NSW GOVERNMENT | Planning & Environment

Contact: Bianca Thornton
Phone: (02) 8217 2040
Email: bianca.thornton@planning.nsw.gov.au

Mr Brennan Tempest
Agriwaste Energy Pty Ltd
Farm 558, 30 Lloyd Road
COLEAMBALLY NSW 2707

Dear Mr Tempest

State Significant Development – Secretary's Environmental Assessment Requirements (SEARs)
Agricultural Waste to Energy Facility, Lot 4 DP 46629 Kidman Way, Coleambally (SSD 8893)

Please find attached the Secretary's Environmental Requirements (SEARs) for the agricultural waste to energy facility at Lot 4 DP 46629 Kidman Way, Coleambally in the Murrumbidgee local government area.

The SEARs have been prepared in consultation with the relevant government authorities and Murrumbidgee Council (see **Attachment 2**) and are based on the information you have provided to date. Please note that the Secretary may alter these SEARs at any time and that you must consult further with the Secretary 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 EIS and any assessments or studies which it relies on must only be prepared by suitably qualified and experienced person(s) in the relevant field of study.

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 development may require separate approval under the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, please advise the Department accordingly, as the Commonwealth assessment process may be integrated into the NSW assessment process, and supplementary SEARs may need to be issued.

I would appreciate it if you would contact the Department of Planning and Environment 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 USB) of the EIS that will be required for reviewing purposes.

If you have any enquiries about these requirements, please contact Bianca Thornton, Planning Services at the Department on the details above.

Yours sincerely

C. Ritchie 6/2/18

Chris Ritchie
Director
Industry Assessments
as delegate of the Secretary

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 8893
Development	Construction and operation of a 100 megawatt agricultural waste to energy facility for the thermal treatment of up to 350,000 tonnes per annum of agricultural waste.
Location	Lot 4 DP 46629 Kidman Way, Coleambally in the Murrumbidgee local government area
Applicant	Agriwaste Energy Pty Ltd
Date of Issue	6 February 2018
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 *Environmental Planning and Assessment Regulation 2000*. In addition, the EIS must include a: • detailed description of the development, including: – need and justification for the proposed development; – alternatives considered, including a description of feasible options within the development which may include a layout options analysis; – likely staging of the development - including demolition, construction, and operational stage/s; – likely interactions between the development and existing, approved and proposed operations in the vicinity of the site; – plans of any proposed building works; and – any impacts on matters of National Environmental Significance. • consideration of issues discussed during the Planning Focus Meeting and in **Attachment 2** (public authority responses to key issues); • 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, 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; – 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 *Environmental Planning and Assessment Regulation 2000*) 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: • **Strategic and Statutory Context** – including: – the need and justification for the development having regard to its location and impacts, the suitability of the site and the public interest; – consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; – an assessment demonstrating the proposal is consistent with the requirements of the *NSW Energy from Waste Policy Statement* (Environment Protection Authority, 2015). – a Land Use Conflict Risk Assessment in accordance with relevant Department of Primary Industries guidelines, including justification for development on agricultural land. • **Waste Management** – including: – a description of all agricultural waste products to be used as fuel, the quantities that would be accepted, the form in which it is proposed to be used and any processes that the waste has undergone (including sprays and fertilisers); – details of the source of all agricultural waste; – details of the maximum daily, weekly and annual throughputs of waste; – a description of waste processing operations, including a description of the technology to be installed, resource outputs and the quality control measures that would be implemented; – details of any material produced under a Resource Recovery Order (including ash), and the controls in place for meeting the conditions of that order; – details of any materials received under a Resource Recovery Exemption, and the controls in place for meeting the conditions of that exemption; – procedures for the management of residual ash, wastes or by-products and any other solid, liquid and gaseous waste streams; – details of how waste would be treated, stored (including the maximum daily waste storage capacity), used, disposed and handled on-site, and transported to and from the site and details of how the receipt of non-conforming waste would be dealt with; – details of the management of construction and operational waste; – demonstrating consistency with the *NSW Energy from Waste Policy Statement (*Environment Protection Authority, 2015)*;* and – the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021.* • **Air Quality and Odour** – including: – a quantitative assessment of the potential air quality, dust and odour impacts of the development, in accordance with relevant Environment Protection Authority guidelines, undertaken by a suitably qualified and experienced atmospheric scientist; – an assessment of 'worst-case' emissions scenarios and cumulative impacts, including the identification of existing and approved and/or proposed developments in the vicinity; – justification for any material handling, processing or stockpiling external to a building; – details of any pollution control equipment and other impact mitigation measures for fugitive and point source emissions; – a demonstration of how the facility would be operated in accordance with best practice measures to manage toxic air emissions with consideration of the European Union's *Waste Incineration Directive 2000* and the *NSW Energy from Waste Policy Statement* (2015); – details of the proposed technology and a demonstration that it is technically fit-for-purpose; and – details of proposed mitigation, management and monitoring measures. • **Human Health Risk** – including a human health risk assessment, in accordance with the *Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards* (enHealth, 2012) and undertaken by a suitably qualified and experienced person(s), covering the inhalation of criteria pollutants and exposure (from all pathways, i.e., inhalation,

ingestion and dermal) to specific air toxics, including impacts from the transport of waste material by road and/or rail.

