



Mr Philip Towler
EMGA Mitchell McLennan
PO Box 21
St Leonards NSW 1590

SSD 5744

Dear Mr Towler

**Secretary's Environmental Assessment Requirements
Waste and Resource Management Facility, Heathcote Road, Menai (SSD 5744)**

I refer to your request dated 21 May 2015 to extend the validity of environmental assessment requirements (EARs) that were issued for the above development proposal on 4 March 2013.

As these EARs were first issued over two years ago, a number of updates are necessary and I have attached revised EARs for the preparation of the Environmental Impact Statement (EIS) for the proposal. The revised EARs have been prepared in consultation with relevant government agencies and Sutherland Shire Council and their additional requirements for the EIS are also attached.

Your proposal makes reference to a 'bund wall'. We are aware that an existing bund wall is located on the development land. You are required to provide particulars as to the precise nature of the bund wall in your proposal, how the bund wall is sufficiently related to the waste and resource management facility and the associated environmental benefits of the bund wall, if any. In this regard, any proposal involving a bund wall must have regard to the matters identified in the DGRs. The Department advises that you must provide strong justification for the inclusion of a bund wall, demonstrate that all other feasible options to achieve acceptable environmental outcomes without reliance upon a bund wall have been considered and assessed, and you must provide a detailed assessment of the suitability and environmental impacts of the bund wall.

Please note that the Department may further alter these revised EARs at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the project within two years of the date of issue of these revised EARs. The Department will review the EIS for the project carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the EARs.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to the community's concerns. Accordingly a comprehensive, detailed and genuine community consultation and engagement process must be undertaken during preparation of the EIS. This process must ensure that the community, including key special interest groups, is both informed of the proposal and is actively engaged in issues of concern to it. Sufficient information must be provided to the community so that it has a good understanding of what is being proposed and of the potential impacts.

The consultation undertaken for the EIS must be recent and any consultation carried out under any earlier environmental assessment requirements cannot be relied upon unless it can be shown to remain current.

Your project may require separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Department encourages you to confirm whether such an approval will be required as soon as possible. If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGRs may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the development application and EIS for your development. This will enable the Department to determine the:

- applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*);
- consultation and public exhibition arrangements; and
- number of copies (hard-copy and CD-ROM) of the Development Application and EIS that will be required for exhibition purposes.

If you have any further enquiries, please contact David Mooney on 9228 2040 or david.mooney@planning.nsw.gov.au

Yours sincerely



Chris Ritchie

Director

Industry Assessments

as delegate of the Secretary

18/8/15

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD 5744
Development	Waste and Resource Management Facility, Heathcote Road, Menai
Location	14309 Heathcote Road, Menai (Lot 1 and 2 DP 1176153), Sutherland local government area
Proponent	Benedict Industries Pty Ltd
Date of Issue	August 2015
General Requirements	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 <i>Environmental Planning and Assessment Regulation 2000</i>. The EIS must include: • a detailed description of the site, and all existing, approved and proposed land uses on or nearby to the site; • detailed description of the development, including: – need for the proposed development; – alternatives considered; – justification for the proposed development taking into consideration its location, any environmental impacts of the development, the suitability of the site and whether the development is in the public interest; – likely staging of the development including construction, operational stage/s and rehabilitation; – likely interactions between the development and existing, approved and proposed land uses in the vicinity of the site; – the details of the approvals for other uses on the site, which are to be relied upon for the proposed development; and – plans of any proposed building works; • consideration of all relevant environmental planning instruments, development control plans and section 94 plans including identification and justification of any inconsistencies with these planning documents; • 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: – a description of the existing environment, including a description of planned land uses that may be affected by the proposed development, <u>using sufficient baseline data</u>; – an assessment of the potential impacts of all stages of the development, including the cumulative impacts of the proposed development with existing land uses on or nearby to the site, taking into consideration relevant guidelines, policies, plans and statutes; and – 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; and • 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) of the proposal

	(as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>), including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key Issues	The EIS must address the following specific issues: • Waste Management – including: - details of the type, quantity, source and classification of waste to be received at the site; - details of the resource outputs and any additional processes for residual waste; - details of waste handling including identification, receipt, stockpiling, quality control and transport. - an assessment of the potential impacts associated with processing, storing, and transporting waste inputs and resource outputs; and - consideration of the aims, objectives, and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>. • Contamination – including: - a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines; and if necessary - a detailed investigation of the land carried out in accordance with the contaminated land planning guidelines; - a Remedial Action Plan; and - a Site Audit Statement issued by an accredited site auditor under the <i>Contaminated Land Management Act 1997</i> certifying that the land is suitable for the proposed use or that it will be suitable following remediation. • Biodiversity – including: - an assessment of the proposal under the Framework for Biodiversity Assessment (October 2014); and - an assessment of any potential impacts on riparian vegetation and groundwater dependant ecosystems. • Noise – including: - a description of all noise and vibration sources; - a quantitative assessment of potential construction, operational and transport noise and vibration impacts, including potential impacts on nearby sensitive receivers; and - details and justification of the proposed noise management and monitoring measures. • Air Quality and Odour – including: - a description of all air emissions and odour sources; - a quantitative assessment of the potential air quality and odour impacts of the project in accordance with relevant EPA guidelines; - details of management and monitoring measures for preventing and/or minimising both point and fugitive emissions; and - an assessment of the effectiveness of the proposed air quality and odour control measures. • Greenhouse Gas – including: - a quantitative assessment of the potential scope 1, 2 and 3 greenhouse gas emissions of the project, and a qualitative assessment of the potential impacts of these emissions on the environment; and - a detailed description of the measure that would be implemented on site to ensure that the project is energy efficient. • Traffic and Transport –including: - details of road transport routes and access to the site; - detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian standards; - road traffic predictions during construction and operation; - and assessment of impacts (including cumulative impacts) to the

