

ATTACHMENT 2
Agency EIS Requirements

Our Ref: STH09/02554
Contact: Andrea Boes 4221 2771
Your Ref: SSD 5300



Transport
Roads & Maritime
Services

Department of Planning & Infrastructure
GPO Box 39
Sydney NSW 2001

Attention: Andrew Hartcher

**WOLLONGONG CITY COUNCIL – STATE SIGNIFICANT DEVELOPMENT – KEMBLA
GRANGE RESOURCE RECOVERY FACILITY – DIRECTOR GENERAL'S REQUIREMENTS**

Dear Sir

Reference is made to your letter dated 8 May 2012 regarding the subject State Significant Development application forwarded to Roads and Maritime Services (RMS) for consideration.

RMS has reviewed the information provided and considers that the following information should be addressed in the Environmental Impact Statement (EIS):

- A Traffic Impact Study is required. As a guide Table 2.1 of the RMS' Guide to Traffic Generating Developments outlines the key issues that may be considered in preparing a Traffic Impact Study.
- The applicant should identify suitable infrastructure required to ameliorate any traffic impacts and safety impacts associated with the development. This should include identification of pedestrian, cyclists and public transport infrastructure.
- RMS strongly recommends that the developer considers the environmental impacts of any proposed roadworks as part of the Statement of Environmental Effects. If these impacts are not considered, then the RMS would require the applicant to provide a separate environmental impact assessment, a 'Review of Environmental Factors' prior to commencing any works that were conditioned as requirements of the development

RMS will commence its detailed assessment once the aforementioned information is provided to its satisfaction. Should you require any clarification on this matter please call Andrea Boes on 4221 2771.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Brian Lefoe".

Brian Lefoe
Road Safety and Traffic Manager
Network Management, Southern Region
Cc – The General Manager, Wollongong City Council (via email)

29 MAY 2012

Roads & Maritime Services



Department of
Primary Industries
Office of Water

Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Contact Janne Grose
Phone 02 4729 8262
Fax 02 4729 8141
Email janne.grose@water.nsw.gov.au

Our ref ER21889
Your ref SSD-5300

Attention: Andrew Hartcher

Dear Andrew

Kembla Grange Resource Recovery Facility (SSD5300)

I refer to your letter of 8 May 2012 to the NSW Office of Water's (Office of Water) requesting input into the environmental assessment requirements for the preparation of the Environmental Impact Statement (EIS) for the above development proposal.

The Office of Water has reviewed the Supporting Information document and provides the following key issues to be addressed in the Environmental Impact Statement (EIS) including an expanded list of assessment requirements detailed in **Attachment A**.

Key issues to be addressed in the EIS for the proposal include:

- Compliance with the rules in any relevant Water Sharing Plan (WSP) and legislation.
- An assessment of the impact of the proposal on watercourses and riparian areas, groundwater sources and groundwater dependent ecosystems
- Adequate mitigating and monitoring requirements to address impacts to surface water and groundwater sources and dependent ecosystems.
- Construction of watercourse crossings and/or any works in or within 40m of a watercourse must demonstrate consistency with NSW Office of Water's Controlled Activity Guidelines.
<http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

The Office of Water requests that all referrals from the Department of Planning and Infrastructure for this proposal include one (1) **hard copy** and one (1) **CD** copy of the EIS and any other accompanying documentation.

Should you require further information please contact Janne Grose, Planning and Assessment Coordinator on (02) 4729 8262 at the Penrith office.

Yours sincerely

Mark Mignanelli
Manager Major Projects, Mines and Assessment
25 May 2012

Key Issues and Assessment Requirements Kembla Grange Resource Recovery Facility (SSD5300)

Relevant Legislation

The Environmental Impact Statement (EIS) should take into account the objects and regulatory requirements of the *Water Act 1912* and *Water Management Act 2000* (WMA 2000), as applicable. Proposals and management plans should be consistent with the Objects (s.3) and Water Management Principles (s.5) of the WMA.

Water Sharing Plans

The proposal is within the area covered by the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources* and the *Water Sharing Plan for the Greater Metropolitan Region Groundwater sources*. The WSP prepared under the provisions of the WMA 2000 establishes the rules for access to, and the sharing of water between the environmental needs of the surface or groundwater source and water users. The EIS needs to:

- Demonstrate how the proposal is consistent with the relevant rules of the WSP including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection, water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP.

