



DOC20/854317-2

David Koppers
Senior Environmental Assessment Officer
Industry Assessments
Department of Planning, Industry and Environment

By Major Projects Portal

Dear Mr Koppers

Re Buronga landfill expansion – SSD 10096818 (SEAR's)

I refer to your advice through the major project portal dated 16 October 2020 to the Environment Protection Authority (EPA) about our information requirements for the Secretary's Environmental Assessment Requirements for the proposed expansion of the Buronga landfill.

We note the proposed expansion will increase the quantity of waste that can be received at the landfill to 100,000 tonnes per year and involve the construction of multiple landfill cells and ancillary infrastructure over a 30-year period.

We have considered the details of the proposal as described in the information provided and we have identified the information we require for the Environmental Assessment (EA) is specified in Attachment 'A'. The EPA's key information requirements for the project are as follows.

1. Justification for and a complete description of the expansion, including how the expanded landfill will meet or exceed the requirements outlined in the EPA's *Environmental Guidelines: Solid Waste Landfills, Second edition* (EPA, 2016).
2. A detailed description of each waste stream proposed to be received and its classification.
3. A comprehensive hydrogeological impact assessment of site, local and regional groundwaters.
4. An air quality impact assessment that models the potential odour, particulate and other air impacts from the expansion.
5. A comprehensive assessment of the leachate and contaminated storm water collection systems.

In carrying out the assessment the proponent should refer to the relevant guidelines identified at Attachment 'B'.

The proponent should be made aware that any commitments made in the EA may be formalised as approval conditions and may also be included as formal EPA licence conditions.

The Proponent should also be aware that, consistent with provisions under Part 9.4 of the *Protection of the Environment Operations Act 1997* (the Act) the EPA may require a financial assurance and/or assurance for all potential environmental liabilities. The final amount of the financial assurance

required by the EPA will take into consideration the potential risks and liabilities associated with the proposed development.

If you have any further enquiries about this matter please contact Jason Price by telephoning 02 6969 0700 or by electronic mail at riverina.farwest@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'D Wallett', with a stylized, cursive script.

30 October 2020

DARREN WALLETT
Unit Head Regional West Operations
Regulatory Operations Regional

ATTACHMENT 'A'

The Buronga landfill expansion must implement best practice waste management, including handling, processing, storage, disposal and control strategies in accordance with relevant legislation and NSW requirements. How this will be achieved should be documented in the EPA's following information requirements.

Description of the proposal

The description of the proposal should be clearly stated in the Environmental Assessment (EA) to be prepared supporting the proposal and refer to.

- a) A full description of the proposed activities and infrastructure with maps of the site's configuration (in stages if staging is proposed).
- b) The construction activities required, the size and type of any transfer stations related to the proposal, waste processing facilities and/or cells required.
- c) A site characterisation assessment including local and regional geology, topography, geomorphology (landform change over time), hydrology, geochemistry, groundwater, ecological information, meteorological data and surrounding land uses.
- d) All waste operations to be undertaken, the types of wastes received and their source, their classification, details about all transfer stations, the proposed transport, handling, storage and deposit of waste, resource recovery activities, the nature of any processes, filling plans and site rehabilitation and any products, by-products or wastes produced by the project.
- e) The proposal's use or recycling of by-products.
- f) The staging and timing of the whole proposal including storage (short and long term), handling, processing, treatment and disposal.
- g) The proposal's relationship to any other industry or facility and how these will interact with the Buronga landfill.
- h) Discussion around the closure plan, proposed rehabilitation and a final site layout, post closure monitoring and relinquishment criteria.
- i) How the proposal will meet or exceed the requirements outlined in the EPA's Environmental Guidelines: Solid Waste Landfills, Second edition.

Justification

Justification for the proposal must be made. The EA must address where the waste demand is generated from and the need for a large landfill expansion in Buronga.

Circular economy and 20-year waste strategy

NSW has committed to a moving to a circular economy through its Circular Economy Policy Statement. The policy is designed to provide long-term economic, social and environmental benefits for NSW, embedding circular economy consideration in NSW government decision making and planning the transition to a circular economy. The circular economy definition and principles include valuing resources by keeping products and materials in use for as long as possible, maximising the use and value of resources brings major economic, social and environmental benefits, and contribution to innovation, growth and job creation, while reducing the impact on the environment. The circular economy framework will include principles such as designing out waste and pollution and will incorporate the waste hierarchy which underpins the objectives of the Waste Avoidance and Resource Recovery Act 2001.

