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 10373
Development	Construction and operation of a cogeneration plant with a capacity to process up to 165,000 tonnes per annum of residual waste fuel
Location	1891 Botany Road, Matraville
Applicant	SUEZ Recycling & Recovery Pty Ltd
Date of Issue	2 October 2019

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 *Environmental Planning and Assessment Regulation 2000* (the EP&A Regulation).
	
	In addition, the EIS must include a:
	- detailed description of the development, including:
	  o existing operations carried out on the site and how the site operates lawfully under the *Environmental Planning and Assessment Act 1979* (EP&A Act) including any reliance on existing use rights and/or planning approvals and how these will be consolidated
	  o accurate history of the site, including development consents
	  o need for the proposed development
	  o justification for the proposed development
	  o likely staging of the development - including demolition, construction, and operational stage/s
	  o likely interactions between the development and existing, approved and proposed operations in the vicinity of the site
	  o plans of any proposed building works
	  o contributions required to offset the proposal
	- consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments
	- consideration of issues discussed in **Attachment 2** (public authority responses to key issues)
	- risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment
	- detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes:
	  o a description of the existing environment, using sufficient baseline data
	  o an assessment of the potential impacts of all stages of the development, including any cumulative impacts of the proposed treatment plant with the existing recycled paper mill, taking into consideration relevant guidelines, policies, plans and statutes
	  o a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any 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 EP&A 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: **1. 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 justification for the approach - a description of the form of engagement activities undertaken - a report on the results of the implementation of the strategy including issues raised by the community and the surrounding occupiers and landowners 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 the consultation - details of how monitoring data will be communicated and made publicly accessible to the community. **2. Suitability of the Site** – including: - need and justification for the development having regard to its location and impacts, the suitability of the site and public interest - details of all development consents and approved plans previously and/or currently applicable to the site - a detailed justification that the site can accommodate the proposed cogeneration facility, having regard to the scope of the operations of the existing recycled paper mill and its environmental impacts and relevant mitigation measures. **3. Statutory and Strategic Context** – including: - demonstration the proposal is generally consistent with all relevant planning strategies, environmental planning instruments, district plans and justification for any inconsistencies. - addressing the statutory provisions applying to the development contained in all relevant environmental planning instruments, including: o State Environmental Planning Policy No. 33 – Hazardous and Offensive Development o State Environmental Planning Policy No.55 – Remediation of Land o State Environmental Planning Policy (Coastal Management) 2016 o State Environmental Planning Policy (Infrastructure) 2007

	○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Three Ports) 2013 ○ Randwick Local Environmental Plan 2012 **4. Key Policies - including** - addressing the relevant provisions in, and consistency with, the following State and international waste legislation and policy: ○ NSW Energy from Waste Policy Statement (EPA 2015) ○ NSW Protection of the Environment Operations (Waste) Regulations 2014 ○ NSW Waste Avoidance and Resource Recovery Strategy 2014-2021 ○ NSW Waste Classification Guidelines ○ European IPPC Bureau Industrial Emissions Directive and BAT (Best Available Techniques) Reference Document (BREF) 2006 (including consideration of the Draft BREF 2018). **5. Air Quality and Odour** – including: - a quantitative assessment of the potential air quality, dust and odour impacts of all stages of the development (construction and operation) on surrounding landowners, businesses and sensitive receptors, in accordance with the relevant Environment Protection Authority guidelines, including 'worst case' emission scenarios (including a trip or emergency shutdown) - details of the receiving environment, including meteorology and climate, topography, surrounding land use, sensitive receptors and ambient air quality - justification for the level of assessment undertaken on the basis of risk factors, including but not limited to the proposal location, characteristics of the receiving environment and the type and quantity of the pollutants emitted - details of the proposed technology and a demonstration that it is technically fit-for-purpose, including details of commissioning and proof of performance - details of emission control techniques and practices, including emission sampling and monitoring, that will be employed, and benchmark these against best practice emission control and management, with reference to the European Union's 'Waste Incineration Directive 2000' and the Environment Protection Authority's 'NSW Energy from Waste Policy' (2015) - demonstrate a commitment to continual improvement with respect to emission control techniques and practices - an assessment of cumulative air quality impacts associated with the facility and surrounding developments such as the Botany Industrial Park, Sydney Airport and Port Botany, including any approved (but not yet constructed) developments. **6. Human Health Risk** – including: - a quantitative human health risk assessment in accordance with the 'Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards' (enHealth, 2012) covering the inhalation of criteria pollutants and exposure (from all pathways, i.e., inhalation, ingestion and dermal) to specific air toxics, including impacts from the transport of waste material. **7. Waste Management** – including: - details and a description of the source, classes, quantities and composition of waste streams that would be thermally treated at the facility