Refer to: <http://www.water.nsw.gov.au/Water-Management/Water-sharing/default.aspx>.

Relevant Policies

The EIS should take into account the following policies (as applicable):

- NSW State Rivers and Estuary Policy (1993);
- NSW State Groundwater Policy Framework Document (1997);
- NSW State Groundwater Quality Protection Policy (1998);
- NSW State Groundwater Dependent Ecosystems Policy (2002); and
- Office of Water Guidelines for Controlled Activities (2010/ 2011).

<http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx>

Licensing Considerations

The EIS is required to provide:

- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction and all water supply works to take water.
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc) and
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring and an approval obtained from the Office of Water prior

to their installation. All predicted groundwater take must be accounted for through adequate licensing

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

Watercourses and Riparian land

The Pre-lodgement Notes of 2 April 2012 indicates the development would occur within 40 metres of the top of the bank of a watercourse. Aerial photography indicates a watercourse partly flows through the top north-west section of the site and another watercourse flows through the middle of the site. The EIS should address the potential impacts of the project on all watercourses affected by the project, existing riparian vegetation and the rehabilitation of riparian land.

It is recommended the EIS provides details on all watercourses located on the site and in the vicinity of the site, including:

- scaled plans showing the location of:
 - top of bank
 - riparian setbacks (measured from top of bank) to be protected and enhanced.
 - remnant riparian vegetation surrounding the watercourses (identify any areas to be protected and any native riparian vegetation proposed to be removed)
 - the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas
- photographs of the watercourses
- Detailed description of all potential environmental impacts in terms of channel stability, riparian areas, sediment movement, water quality and hydraulic regime;
- Description of the design features and measures to be incorporated into the proposal to guard against long term actual and potential environmental disturbances, particularly in respect of maintaining the natural hydrological regime and sediment movement patterns and the identification of riparian buffers;
- Details of the impact on water quality and remedial measures proposed to address any possible adverse effects.

The EIS must demonstrate that any works in or within 40m of a watercourse are consistent with NSW Office of Water's Controlled Activity Guidelines. <http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

The Pre-lodgement Notes state that the development shall comply with Wollongong Development Control Plan 2009 (DCP). Chapter E23 of this DCP refers to riparian land management requirements, including the application of the Riverine Corridor Management Strategy (RCMS) (for a copy of the RCMS see Wollongong Council's website under planning and development; planning for the future; Wollongong planning studies; Riparian Corridor Management Study).

Riparian land should be protected and conserved, or revegetated with native plant species endemic to the vegetation community of this local area at a density that would occur naturally.

The EIS should also provide details on the proposed location of any Asset Protection Zone (APZ) requirements in relation to the riparian land. Any APZs should be located outside the riparian areas but may be located adjacent to but outside the vegetated buffer.

Groundwater Assessment

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources including:

- the predicted highest groundwater table at the site.
- any works likely to intercept, connect with or infiltrate the groundwater sources.
- any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- a description of the flow directions and rates and physical and chemical characteristics of the groundwater source.
- the predicted impacts of any final landform on the groundwater regime.
- the existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- an assessment of the quality of the groundwater for the local groundwater catchment
- an assessment of groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- how the proposed development will not potentially diminish the current quality of groundwater, both in the short and long term.
- measures for preventing groundwater pollution so that remediation is not required.
- protective measures for any groundwater dependent ecosystems (GDEs).
- proposed methods of the disposal of waste water and approval from the relevant authority.
- the results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- any proposed monitoring programs, including water levels and quality data
- reporting procedures for any monitoring program including mechanism for transfer of information.
- an assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- description of the remedial measures or contingency plans proposed.
- any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Groundwater Dependent Ecosystems

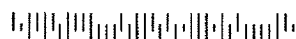
The EIS should provide details on the presence and distribution of Groundwater Dependent Ecosystems (GDEs) in the vicinity of the site and:

- demonstrate that the proposed development would maintain natural patterns of groundwater flow and not disrupt groundwater levels that are critical to GDEs;

- identify any potential impacts on GDEs as a result of the proposal including:
 - the effect of the proposal on the recharge to groundwater systems;
 - the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections;
 - the effect on the function of GDEs (habitat, groundwater levels, connectivity); and
- provide safeguard measures for any GDEs.