The EPA is leading the development of a 20-year Waste Strategy for NSW. The Strategy will provide a vision for reducing waste, driving sustainable recycling markets and identifying and improving the state and regional waste infrastructure network. This Strategy will be underpinned by circular economy principles and will set goals and incentives, so the right policy interventions and infrastructure investments are made to meet community and industry needs.

The waste hierarchy is a set of priorities for the efficient use of resources and provides a base to foster the transition to a circular economy. The waste hierarchy defines disposal of waste as the least preferable option. With respect to many types of hazardous waste, higher order outcomes to disposal of the waste either current exist or are feasible. These include in order of preference, reuse, recycle, energy recovery, treatment to recover or remove hazardous chemicals or components, treatment to permanently destroy persistent contaminants, and treatment to immobilise/fix chemical contaminants and prevent their future release into the environment.

The project must describe how it compliments a circular economy and meets the vision of our waste strategy.

The NSW waste levy is being considered as a part of the 20-Year Waste Strategy for NSW. The facility is proposed to receive and store liquid and solid waste from interstate and has the potential to increase the attractiveness of the transport of waste from interstate, including if waste levy costs can be avoided by disposal at the facility. Where this is the case there is the potential to cause a distortion or change in the market and a loss of levy revenue for the originating jurisdiction. Jurisdictions with a waste levy currently include Queensland, Victoria and South Australia, all of which are proposed to be potential sources of waste for the Tellus Broken Hill facility.

Levies are designed to provide funding to improve waste management, and thus the facility has the potential to undermine jurisdictions' efforts to improve waste management.

The project must justify the facility will not result in levy avoidance and in doing so undermine jurisdictions' efforts to improve waste management outcomes.

Potential environmental impacts of the project

The following potential environmental impacts and their baseline conditions need to be assessed, quantified and reported on.

- Air;
- Noise;
- Water;
- Land; and
- Waste and chemicals.

The EA should address how the required environmental goals will be met for each potential impact at the transfer station and the sub surface repository site and at any ancillary waste storage or processing sites.

The EA must describe mitigation and management options that will be used to prevent, control, abate or mitigate identified potential environmental impacts associated with the project and to reduce risks to human health and prevent degradation of the environment in perpetuity.

This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

Potential impacts on air quality

The goals of the project in relation to air quality should be to ensure sensitive receptors are protected from adverse impacts from dust, odour and particulate emissions.

The project must create an emissions inventory that identifies all potential air pollutants at their source and discharge point. Measures to prevent or control the emission of dust, odour and particulates must be detailed based on the outcome of an assessment of air pollutants undertaken in accordance with the *Approved Methods and Guidance for the Modelling and Assessment of Air*

Pollutants in New South Wales (EPA, 2016). All potentially impacted residential or sensitive premises likely to be impacted by the development must be identified and included in the assessment.

Emissions from any plant must meet the design criteria detailed in the *Protection of the Environment Operations (Clean Air) Regulation 2010*. Details need to be provided on the proposed air pollution control techniques from any air emission points, including proposed measures to manage and monitor efficiency and performance.

Potential impacts of noise, vibration and blasting

The goals of the project should include design, construction, operation and maintenance of the facility in accordance with relevant EPA policy, guidelines and criteria, and in order to minimise potential impacts from noise.

The EPA expects that potential noise sources are assessed in accordance with the *Noise Policy for Industry* (EPA, 2017) and where required mitigation measures are proposed (eg appropriate equipment chosen to minimise noise levels). All residential or noise sensitive premises likely to be impacted by the development must be identified and included in the assessment.

The proposed development may result in an increase in traffic movements associated with the transport of waste. The number of traffic movements associated with the proposal should be quantified and the potential noise impacts associated with these traffic movements need to be assessed in accordance with the *NSW Road Noise Policy* (DECCW, 2011).

An assessment of vibration from all activities (including construction and operation) to be undertaken on the premises and this should be assessed using the guidelines contained in the document *Assessing Vibration: a technical guideline* (DEC, 2006).

Where any blasting is proposed an assessment of potential blast impacts should be undertaken and this should be assessed against the guidelines contained in the document *Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (ANZECC, 1990).

Potential impacts on water quantity and quality

A detailed and contemporary hydrogeological impact assessment must be undertaken that documents local and regional groundwater features for all sites and includes a comprehensive description of the potential impacts and mitigation measures that will be implemented at the repository to protect groundwaters

The hydrogeological assessment must.

- a) Comprehensively determine the site, local and regional geological and hydrogeological settings, to determine whether the landfill cells can be intercepted by groundwater or if leachate from deposited waste (whether anticipated or not) could move through the strata profile and local geology to generate perched layers or impact groundwaters.
- b) Identify surrounding groundwater users that may be affected by any adverse impact on groundwater quantity or quality.
- c) Quantify the impacts that any proposed water extraction may have on the groundwater source and include details of project water requirements and sources, water flows and a water balance analysis. Uncertainties and variability in water resource availability and water balance components must be identified and assessed
- d) Identify appropriate measures that will be undertaken to mitigate any potential adverse impact.

