



Mr Charbel Bounassif  
Boral Recycling Pty Ltd  
Widemere Road  
Wetherill Park NSW 2164

Our ref: SSD 15\_7038

Dear Mr Bounassif

**Secretary's Environmental Assessment Requirements  
Boral Kooragang Recycling Facility (SSD 15\_7038)**

Thank you for your request for the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed expansion of the Boral Kooragang Recycling Facility. I have attached a copy of these requirements.

These requirements are based on the information you have provided to date and have been prepared in consultation with the relevant government agencies. Their comments which you should address appropriately in preparing the EIS are attached (see **Attachment 2**).

Please note that the Department may alter the SEARs 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 prefers operations like the proposed Boral facility to operate under a single, modern planning approval. Consequently, you are advised that the Department expects the company to surrender all existing planning approvals if the development is approved. The EIS for the proposal should be developed with this preference in mind.

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.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

I would appreciate it if you would contact the Department at least two weeks before you propose to submit your EIS. 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 that will be required for reviewing purposes.

If you have any enquiries about these requirements, please contact Kerry Hamann on (02) 9228 6516 or via email at [kerry.hamann@planning.nsw.gov.au](mailto:kerry.hamann@planning.nsw.gov.au)

Yours sincerely



Chris Ritchie

**Manager**

**Industry Assessments**

as delegate of the Secretary

27/5/15



# Secretary's Environmental Assessment Requirements

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

### State Significant Development

<b>Application Number</b>	SSD 15_7015
<b>Development</b>	Expansion of an existing recycling facility to process up to 350,000 tonnes per annum (tpa) of non-putrescible waste including building and construction waste.
<b>Location</b>	Cnr Egret St and Raven St, Kooragang (Lot 12/1032146)
<b>Applicant</b>	Boral Recycling Pty Ltd
<b>Date of Issue</b>	May 2015
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) must meet the minimum 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:</p> <ul style="list-style-type: none"> <li>• details of the existing operations on the site, including <ul style="list-style-type: none"> <li>– existing and approved operations/facilities, including any statutory approvals that apply to these operations/facilities;</li> <li>– a summary of existing conditions of consent that are relevant to on-going operation and management;</li> <li>– a summary of the conditions that are no longer relevant and justification for modifying or removing such conditions for the expanded facility;</li> <li>– the existing environmental management and monitoring regime.</li> </ul> </li> <li>• a detailed description of the proposed development including: <ul style="list-style-type: none"> <li>– plans of any proposed works;</li> <li>– justification for the proposed development;</li> <li>– consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;</li> <li>– risk assessment of the potential environmental impacts of the development; identifying key issues for further assessment;</li> </ul> </li> <li>• detailed assessment, where relevant, of the key issues below, and any other potential significant issues identified in the risk assessment, including: <ul style="list-style-type: none"> <li>– a description of the existing environment, using adequate baseline data;</li> <li>– consideration of potential cumulative impacts due to other development in the vicinity;</li> <li>– measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment;</li> <li>– consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> </li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>– a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all assumptions and components from which the CIV calculation is derived;</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> <p>The EIS should also include a table summarising where each element of these requirements has been addressed.</p>