GDEs are ecosystems which have their species composition and natural ecological processes wholly or partially determined by groundwater. GDEs represent a vital component of the natural environment and can vary in how they depend on groundwater, from having occasional or no apparent dependence through to being entirely dependent. GDEs occur across both the surface and subsurface landscapes ranging in area from a few metres to many kilometres. Surface and groundwaters are often interlinked and aquatic ecosystems may have a dependence on both.

End Attachment A
25 May 2012



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Department of Planning & Infrastructure
GPO BOX 39
SYDNEY NSW 2001

APPLICATION

Date

DE-2012/84

25 May 2012

ATTN: Mr Andrew Hartcher

Dear Mr Hartcher

RE: Kembla Grange Resource Recovery Facility (SSD 5300)

I refer to your correspondence dated 8 May 2012 regarding the above matter and advise that Council has reviewed the adequacy of the proponent's State Significant Development application as relates to the Director –General's environmental assessment requirements (DGR's).

Council notes that the proponent has only provided a brief statement of supporting information to accompany the SSD application. No information has been provided with regard to the location of the proposed development, layout, plans or detailed processes. On the basis of the limited information, Council provides the following general comments for your consideration:

Planning

The subject site, 50 Wylle Road, Kembla Grange identified as Lot 10 DP 878167 is zoned part IN2 Light Industrial and part RE2 Private Recreation pursuant to Wollongong Local Environmental Plan (West Dapto) 2010. No information has been provided in regard to the location and siting of the proposed development within the site and specifically with regards to the zoning of the site.

Permissibility of the proposed development will be required to be considered. Under WLDP (West Dapto) 2010 "waste or resource management facilities" are permitted within consent in IN2 zone however, prohibited in RE2. The IN2 zoned portion of the land located within the south western corner of the site has a maximum allowable floor space ratio of 0.5:1 and the RE2 portion of the site has no applicable floor space ratio. The entire site has a maximum allowable building height of 9m.

Council has knowledge of the site history with the consideration of a development application DA-2009/1153. This application granted consent for a building material storage and recycling facility for a processing capacity of up to 20,000 tonnes per year. The facility proposed to manage products sourced from building demolition sites including timber, metal, brick/masonry and concrete. Consent for DA-2009/1153 was granted subject to condition on 29 April 2010 as Integrated Development under the Water Management Act 2000. Council is currently assessing a modification application, DA-2009/1153/A to increase the annual tonnage of this facility for up to 29,999 tonnes including the processing of green waste which has yet to be determined.

Consideration is required of Clause 6.2 (Development control plan) of WLDP (West Dapto) 2010 in conjunction with Chapter D16 (West Dapto Release Area) of the Wollongong DCP 2009 which requires the proponent to submit a Neighbourhood Plan in consultation with adjacent landowners. Defined Neighbourhoods are shown in Figure 5.1 of Chapter D16. A Neighbourhood Plan enables adjacent landowners to jointly consider common constraints and design issues and will be exhibited as an

amendment to the West Dapto Masterplan whereby the Plan is to be in place prior to the determination of a development application.

A watercourse traverses the site and the site is affected by a riparian corridor. The requirements of clause 7.6 of WLDP (West Dapto) 2010 are to be addressed to ensure the development does not adversely impact on riparian lands.

Council records identify the site to be bushfire affected. The proponent should provide bushfire assessment report and the assessment will need to take into consideration NSW Rural Fire Service "Planning for Bushfire Protection 2006".

Council records indicate that the site has the potential to be affected by contaminated land. The proponent and assessment will need to consider the requirements of State Environmental Planning Policy No. 55 – Remediation of Land and such that the proposed use is suitable for the land.

The site is also identified to be potentially affected by acid sulfate soils. Consideration should be given to Clause 7.1 of WLDP (West Dapto) 2010 such that the proposed development does not cause environmental damage and identify whether the proposal requires an acid sulfate soils management plan.

Traffic

The proposal is listed in Column 2 of Schedule 3 of SEPP Infrastructure as Traffic Generating Development which requires consideration by NSW Roads and Maritime Services. Accordingly the applicant needs to provide a Traffic Impact Assessment (TIA) in accordance with the RTA Guide to Traffic Generating Development. The assessment will need to consider the future road network, existing and future background traffic with and without the development. The assessment should provide a multi-modal analysis of the traffic generation to/from the site and thorough consideration of safety/capacity implications on local and State Roads.

The proponent and consent authority should refer to Wollongong DCP 2009 Chapters E3, B5 and D16 and the Australian Standard series, in particular AS2890.1, AS2890.2, and AS2890.6.