The goals of the project should include the following.

- No pollution of waters (including surface and groundwater), except to the extent authorised by EPA (i.e in accordance with an Environment Protection Licence);
- Contaminated water (including effluent, leachate, process waters, wash down waters, polluted stormwater or sewage) is captured on the site and collected, treated and beneficially reused, where this is safe and practicable to do so;
- Anticipate wet weather impacts and develop contingencies into the design of all contaminated water (including leachate) infrastructure and clean water diversions; and
- It is acceptable in terms of the achievement or protection of the NSW River Flow Objectives and Water Quality Objectives.

The EA should document the measures that will achieve the above goals.

Details of the site drainage and any natural or artificial waters within or adjacent to the development (including all facilities associated with the project) must be identified and the surface water management systems measures proposed to mitigate potential impacts of the development on these waters. The proposed surface water management system must detail how these waters could adversely impact the repository in the short and long term and the mitigation measures proposed.

Potential impacts on land

The EA must describe the proposed location in terms of soil types and properties and soil contamination. Any likely impacts resulting from the construction or operation of the proposal must be identified, including the likelihood of.

- a) Disturbing any existing contaminated soil.
- b) Contamination of soil by operation of the activity.
- c) Subsidence or instability.
- d) Soil erosion.
- e) Disturbing acid sulfate soils or potential generation of acid sulfate.

The EA must describe the management of the closure of all facilities associated with project at the end of their operational life and including the rehabilitation measures that will be implemented and what the ongoing land use will be.

The goals of the project should include the following.

- No pollution of land, except to the extent authorised by EPA (ie in accordance with an Environment Protection Licence);
- Any contaminated sites encountered or created are appropriately managed and rehabilitated.
- The potential impact of land erosion from the development is mitigated.
- The land impacts by the project is appropriately monitored and managed in accordance with relevant EPA guidelines.

The EA should document the measures that will achieve the above goals.

Waste and chemicals

The EA must provide details of solid and liquid waste management associated with the project and identify potential impacts, including.

- a) Identify and characterise each waste stream or type of waste, nominate the maximum volume/quantity and rate to be received, identify its source and/or generation and classify all wastes in accordance with the NSW *Waste Classification Guidelines*.
- b) A justification that the wastes proposed to be received cannot be subjected to a higher order(s) and more preferable treatment methods, in accordance with the waste hierarchy,

and NSW circular economy and WARR Act objectives and principles. The assessment should demonstrate there are not higher order/preferred treatment methods that can be applied to the waste or its contaminants other than burial-disposal, for each type of waste proposed to be received at the facility.

- c) A comprehensive description of the method of collection, transportation, assessment and handling of waste received at project facilities.
- d) Any stockpiling of wastes, or long-term storage of wastes or recovered materials.
- e) The waste processing related to the project, detailing any potential reuse, recycling, reprocessing (including composting) or treatment both on and off-site.
- f) The air or water emissions arising from the handling, storage, processing and reprocessing or deposit of waste and leachate management consistent with NSW guidelines.
- g) Waste cover composition, suitability, where it will be sourced and the timing of covering.
- j) The proposed controls for managing the potential environmental impacts of the activity and a comparison of these controls against best practice.

The goals of the project should include the following.

- It is in accordance with the principles of the waste hierarchy and cleaner production;
- Where potential impacts associated with the handling, processing and storage of all waste materials generated at the premises are identified, these be satisfactorily mitigated;
- The beneficial reuse of all wastes generated at the premises are maximised where it is safe and practical to do so; and
- No waste disposal occurs on site except in accordance with an Environment Protection Licence.

The EA needs to identify the proposed type, quantity and location of all chemicals to be stored at project facilities. Spill management measures, including items such as bunding, and emergency procedures should be clearly outlined.

Monitoring, Assurance and Reporting Programs

1. The EA must include a detailed assessment of any noise, air quality, groundwater and surface water quality or waste monitoring required during the construction phase and on-going operation to prevent or minimise any adverse environmental impacts from the development.
2. Appropriate baseline data requirements are to be identified as part of the EA, to form the basis for baseline and ongoing monitoring of environmental parameters.
3. It must be demonstrated that the proposed methods for baseline and subsequent monitoring are scientifically robust and statistically sound.
4. The EA must also identify and describe monitoring programs, compliance assurance programs and reporting requirements and arrangements.
5. The EA must, in addition to outlining proposed programs, clearly identify what is to be monitored and audited and why. This should include identification of monitoring locations, parameters to be monitored, sample analysis methods, the level of reporting proposed. The EA should also include information on frequency and type of audits proposed to assure compliance with applicable requirements,
6. The EA should demonstrate that monitoring and audit programs have been designed appropriately, according to best practice, to provide objective evidence regarding activities associated with the development and have regard to whether these activities are adversely impacting on the environment in the short, medium and/or long term.