- **Traffic and Transport** – including:
  - details of all traffic types and volumes likely to be generated during construction and operation, including a description of vehicle types and haul routes;
  - a traffic impact assessment of the predicted impacts of construction and operational 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, undertaken by a suitably qualified and experienced person(s). The assessment is to include a consideration of cumulative impacts having regard to approved and/or proposed developments in the vicinity;
  - detailed plans of the proposed internal road layout, pedestrian network and parking in accordance with the relevant Australian Standards and Council's DCP;
  - plans of any proposed road upgrades, infrastructure works or new roads required for the development;
  - plans demonstrating how all vehicles associated with construction and operation awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network; and
  - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site for both heavy and light vehicles.
- **Soil and Water** – including:
  - a description of water and soil resources, topography, hydrology, watercourses and riparian lands on or nearby to the site;
  - a detailed site water balance including identification of water requirements for the life of the project, measures that would be implemented to ensure a secure water supply and a detailed description of the measures to minimise the water use at the site;
  - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria;
  - an assessment of potential impacts to soil and water resources, topography, drainage lines, watercourses and riparian lands on or nearby to the site;
  - an assessment of flooding impacts associated with the development including details of the flood liability of the site and changes to flood behaviour;
  - details of stormwater/wastewater/leachate management systems including the capacity of on-site detention system/s, on-site sewage management and measures to treat, reuse or dispose of water;
  - a description of erosion and sediment controls;
  - characterisation of the nature and extent of any contamination on the site and a description of proposed management measures in accordance with the requirements of the relevant Environment Protection Authority guidelines and *State Environmental Planning Policy No. 55 – Remediation of Land;*
  - consideration of salinity and acid sulphate soil impacts; and
  - all assessments must be undertaken by a suitably qualified and experienced person(s).
- **Noise and Vibration** – including:
  - a description of all potential noise and vibration sources during construction and operation, including traffic noise;
  - a quantitative assessment of potential construction, operational and transport noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines, including an assessment of cumulative impacts, undertaken by a suitably qualified and experienced person(s); and
  - details and justification of the proposed noise mitigation, management and monitoring measures.
- **Fire and Incident Management** – including:
  - an assessment of bushfire risks and asset protection zones (APZ) in accordance with NSW Rural Fire Service guidelines;
  - identification of the aggregate quantities of combustible waste products to

be stockpiled at any one time;
- identification of foreseeable on-site and off-site fire events and other emergency incidents; and
- 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 management of fire water, location of fire hydrants and water flow rates at the hydrant) management and containment measures.

- **Hazards and Risks –** including:
  - a preliminary risk screening completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* 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;
  - consideration of other risk factors including flammable or dust explosion risks which may arise from:
    - the storage and handling of primary substrates, including straw or hay; or
    - the storage and handling of secondary substrates, including cotton gin trash, cotton stalks, rice husks or nut hulls; and
  - should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) 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).
- **Flora and Fauna –** including:
  - an assessment of the proposal in accordance with the *Biodiversity Assessment Method* (BAM) including an assessment of any potential impacts on aquatic and riparian vegetation and groundwater dependent ecosystems; and
  - details of the number of trees to be removed and the number of trees to be planted on the site.
- **Aboriginal and non-Aboriginal Cultural Heritage** – including:
  - an Aboriginal cultural heritage assessment prepared by a suitably qualified archaeologist (including cultural and archaeological significance) which must detail potential impacts on assets, any proposed management and mitigation measures or the potential impacts on heritage items and demonstrate effective consultation with relevant Aboriginal community groups; and
  - a non-Aboriginal cultural heritage assessment prepared by a suitably qualified archaeologist (including cultural and archaeological significance) which must detail potential impacts on assets, any proposed management and mitigation measures or the potential impacts on heritage items.
- **Greenhouse Gas and Energy Efficiency** - including:
  - an assessment of the potential scope 1, 2 and 3 greenhouse gas emissions of the project, and an 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 project is energy efficient.
- **Social Impacts** – including a social impact assessment undertaken by a suitably qualified and experienced person(s).
- **Economic Impacts** – including an analysis of the economic impacts of the development to both the localised and broader community.
- **Visual** – including:
  - an assessment of the proposed building height, scale, signage and lighting, particularly from nearby public receivers and significant vantage points of the broader public domain; and
  - a detailed photo-montage based analysis of the visual impacts of the development and emissions stack.
- **Contributions** – including consideration of Council's Section 94/94A Contribution Plan and/or details of any Voluntary Planning Agreement.
- **Community Engagement** – including a community engagement / consultation strategy for implementation during construction and operation.

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.* 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: • Murrumbidgee Council; • Environment Protection Authority; • Office of Environment and Heritage; • Department of Primary Industries; • WaterNSW; • Coleambally Irrigation; • Roads and Maritime Services; • Rural Fire Service; • TransGrid; and • the surrounding land owners and occupiers that may be affected by the proposal. 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 SEAR's, you must consult with the Secretary in relation to the requirements for lodgement.
References	The assessment of the key issues listed above must consider 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 relevant Local Environment Plan. 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.

