



Mr Russ Pigg
General Manager
Shoalhaven City Council
PO Box 42
Nowra NSW 2541

Attn: Mr David Hojem

Dear Mr Pigg

**Secretary's Environmental Assessment Requirements
Extension to Existing Landfill - West Nowra Recycling and Waste Facility (SSD 7187)**

Please find attached amended Secretary's Environmental Assessment Requirements (SEARs) for the proposed Extension to Existing Landfill - West Nowra Recycling and Waste Facility at 120 Flatrock Road, Longreach in the Shoalhaven local government area (LGA).

The SEARs have been amended to provide additional time for the preparation of the Environmental Impact Statement for the above mentioned development proposal and to include additional lots as describe in Shoalhaven City Council's updated supporting document dated September 2017.

The Department has not carried out additional consultation with the government agencies or Council and the comments and requirements previously provided in Attachment 2 remain valid. Please note that the Secretary may alter the SEARs at any time.

You must consult further with the Secretary if you do not lodge a development application and Environmental Impact Statement (EIS) for the development by 22 September 2019.

The Department notes that the site currently operates under a separate consent. The Department prefers operations like the Extension to the Existing Landfill, West Nowra Recycling and Waste Facility to operate under a single, modern planning approval. Consequently, the Department encourages you to develop the project with this preference in mind, and to consider surrendering all the existing planning approvals for the facility if the project 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 and 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 determine the:

- applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements, including number of copies and format requirements of the EIS.

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

Yours sincerely,



Chris Ritchie

Director

Industry Assessments

as delegate of the Secretary

22/9/17

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 7187
Development	Extension to the Existing Landfill, West Nowra Recycling and Waste Facility which involves extending the operational life of the existing West Nowra landfill, and includes: • approximately 1.38 million m³ additional landfill capacity which would extend the life of the landfill by up to 30 years, and • progressively increasing the annual waste acceptance rate at the landfill by up to 90,000 tonnes per year, if required.
Location	120 Flatrock Road, Longreach (Lot 1 DP 1104402, part Lot 1 DP 870268, part Lot 1 DP 847203 and part Lot 1 DP 1018193)
Applicant	Shoalhaven City Council
Date of Issue	September 2017
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>. In addition, the EIS must include a: • clear description of the existing operations carried out on the site and how the site operates lawfully under the <i>Environmental Planning and Assessment Act 1979</i>; • detailed description of the development, including: – need for the proposed development having particular regard to the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>; – justification for the proposed development; – likely staging of the development - including construction, and operational stage/s; – likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; and – plans of any proposed building works. • 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: – a description of the existing environment, <u>using sufficient baseline data</u>; – 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; – 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 • a 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 (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; • a close estimate of the jobs that will be created by the development 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 matters: • Suitability of the Site – including: – details of all development consents and approved plans for the existing facility, including for all structures, plant and equipment; – results of an independent audit of the operation of the existing facility against the conditions of all development consents and all Environmental Protection Licences in force in respect of the existing facility to ascertain the baseline for the proposed landfill extension; and – a detailed justification that the site can accommodate the proposed landfill extension, having regard to the scope of the operations of the existing facility and its environmental impacts and relevant mitigation measures. • Waste Management – including: – identification, classification and quantification of the likely waste streams that would be handled/stored/disposed of at the facility; – a description of how this waste would be treated, stored, used, disposed and handled on site, and transported to the site, and the potential impacts associated with these issues; – an analysis of whether the development is consistent with Clause 123 of the <i>State Environmental Planning Policy (Infrastructure) 2007</i> (Infrastructure SEPP); – a description of all reasonable and feasible measures that have been or would be implemented to maximise resource recovery from the waste stream and reduce the disposal of waste to landfill in line with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>, the EPA's <i>Guidelines for Composting and Related Organics Processing Facilities</i>, Council's adopted Waste Strategy, and other government policy; and – details of the landfill cell design and integrity in accordance with best practice industry standard guidelines such as the EPA's <i>Environmental Guidelines: Solid Waste Landfills</i>. • Strategic Landuse Planning – including: – demonstration that the proposal is generally consistent with the aims and objectives of all relevant environmental planning instruments and strategies including, but not limited to, the Infrastructure SEPP, the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>, <i>NSW State Plan 2021 – Goal 23</i>, the <i>Waste Avoidance and Recovery Act 2001</i>, the <i>National Waste Policy</i>, <i>Shoalhaven Local Environment Plan 2014</i>, and relevant Development Control Plans; – justification for any inconsistency between the proposed development and these plans; and – details on the suitability of the site for the proposed development. • Flora and Fauna – including: – an assessment of the proposal under the Framework for Biodiversity Assessment (Oct 2014) including an assessment of any potential impacts on aquatic and riparian vegetation and groundwater dependant ecosystems. • Air Quality and Odour – including: – a quantitative assessment of the potential air quality and odour impacts of the development on surrounding receivers, including impacts from construction, operation and transport; and