Cumulative impacts

The EA should provide an assessment of the cumulative impacts of the project during construction and operation of the proposal. Assessment of cumulative impacts must consider each environmental impact (air, land, noise, water and waste) and past, current and future activities in the area surrounding the project and impacts associated with components of this project.

Contingencies and strategies for project failure, disruption or other risks

The EA must identify and assess all possible scenarios where the project may fail, be disrupted, or be impacted by other significant risk factors (landfill fire in particular), including during each stage of the project. The assessment must include details of contingencies and strategies that will be implemented under these circumstances.

The EA must include details of environmental management, maintenance, and operating strategies to manage each element of the facility. The strategies must cover all aspects and stages of maintenance and operation over the life of the facility. The strategies must be designed so they are consistent with current best practice, include continual improvement and transition strategies, address identified issues and can identify and incorporate future advances and knowledge.

Applied research strategies to key uncertainties must be implemented and completed.

ATTACHMENT 'B'

<u>Title</u>	<u>Web address</u>
Relevant Legislation	
Environmental <i>Planning and Assessment Act 1979</i>	https://www.legislation.nsw.gov.au/#/view/act/1979/203
<i>Protection of the Environment Operations Act 1997</i>	https://www.legislation.nsw.gov.au/#/view/act/1997/156/full
<i>Contaminated Land Management Act 1997</i>	https://www.legislation.nsw.gov.au/#/view/act/1997/140
<i>Environmentally Hazardous Chemicals Act 1985</i>	https://www.legislation.nsw.gov.au/#/view/act/1985/14
<i>Waste Management Act 2000</i>	https://www.legislation.nsw.gov.au/#/view/act/2000/92
Licensing	
Guide to Licensing	http://www.epa.nsw.gov.au/licensing/licenceguide.htm
Air Issues	
POEO (Clean Air) Regulation 2010	https://www.legislation.nsw.gov.au/#/view/regulation/2010/428/historical2016-11-01/full
Approved methods for modelling and assessment of air pollutants in NSW (2016)	http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf
Assessment and management of odour from stationary sources in NSW (DEC, 2006)	Technical framework: https://www.environment.nsw.gov.au/resources/air/20060440framework.pdf Technical notes: https://www.environment.nsw.gov.au/resources/air/20060441notes.pdf
Noise and Vibration	
Interim Construction Noise Guidelines (EPA, 2017)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/interim-construction-noise-guideline
Noise Policy for Industry (EPA, 2017)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
NSW Road Noise Policy (EPA, 2011)	https://www.epa.nsw.gov.au/publications/noise/2011236-nsw-road-noise-policy

Assessing Vibration: a technical guideline (DEC 2006)	https://www.epa.nsw.gov.au/noise/vibrationguide.htm
Australian and New Zealand Environment Council: Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZECC 1990)	https://www.epa.nsw.gov.au/resources/noise/ANZECBlasting.pdf

Soils	
Managing Urban Stormwater: Soils and Construction (Landcom, 2004)	https://www.environment.nsw.gov.au/stormwater/publications.htm
Waste	
Waste Classification Guidelines (EPA, 2014)	https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/waste-classification-guidelines
Protection of the Environment Operations (Waste) Regulation 2014	https://www.legislation.nsw.gov.au/regulations/2014-666.pdf
Environmental Guidelines: Solid Waste Landfills, Second edition (EPA, 2016)	https://www.epa.nsw.gov.au/~/_media/EPA/Corporate%20Site/resources/waste/solid-waste-landfill-guidelines-160259.ashx
EPA's Energy from Waste Policy Statement	https://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	https://www.epa.nsw.gov.au/wastestrategy/warr.htm
NSW Resource Recovery Orders and Exemptions	https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/current-orders-and-exemption
Water	
Water quality monitoring – NSW Approved Methods	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licensing-under-poeo-act-1997/licensing-to-regulate-water-pollution/approved-methods-for-sampling-and-analysing-water-pollutants
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
National Water Quality Management Strategy: Australia and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ, 2000)	http://www.waterquality.gov.au/anz-guidelines/Documents/ANZECC-ARMCANZ-2000-guidelines-vol2.pdf
National Water Quality Management Strategy: Australian Guidelines for Water	http://www.waterquality.gov.au/anz-guidelines/Documents/ANZECC-ARMCANZ-monitoring-reporting.pdf

