

# 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*

<b>Application Number</b>	SSD-11606719
<b>Project Name</b>	Eastern Creek REP Throughput Increase
<b>Development</b>	Increase in throughput of an existing Recycling Ecology Park from 2 million tonnes of waste per annum (tpa) to 3.5 million tpa, including upgrade of supporting site infrastructure.
<b>Location</b>	1 Kangaroo Avenue (Lot 1 DP 1145808, Lot 2 DP 1247691), Eastern Creek in the Blacktown City local government area
<b>Applicant</b>	DIAL-A-DUMP (EC) PTY LTD
<b>Date of Issue</b>	22 December 2020
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> <li>• a detailed description of the development, including: <ul style="list-style-type: none"> <li>– an accurate history of the site, including existing or approved operations and development consents</li> <li>– the need for the proposed development</li> <li>– justification for the proposed development</li> <li>– likely staging of the development</li> <li>– likely interactions between the development and existing, approved and proposed operations in the vicinity of the site</li> <li>– plans of any proposed building works</li> <li>– contributions required to offset the proposal and</li> <li>– infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained.</li> </ul> </li> <li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments</li> <li>• consideration of issues discussed in the public authority responses to key issues (available on the Department's Major Projects website)</li> <li>• a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment</li> <li>• a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> <li>– a description of the existing environment, using sufficient baseline data</li> <li>– an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes and</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>– a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment.</li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> <li>• high quality files of maps and figures of the subject site and development</li> <li>• a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> <li>– a detailed calculation of the capital investment value (CIV) of the development (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000), including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate the applicable GST component of the CIV</li> <li>– an estimate of the jobs that will be created during the construction and operational phases of the proposed development and</li> <li>– certification that the information provided is accurate at the date of preparation.</li> </ul> </li> </ul>
<p><b>Key issues</b></p>	<p>The EIS must include an assessment of the potential impacts of the development (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Statutory and strategic context</b> – including: <ul style="list-style-type: none"> <li>– detailed justification for the proposal and the suitability of the site</li> <li>– detailed justification that the proposed land use is permissible with consent</li> <li>– demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. This includes, but is not limited to: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (Western Sydney Employment Area) 2009</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</li> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land (Draft) Remediation of Land State Environmental Planning Policy</li> <li>○ Greater Sydney Region Plan: A Metropolis of Three Cities</li> <li>○ Our Greater Sydney 2056: Central City District Plan</li> <li>○ Future Transport Strategy 2056</li> </ul> </li> </ul> </li> <li>• <b>Suitability of the Site</b> – including: <ul style="list-style-type: none"> <li>– a detailed description of the history of the site, including the relationship between the proposed development, the existing facility and all development consents and approved plans previously and/or currently applicable to the site</li> <li>– a detailed justification that the site can accommodate the increased throughput capacity at the recycling ecology park, having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures.</li> </ul> </li> <li>• <b>Community and Stakeholder Engagement</b> – including: <ul style="list-style-type: none"> <li>– a community and stakeholder participation strategy identifying key community members and other stakeholders</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>– details and justification for the proposed consultation approach(s)</li> <li>– clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted</li> <li>– details of issues raised by the community and surrounding landowners and occupiers</li> <li>– clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development</li> <li>– details of the proposed approach to future community and stakeholder engagement based on the results of consultation.</li> <li>• <b>Waste Management</b> – including: <ul style="list-style-type: none"> <li>– a description of each of the waste streams that would be accepted at the resource recovery operation and the landfill, including maximum daily, weekly and annual throughputs and the maximum size for stockpiles</li> <li>– details of the source of the waste streams to strongly justify the need for the proposed increase in waste receipt and processing capacity</li> <li>– a description of waste processing operation, including flow diagrams for each waste stream. The description should include information regarding the technology to be used, resource outputs, the quality control measures that would be implemented and the interactions between the resource recovery operations and the landfill operations</li> <li>– details of how and where waste would be stored (including the maximum daily storage capacity of the site) and handled on site, and transported to and from the site including details of how the receipt of non-conforming waste would be dealt with</li> <li>– details of the development's waste tracking system for incoming and outgoing waste</li> <li>– details of the quality of waste produced and final dispatch locations</li> <li>– details of the waste management strategy for construction and ongoing operational waste generated</li> <li>– the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i></li> <li>– details of consistency with the EPA's Standards for Managing Construction Waste in NSW (April 2019).</li> </ul> </li> <li>• <b>Air Quality and Odour</b> – including: <ul style="list-style-type: none"> <li>– a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines. This is to include identification of existing and potential future sensitive receivers and consideration of cumulative local and regional impacts</li> <li>– the details of buildings and air handling systems and strong justification (including quantitative evidence) for any material handling, processing or stockpiling external to buildings</li> <li>– details of proposed mitigation, management and monitoring measures during both the construction and operation stages of the development. This is to include strong justification for continued implementation of existing measures and any additional measures proposed as part of the development.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – including: <ul style="list-style-type: none"> <li>– details of all traffic types and volumes likely to be generated during construction and operation, including details of the maximum numbers of each vehicle type per day and per annum</li> <li>– a description of key access / haul routes and traffic distribution over these</li> <li>– an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model</li> </ul> </li> </ul>
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- details and plans of any proposed the internal road network, loading and unloading areas, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards
- details of the largest vehicle anticipated to access and move within the site, including swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site
- details of road upgrades, infrastructure works or new roads or access points required for the development, including how these interact with the existing or proposed road system.
- **Noise and Vibration** – including:
  - a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines which includes:
    - the identification of impacts associated with site emission and traffic generation at noise affected sensitive receivers
    - details of noise monitoring surveys, background noise levels and noise emission levels of proposed activities
    - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
    - a cumulative impact assessment inclusive of impacts from other developments
    - details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of mitigation these measures and details of any proposed compliance monitoring programs.
- **Soils and Water** – including:
  - an assessment of potential surface and groundwater impacts associated with the development (both quantity and quality), including impacts associated with the new access points. This is to include potential impacts on watercourses, riparian areas, groundwater, and groundwater-dependent communities nearby
  - a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements
  - details of existing and proposed stormwater/wastewater management system including the capacity of onsite detention system(s), onsite sewage management and measures to treat, reuse or dispose of water
  - description of the measures to minimise water use
  - description of the proposed erosion and sediment controls during construction
  - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria. This is to include details of the contaminants of concern that may leach from waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters and monitoring activities and methodologies
  - details of proposed surface and groundwater monitoring
  - characterisation of the nature and extent of any contamination on the site and surrounding area.
- **Infrastructure requirements** – including:
  - a detailed written and/or graphical description of infrastructure required on the site, including any upgrades required
  - identification of any infrastructure upgrades required off-site to facilitate the development, including road pavement, and a description of any arrangements to ensure that the upgrades will be implemented in a timely manner and maintained
  - an infrastructure delivery and staging plan, including a description of how infrastructure on and off-site will be co-ordinated and funded to ensure it is in place prior to the commencement of construction

