment Act 1979</i> (EP&amp;A Act) and EP&amp;A Regulation;</li> <li>consideration of the project against all relevant environmental planning instruments;</li> <li>any approvals that must be obtained before the project can commence, including any approvals under the Commonwealth <i>Environment Protection &amp; Biodiversity Conservation Act 1999</i>; and</li> <li>the likely interactions with the <i>Water NSW Act 2014</i> and <i>Water NSW Regulation 2013</i>.</li> </ul> </li> </ul> |

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|                   | <ul style="list-style-type: none"> <li>• an assessment of the likely impacts of the project on the biophysical and socio-economic environment, focusing on the specific issues identified below, including: <ul style="list-style-type: none"> <li>- a description of the existing environment likely to be affected by the project;</li> <li>- a description of how the project has been designed to avoid and minimise impacts; and</li> <li>- an assessment of the potential impacts of the project, including any cumulative impacts, and taking into consideration relevant guidelines, policies, plans and industry codes of practice;</li> </ul> </li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; and</li> <li>• an evaluation of the project as a whole having regard to: <ul style="list-style-type: none"> <li>- relevant matters for consideration under the EP&amp;A Act including ecologically sustainable development;</li> <li>- the strategic need and justification for the project having regard to energy security and reliability in NSW and the broader National Electricity Market; and</li> <li>- the biophysical, economic and social costs and benefits of the project.</li> </ul> </li> </ul> <p>The EIS must be accompanied by a signed report from a suitably qualified expert that includes an accurate estimate of the capital investment value (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the project, including details of all the assumptions and components from which the capital investment value calculation is derived.</p>   |
| <b>Key issues</b> | <p>The level of assessment of likely impacts should be commensurate with the significance or degree or extent of impact within the context of the proposed location and surrounding environment, and having regard to applicable NSW Government policies and guidelines.</p> <p>In particular, the EIS must address the following matters:</p> <ul style="list-style-type: none"> <li>• <b>Biodiversity</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the biodiversity values and the likely biodiversity impacts of the project (including consideration of the Morton National Park) in accordance with the NSW <i>Biodiversity Conservation Act 2016</i>, the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR);</li> <li>- the BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM;</li> <li>- an assessment of the impacts of the project on aquatic ecology, key fish habitat and threatened aquatic species, and measures to rehabilitate or offset (if required) aquatic biodiversity values; and</li> <li>- if an offset is required, details of the measures proposed to address the offset obligation;</li> </ul> </li> <li>• <b>Heritage</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the Aboriginal cultural heritage items (cultural and archaeological) in accordance with the <i>Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW</i> (OEH, 2011) and the <i>Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW</i> (DECCW, 2010);</li> <li>- archival and oral history recording for any items with significant heritage values likely to be disturbed or impacted by the project; and</li> <li>- evidence of adequate consultation with the local Aboriginal community in determining and assessing impacts, developing options and selecting options and mitigation measures (including the final proposed measures), having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (OEH, 2010); and</li> </ul> </li> </ul> |

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|                            | <ul style="list-style-type: none"> <li>- assessment of the impacts to historic heritage having regard to the <i>NSW Heritage Manual</i>;</li> <li>• <b>Land</b> – including: <ul style="list-style-type: none"> <li>- an assessment of impacts of the project on soils, land capability, including potential impacts associated with the use of hydrocarbons and chemicals, dealing with the spoil generated by the project, and geotechnical stability of the site and surrounds, including completion of a Land Use Conflict Risk Assessment in accordance with DPI's <i>Land Use Conflict Risk Assessment Guide</i>;</li> <li>- an assessment of the impacts of the project on landforms, including the short and long term geotechnical stability of any new landforms and any seismic or subsidence impacts; and</li> <li>- an assessment of the risk of soil and water contamination based on the predicted geochemistry of the excavated rock and any disturbance of land associated with previous mining activities and naturally occurring asbestos in the vicinity of the site; and</li> <li>- a strategy to manage the progressive rehabilitation of the land disturbed by the project and enhance any new landforms created;</li> </ul> </li> <li>• <b>Water</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the impacts of the project on groundwater aquifers and groundwater dependent ecosystems having regard to the <i>NSW Aquifer Interference Policy</i> and relevant <i>Water Sharing Plans</i>;</li> <li>- a detailed site water balance for the project, including water supply and wastewater disposal arrangements;</li> <li>- an assessment of whether the project would have a neutral or beneficial effect on water quality;</li> <li>- where the project involves works within 40 metres of the high bank of any river, lake or wetlands (collectively waterfront land), identify likely impacts to the waterfront land, and how the activities are to be designed and implemented in accordance with the <i>DPI Guidelines for Controlled Activities on Waterfront Land</i> (2018) and (if necessary) <i>Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings</i> (DPI 2003); and <i>Policy &amp; Guidelines for Fish Habitat Conservation &amp; Management</i> (DPI, 2013); and</li> <li>- a strategy to manage spoil;</li> </ul> </li> <li>• <b>Transport</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the transport impacts of the project on the capacity, condition, safety and efficiency of the local road network (including Moss Vale Road, Jacks Corner Road, Lower Bendeela Road and Promised Lands Trail);</li> </ul> </li> <li>• <b>Noise</b> – including an assessment of the construction noise, road noise and vibration impacts of the project;</li> <li>• <b>Air</b> – including an assessment of the air quality impacts of the project, including particulate matter and greenhouse gas emissions;</li> <li>• <b>Waste and spoil management</b> – identify, quantify and classify the likely waste streams to be generated (including spoil) during construction and operation, and describe the measures to be implemented to manage, re-use, recycle and safely dispose of this waste;</li> <li>• <b>Public Safety</b> – including an assessment of the risks to public safety, paying particular attention to bushfire and flooding risks, emergency egress and evacuation, and the handling and use of any dangerous goods; and</li> <li>• <b>Social &amp; Economic</b> – including an assessment of the social and economic impacts in accordance with <i>Social Impact Assessment Guideline</i> (DPIE, July 2021) (application subject to transitional arrangements) and benefits of the project for the region and the State as a whole, including consideration of any increase in demand for community infrastructure and services.</li> </ul> |
| <b>Plans and Documents</b> | The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.  |

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|   | In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.   |
| <b>Consultation</b>                           | <p>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> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these have been considered and addressed.</p>  |
| <b>Expiry Date</b>                            | If you do not lodge an EIS for the infrastructure within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry date.  |
| <b>Legislation, Policies &amp; Guidelines</b> | <p>A list of some of the legislation, policies and guidelines that may be relevant to the assessment of the project can be found at:</p> <ul style="list-style-type: none"> <li>- <a href="https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines">https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines</a>; and</li> <li>- <a href="http://www.environment.gov.au/epbc/publications#assessments">http://www.environment.gov.au/epbc/publications#assessments</a></li> </ul> |