Quality Monitoring and Reporting (ANZECC/ARMCANZ, 2000)	
Using the ANZECC Guidelines and Water Quality Objectives in NSW (EPA, 2006)	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/water/anzeccandwqos06290.pdf
Environmental Guidelines: Storage and Handling of Liquids (EPA, 2007)	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/compliance-audit-program/chemical-storage-handling-and-spill-management/storing-and-handling-liquids-trainers-manual
The NSW State Groundwater Policy Framework Document (DLWC, 1997)	http://www.water.nsw.gov.au/_data/assets/pdf_file/0008/547550/avail_ground_nsw_state_groundwater_policy_framework_document.pdf
The NSW State Groundwater Quality Protection Policy (DLWC, 1998)	http://www.water.nsw.gov.au/_data/assets/pdf_file/0006/548286/nsw_state_groundwater_quality_policy.pdf
National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 1995)	https://www.water.wa.gov.au/_data/assets/pdf_file/0020/4925/8728.pdf



Our ref: DOC20/857725

Senders ref: SSD 10096818

David Koppers
Department of Planning, Industry and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Via email: david.koppers@planning.nsw.gov.au

29 October 2020

Dear Mr Koppers

Subject: Request for Secretary's Environmental Assessment Requirements – Buronga landfill expansion (SSD 10096818)

Thank you for your email dated 16 October 2020 seeking input from the Biodiversity and Conservation Division (BCD) into the Department of Planning, Industry and Environment (the Department) Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Buronga landfill expansion (SSD 10096818).

BCD has reviewed the documentation and provides SEARs for the proposed development in **Attachment A**. Guidance material is listed in **Attachment B**.

BCD recommends that the EIS appropriately address impacts on biodiversity. The EIS should fully describe the proposal, the existing environment, including threatened species habitat not associated with vegetation communities, and impacts of the development including the location and extent of all proposed works that may impact on biodiversity. The scale and intensity of the proposed development should dictate the level of investigation. It is important that all conclusions are supported by adequate data. The assessment must include all ancillary infrastructure associated with the project such as roads, water and power supplies, and Rural Fire Service requirements for asset protection.

The proposed landfill footprint covers land that is already disturbed but also contains remnant vegetation. The proposal should aim to avoid the remnant vegetation, particularly areas that are identified as threatened species habitat. Any clearing must be assessed using the Biodiversity Assessment Method and measures proposed to mitigate impacts on biodiversity.

Please note that the Scoping Report incorrectly states that the development is subject to the requirements of Part 5 of the *Environmental Planning and Assessment Act 1979*. The correct part of that act is Division 4.7.

If you have any questions about this advice, please contact Simon Stirrat, Senior Conservation Planning Officer via rog.southwest@environment.nsw.gov.au or 03 5021 8930.

Yours sincerely

Andrew Fisher
Senior Team Leader Planning
South West Branch
Biodiversity and Conservation Division
Department of Planning, Industry and Environment

ATTACHMENT A – Recommended Environmental Assessment Requirements for Buronga landfill expansion (SSD 10096818)

ATTACHMENT B – Guidance material

Attachment A – Recommended Environmental Assessment Requirements for Buronga landfill expansion (SSD 10096818)

Sources of guidance material for terms in [blue](#) are in Attachment B

Biodiversity
1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2016 using the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and the BAM, unless DPIE determines that the proposed development is not likely to have any significant impact on biodiversity values.
2. 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.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows; a. The total number and classes of biodiversity credits required to be retired for the development/project; b. The number and classes of like-for-like biodiversity credits proposed to be retired; c. The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; d. Any proposal to fund a biodiversity conservation action; e. Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all digital spatial data associated with the survey and assessment as per Appendix K of the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the <i>Biodiversity Conservation Act 2016</i>.