- details of the proposed mitigation, management and monitoring measures.
- **Soil, Water and Leachate** – including:
 - a detailed site water balance, including identification of water requirements for the life of the project, measures that would be implemented to ensure an adequate and secure water supply is available for the proposal and a detailed description of the measures to minimise the water use at the site;
 - consideration of the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources 2011* and *Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2011*;
 - consideration of potential acid sulfate soils, salinity and soil contamination;
 - a detailed assessment of the potential impacts of the project on the quantity, quality and long-term integrity of the surface and groundwater resources in the area, including Cabbage Tree Creek and the Shoalhaven River, including baseline data of existing conditions and potential flooding impacts;
 - 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 waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters);
 - the proposed stormwater management system, including the capacity of onsite detention systems, and measures to treat, reuse or dispose of water;
 - the proposed leachate management system including the capacity of the system to treat and dispose of leachate; and
 - the proposed erosion and sediment controls during construction and operation.
- **Noise and Vibration** – including:
 - quantitative assessment of potential construction, operational and transport noise and vibration impacts, including potential impacts on nearby sensitive receivers; and
 - details of the proposed noise management and monitoring measures.
- **Traffic** – including:
 - details of all traffic types and volumes likely to be generated;
 - 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;
 - assessment of predicted impacts on road safety and the capacity of the road network to accommodate the project; and
 - assessment of where off site infrastructure works are required as a result of traffic impacts.
- **Greenhouse Gas** – including:
 - a quantitative assessment of the scope 1, 2 and 3 greenhouse gas emissions of the project; and
 - a detailed description of the measures that would be implemented to minimise the methane emissions of the proposed landfill operations and ensure that the project is energy efficient.
- **Heritage** - both Aboriginal and non-Aboriginal.
- **Rehabilitation** – including:
 - a detailed description of how the site would be progressively rehabilitated, revegetated, and integrated into the surrounding landscape, including measures to ensure that the final landform is free draining;
 - a justification for the proposed final landform and use, taking into consideration any relevant strategic land use planning or resource management plans or policies; and
 - a detailed description of the measures that would be put in place to

	ensure sufficient resources are available to implement the proposed rehabilitation measures, and the ongoing management of the site following the cessation of landfilling activities. • Fire and Incident Management – including – technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures. • Hazards and risks - including bushfire. • Biosecurity, pests and vermin. • Visual 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 EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular, you must consult with: • Environment Protection Authority; • Office of Environment and Heritage; • Department of Primary Industries; • Roads and Maritime Services; • NSW Rural Fire Service; • Mine Subsidence Board; • AGL; and • the local community and stakeholders. 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 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 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 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
Waste	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA 2014)
	Waste Classification Guidelines (DECC)
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (EPA)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC)
	Environmental guidelines: Use and Disposal of Biosolids Products (EPA)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
Soil and Water	
<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)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
	Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites (OEH 2011)
<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)
	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)
<i>Groundwater</i>	Technical Guidelines: Bunding & Spill Management (DECC)
	National Water Quality Management Strategy: Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document 1997 (DLWC)
	NSW State Groundwater Quality Protection Policy 1998 (DLWC)
	NSW State Groundwater Quantity Management Policy 2002 (DLWC)

<i>Wastewater</i>	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC)
	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
	Australian Groundwater Modelling Guidelines 2012
	Environmental Guidelines: Use of Effluent by Irrigation (DECC)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase1) 2006 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of Drinking Water Supplies 2008 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)
Air Quality and Odour	
<i>Air Quality</i>	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2016)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC 2007)
	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
<i>Odour</i>	Guidelines for Energy Savings Action Plans (DEUS 2005)
	Technical Framework: Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW (DEC)
Noise and Vibration	
<i>Noise</i>	NSW Industrial Noise Policy (EPA 2000)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
<i>Vibration</i>	Interim Construction Noise Guideline (DECC 2009)
	Assessing Vibration: A Technical Guideline (DEC 2006)
Traffic and Transport	
	Guide to Traffic Generating Development (RTA)
	Guide to Traffic Management Part 12: Traffic Impacts of Developments (Austroads 2016)
	NSW Long Term Transport Master Plan (TfNSW 2012)
	Road Design Guide (RTA)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principles and Process
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)
	Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)

Visual

Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, AS 4282)

State Environmental Planning Policy No 64 - Advertising and Signage

ATTACHMENT 2
Public Authority Responses to Request for Key Issues