



Planning & Environment

Industry, Key Sites and Social Projects

Industry Projects

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Mr Terry Wetherall
Managing Director
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45 Eastern Avenue
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Our Ref: SSD 6494

Our File: 14/07480

Dear Mr Wetherall

State Significant Development – Secretary's Environmental Assessment Requirements Port Kembla Resource Recovery Facility (SSD 6494)

I have attached a copy of the Secretary's environmental assessment requirements (SEARs) for the preparation of an Environmental Impact Statement for the Port Kembla Resource Recovery Facility.

These requirements are based on the information you have provided to date and have been prepared in consultation with the relevant government agencies and Wollongong City Council. Their comments, which you should address appropriately when preparing the EIS, are also attached (see Attachment 2). Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the development within two years of the date of issue of these SEARs. The Department will review the EIS for the development carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the SEARs.

The Department would prefer the proposed development to operate under a single modern planning consent. Consequently, the Department encourages you to develop the scope of the proposal and associated documentation with this preference in mind, and to consider surrendering the existing development consents that apply to the site if this application is approved.

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 is both informed of the proposal and is actively engaged in issues of concern to them. 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.

Your proposal may require a separate approval under Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). 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 SEARs 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:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS required for review.

If you have any enquiries about these requirements, please contact Andrew Hartcher on the details above.

Yours sincerely, ,

Chris Ritchie

A/Director

Industry, Key Sites and Social Projects

Development Assessment Systems and Approvals

As the Secretary's nominee

26/5/14

Secretary's Environmental Assessment Requirements

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

State Significant Development

Application Number	SSD 6494
Development	<p>The Port Kembla Resource Recovery Facility, which includes:</p> <ul style="list-style-type: none"> the development of a resource recovery facility to process up to 400,000 tonnes per annum of waste material including concrete, brick, tiles, top soil and engineered fill; the conversion and use of existing buildings and infrastructure and the establishment of new mobile crushing, screening and separation plant and equipment; and the transportation of processed waste material off-site for reuse, further treatment or disposal of residual material.
Location	127 Military Road Port Kembla (Lot 21 DP 546139 and Lot 127 DP 257531)
Applicant	Port Kembla Copper Pty Ltd
Date of Issue	May 2014
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 <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> detailed description of the development, including: <ul style="list-style-type: none"> the need for the development having particular regard to the aims, objectives, and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2007</i> and other relevant strategic policy documents; justification for the development; likely staging of the development during the construction and operational phases; likely interactions between the development and other existing, approved and proposed operations in the vicinity of the site; likely inter-relationship between the existing and proposed development on site including details of existing consents/approvals, management systems and details of past environmental performance; and plans of any proposed building works, including clear plans indicating which buildings are to demolished and retained; consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; 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: <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 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. consolidated summary of all the proposed environmental mitigation, management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> a detailed calculation of the capital investment value (as defined in clause 3 of

	<p>the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all assumptions and components from which the CIV calculation is derived;</p> <ul style="list-style-type: none"> • a close 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	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Waste Management – including: <ul style="list-style-type: none"> – identification, classification and quantification of the likely waste streams that would be received at and processed by the facility; – a clear description of the process by which this waste would be received, stored, processed and dispatched from the facility; and – measures to be implemented to ensure that the development is consistent with the <i>NSW Waste Avoidance and Resource Recovery Strategy 2007</i>. • Air Quality and Odour – including a quantitative assessment of the potential: <ul style="list-style-type: none"> – air quality and odour impacts of the development on surrounding receivers, including impacts from construction, operation and road transportation; and – details of all proposed mitigation, management and monitoring measures. • Noise and Vibration – including a quantitative assessment of the potential: <ul style="list-style-type: none"> – noise impacts of the development on surrounding receivers, including impacts from construction, operation and road transportation; – vibration impacts from construction and operation; and – details of all proposed mitigation, management and monitoring measures. • Soil & Water – including: <ul style="list-style-type: none"> – an assessment of the potential soil, groundwater and surface water impacts of the development; – a detailed water balance for the development including the measures that would be implemented to minimise water use, increase water reuse and to ensure an adequate, secure and appropriately licensed water supply is available for the development; – wastewater predictions, and the measures that would be implemented to treat, reuse and/or dispose of this water; – details of the erosion and sediment controls to be installed during the construction phase; and – details of the operational stormwater management system. • Traffic and Transport – including: <ul style="list-style-type: none"> – details of key transport routes, site access, internal roadways, infrastructure works and parking; – detailed plans of the proposed layout of the internal road network and parking on site in accordance with the relevant Australian Standards; – details of traffic types and volumes likely to be generated during both the construction and operational phases of the development; – an assessment of the predicted impacts of this traffic on the safety and capacity of the surrounding road network; and – identification of the location and type of off-site infrastructure works are required as a result of these traffic impacts and how these would be provided. • Greenhouse Gas – including: <ul style="list-style-type: none"> – a quantitative assessment of the potential greenhouse gas emissions of the development, and a qualitative assessment of the potential impacts of these emissions on the environment; and – a detailed description of the measures that would be implemented on site to ensure that the development is energy efficient. • Socio-Economic – including an analysis of the economic and social impacts of the development, demonstrating that it would have a net benefit for the community, paying particular attention to the potential effects of the development on waste minimisation and resource recovery in the region. • Hazards – including an assessment of the potential fire risks of the development. • Heritage – including Aboriginal and non-Aboriginal heritage values and the potential impacts of the development on any heritage items located on the site. • Visual – including an assessment of the potential visual impacts of the

	<p>development on the existing amenity of surrounding receivers.</p> <ul style="list-style-type: none"> • Biodiversity – including impacts on any flora and fauna located on the site and surrounds such as the Green and Golden Bell Frog. • Cumulative Impacts – particularly for traffic, air and noise.
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	<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"> • Environment Protection Authority; • Office of Environment and Heritage; • Department of Primary Industries; • Roads and Maritime Services; • Wollongong City Council; and • the local community and stakeholders. <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>
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these SEARs, 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 EIS. This list is not exhaustive and not all of these guidelines may be relevant to your development.

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

Aspect	Policy /Methodology
Risk Assessment	AS/NZS 4360:2004 Risk Management (Standards Australia) HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Waste	Waste Avoidance and Resource Recovery Strategy 2007 (DECC) 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)
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2002 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)
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	Interim Construction Noise Guideline (DECC) NSW Industrial Noise Policy (DECC) NSW Road Noise Policy (EPA) Environmental Noise Control Manual (DECC)
Soil and Water	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)
<i>Soil</i>	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)
<i>Surface Water</i>	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
	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)
	NSW State Rivers and Estuaries Policy (NOW)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW)
	Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources (NOW)
	Guidelines for Controlled Activities on Waterfront Land (NOW)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Aquifer Interference Policy (NOW)
Groundwater	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC)
Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
Greenhouse Gas	
	AGO Factors and Methods Workbook (AGO)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
Social & Economic	
	Draft Economic Evaluation in Environmental Impact Assessment (DOP)
	Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Heritage	
Aboriginal	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DEC)
Non- Aboriginal	NSW Heritage Manual (NSW Heritage Office & DUAP)
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
Biodiversity	
	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DEC)
	DECCW's Threatened Species Assessment Guidelines – Assessment of Significance (2007).
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)
	NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (DPI)

ATTACHMENT 2
Agency EIS Requirements