	<ul style="list-style-type: none"> <li>– an assessment of the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.</li> <li>• <b>Fire and Incident Management</b> – including: <ul style="list-style-type: none"> <li>– identification of the aggregate quantities of combustible waste products to be stockpiled at any one time</li> <li>– technical information on the environmental protection equipment to be utilised on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures</li> <li>– details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site's largest stockpile fire load</li> <li>– details of size and volume of stockpiles and their management and separation to minimise fire spread and facilitate emergency vehicle access</li> <li>– consideration of consistency with NSW Fire &amp; Rescue Fire Safety Guideline – Fire Safety in Waste Facilities (February 2020)</li> <li>– detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC).</li> </ul> </li> <li>• <b>Hazards and Risk</b> – including a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i> and Applying SEPP 33 (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is “potentially hazardous” a Preliminary Hazard Analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011).</li> <li>• <b>Urban design and visual</b> – including: <ul style="list-style-type: none"> <li>– an assessment of the potential visual impacts of the project on the amenity of the surrounding area</li> <li>– a landscape plan detailing the use of native species from the relevant native vegetation communities in landscaping works.</li> </ul> </li> <li>• <b>Ecologically sustainable development</b> – including: <ul style="list-style-type: none"> <li>– a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development</li> <li>– a description of the measures to be implemented to minimise consumption of resources, especially energy and water.</li> </ul> </li> <li>• <b>Cultural Heritage and Aboriginal Cultural Heritage</b> – including: <ul style="list-style-type: none"> <li>– identify and describe the Aboriginal cultural heritage values that exist across the development and document in an Aboriginal Cultural Heritage Assessment Report (ACHAR), unless otherwise agreed by Heritage NSW that an ACHAR is not required</li> <li>– consultation with Aboriginal people must be undertaken and documented in an ACHAR</li> <li>– a description of the impacts on Aboriginal cultural heritage values.</li> </ul> </li> <li>• <b>Biodiversity</b> – including an assessment of the proposal's biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i>, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.</li> <li>• <b>Planning agreement/development contributions</b> – demonstration that satisfactory arrangements have been or would be made to provide, or contribute to the provision of, necessary local and regional infrastructure required to support the development.</li> </ul>
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<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>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Blacktown City Council</li> <li>• Environment Protection Authority</li> <li>• Department of Planning, Industry and Environment, specifically: <ul style="list-style-type: none"> <li>– Environment, Energy and Science Group</li> <li>– Water group and NRAR</li> </ul> </li> <li>• NSW Fire and Rescue</li> <li>• Sydney Water</li> <li>• Transport for NSW (including former Roads and Maritime Services)</li> <li>• surrounding local landowners and stakeholders</li> <li>• any other relevant public transport, utilities or community service providers.</li> </ul> <p>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.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a Development Application and EIS for the development within two (2) years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
<b>References</b>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, <b>Attachment 1</b> contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

