



NSW GOVERNMENT
Department of Planning

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Mr Wayne Jones
Senior Environmental Engineer
Parsons Brinckerhoff Pty Limited
PO Box 115
SINGLETON NSW 2330

Our ref: S03/0361
Your ref:

Dear Mr Jones

Proposed Waste Resource Recovery and Recycling Facility, Rutherford, Maitland Local Government Area

I refer to your correspondence of 12 August 2005, with which you seek adoption of the Director-General's requirements for the preparation of an Environmental Impact Statement for the above proposal as Environmental Assessment requirements under Part 3A of the *Environmental Planning and Assessment Act 1979*.

Pursuant to clause 8J(1) of the *Environmental Planning and Assessment Regulation 2000*, the Director-General hereby adopts the requirements issued on 29 June 2004, as Environment Assessment Requirements under section 75F(3) of the Act. These requirements have been recast to include administrative matters under Part 3A of the Act, and are attached.

It should be noted that the Director-General's requirements have been prepared based on the information provided to date. Under section 75F(3) of the Act, the Director-General may alter or supplement these requirements if necessary and in light of any additional information that may be provided prior to the proponent seeking approval for the project.

You should ensure that you consult with the Department prior to submission of a draft Environmental Assessment to determine:

- fees applicable to the application;
- relevant land owner notification requirements;
- consultation and public exhibition arrangements that will apply; and
- number and format (hard-copy or CD-ROM) of the Environmental Assessments that will be required.

Once you have lodged the Environmental Assessment, the Department will consult with the relevant authorities to determine the adequacy of the Environmental Assessment. Following this review period the Environmental Assessment will be made publicly available for a minimum period of 30 days.

You should keep the contact officer for this project, Caitlin Bennett ((02) 9228 6471, caitlin.bennett@dipnr.nsw.gov.au), up to date with the progress of preparation of the Environmental Assessment, and seek clarification of any issues that may be unclear or may arise during this process.

Yours sincerely

COPY SIGNED 27-9-2005

Sam Haddad
Deputy Director-General
As delegate for the Director-General

WASTE RESOURCE RECOVERY AND RECYCLING FACILITY, RUTHERFORD

**ENVIRONMENTAL ASSESSMENT REQUIREMENTS UNDER PART 3A OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979**

Project	The construction and operation of a waste resource recovery and recycling facility to accept industrial, commercial and domestic wastes.
Site	Lot 223, DP 1037300, Maitland local government area
Proponent	Transpacific Industries Pty Ltd
Date of Issue	19 July 2004
Date of Expiration	19 July 2006
General Requirements	<p>The Environmental Assessment must be prepared to a high technical and scientific standard and must include:</p> <ul style="list-style-type: none"> • an executive summary; • a description of the proposal, including construction, operation, and staging; • an assessment of the environmental impacts of the project, with particular focus on the key assessment requirements specified below; • justification for undertaking the project with consideration of the benefits and impacts of the proposal; • a draft Statement of Commitments detailing measures for environmental mitigation, management and monitoring for the project; and • certification by the author of the Environment Assessment that the information contained in the Assessment is neither false nor misleading.
Key Assessment Requirements	<p>The Environmental Assessment must include assessment of the following key issues:</p> <ul style="list-style-type: none"> • Input Wastes - the Environmental Assessment must identify the quantity and nature of waste that would be recycled/disposed of at the facility; describe how this waste would be stored and handled on site, and transported to and from the site; identify the potential impacts associated with processing this waste; and describe what measures would be implemented to mitigate or manage these potential impacts. • Air Quality Impacts – the Environmental Assessment must include an assessment of the air quality implications of the project, particularly in relation to dust impacts and the potential emissions from the waste treatment process at the site, especially odour emissions from the aqueous phase treatments as well as emissions from the hydrogenation plant. The air quality assessment must assess relevant parameters and air pollutants in accordance with <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW</i> (EPA, 2000). • Hazards and Risk Impacts – the Environmental Assessment must include an assessment of potential hazards on site to determine the potential for off site impacts under the relevant provisions of <i>State Environmental Planning Policy No.33 – Hazardous and Offensive Development</i> (SEPP 33). In particular, a preliminary risk screening must be completed in accordance with <i>Applying SEPP 33</i> (DUAP, 1994), with a clear indication of class, quantity and location of all dangerous goods to be located on the proposed site, with special emphasis on how the proposed development may alter the risk landscape at the site and surrounding land uses as relevant. Should preliminary screening indicate that the proposed development is "potentially hazardous", a Preliminary Hazard Analysis (PHA) must be prepared for inclusion in the EIS as required under SEPP 33. The PHA must be prepared in accordance with the Department's publications <i>Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis</i> (DUAP, 1997) and <i>Multi-Level Risk Assessment</i> (DUAP, 1997). • Noise Impacts – the Environmental Assessment must include an assessment of noise impacts associated with the project, particularly in relation to impacts on any nearby private residences and sensitive land uses. The noise assessment must be undertaken in accordance with the Environment Protection Authority's <i>Environmental Noise Control Manual, Environmental Criteria for Road Traffic Noise and Industrial Noise Policy (2000)</i>, and include cumulative impact assessment of noise from the proposed development with nearby existing

	<p>developments.</p> <ul style="list-style-type: none"> • General Environmental Risk Analysis – notwithstanding the above key assessment requirements, the Environmental Assessment must include an environmental risk analysis to identify potential environmental impacts associated with the project (construction and operation), proposed mitigation measures and potentially significant residual environmental impacts after the application of proposed mitigation measures. Where additional key environmental impacts are identified through this environmental risk analysis, an appropriately detailed impact assessment of these additional key environmental impacts must be included in the Environmental Assessment.
Consultation Requirements	<p>You must undertake an appropriate and justified level of consultation with the following parties during the preparation of the Environmental Assessment:</p> <ul style="list-style-type: none"> • NSW Department of Environment and Conservation; • Maitland City Council; and • the local community. <p>The Environmental Assessment must clearly indicate issues raised by stakeholders during consultation, and how those matters have been addressed in the Environmental Assessment.</p>
Deemed refusal period	<p>Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i>, the applicable deemed refusal period is 60 days from the end of the proponent's environmental assessment period for the project.</p>