	safety and function of the road network; and - the details of any road upgrades required for the development • Soil and Water – including: - a description of local soils, geology, topography, drainage and landscapes; - a site water balance including the details of any water supply and licence requirements; - details of proposed stormwater, leachate, groundwater and waste water management, including erosion and sediment controls for the construction phase of the development; - an assessment of impacts to surface and groundwater resources, soil and agricultural resources, flooding impacts and impacts to groundwater dependent ecosystems; and - a description and appraisal of impact mitigation and monitoring measures. • Hazards and Risks – including - a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. – Hazardous and Offensive Development</i> and Applying SEPP 33, with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the proposal; and - a Preliminary Hazard Analysis (PHA), should the preliminary screening indicate that the project is 'potentially hazardous'. The 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); and • Visual – including: - an assessment of the potential visual impacts of the project on the amenity of the surrounding area; and - a detailed description of the measures that would be implemented to minimise the visual impacts of the project, including the design features, landscaping and measures to minimise the lighting and signage impacts of the project. • Heritage – including the potential Aboriginal and non-Aboriginal heritage impacts of the project. • Cumulative impacts.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. These documents should be included as part of the EIS rather than as separate documents.
Consultation	During the preparation of the Environmental Impact Statement, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners. In particular you must consult with the: • Commonwealth Department of the Environment; • Environmental Protection Authority; • Office of Environment and Heritage; • Department of Primary Industries • Department of Industry and Investment; • Roads and Maritime Services; • Sutherland Shire Council; and • local community and other stakeholders. The consultation undertaken for the EIS must be recent and any consultation carried out under the earlier environmental assessment requirements cannot be relied upon unless it can be shown to remain current. 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 an EIS for the development within 2 years of the issue date of these EARs, you must consult with the Secretary in relation to the requirements for lodgement.
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 development.

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.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; and
 - 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; and
 - 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 *Coolamon Local Environment Plan 2011*.
4. Drawings at an appropriate scale illustrating:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

Documents to be submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
- Other copies as determined by the Department once the development application is lodged.

Policies, Guidelines and Plans

Aspect	Policy /Methodology
Waste	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA) 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) Environmental guidelines: Use and Disposal of Biosolid Products (NSW EPA) Composts, soil conditioners and mulches (Standards Australia, AS 4454) EPA's Environmental Guidelines: Solid Waste Landfills State Environmental Planning Policy (Infrastructure) 2007
Soil and 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) State Water Management Outcomes Plan
<i>Surface Water</i>	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) Floodplain Development Manual (DIPNR) Floodplain Risk Management Guideline (DECC) A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH) Technical Guidelines: Bunding & Spill Management (DECC) Environmental Guidelines: Use of Effluent by Irrigation (DECC)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) NSW State Groundwater Policy Framework Document (DLWC) NSW State Groundwater Quality Protection Policy (DLWC) NSW State Groundwater Quantity Management Policy (DLWC) Draft The NSW State Groundwater Dependent Ecosystem Policy (DLWC) Guidelines for the Assessment and Management of Groundwater Contamination (DECC) Draft NSW Aquifer Interference Policy (NOW)
<i>Soil</i>	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)
	Draft Guidelines for the Assessment & Management of Groundwater Contamination (DECC)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Rural Land Capability Map
Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
	TRC (2011), Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessment of Air Pollutants in NSW, Australia'
Odour	
	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
Noise and Vibration	
	Assessing Vibration: a technical guide (DEC)
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Rail Infrastructure Noise Guidelines (EPA)
	Environmental Noise Control Manual (DECC)
	Interim Construction Noise Guideline (DECC)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC)
Biodiversity	
	NSW Biodiversity Offsets Policy for Major Projects (2014) and the Framework for Biodiversity Assessment
Greenhouse Gas	
	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
	State Environmental Planning Policy No 64 - Advertising and Signage
Hazard and Risk	
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principals and Process
	State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33)
	Planning Advisory Paper No. 6 – Guidelines for Hazardous Analysis (DUAP)
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)
Land use	
	Agricultural Issues for Landfill Developments

ATTACHMENT 2
Agency Submissions