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
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http://www.publications.gov.au

Policies, Guidelines & Plans

Aspect	Policy /Methodology
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA 2008)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	NSW Energy from Waste Policy Statement (EPA 2015)
Air Quality and Odour	
Air Quality	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)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
Greenhouse Gas	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
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)
Soil and Water	
Soil	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)
	Acid Sulfate Soils Manual (Stone et al. 1998)
Surface 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)
	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 2004)
	Managing Urban Stormwater: Treatment Techniques (DECC 1997)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
	NSW Floodplain Development Manual 2005
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC 1995)
	NSW State Groundwater Policy Framework Document (DLWC 1997)
	NSW State Groundwater Quality Protection Policy (DLWC 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC 2002)
	NSW State Groundwater Quantity Management Policy (DLWC 2002)
	Guidelines for the Assessment and Management of Groundwater Contamination (DEC 2007)
	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
	Australian Groundwater Modelling Guidelines (NWC 2012)
Wastewater	Environmental Guidelines: Use of Effluent by Irrigation (DECC 2004)
	Environmental Guidelines: Storage and Handling of Liquids (DECC 2007)
	National Water Quality Management Strategy - Guidelines For Water Recycling: Managing Health And Environmental Risks (Phase 1) 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)
	Recycled Water Guidance Document: Recycled Water Management Systems (DPI 2015)
Noise and Vibration	
Noise	Noise Policy for Industry (EPA 2017)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
	Interim Construction Noise Guideline (DECC 2009)
Vibration	Assessing Vibration: A Technical Guideline (DEC 2006)
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC 1990)
Fire and Incident Management	
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
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)
Flora and Fauna	
	Biodiversity Assessment Method (2017)
Heritage	
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010)
	Draft Guidelines for Aboriginal Cultural Impact Assessment and Community Consultation (Department of Planning 2005)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW 2010)
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

Murrumbidgee
COUNCIL

Darlington Point Office
21 Carrington Street
PO Box 5
DARLINGTON POINT NSW 2706

Telephone: 02 6960 5500

Coleambally Office

39 Brolga Place
COLEAMBALLY NSW 2707

Telephone: 02 6954 4060

Jerilderie Office
35 Jerilderie Street
PO Box 96
JERILDERIE NSW 2716

Telephone: 03 5886 1200

SSD8893

22nd January, 2018

Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Bianca Thornton, Planning Officer

Dear Bianca

Agriwaste Energy from Waste, Lot 4 DP 46629 Kidman Way, Coleambally - SSD 8893

Thank you for seeking Council's requirements for the Environmental Impact Statement (EIS) to accompany the application for this development. This is obviously a significant project for the Shire and will bring substantial economic benefits to the local community. Subject to a satisfactory environmental impact assessment, Council supports the proposal and looks forward to cooperating with DPE and other government agencies to bring the project to fruition.

DPE is requested to consider the following matters in specifying the SEARs for the proponents of the facility:

1. Consideration of the requirements of all legislation and environmental planning instruments relevant to the proposal.
2. Details of accommodation for construction and then operational workers associated with the project. This should include the economic, social and environmental impacts. The assessment should include the feasibility of locating the accommodation within the township of Coleambally.
3. Details of any on-site food facilities. These facilities will need to meet the requirements of the *Australian & New Zealand Food Standards Code*.
4. Details of proposed wastewater treatment and disposal (including sewerage) for workers. This should include full calculations and details of waste volumes and characteristics, physical and chemical treatment systems, disposal requirements, land area requirements for treatment plant and disposal areas etc. The feasibility of reticulating to Coleambally's sewerage system should also be investigated.

5. Details of potable water supply details including calculation of volumes required, source of supply, storage arrangements and means of treating same to meet NSW Health *Private Water Supply Guidelines*. The feasibility of reticulating from Coleambally's water supply system should also be investigated.
6. Identification of any licensing requirements or other approvals required under the *Water Act 1912* and/or *Water Management Act 2000*.
7. Details of water supply arrangements for fire fighting purposes. Significant fire fighting supply arrangements will be required both under the *Building Code of Australia* (BCA) for human life, buildings and infrastructure as well, potentially, as for bush fire purposes. Details of such arrangements including volume, location, means of supplying sufficient pressure etc. should be included.
8. An assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road networks including details on the nature of the traffic generated, transport routes, traffic volumes and access/turning points.
9. Details of any vegetation clearing including a detailed assessment of the impacts on any threatened species, populations, endangered ecological communities or their habitats.
10. A Stormwater Management Plan for construction and operation.
11. An assessment of the likely air quality impacts of the development in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW*.
12. An assessment of the likely construction and operational noise impacts of the development in accordance with the *NSW Industrial Noise Policy*.
13. Estimates of the quantity and nature of the waste streams that would be generated or received by the development and any measures that would be implemented to minimise, manage or dispose of these waste streams.
14. An assessment of the likely visual impacts of the development on any nearby private landowners and road users.
15. An assessment of the likely social and economic impacts of the development, including consideration of both the significance of the resource and the costs and benefits of the project. Consideration should be given on the capacity of local services and their ability to cope within the population increase (e.g. health services, schools, accommodation, policing etc.).
16. Preparation of an Operations Management Plan (including details of ongoing monitoring and reporting of environmental impacts).
17. Preparation of a Landscape Plan (including ongoing management).

Should you require clarification regarding the above matters, please do not hesitate to contact Council's consultant Town Planner, Warwick Horsfall.

Yours faithfully,

Neil Smith
Relief Development and Environmental Health Officer
Murrumbidgee Council

DOC17/583895-09

The Planning Officer
Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

By email: bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

Re Request for input to SEARs - SSD 8893

I refer to your electronic mail of 8 January 2018 to the Environment Protection Authority (EPA) requesting our information requirements for the Environmental Impact Statement (EIS) to be prepared for the proposed Agriwaste Energy from Waste Project located on the Kidman Way, Coleambally.