Key issues	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Strategic Landuse Planning</b> – including: <ul style="list-style-type: none"> <li>– demonstration that the proposal is consistent with the aims and objectives of all relevant environmental planning instruments, policies and strategies including, but not limited to <i>State Environmental Planning Policy (Infrastructure) 2007</i>, and relevant Development Control Plans;</li> <li>– justification for any inconsistency between the proposed development and these plans;</li> <li>– consideration of opportunities under the NSW government's <i>Waste Less, Recycle More</i> initiative; and</li> <li>– an appraisal of the suitability of the site for the proposed development.</li> </ul> </li> <li>• <b>Waste Management</b> – including: <ul style="list-style-type: none"> <li>– details of the type, source, quantity and classification of waste to be received at the site;</li> <li>– details of the resource outputs and any additional processes for disposal and/or reuse of residual waste;</li> <li>– the proposed size, location and management of stockpiles of unprocessed and processed waste;</li> <li>– details of waste handling including transport, identification, receipt and quality control; and</li> <li>– an assessment of the proposal against the aim, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>.</li> </ul> </li> <li>• <b>Air Quality and Odour</b> – including: <ul style="list-style-type: none"> <li>– a description of all types and sources of air and odour emissions;</li> <li>– a quantitative assessment of the potential air quality, dust and odour impacts of the project on surrounding landowners in accordance with relevant Environment Protection Authority guidelines; and</li> <li>– a description and appraisal of proposed mitigation, management and monitoring measures.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – including: <ul style="list-style-type: none"> <li>– details of road transport routes, access to the site, proposed layout of internal roads and parking on site in accordance with the relevant Australian standards;</li> <li>– road traffic predictions for the development during construction and operation;</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; and</li> <li>– detailed plans of any proposed road upgrades, infrastructure works or new roads required for the development.</li> </ul> </li> <li>• <b>Noise and Vibration</b> – including: <ul style="list-style-type: none"> <li>– a description of all noise and vibration sources during construction and operation including road traffic noise;</li> <li>– a quantitative assessment of potential construction, operational and transport noise and vibration impacts, including potential impacts on nearby sensitive receivers in accordance with relevant Environment Protection Authority guidelines; and</li> <li>– a description and appraisal of proposed mitigation, management and monitoring measures.</li> </ul> </li> <li>• <b>Soil and Water</b> – including: <ul style="list-style-type: none"> <li>– a description of local soils, topography, landscapes, drainage, watercourses, riparian lands and groundwater dependent ecosystems;</li> <li>– a site water balance, including details on water supply, licence requirements and a description of the measures to minimise the water use at the site;</li> <li>– a description of the proposed leachate, stormwater and wastewater management systems including the capacity of onsite detention</li> </ul> </li> </ul>
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	<p>systems, and measures to treat, reuse or dispose of water.</p> <ul style="list-style-type: none"> <li>– a description of the proposed erosion and sediment controls during construction and operation;</li> <li>– an appraisal of the development against the rules of any relevant Water Sharing Plan (WSP) and legislation;</li> <li>– an assessment of impacts to surface and groundwater resources, soils and flooding; and</li> <li>– a description and appraisal of proposed mitigation, management and monitoring measures.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Hazards and risk</b> – including: <ul style="list-style-type: none"> <li>– 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; and</li> <li>– should preliminary screening indicate that the project is “potentially hazardous” a Preliminary Hazard Analysis must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011) and Multi-level Risk Assessment (DoP, 2011).</li> </ul> </li> <li>• <b>Flora and Fauna</b> – including: <ul style="list-style-type: none"> <li>– a biodiversity assessment in accordance with the Framework for Biodiversity Assessment, unless otherwise agreed by OEH; by a person accredited in accordance with s142B(1)(c) of the <i>Threatened Species Conservation Act 1995</i>; and</li> <li>– targeted species surveys as specified by OEH.</li> </ul> </li> <li>• <b>Greenhouse Gas</b> – including: <ul style="list-style-type: none"> <li>– a quantitative assessment of the potential scope 1 and 2 greenhouse gas emissions of the project, and a qualitative assessment of the potential impacts of these emissions on the environment; and</li> <li>– a detailed description of the measures that would be implemented on site to ensure that the development is energy efficient.</li> </ul> </li> <li>• <b>Visual</b> – including an assessment of the potential visual impacts of the project on the amenity of the surrounding area.</li> <li>• <b>Heritage</b> – including potential Aboriginal and non-Aboriginal heritage impacts of the project.</li> <li>• <b>Socio-economic</b> – including and assessment of the economic and social impacts of the development, particularly of any benefits to the community.</li> </ul>
<b>Plans and Documents</b>	<p>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>. You should provide these as part of the EIS rather than as separate documents.</p>
<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>• Environmental Protection Authority;</li> <li>• Department of Primary Industries;</li> <li>• Office of Environment and Heritage;</li> <li>• Port of Newcastle;</li> <li>• Newcastle City Council;</li> <li>• NSW Roads and Maritime Service; and</li> <li>• the surrounding land owners and occupiers that may be affected by the proposal.</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>	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 any further requirements for lodgement.
<b>References</b>	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment 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 *Shoalhaven Local Environment Plan 2014*.
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.

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## Policies, Guidelines & Plans

Aspect	Policy /Methodology
<b>Waste</b>	Waste Avoidance and Resource Recovery Strategy 2010-2021 (EPA) The National Waste Policy: Less Waste More Resources 2009 Waste Classification Guidelines (EPA, 2014) Resource Recovery Exemptions ( <a href="http://www.epa.nsw.gov.au">www.epa.nsw.gov.au</a> ) 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)
<b>Transport</b>	Guide to Traffic Generating Development (RTA) Road Design Guide (RTA)
<b>Noise</b>	NSW Industrial Noise Policy (DECC) NSW Road Noise Policy (EPA, 2011) Environmental Criteria for Road Traffic Noise (NSW EPA) Interim Construction Noise Guideline (2009)
<b>Air Quality</b>	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)
<b>Odour</b>	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)
<b>Greenhouse Gas</b>	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines) Guidelines for Energy Savings Action Plans (DEUS, 2005)
<b>Soil and Water</b>	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)
<i>Soil</i>	



<i>Surface Water</i>	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Acid Sulfate Soils Manual (Stone et al. 1998)
	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
	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)
	NSW State Rivers and Estuaries Policy(1993)
	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)
<i>Groundwater</i>	NSW Floodplain Development Manual 2005
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Australian Groundwater Modelling Guidelines (NWC, 2012)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Dependent Ecosystems Policy (2002)
<b>Hazards</b>	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	Guidelines for the Assessment and Management of Groundwater Contamination (DEC, 2007)
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
<b>Visual</b>	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)
<b>Aboriginal Heritage</b>	State Environmental Planning Policy No 64 - Advertising and Signage
	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW)
<b>Cultural Heritage</b>	
	NSW Heritage Manual (1996)

	The Burra Charter 2013
	Statements of Heritage Impact 2002
<b>Biodiversity</b>	
	NSW Framework for Biodiversity Assessment
	Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)



**ATTACHMENT 2**

**Public Authority Responses to Request for Key Issues**