Attachment B – Guidance material

Title	Web address
<u>Relevant Legislation</u>	
<i>Biodiversity Conservation Act 2016</i>	www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
<u>Biodiversity</u>	
Biodiversity Assessment Method 2020 (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020
Biodiversity Offsets Scheme Entry Threshold Tool	www.lmbc.nsw.gov.au/Maps/index.html?viewer=BOSETMap
BAM Assessor Resources (including links to Survey Guidelines, Registers and Databases)	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources
BAM Assessor FAQ	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-questions-and-answers
Biodiversity Values Map	www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap
Guidance to assist a decision maker to determine a serious and irreversible impact (DPIE 2019)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Ancillary rules: biodiversity conservation actions	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf
Ancillary rules: reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf
DPIE Threatened Species Profiles	www.environment.nsw.gov.au/threatenedspeciesapp/
BioNet Atlas	www.environment.nsw.gov.au/wildlifeatlas/about.htm
BioNet Vegetation Classification – see NSW Plant Community Type (PCT) classification link for PCT database login page.	http://www.environment.nsw.gov.au/research/Visclassification.htm
NSW SEED Data Portal (access to online spatial data)	https://www.seed.nsw.gov.au/
Fisheries NSW policies and guidelines	www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation

28 October 2020

The Manager
Department of Planning, Industry & Environment
Locked Bag 5022
Parramatta NSW 2124

Attention: David Koppers

SSI-10096818 – REQUEST FOR INPUT TO SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS FOR A PROPOSED LANDFILL EXPANSION – BURONGA WASTE MANAGEMENT FACILITY, ARUMPO ROAD, BURONGA.

I refer to correspondence forwarded to Transport for NSW (TfNSW) requesting the provision of key issues and assessment requirements to be included in the Secretary's Environmental Assessment Requirements.

From review of the information provided it is understood that the proposal is for expansion of the existing Buronga landfill facility. The proposed development is to include the construction of multiple landfill cells with a volume of approximately 4.8 million cubic metres and associated infrastructure for an anticipated operation life of 30 years. The subject site is located with frontage to Arumpo Road, which is classified "regional" road.

The preliminary information supplied provides limited detail in relation to potential traffic generation for the proposed development. The information supplied does not provide any preliminary detail in relation to the potential traffic generation for the construction or operation of the proposed facility, or the proposed access arrangements from the public road network to the development.

TfNSW is interested in the characteristics of the traffic generated by the development and the potential impact of the development on the safety and efficiency of the road network, particularly the interaction of the development with public road network. TfNSW emphasises the need to minimise the impacts of any development on the existing road network and maintain the level of safety, efficiency and maintenance along the road network. To provide for an informed assessment of the traffic implications of the development proposal a Traffic Impact Assessment (TIA) is to be prepared. Any Traffic Impact Assessment needs to address the impacts of traffic generated by this development upon the nearby road network.

The scale and content of the TIA is dependent on the scale and potential traffic generation of the proposed development. For guidance in the preparation and content of the TIA the applicant is referred to the Austroads publications, particularly the Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development and Part 13: Traffic Studies and Analysis and the "Guide to Traffic Generating Developments" prepared by the RTA.

As a minimum the TIA is to address the existing and anticipated additional traffic generation on the surrounding road network, vehicle types and volumes including peak traffic volumes, travel routes for vehicles accessing the development site. Consideration of the cumulative impacts of the potential traffic generation when added to existing traffic volumes upon the surrounding road network shall be undertaken. In particular the TIA shall address, and provide recommendations for any mitigation measures necessary to address traffic related impacts generated by this development upon the surrounding road network during the lifetime of the project.

From the information available it is considered that the establishment and operational phases of the development have the potential to impact on the transport infrastructure required to service the development. TfNSW advises that in relation to traffic related issues the development should be considered and addressed in 2 distinct stages as follows;

- Establishment phase – the transport of materials and equipment/components for the establishment of the facility and ancillary infrastructure, the movement and parking of construction related vehicles, including personal vehicles, during the construction period.
- Operational phase – the ongoing traffic generation due to the operation, maintenance and servicing of the various elements of the project.

Transport for NSW emphasises the need to appropriately consider and minimise the impacts of the total traffic generation due to the development on the existing road infrastructure and maintain the safety, efficiency and standard of maintenance along the existing road network through the design, construction and operation of the development and any road works required to support the operation of the development.

Any enquiries regarding this correspondence may be referred to the Manager, Land Use - TfNSW (South Region), Maurice Morgan, phone (02) 6923 6611.

Yours faithfully



Per:
Jonathan Tasker
Acting Director South West



OUT20/12757

David Koppers
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

david.koppers@planning.nsw.gov.au

Dear Mr Koppers

**Buronga Landfill Expansion (SSD-10096818)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)**

I refer to your email of 16 October 2020 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The following recommendations are provided by DPIE Water and NRAR.

The SEARS should include:

- The identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be sourced from an appropriately authorised and reliable supply. This is also to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at <https://www.industry.nsw.gov.au/water>).

Any further referrals to DPIE – NRAR & Water can be sent by email to:
landuse.enquiries@dpi.nsw.gov.au.