We have considered the details of the proposal as described in the information supplied by the proponent and we have identified the information required by the EPA to be included in the EIS, and these are documented at Attachment 'A'.

The key information requirements for the project are as follows.

- The potential impacts on air quality from the use of agricultural waste by-products to create energy;
- The potential noise impacts from plant and equipment on nearly receptors;
- Details of all agricultural waste by-products to be used in the project;
- Details of the boiler and turbine specifications to be used; and
- The potential cumulative impacts with the adjacent solar farm.

In carrying out the assessment the proponent should refer to the relevant guidelines detailed in Attachment 'B'.

If you have any further enquiries about this matter please contact Jason Price by telephoning 02 6969 0700 or by electronic mail at southwest.region@epa.nsw.gov.au.

Yours sincerely

C. Bretherton 22.1.2018

CRAIG BRETHERTON
Manager Regional Operations South West
Environment Protection Authority

Phone +61 2 6969 0700
Phone 131 555
(from *outside* NSW)
Fax +61 2 6969 0710
TTY 133 677
ABN 43 692 285 758
PO Box 397
Griffith
NSW 2680 Australia
Suite 7
130-140 Banna Ave
Griffith NSW
2680 Australia
www.epa.nsw.gov.au
southwest.region@epa.nsw.gov.au

ATTACHMENT 'A'

Potential environmental impacts of the project

The following modified environmental impacts and their existing baseline conditions need to be assessed, quantified and reported on.

(a) Air;
(b) Noise;
(c) Water;
(d) Land; and
(e) Waste.

The Environmental Impact Statement (EIS) should address how the required environmental goals outlined below will be met for each modified potential impact.

The EIS should describe mitigation and management options that will be used to prevent, control, abate or mitigate identified potential environmental impacts associated with the project and to reduce risks to human health and prevent the degradation of the environment.

This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

Description of the proposal

The description of the proposal should be clearly stated and refer to the following.

- A full description of all agricultural waste by-products to be used as fuel (ie crop stubble), the form it is proposed to be used (ie briquettes/raw product), any processes that it has undergone, including any processing, storage and transport;
- All proposed waste by-products to be used as fuel must meet the definition of 'biomass from agriculture' to be classified as an eligible waste fuel. The proponent will be required to apply for a resource recovery order and exemption from the EPA. If the waste does not meet the definition of biomass from agriculture then the proposal will be subject to the requirements of an energy recovery facility. These requirements are outlined in section 4 of the Policy;
- Confirmation of all locations where the waste by-products will be sourced. If the agricultural waste will be generated at the site where the facility will be located, then a resource recovery order and exemption is not required (as the material has not left the site it is not considered to be waste). If the waste is generated off-site and it meets the definition of biomass from agriculture, then a resource recovery order and exemption will be required to allow the facility to use the waste;
- Confirmation that briquettes are being produced solely for use in the facility, or whether they are being produced for resale;
- Information regarding sprays and fertilisers applied to the waste by-products, and any potential impacts of spray drift;
- Details of the expected volume and consistency of the material to be supplied over time;
- Details of the quality assurance and quality controls that are implemented during harvest, processing, transport and storage which ensures the consistency of the material and minimises contamination of the waste; and
- The staging and timing of the proposal, any plans for future expansion and the proposal's relationship to any other industry or facility.

Potential impacts on air quality

The goal of the modified project in relation to air quality should be to ensure sensitive receptors are protected from any adverse impacts from pollutants and solid particulates.

The project must create an emissions inventory that identifies all new and cumulative potential air pollutants at their source and discharge point. Measures to prevent or control the emission of pollutants from all plant and activities must be detailed. Where vehicle movements or heavy plant is proposed, the EIS must also include an assessment of all sources of dust emissions and the potential cumulative impact on sensitive receptors.

The potential air impacts from the use of waste material for energy recovery purposes must be consolidated in a report which contains all the relevant information required under the 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales' (EPA, 2016). The assessment must identify all sensitive receptors in proximity to the proposed development and include dispersion modelling, in conjunction with analyses of local meteorological and terrain data, to make informed decisions about design and management options for the proposed development.

Emissions from any plant must meet the design criteria detailed in the *Protection of the Environment Operations (Clean Air) Regulation 2010*. Details need to be provided on the proposed air pollution control techniques from any air emission points, including proposed measures to manage and monitor efficiency and performance.

Details of the actual boiler(s) and turbine(s) to be installed and all manufacturers information and specifications, including emission capture and control measures must be provided.

Potential impacts of noise

The goals of the project should include design, construction, operation and maintenance of the facility in accordance with relevant EPA policy, guidelines and criteria, and to minimise potential impacts from noise.

We expect that all potential noise sources are cumulatively assessed in accordance with the "Noise Policy for Industry 2017" (EPA 2017), and where required mitigation measures are proposed (e.g. appropriate equipment chosen to minimise noise levels). The times of operation for all phases of the development and for all ongoing noise generating activities must be specified and included in the assessment and all residential or noise sensitive premises likely to be impacted by the development must be identified and included in the assessment.

Potential impacts on water quantity and quality

The goals of the project should include the following.