A key consideration of the Neighbourhood Plan as required by Clause 6.2 of WLDP (West Dapto) 2010 and TIA is the future upgrade of Wylle Road which will become part of the proposed Northcliffe Drive Extension; a 4 lane major collector road with a significant intersection treatment (roundabout) midway along the site. Given the future functional classification of Wylle Road, the applicant should provide one centralised access point from the proposed roundabout. It is noted that Council's Traffic Section would not support additional accesses from a major collector.

Landscape

A landscape plan for the proposed development would be required to address the further expansion of the site and consideration to Chapter E6 Landscaping of Wollongong DCP 2009.

Stormwater

A flood study should be carried out by a suitably qualified consulting civil engineer for the watercourse traversing the site to determine the development potential of this property strictly in accordance with the requirements of Chapters E13 and E14 of Wollongong DCP 2009 and the NSW Government's Floodplain Development Manual 2005.

In preparing the flood study "Climate Change" impacts should also be considered by increasing rainfall intensities as recommended by The Office of Environment and Heritage within the Department of Premier and Cabinet.

In connection with the above all floodplain and stormwater management aspects of this development should be designed strictly in accordance with Chapters E13 and E14 of Council's Wollongong DCP 2009, the Institute of Engineers Australia's AR & R. and the NSW Government's Floodplain Development Manual 2005.

In relation to the abovementioned matters consideration should also be given to the Mullet and Brooks Creeks Floodplain Risk Management Study and Plan dated February 2010, Mullet Creek, West Dapto Extension of Model dated December 2011 and Chapter D16 (West Dapto Release Area) in Council's Wollongong DCP 2009.

It is recommended that a green corridor be established along the Category 2 watercourse traversing the site by defining the "Riparian" extents (Council's Environment Section) and the "Probable Maximum Flood (PMF)" extents (Flood Study) and establishing the greater of the two as being a "Green Corridor" or "Environmental Corridor". In this respect in determining the development potential of the site Council's Riparian Corridor Management Study should also be considered. The above principle will ensure the preservation of riparian habitat for aquatic based flora and fauna in addition to providing a "green belt" and environmental corridor through this development.

Geotechnical

A geotechnical report should be submitted as per Chapter E12 of Wollongong DCP 2009 as Council records list the land to be identified as potentially unstable land. Geotechnical implications of the proposed development will be required to be considered with regard the geotechnical constraints of the site.

Environmental

The proponent has identified the potential environmental impacts such dust, noise, odour and water quality and will be addressed in Environmental Impact Statement (EIS). The EIS submitted should assess both the direct and indirect ecological impacts associated with the site.

A flora and fauna assessment undertaken by a suitably qualified ecologist is required to be included in the EIS. The assessment must be undertaken in accordance with the provisions of Chapter E18: "Threatened Species Impact Assessment" of Wollongong DCP 2009. Of particular reference to the subject site are the potential indirect impacts associated with the development proposed given that the development would likely be contained within the cleared portion of the site and therefore would require minimal vegetation removal. Any trees requiring removal within this section should be searched for habitat components (eg. Hollows).

An assessment of the impacts on the riparian area running through the property is also required. The development would need to be designed in order to meet the riparian corridor objectives outlined in Chapter 23 Riparian Land Management of Wollongong DCP 2009.

A Vegetation Management Plan (VMP) would need to be submitted which outlines the management of existing vegetation on the site and for the management of the required riparian corridor. The VMP should include clear objectives, responsibilities and timelines.

A dust assessment and management report should be provided to ensure the dust generated from the proposed development is acceptable and can be appropriately managed such that are not adverse impacts on the surrounding area in particular the residences of Farmborough Heights.

An acoustic assessment report should be provided to ensure that the noise generated from the activities associated with the proposed use is acceptable and will not adversely impact the nearby residents in particularly the residential area of Farmborough Heights to the north, north east of the site.

On site stormwater management is should be detailed to ensure the water quality of the watercourse is not affected. As it is envisaged that the proposed development will generate nutrient rich runoff that will require appropriate controls prior to discharge into natural watercourse.

Should you require any further assistance with regard to this matter please contact John Wood – City Wide Development Manager direct on (02) 4227 7365.

Yours faithfully

David Farmer
General Manager
Wollongong City Council
Direct Line (02) 4227 7010