## **ATTACHMENT 1**

### **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>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

#### **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:

An existing site survey plan drawn at an appropriate scale illustrating:

- the location of the land, boundary measurements, area (sqm) 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).
1. Locality/context plan drawn at an appropriate scale should be submitted indicating:
    - significant local features such as heritage items
    - the location and uses of existing buildings, shopping and employment areas
    - traffic and road patterns, pedestrian routes and public transport nodes.
  2. Drawings at an appropriate scale illustrating:
    - detailed plans, sections and elevations of the existing building, which clearly show all proposed buildings
    - detailed plans of proposed access driveways, internal roads, carparking and external alterations
    - services infrastructure.
  3. Schedule of materials, colours and additions. finishes.

#### **Documents to be Submitted**

Documents to submit include:

- one (1) hard copy and one (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.

## Policies, Guidelines & Plans

Aspect	Policy / Methodology
<b>Traffic, Transport and Access</b>	
	Roads Act 1993
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (RTA, 2002 as updated)
	Road Design Guide (RMS, 2015-2017)
	Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
	Bicycle Parking Facilities: Guidelines for Design and Installation (AS 2890.3:2015)
	Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area (TfNSW, 2013)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
<b>Soils and Water</b>	
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
<i>Wastewater</i>	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMCC & AHMC, 2006)

## Policies, Guidelines & Plans

Aspect	Policy / Methodology
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
<i>Contamination</i>	State Environmental Planning Policy No. 55 – Remediation of Land
<b>Hazards and Risk</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
<b>Biodiversity</b>	
	Biodiversity Conservation Act 2016
	Biodiversity Assessment Method (OEH, 2017)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
<b>Heritage</b>	
	Heritage Act 1977
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
<b>Noise and Vibration</b>	
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Policy for Industry (EPA, 2017)
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Noise Guide for Local Government (EPA, 2013)
	Interim Construction Noise Guideline (DECC, 2009)
<b>Air Quality</b>	
	Protection of the Environment Operations (Clean Air) Regulation 2002
<i>Air Quality</i>	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)
<i>Odour</i>	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
	AGO Factors and Methods Workbook (AGO, 2018)

## Policies, Guidelines & Plans

Aspect	Policy / Methodology
<i>Greenhouse Gas</i>	Guidelines for Energy Savings Action Plans (DEUS, 2005)
<b>Upper Canal and Warragamba Pipeline Corridors</b>	
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2018)
<b>Bushfire</b>	
	Planning for Bushfire Protection (RFS, 2006)
<b>Waste</b>	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA 2008)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	NSW Energy from Waste Policy Statement (EPA 2015)
	Standards for Managing Construction Waste in NSW (EPA 2018)
<b>Visual</b>	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)