- No pollution of waters (including surface and groundwater), except to the extent authorised by the EPA (ie in accordance with an Environment Protection Licence);
- Contaminated water (including process waters, wash down waters, polluted stormwater or sewage) captured on the site and collected, treated and beneficially reused, where this is safe and practicable to do so;
- Anticipate wet weather impacts and develop contingencies into the design of all contaminated water infrastructure and clean water diversions; and
- Ensure any proposed discharges are acceptable to the NSW Water Quality and River Flow Objectives and where appropriate propose monitoring and management measures.

Specifically related to this proposal information must be provided on the whether the proposal will generate waste water and detail how it will be managed. Detatils of the volumes, quality and proposed discharge points must be included.

Potential impacts on land

The goals of the project should include the following.

- No pollution of land, except to the extent authorised by the EPA (i.e. in accordance with an Environment Protection Licence);
- Any potentially contaminated sites that are encountered or disturbed are appropriately managed and rehabilitated;
- The potential impact of land erosion from the development is mitigated; and
- The land impacted by waste disposal is appropriately monitored and managed in accordance with relevant EPA guidelines.

The EIS should document the measures that will achieve the above goals.

Waste and chemicals

The goals of the project should include the following.

- It is in accordance with the principles of the waste hierarchy and cleaner production.
- Where potential impacts associated with the handling, processing and storage of waste at the premises are identified, these be mitigated by the development;
- The beneficial reuse of all wastes generated at the premises are maximised where it is safe and practical to do so;
- No waste disposal occurs on site except in accordance with an Environment Protection Licence or under a Resource Recovery Exemption; and
- Ensure that environmental risks from hazardous chemicals and chemical waste are minimised.

Specifically related to this proposal information must be provided on the following.

- A full description of all agricultural waste by-products to be used as fuel (ie crop stubble), the form it is proposed to be used (ie briquettes/raw product), any processes that it has undergone, including any processing, storage and transport;
- Details that all proposed waste by-products to be used as fuel must meet the definition of 'biomass from agriculture' to be classified as an eligible waste fuel;
- Details of all locations where the waste by-products will be sourced;
- Confirmation that briquettes are being produced solely for use in the facility, or whether they are being produced for resale;
- Information regarding sprays and fertilisers applied to the crops or material, and any potential impacts from application of these chemicals or spray drift;
- Details of the expected volume and consistency of the material to be supplied over time;
- Quality assurance and quality controls that are implemented during harvest, processing, transport and storage which ensures the consistency of the material and minimises contamination of the waste; and
- Characterisation of residual ash, wastes or by-products and how these will be managed. Please note that the ash material may be suitable for reuse under "The ash from burning biomass order 2014" and "The ash from burning biomass exemption 2014".

  This order and exemption is publicly available on the EPA's website (http://www.epa.nsw.gov.au/wasteregulation/ordersexemptions.htm). The conditions contained in this order and exemption should be reviewed and assessed for suitability against the current proposal.

ATTACHMENT 'B'

Guidance Material

Air quality

- *Protection of the Environment Operations (Clean Air) Regulation 2010*
- Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (EPA, 2016)
- Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2007)
- Assessment and Management of Odour from Stationery Sources in NSW (EPA, 2006)
- Meat chicken farm calculator (EPA, 2011); http://www.environment.nsw.gov.au/resources/air/PoultryOdourCalcualtor.xls

Noise and vibration

- NSW Industrial Noise Policy (EPA, 2000)
- NSW Road Noise Policy (EPA, 2011)
- Assessing Vibration: a technical guideline (EPA, 2006)
- Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC, 1990)
- Interim Construction Noise Guidelines (EPA, 2009)

Water quality

- National Water Quality Management Strategy: Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ, 2000)
- National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ, 2000)
- Using the ANZECC Guidelines and Water Quality Objectives in NSW (EPA, 2006)

Groundwater

- The NSW State Groundwater Policy Framework Document (DLWC, 1997)
- The NSW State Groundwater Quality Protection Policy (DLWC, 1998)
- The NSW State Groundwater Dependent Ecosystems Policy (DLWC, 2002)
- National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 1995)

Stormwater

- Managing Urban Stormwater: Soils and Construction (Landcom, 2004)
- Managing Urban Stormwater: Treatment Techniques (Draft) (EPA, 1997)

Wastewater

- Environmental Guidelines: Use of Effluent by Irrigation (EPA, 2004)
- Environmental Guidelines: Storage and Handling of Liquids (EPA, 2007)

Waste

- Waste Classification Guidelines (EPA, 2008)
- Environmental Guidelines: Use and Disposal of Biosolids Products (EPA, 1997)
- Environmental Guidelines: Composting and Related Organics Processing Facilities (EPA, 2004)
- Environmental Guidelines: Solid Waste Landfills (EPA, 1996)
- Storing and Handling Liquids: Environmental Protection (EPA, 2007)

Office of Environment & Heritage

Your reference:	SSD 8893
Our reference:	DOC18/5800
Contact:	Simon Stirrat (03) 5051 6218
Date	22 January 2018

Bianca Thornton
Planning Officer
Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Thornton

RE: **Request for input to SEARs - Agriwaste Energy from Waste, Lot 4 DP46629 Kidman Way, Coleambally**

I refer to your email dated 8 January 2018 to the Office of Environment and Heritage (OEH) seeking input into the Department of Planning and Environment (DPE) Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed state significant development listed above.