	- demonstrate that waste used as a feedstock in the cogeneration facility would be the residual from a resource recovery process that maximises the recovery of material in accordance with Environment Protection Authority guidelines and 'NSW Energy from Waste Policy Statement' (2015) - a detailed description of waste processing procedures for each waste type received at the premises, including the types of pollution which may result from the storage and processing of that waste, mitigation measures for managing any such impacts and contingency measures that would be implemented if inappropriate materials are identified - details of the maximum annual throughput of waste and the maximum volume of waste to be stored at the premises at any one time - details of the proposed composition, quantities and classification of waste material produced (e.g. ash) from the cogeneration facility, including details of proposed management and disposal of those waste materials - procedures for the management of other solid, liquid and gaseous waste streams - demonstrate that any waste material produced from the energy from waste facility for land application is fit-for-purpose and poses minimal risk of harm to the environment in order to meet the requirements for consideration of a resource recovery exemption by the Environment Protection Authority - identify 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 2007. **8. Traffic and Transport** - a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services guidelines - daily and peak traffic movements likely to be generated by the proposed development including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model and the need (and associated funding) for road improvement works (if required) - details of the proposed site access / egress and parking provisions, including compliance with the requirements of the relevant Australian Standards (i.e. turn paths, sight distance requirements, aisle widths, etc.) - detailed plans of the proposed layout of the internal road network, heavy and light vehicle traffic movements and parking on site in accordance with the relevant Australian Standards - turning path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site - an assessment of the accessibility of the development by public and active transport, including details of measures to prevent detrimental impacts on any bike and active transport routes in the vicinity of the site - detailed assessment of reasonable and feasible rail options for the transport of Processed Engineered Fuel (PEF), including likely rail routes and destinations, train size and configuration, service frequency, anticipated train path requirements, expected ramp up periods and peak demand - identification of the truck routes between Chullora (or any other source locations) and the site for fuel deliveries, and between the site and potential waste disposal sites for waste fuel products - details of the types of material being transported and whether the material would be classified as dangerous goods under the Australian Dangerous Goods Code.

	9. Noise and Vibration - a quantitative assessment of potential construction, operational and transport noise and vibration impacts, including impacts on nearby sensitive receivers, landowners and businesses, in accordance with relevant Environment Protection Authority guidelines - details and justification of the proposed noise management, mitigation and monitoring measures - details of any noise barriers along the eastern property boundary. **10. Soils and Water** – including: - a flood impact assessment, including an assessment of any tidal influences on overland flow paths and flood risk associated with the development both on and off the site including Bunnerong Canal and Long Dam - an assessment of potential impacts to soil and water resources, topography, hydrology, drainage lines, watercourses and riparian lands on or nearby to the site, including mapping and a description of existing baseline conditions and cumulative impacts - 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 water use at the site - details of any groundwater extraction and any works with the potential to intercept the groundwater table - details of stormwater and wastewater management systems including the capacity of onsite detention systems, details of water sensitive urban design measures, and measures to treat, reuse or dispose of water - a description of erosion and sediment controls - characterisation of the nature and extent of any contamination on the site and a description of proposed management measures in accordance with SEPP 55 and the most recent version of the relevant guidelines associated with the SEPP. **11. Hazard and Risk** – including: - a preliminary risk screening completed in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and the Department's Applying SEPP 33, including: o a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development; o sufficient description on plant, equipment and processes associated with the co-generation plant o information on the potential hazards associated with the co-generation plant and the corresponding safeguards. Should the preliminary risk screening with consideration of the potential hazards from the cogeneration plant indicate that the development is "potentially hazardous", a Preliminary Hazard Analysis (PHA) must be prepared in accordance with the Department's Hazardous Industry Planning Advisory Paper No. 6, 'Hazard Analysis' and Multi-Level Risk Assessment (DoP 2011). - consideration of the Botany Bay Precinct Emergency Plan (2011) - details of incident / emergency management and proposed contingency measures in the event of a shutdown. **12. Visual** – including: - a landscape character and visual impact assessment that includes a description of the visual catchment and considers the potential visual impacts of the