Yours sincerely

Alistair Drew
Project Officer, Assessments
Water – Strategic Relations
21 October 2020



Your reference: SSD-10096818
Our reference: DOC20/853846

David Koppers
Senior Environmental Assessment Officer
Industry Assessments
Department of Planning, Industry and Environment
Email: david.koppers@planning.nsw.gov.au

Advice provided via the Major Projects Portal

Dear Mr Koppers

**HERITAGE NSW – ABORIGINAL CULTURAL HERITAGE REGULATION
SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS)**

Project: Buronga Landfill Expansion (Wentworth LGA)
SSD/SSI application no: SSD-10096818

Thank you for your referral dated 16 October 2020 requesting our input on the draft Planning Secretary's Environmental Assessment Requirements (SEARs) for the above state significant development (SSD) project.

In support for the request for SEARs, Heritage NSW received a copy of the 'Preliminary Scoping Report for the Buronga Landfill Proposed Expansion' (Tonkin, 8 October 2020). The preliminary scoping report (PSR) states an Aboriginal Cultural Heritage Assessment was previously undertaken across the area of the site not currently occupied by the waste facility by Landscope in October 2016. The PSR also states that Wentworth Shire Council (WSC) holds an Aboriginal Heritage Impact Permit (C0002579) allowing them to move or harm the Aboriginal site identified (AHIMS 46-3-0192) during the previous assessment as part of the proposed development.

Heritage NSW advise that the AHIP (C0002579) previously issued to WSC commenced on 30 March 2017, was only for the duration of 1 year and subsequently expired after 30 March 2018 and is no longer valid. While the Buronga Landfill Proposed Expansion project is considered as a SSD and an Aboriginal Heritage Impact Permit is not required, it is a requirement that the EIS demonstrates consideration for Aboriginal cultural heritage including conducting consultation with the Aboriginal community in accordance with the 'Aboriginal cultural heritage consultation requirements for proponents 2010'.

Although a previous Aboriginal cultural heritage assessment was carried out in relation to the Buronga Landfill - this was in relation to previous Borrow Pit Upgrades. The 2016 Aboriginal cultural heritage assessment report (ACHAR) was provided to WSC to support an application for development approval and an application for an AHIP which did not relate to the current expansion of the landfill footprint from 19ha to 40ha and increase from the currently licensed 30,000 tonnes of waste to 100,000 tonnes of waste per annum. The 2016 ACHAR also did not cover the proposed ground disturbance works including the resource recovery areas and proposed stormwater management area that form part of this proposal.

Further detail regarding SEARs for the proposed development in relation to Aboriginal cultural heritage matters is provided in **Attachment A**.

If you have any questions regarding these comments, please contact me on (02) 6229 7089 or by email: jackie.taylor@environment.nsw.gov.au.

Yours sincerely



Jackie Taylor
Senior Team Leader, Aboriginal Cultural Heritage Regulation - South
Heritage NSW
28 October 2020

Enclosure – Attachment A: Recommended SEARs for Buronga Landfill Proposed Expansion SSD-10096818 - Aboriginal Cultural Heritage

ATTACHMENT A: HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: Buronga Landfill Proposed Expansion (Wentworth LGA)

SSD/I #: SSD-10096818

1. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the [Code of Practice for Archaeological Investigation in NSW](#) (OEH 2010), and be guided by the [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales](#) (DECCW 2011) and consultation with Heritage NSW regional officers.
2. Consultation with Aboriginal people must be undertaken and documented in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
3. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to Heritage NSW.
4. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the ACHAR.
5. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
6. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

NOTE: The process described in the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW* (DECCW 2010) is not sufficient to assess the impacts on Aboriginal cultural heritage of Major Projects.

David Koppers
Department of Planning, Industry and Environment
320 Pitt Street
SYDNEY NSW 2000

By email: David.Koppers@planning.nsw.gov.au

Dear Mr Koppers

**Request for Secretary's Environmental Assessment Requirements (SEARS) for
Buronga Landfill Expansion (SSD-10096818)**

Thank you for your referral dated 16 October 2020 inviting SEARS input from the Heritage Council of NSW on the above State Significant Development proposal.

The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological deposits. Therefore, no referral to the Heritage Council of NSW is required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.

If you have any questions regarding the above advice, please contact Gary Hinder, A/Senior Heritage Assessment Officer, at Gary.Hinder@environment.nsw.gov.au or on 9873 8547.

Yours sincerely



Anna London
A/Senior Team Leader, Customer Strategies
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW
29 October 2020



David Koppers
Department of Planning, Industry and
Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

Our ref: DOC20/875501

Your ref: SSD 10096818

Emailed: via Planning portal

30 October 2020

Dear David

Subject: Buronga Landfill Expansion (SSD 10096818) – Request for Secretary's Environmental Assessment Requirements (SEARs).