OEH has reviewed the available supporting documentation and provides SEARs for the proposed development in **Attachments A** and guidance material in **Attachment B**. The assessment must cover all ancillary infrastructure such as transmission lines, parking facilities, equipment sheds and new vehicle tracks.

OEH recommends the EIS needs to appropriately address the following:

1. Biodiversity and offsetting
2. Aboriginal cultural heritage
3. Flooding
4. Cumulative impact.

Please note that the *Biodiversity Conservation Act 2016* (BC Act) commenced in August 2017 and that all Major Projects must now be assessed in accordance with this legislation, including the preparation of a Biodiversity Development Assessment Report (BDAR). The BC Act provides a standard method for assessing impacts of Major Projects on biodiversity and for determining offsetting arrangements. Unless the Planning Agency Head and the Environment Agency Head determine that a project is not likely to have a significant impact on biodiversity values, the Biodiversity Assessment Method (www.environment.nsw.gov.au/resources/bcact/biodiversity-assessment-method-170206.pdf) must be used by a proponent to document all biodiversity values on the development site and assess potential impacts of the project on these values. The avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts must be addressed in the EIS. **Attachment A** lists a range of options that are now available to offset the impacts of a development.

The development footprint appears to be confined to the southern part of Lot 4, which is largely cleared. However, the lot contains regenerating myall (*Acacia pendula*) woodland, which is listed as the '*Myall Woodland in the Darling Riverine Plains, Brigalow Belt South, Cobar Peneplain, Murray-Darling Depression, Riverina and NSW South Western Slopes bioregions*' endangered ecological community under the BC Act. The BDAR should include an accredited ecologist's assessment of the extent and condition of this vegetation type across the whole site using credible sources of information and include an assessment of how the project may affect this vegetation.

PO Box 1040 Albury NSW 2640
Second Floor, Government Offices
512 Dean Street Albury NSW 2640
Tel: (02) 6022 0624 Fax: (02) 6022 0610
ABN 30 841 387 271
www.environment.nsw.gov.au

Please note that while clearing may have occurred in an area, understorey vegetation typical of threatened ecological communities may still be present.

Weeping Myall Woodland is also a threatened ecological community listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999.* The assessment should identify any relevant Matters of National Environmental Significance and whether the proposal has been referred to the Commonwealth or is already determined to be a controlled action.

If you require further information about this matter please contact Simon Stirrat on (03) 5051 6218 or at simon.stirrat@environment.nsw.gov.au.

Yours sincerely

MIRANDA KERR
Senior Team Leader Planning
South West Region
Regional Operations
Office of Environment and Heritage

Enclosure: ATTACHMENT A – Standard Environmental Assessment Requirements for Agriwaste Energy from Waste (SSD 8893)
ATTACHMENT B – Guidance material

Attachment A – Standard Environmental Assessment Requirements

Source of guidance material for terms in **bold** are included in Attachment C

Biodiversity
1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the *Biodiversity Conservation Act 2016* using the Biodiversity Assessment Method (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and the BAM, unless OEH and DPE determine that the proposed development is not likely to have any significant impact on biodiversity values.
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows; a. The total number and classes of biodiversity credits required to be retired for the development/project; b. The number and classes of like-for-like biodiversity credits proposed to be retired; c. The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; d. Any proposal to fund a biodiversity conservation action; e. Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all digital spatial data associated with the survey and assessment as per Appendix 11 of the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.
Aboriginal cultural heritage
6. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (OEH 2010), and be guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011) and consultation with OEH regional branch officers.
7. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.

8. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the [EIS/EA] must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.
9. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist in areas with potential for subsurface Aboriginal deposits. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the ACHAR
10. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the [development/project] to formulate appropriate measures to manage unforeseen impacts.
11. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

Historic heritage

12. The EIS must provide a heritage assessment including but not limited to an assessment of impacts to *State and local heritage* including conservation areas, natural heritage areas, places of Aboriginal heritage value, buildings, works, relics, gardens, landscapes, views, trees should be assessed. Where impacts to State or locally significant heritage items are identified, the assessment shall:
    a. outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the mitigation measures) generally consistent with the NSW Heritage Manual (1996),
    b. be undertaken by a suitably qualified heritage consultant(s) (note: where archaeological excavations are proposed the relevant consultant must meet the NSW Heritage Council's Excavation Director criteria),
    c. include a statement of heritage impact for all heritage items (including significance assessment),
    d. consider impacts including, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, landscape and vistas, and architectural noise treatment (as relevant), and
    e. where potential archaeological impacts have been identified develop an appropriate archaeological assessment methodology, including research design, to guide physical archaeological test excavations (terrestrial and maritime as relevant) and include the results of these test excavations.

Water and soils

13. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
    a. Existing surface and groundwater.
    b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
    c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
    d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.
    e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning

14. The EIS must assess the impacts of the development on water quality, including:
    a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
    b. Identification of proposed monitoring of water quality.

15. The EIS must assess the impact of the development on hydrology, including:
    a. Water balance including quantity, quality and source.
    b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
    c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
    d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
    e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
    f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
    g. Identification of proposed monitoring of hydrological attributes.

Flooding

16. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
    a. Flood prone land.

b. Flood planning area, the area below the flood planning level.
c. Hydraulic categorisation (floodways and flood storage areas).
d. Flood hazard.

17. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP flood levels and the probable maximum flood, or an equivalent extreme event.

18. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
    a. Current flood behaviour for a range of design events as identified in 11 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

19. Modelling in the EIS must consider and document:
    a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
    b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
    c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
    d. Relevant provisions of the NSW Floodplain Development Manual 2005.

17. The EIS must assess the impacts on the proposed development on flood behaviour, including:
    a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
    b. Consistency with Council Floodplain Risk Management Plans.
    c. Consistency with any Rural Floodplain Management Plans.
    d. Compatibility with the flood hazard of the land.
    e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
    h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
    i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
    j. Emergency management, evacuation and access, and contingency measures for the development considering the full range or flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
    k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

Attachment B – Guidance material

Title	Web address
Relevant Legislation	
Biodiversity Conservation Act 2016	www.legislation.nsw.gov.au/#/view/act/2016/63/full
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
Environmental Planning and Assessment Act 1979	www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
Fisheries Management Act 1994	www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
National Parks and Wildlife Act 1974	www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
Water Management Act 2000	www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
Biodiversity	
Biodiversity Assessment Method (OEH, 2017)	www.environment.nsw.gov.au/resources/bcact/biodiversity-assessment-method-170206.pdf
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf
Ancillary rules: biodiversity conservation actions	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf
Ancillary rules: reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf
OEH Threatened Species Website	www.environment.nsw.gov.au/threatenedspecies/
NSW BioNet (Atlas of NSW Wildlife)	http://www.bionet.nsw.gov.au/
NSW guide to surveying threatened plants (OEH 2016)	www.environment.nsw.gov.au/resources/threatenedspecies/160129-threatened-plants-survey-guide.pdf
OEH threatened species survey and assessment guideline information	www.environment.nsw.gov.au/threatenedspecies/surveyassessmentgdlns.htm
BioNet Vegetation Classification - NSW Plant Community Type (PCT) database	http://www.environment.nsw.gov.au/research/Visclassification.htm
OEH Data Portal (access to online spatial data)	http://data.environment.nsw.gov.au/
Fisheries NSW policies and guidelines	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
List of national parks	www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy (OEH, 2012)	www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm

Title	Web address
Aboriginal Cultural Heritage	
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf
Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)	www.environment.nsw.gov.au/resources/cultureheritage/20110263ACHguide.pdf
Aboriginal Site Recording Form	www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf
Aboriginal Site Impact Recording Form	www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf
Aboriginal Heritage Information Management System (AHIMS) Registrar	www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm
Care Agreement Application form	www.environment.nsw.gov.au/resources/cultureheritage/20110914TransferObject.pdf
Heritage	
The Burra Charter (The Australia ICOMOS charter for places of cultural significance)	http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf
Statements of Heritage Impact 2002 (HO & DUAP)	www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf
NSW Heritage Manual (DUAP) (scroll through alphabetical list to 'N')	www.environment.nsw.gov.au/Heritage/publications/
Water and Soils	
Flooding	
Floodplain development manual	www.environment.nsw.gov.au/floodplains/manual.htm
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impact and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation
Water	
Water Quality Objectives	www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://agriculture.gov.au/water/quality/guidelines/volume-1
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

17 January 2018

SWT17/00166
SF2017/297819
MM

The Manager
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Bianca Thornton

SSD-8893, PROPOSED POWER SUPPLY FACILITY, AGRIWASTE ENERGY WASTE PROJECT, LOT 4 DP46629, KIDMAN WAY, COLEAMBALLY.

I refer to correspondence forwarded to Roads and Maritime Services requesting the provision of key issues and Environmental Assessment Requirements to be addressed in the supporting documentation to be submitted for the subject development. The request includes a Preliminary Environmental Assessment prepared by Booth Associates dated December 2017.

From review of the information provided it is understood that the development proposal represents the establishment of an agricultural bioenergy plant with an intended capacity of up to 100 Mega Watt and ancillary facilities on the subject site. The subject sites are located to the north of Coleambally with frontage to the Kidman Way, which is a classified road, within a 100 km/h speed zone.

Given the scale and operational characteristics of the proposed development the traffic related issues relevant to the development should be considered and addressed in 2 distinct stages as follows;

- Construction & decommission phase – the transport of materials and equipment/components for the establishment of the facility and ancillary infrastructure, the movement and parking of construction related vehicles, including personal vehicles, during the construction of the facility,
- Operational phase – the ongoing traffic generation due to the operation, maintenance and servicing of the various elements of the project.

From the submitted documentation it is understood that access to the site is proposed from the Kidman Way. The subject site also has frontage to McGrath Road. The documentation provides limited information or acknowledgement of potential road related issues. The scoping report refers to SEPP (Infrastructure). The implications of State Environmental Planning Policy (Infrastructure), particularly clause 101 needs to be addressed as part of the supporting information submitted for the development. This clause also requires that the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development.

As discussed at the planning focus meeting the need for accommodation to be provided on site is questioned. In relation to traffic generation on site accommodation has the potential to generate additional traffic from the site particularly outside of business hours.

Roads and Maritime Services emphasises the need to minimise the impacts of any development on the existing road network and maintain the level of safety, efficiency and maintenance along the road network. Given the scale of the proposal a Traffic Impact Assessment (TIA) should be submitted with the Development Application. Any Traffic Impact Assessment needs to address the impacts of traffic generated by this development upon the nearby road network. The preliminary report identifies Traffic and Transport as a key environmental issue and acknowledges the need for a TIA to be prepared for the proposed development.

