

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-18204994
Project Name	Snack Brands Manufacturing Facility
Project Description	Construction and operation of a food manufacturing facility attached to an existing warehouse and distribution facility
Location	2 and 14 Distribution Drive, Orchard Hills (Lot 10 DP 271141 and Lot 11 DP 271141) within the Penrith City local government area
Applicant	SNACK BRANDS INDUSTRIES PTY LTD
Date of Issue	27/05/2021
General Requirements	<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"> · a detailed description of the development, including: <ul style="list-style-type: none"> - an accurate history of the site, including development consents - the need for the proposed development - justification for the proposed development - likely staging of the development - likely interactions between the development and existing, approved and proposed operations in the vicinity of the site - plans of any proposed building works - contributions required to offset the proposal and - infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained. · 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) · a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment · 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"> - a description of the existing environment, using sufficient baseline data - 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 - 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. · a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by:</p>

	<ul style="list-style-type: none"> high quality files of maps and figures of the subject site and proposal a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> a detailed calculation of the capital investment value (CIV) of the proposal (as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000) 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 the applicable GST component of the CIV an estimate of the jobs that will be created by the development during the construction and operational phases of the proposed development and certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must include an assessment of the potential impacts of the proposal (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"> Statutory and strategic context – including: <ul style="list-style-type: none"> detailed justification for the proposal and the suitability of the site detailed justification that the proposed land use is permissible with consent details of any proposed consolidation or subdivision of land a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site 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"> State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Western Sydney Employment Area) 2009 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development State Environmental Planning Policy No. 55 – Remediation of Land Penrith Local Environmental Plan 2010 Greater Sydney Region Plan: A Metropolis of Three Cities Our Greater Sydney 2056: Central City District Plan Future Transport Strategy 2056. Suitability of the site – including: <ul style="list-style-type: none"> a detailed justification that the site can accommodate the proposed food manufacturing facility, having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures. details on the relationship of the development's operations with the adjoining Snack Brands Warehouse Facility (SSD-9429). Community and stakeholder engagement – including: <ul style="list-style-type: none"> a community and stakeholder participation strategy identifying key community members and other stakeholders; details and justification for the proposed consultation approach(s); clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted; issues raised by the community and surrounding landowners and occupiers; clear details of how issues raised during consultation have been addressed

- and whether they have resulted in changes to the development; and
- details of the proposed approach to future community and stakeholder engagement based on the results of consultation.

- **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 and Australian Standards which includes:
 - o the identification of impacts associated with construction, site emission and traffic generation at noise affected sensitive receivers, including the provision of operational noise contours and a detailed sleep disturbance assessment
 - o details of noise monitoring survey, background noise levels, noise source inventory and 'worst case' noise emission scenarios
 - o consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
 - o a cumulative impact assessment inclusive of impacts from other developments
 - o 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.

- **Air quality and odour** – including:

- a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines
- the details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings
- details of proposed mitigation, management and monitoring measures.

- **Traffic and transport** – including:

- details of all traffic types and volumes likely to be generated during construction and operation, including a description of key access / haul routes
- details on the relationship of traffic generation between the adjoining SSD-9429 and the development including pre and post-development traffic volumes
- 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
- plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network
- details and plans of any proposed the internal road network, loading dock servicing and provisions, 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 analysis
- 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 if necessary.

- **Urban design and visual** – including:

- a visual impact assessment (including photomontages and perspectives) of the development layout and design (buildings and storage areas), including staging, site coverage, setbacks, open space, landscaping, height, colour,

scale, building materials and finishes, façade design, signage and lighting, particularly in terms of potential impacts on:

- o nearby public and private receivers
- o significant vantage points in the broader public domain
- consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks
- detailed plans showing suitable landscaping which incorporates endemic species
- including an assessment of the potential visual impacts of the project on the amenity of the surrounding area.

• **Food safety** – in relation to food handling and processing and how NSW Food Authority standards and requirements will be met.

• **Waste** – including:

- details of the quantities and classification of all waste streams to be generated on site during the development
- details of waste storage, handling and disposal during the development
- details of 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 2014-2021.

• **Soils and water** – including:

- an assessment of potential surface and groundwater impacts associated with the development, including 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 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 (including details of the contaminants of concern that may leach from the waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters and monitoring activities and methodologies) and
- 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 electrical substation/s and on-site switch yard/s
- identification of any infrastructure upgrades required off-site to facilitate the development, and describe 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
- an assessment of the impacts of the development on existing utility infrastructure and service provider assets surrounding the site, including the adjacent Warragamba Pipelines' corridor, and a description of how any potential impacts would be avoided and minimised.

• **Fire and incident management** – including:

- identification of the aggregate quantities of combustible waste products to be stockpiled at any one time
- technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill

	<p>clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures</p> <ul style="list-style-type: none"> - details regarding the fire hydrant system and its minimum water supply capabilities appropriate to the site's largest stockpile fire load - detailed information relating to the proposed structures addressing relevant levels of compliance with Volume One of the National Construction Code (NCC). <ul style="list-style-type: none"> • Hazards and risk – 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). • Bushfire and Incident Management <ul style="list-style-type: none"> - assess the level of hazard posed to future development on adjacent land and how the hazards may change as a result of development - address the requirements of Planning for Bush Fire Protection 2019 (RFS), in particular the provision of access (including perimeter roads) and water supply for firefighting purposes • Ecologically sustainable development – including: <ul style="list-style-type: none"> - a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development - consideration of the use of green walls, green roofs and/or cool roofs in the design of the development - a description of the measures to be implemented to minimise consumption of resources, especially energy and water. • Biodiversity – 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. • Planning agreement/development contributions – 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.
Consultation	<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"> • Penrith City Council • Environment Protection Authority • Environment, Energy and Science Group • Transport for NSW • NSW Fire and Rescue • Sydney Water • Department of Primary Industries: Food Authority • WaterNSW • surrounding local landowners and stakeholders • any other public transport, utilities or community service providers.

	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 (2) 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, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

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:

1. 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).
2. 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.
3. 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.
4. 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
Engagement	Undertaking Engagement Guide – Guidance for State Significant Projects – Exhibition Draft (DPIE, 2020)
Traffic, Transport and Access	
	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)
Soils and Water	
<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, NRMMC & AHMC, 2006)
	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
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
Biodiversity	
	Biodiversity Conservation Act 2016
	Biodiversity Assessment Method (OEH, 2017)
Heritage	
	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)
Noise and Vibration	
	Acoustics - Description and measurement of environmental noise (AS1055:2018)
	Noise Policy for Industry (EPA, 2017)
	NSW Road Noise Policy (DECCW, 2011)
	Noise Criteria Guideline (RMS, 2015)
	Noise Mitigation Guideline (RMS, 2015)
	Interim Construction Noise Guideline (DECC, 2009)
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Guide for Local Government (EPA, 2013)
Air Quality	
<i>Air Quality</i>	Protection of the Environment Operations (Clean Air) Regulation 2002

	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)
<i>Greenhouse Gas</i>	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Upper Canal and Warragamba Pipeline Corridors	
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2018)
Bushfire	
	Planning for Bushfire Protection (RFS, 2019)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA, 2014)
	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)
Urban Design and Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
	Better Placed (Government Architect NSW, 2017)
	Greener Places (Government Architect NSW, 2020)
Social	
	Social Impact Assessment Guideline (DPE, 2017)

ATTACHMENT 2

Government Authority Responses to Request for Key Issues