	development on the amenity of the surrounding area particularly from nearby public receivers and significant vantage points of the broader public domain, having regard to the proposed building height, stack height, scale, signage, lighting and the emissions plume - justification for the positioning and height of the stack - details of proposed mitigation measures - a high-quality architecture and design excellence approach for the proposed plant building and associated structures - a detailed photo-montage based analysis of the visual impacts of the development and emission stack - details of landscape works that will complement and screen the development showing the use of high-quality landscaping material - consideration of the use of green walls, green roof or cool roof design having regard to the 'Urban Green Cover in NSW Technical Guidelines' (OEH 2015). **13. Social** – including: - a social impact assessment, which: o identifies and analyses the potential social impacts of the development, from the points of view of the affected community / ies and other relevant stakeholders o assesses the significance of positive, negative, and cumulative social impacts considering likelihood, extent, duration, severity / scale, sensitivity / importance, and level of concern / interest o includes mitigation measures for likely negative social impacts, and any proposed enhancement measures o details how social impacts will be adaptively monitored and managed over time. **14. Aircraft Safety** – including: - a plume rise assessment in accordance with relevant guidelines. **15. Greenhouse Gas and Energy Efficiency** – including: - a quantitative analysis of potential Scope 1, 2 and 3 greenhouse gas emissions from the development and an assessment of potential impacts on the environment in accordance with relevant guidelines - a description of construction and operational control measures to be implemented to ensure the development is energy efficient and minimises greenhouse gas generation. **16. Heritage** – including: - an Aboriginal cultural heritage assessment report in accordance with the 'Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW' (OEH 2010) and the Guide to investigation, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW 2011). **17. Utilities and Services** – including: - details of existing capacity and requirements of the development for sewerage, water, electricity, waste disposal, telecommunications and gas in consultation with the relevant service providers - a description of the staging, if any, of infrastructure works, any infrastructure upgrades that are required off-site to facilitate the orderly and economic development of the site and a description of the arrangements that would be put

	in place to ensure that these upgrades are implemented in a timely manner and maintained. **18. Biodiversity** – including: - an assessment of biodiversity impacts in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report - measures to avoid, mitigate or offset all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method. **19. Planning Agreement/Contributions** – including: - including consideration of Council's Section 7.11 Contribution Plan and/or details of any Voluntary Planning Agreement.
Plans and Documents	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. The EIS must include high quality files of maps and figures of the subject site and proposal.
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: - Randwick City Council - Bayside Council - Environment Protection Authority - Department of Primary Industries - Environment, Energy and Science (previously Office of Environment and Heritage) - Transport for NSW (including Roads and Maritime Services) - NSW Ministry of Health - Western Sydney Local Health District - Heritage NSW, Department of Premier and Cabinet - NSW Fire and Rescue - Department of Planning, Industry and Environment – Water and Natural Resources Access Regulator (previously WaterNSW) - Sydney Water - Energy NSW - Port Authority of NSW - NSW Ports - Australian Rail Track Corporation - SafeWork NSW - AusGrid - Sydney Airport - Civil Aviation Safety Authority - Department of Energy and Environment - nearby land owners and occupiers that may be affected by the proposal. 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 two 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

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.planning.nsw.gov.au
http://www.bookshop.nsw.gov.au
http://www.publications.gov.au

Policies, Guidelines & Plans

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
- the location of the land, boundary measurements, area (sq. m) and north point
- the existing levels of the land in relation to buildings and roads
- location and height of existing structures on the site
- location and height of adjacent buildings and private open space
- all levels to be to Australian Height Datum (AHD).