A Traffic Management Plan to manage the traffic generation during the construction period will be required. Traffic should also be considered and addressed during operation of the facility. The Traffic Management Plan shall detail the potential impacts associated with the phases of the development, the measures to be implemented to maintain the standard and safety of the road network, and procedures to monitor and ensure compliance.

For guidance in the preparation of the TIA the applicant is referred to section 2 of the “Guide to Traffic Generating Developments” prepared by the RTA and the Austroads publications, particularly the Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development and Part 13: Traffic Studies and Analysis. The TIA should contain information such as the expected traffic generation, vehicle numbers and types of vehicles, and travel routes for vehicles accessing the development site.

Given the scale of the proposed development and its proximity to the Kidman Way it is considered appropriate that issues relating to potential for distraction of passing motorist be addressed in the development submission. As a minimum, consideration should be given to the establishment and maintenance of a visual buffer, such as a vegetated buffer, within the subject site along its frontage to the Kidman Way.

Any enquiries regarding this correspondence may be referred to the Manager, Land Use for Roads and Maritime Services (South West Region), Maurice Morgan, phone (02) 69236611.

Yours faithfully

Per:
Jonathan Tasker
Acting Director
South West NSW

Department of Industry

OUT18/369

Ms Bianca Thornton
Industry Assessments
NSW Department of Planning and Environment

bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

Agriwaste Energy from Waste, Coleambally (SSD 8993)
Request for input to SEARs

I refer to your email of 8 January 2018 to the Department of Industry in respect to the above matter. Comment has been sought from relevant branches of Crown Lands & Water and Department of Primary Industries. Any further referrals to Department of Industry can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

The department has reviewed the Preliminary Environmental Assessment and requests the EIS for the proposal be required to address the following:

Water resources

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage during and post construction) from each surface and groundwater source as defined by the relevant water sharing plan.
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- Proposed water management on the site based on a detailed site water balance and proposed water management infrastructure.
- An assessment of any proposed modification to surface water management including an assessment of impact on neighbouring properties, watercourses and the floodplain. This is to include an assessment of potential flooding impacts due to the development both within the project site and off-site.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Full technical details and data of all surface water modelling.
- Proposed surface and groundwater monitoring activities and methodologies.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines, including the Guidelines for Controlled Activities on Waterfront Land (DPI Water 2012).

Agricultural resources

- An assessment of the impact of the development on agricultural land (including impacts to biosecurity, and effects to agricultural enterprises and landholders).
- A detailed soil survey to consider the potential for erosion and impacts associated with sodic soils.
- An assessment of the compatibility of the development with the existing land uses on the site and adjacent land (e.g. operating agricultural industries, aerial spraying, dust generation, and risk of weed and pest infestation) during operation and after decommissioning, with reference to the zoning provisions applying to the land, and measures proposed to appropriately avoid, reduce or mitigate these impacts (including potential landuse sharing arrangements with agriculture);
- A decommissioning and rehabilitation plan to return the land to productive agricultural use at closure of the project.
- Proposed baseline data collection and monitoring to be adopted to inform rehabilitation, including a land capability assessment of the proposed disturbance footprint

Yours sincerely

Alison Collaros
Manager, Assessment Advice
25 January 2018

Bianca Thornton

From: Andrew Helman <andrew.helman@industry.nsw.gov.au>
Sent: Monday, 22 January 2018 3:04 PM
To: Bianca Thornton
Cc: Landuse Minerals
Subject: Agriwaste Energy from Waste - Coleambally - SSD 8893

Hi Bianca,

As discussed, our records indicate there is a Council operated extractive industry on Lot 1 DP 1097932, adjacent to the north of the subject lot.

The Division of Resources & Geoscience have no resource sterilisation issues with the proposal, however clause 13 of the Mining SEPP applies and should be considered in the EIS.

Regards,

Andrew Helman |Senior Geoscientist | Land Use Assessment | Geological Survey of NSW

NSW Planning & Environment - Division of Resources & Geoscience

516 High Street | Maitland NSW 2320 | PO Box 344 | Hunter Region Mail Centre NSW 2310
T 02 4931 6572

Bianca Thornton

From: Juan Duriavig <Juan.Duriavig@transgrid.com.au>
Sent: Thursday, 18 January 2018 3:39 PM
To: Bianca Thornton
Cc: Skye Shanahan
Subject: FW: Request for Input to SEARs - Agriwaste Energy from Waste, Coleambally - SSD 8893
Attachments: PEA Agriwaste EfW SSD 8893.pdf

Bianca

As the Transmission Network Service Provider to which the proposed Agriwaste Energy from Waste project would connect to, we confirm the proponent, Agriwaste Energy Pty Ltd, has engaged TransGrid to determine the feasibility of the proposed project. TransGrid is providing guidance and advice to the proponent in relation to the connection to the network. The proponent will be required to adhere to the formal connection process, in accordance to the National Electricity Rules and to TransGrid's requirements in order to connect.

Kind regards

Juan Duriavig

TransGrid | 180 Thomas Street, Sydney, NSW, 2000
T: (02) 9284 3578 **M:** 0439 245 269
E: Juan.Duriavig@transgrid.com.au **W:** www.transgrid.com.au