Thank you for the opportunity to provide advice on the above matter. This is a response from the NSW Department of Regional NSW – Mining, Exploration & Geoscience (MEG).

MEG is responsible for providing strategic advice relating to the current and potential future uses of land in NSW pursuant to the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 and the Environmental Planning & Assessment Act 1979. Our role is to ensure that proposals do not unnecessarily preclude access to known resources or exploration for future resource discovery and extraction. MEG will also assess the application with respect to biodiversity offset considerations.

MEG has identified Exploration License (EL) 8500 held by Morello Earthmoving Pty Ltd overlies the project site.

MEG requests the following project-specific requirements to be addressed in the EIS:

- The Environmental Impact Statement (EIS) must include a dated mineral, coal and petroleum titles and applications search through the MEG MinView application, with results shown on a map(s) including the location and extent of the project site. Current mining and exploration titles and applications can be viewed at:
<https://minview.geoscience.nsw.gov.au/>
- The proponent must consult with Morello Earthmoving Pty Ltd. This should include a letter of notification of the proposal to the title holder including a map indicating the Buronga Landfill Expansion proposal area in relation to the exploration title boundary.
- The proponent must consult with all affected title holders. This should include a letter of notification of the proposal to the title holders including a map indicating the Landfill Expansion proposal area in relation to the title boundaries.
- MEG specifically requires the proponent to check for new mineral and energy titles that may be granted in the vicinity of the subject site during all decision-making stages of the project to ensure that other stakeholders (such as title holders) with interest in the area are aware of the proposed landfill expansion project.
- MEG requests to be consulted in relation to the proposed location of any biodiversity offset areas (both on and off site) or any supplementary biodiversity measures to ensure there is



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NSW

no consequent reduction in access to prospective land for mineral exploration, or potential for sterilisation of mineral or extractive resources.

Queries regarding the above information should be directed to the GSNSW - Land Use team at landuse.minerals@geoscience.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steven Palmer'.

Steven Palmer

Manager, Land Use Assessment

Geological Survey of NSW – Mining, Exploration & Geoscience.



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Sydney Offices)
GPO Box 39
Sydney NSW 2001

Your reference: SSD 10096818
Our reference: DA20201026003930-SEARS-1

ATTENTION: David Koppers

Date: Thursday 29 October 2020

Dear Sir/Madam,

Development Application

State Significant – SEARS – Industry

Buronga Landfill Expansion 258 Arumpo Road Buronga NSW AUS, 197//DP756946, 212//DP756946, 1//DP1037845

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 16/10/2020.

The NSW RFS has considered the information submitted and notes that the proposed development has the potential to increase the level of bush fire risk within the landscape and, the development may be impacted upon during a bush fire event. As such, the environmental assessment for the proposed Buronga Landfill Expansion should address the following bush fire criteria:

- the aim and objectives of *Planning for Bush Fire Protection 2019*;
- identification of potential ignition sources during construction and operation of the development;
- storage of fuels and other hazardous materials;
- proposed bush fire protection measures for the development, including vegetation management and fire suppression capabilities;
- operational access for fire fighting appliance to the site; and
- emergency and evacuation planning.

For any queries regarding this correspondence, please contact Bradley Bourke on 1300 NSW RFS.

Yours sincerely,

Martha Dotter

**Team Leader, Dev. Assessment & Planning
Planning and Environment Services**

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

WATER NSW

Response History



Public Authority Response

Tuesday, 20 October 2020 5:03:24 PM AEDT

Notes:

Thank you for requesting WaterNSW's input to the SEARs for the Buronga Landfill Expansion (SSD 10096818). WaterNSW notes that the subject site includes a bore that is part of the part of the groundwater monitoring system for the Buronga Salinity Interception Scheme, which is run by DPIE as part of the MDBA Joint Venture. WaterNSW take a manual read on this bore 4 times per year.

Our interest lies in maintaining access to this bore for monitoring and maintenance, and ensuring the bore infrastructure is not damaged, and protected from unauthorised access.

This access may also be required by anyone contracted to WaterNSW to undertake this work, or independent monitoring for which we authorise an access agreement.

As DPIE is the client for the data gathered by WaterNSW, the EIS must also address any potential impacts to groundwater levels, seepage, earthworks etc.

NRAR

Response History



Public Authority Response

Tuesday, 20 October 2020 12:20:53 PM AEDT

Notes:

This is a pre-approval matter that needs to be sent to landuse.enquiries@dpi.nsw.gov.au to collate a combined response from both NRAR and DPIE Water.

Kind Regards

Deb