2. A locality/context plan drawn at an appropriate scale should be submitted indicating:
- watercourses including nearby rivers and creeks, and dams
- significant local features such as heritage items
- the location and uses of nearby buildings, shopping and employment areas, hospitals and schools
- traffic and road patterns, pedestrian routes and public transport nodes.

3. An indication of the location of the site with respect to the relevant Land Zoning Map within the *Randwick Local Environment Plan 2012*.

4. Drawings at an appropriate scale illustrating:
- detailed plans, sections and elevations of the existing and proposed buildings and structures, which clearly show all proposed internal and external infrastructure.

Documents to be submitted

Documents to submit include:
- 1 electronic copy of all the documents and plans for review prior to exhibition
- other copies as determined by the Department once the development application is lodged.

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.planning.nsw.gov.au
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http://www.publications.gov.au

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Air Quality and Odour	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA 2014)
	Waste Classification Guidelines (DECC)
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (EPA)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC)
	Environmental guidelines: Use and Disposal of Biosolids Products (EPA)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
Human Health Risk	
	Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2007 (DECC)
	NSW Energy from Waste Policy Statement (EPA, 2015)
	Waste Classification Guidelines (DECC)
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSW EPA)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC)
Soil and Water	
Soil	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	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 (DOP)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (OEH 2011)
Surface Water	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	NSW State Rivers and Estuaries Policy (1993)
	State Water Management Outcomes Plan

	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
Groundwater	National Water Quality Management Strategy: Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document 1997 (DLWC)
	NSW State Groundwater Quality Protection Policy 1998 (DLWC)
	NSW State Groundwater Quantity Management Policy 2002 (DLWC)
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC)
	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
	Australian Groundwater Modelling Guidelines 2012
Wastewater	Environmental Guidelines: Use of Effluent by Irrigation (DECC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) 2006 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of Drinking Water Supplies 2008 (EPHC, NRMMC & AHMC)
	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)
	Recycled Water Guidance Document: Recycled Water Management Systems (DPI, 2015)
Flooding	Birds Gully and Bunnerong Road Flood Study (WMA 2018)
	Floodplain Development Manual (NSW Government 2005)
Traffic and Transport	
	Guide to Traffic Generating Development (RTA)
	Guide to Traffic Management Part 12: Traffic Impacts of Developments (Austroads 2016)
	NSW Long Term Transport Master Plan (TfNSW 2012)
	Road Design Guide (RTA)
Noise and Vibration	
Noise	NSW Industrial Noise Policy (EPA 2000)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
	Interim Construction Noise Guideline (DECC 2009)
Vibration	Assessing Vibration: A Technical Guideline (DEC 2006)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principles and Process
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)

	Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage
Greenhouse Gas	
	National Greenhouse Accounts (NGA) Factors (Department of Environment)
	The Greenhouse Gas Protocol: Corporate Standard, World Council for Sustainable Business Development and World Resources Institute
	National Greenhouse and Energy Reporting System, Technical Guidelines
	Australian Greenhouse Emissions Information System (AGEIS)
	National Greenhouse Accounts (NGA) Factors (Department of Environment)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
	AGO Factors and Methods Workbook (AGO)
Biodiversity	
	NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014) and the Framework for Biodiversity Assessment
	State Environmental Planning Policy No 44 – Koala Habitat Protection (SEPP 44)
	The NSW State Groundwater Dependant Ecosystem Policy (DWLC)
Heritage	
Non-Aboriginal	NSW Heritage Manual (NSW Heritage Office and DUAP)
	Statements of Heritage Impact 2002 (HO & DUAP)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Aboriginal	Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (OEH, 2010)
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH, 2011)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Social	
	Social impact assessment guideline (Department of Planning and Environment, 2017)
Ecologically Sustainable Development	
	NSW and ACT Government Regional Climate Modelling (NAECliM) climate change projections are used to inform the building design
	OEH (2015) Urban Green Cover in NSW Technical Guidelines

ATTACHMENT 2

Government Authority Responses to Request for Key Issues

For Information Only