



Mr Warren Wells
Western Sydney Recycling
PO Box 637
Balmain NSW 2041

Dear Mr Wells

**State Significant Development – Secretary's Environmental Assessment Requirements (SEARs)
Western Sydney Recycling Facility – 1725 – 1743 Elizabeth Drive, Badgerys Creek (SSD 8908)**

Please find attached the Secretary's Environmental Requirements (SEARs) for the proposed resource recovery facility for Western Sydney Recycling Pty Ltd at 1725 – 1743 Elizabeth Drive, Badgerys Creek in the Penrith local government area.

The SEARs have been prepared in consultation with the relevant government authorities and Penrith City 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 CD-ROM) of the EIS that will be required for reviewing purposes.

If you have any enquiries about these requirements, please contact Emma Barnet, Planning Services at the Department on (02) 9274 6412 or via email at emma.barnet@planning.nsw.gov.au.

Yours sincerely


Chris Ritchie
Director
Industry Assessments
as delegate of the Secretary

19/12/17.

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 8908
Development	Construction and operation of a resource recovery facility with the capacity to process up to 300,000 tonnes per annum of general solid waste (non-putrescible) including, construction & demolition waste, VENM, concrete and recovered aggregate
Location	1725 – 1743 Elizabeth Drive, Badgerys Creek (Lot 4 DP 860456)
Applicant	Western Sydney Recycling Pty Limited
Date of Issue	19 December 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: • detailed description of the development, including: – accurate history of the site, including development consents; – need for the proposed development; – justification for the proposed development; – 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; – any contributions required to offset the proposal; and – any impacts on matters of National Environmental Significance. • demonstrate that the site is suitable for the proposed use in accordance with <i>State Environmental Planning Policy No 55 – Remediation of Land</i>; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • consideration of issues discussed 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, <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 any existing development, including for all structures, plant and equipment; and – a detailed justification that the site can accommodate the development. • Waste Management – including: – a description of the waste streams that would be accepted at the site including maximum daily, weekly and annual throughputs and the maximum size for stockpiles; – 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, 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; – details of how waste would be stored (including the maximum daily waste storage capacity of the site) and handled on site, and transported to and from the site including details of how the receipt of non-conforming waste would be dealt with; – detail the development's waste tracking system for incoming and outgoing waste; – detail the quality of waste produced and final dispatch locations; – details of the waste management strategy for demolition, construction and ongoing operational waste generated; and – the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-2021</i>. • Soil & 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 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; – 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 the waste into the wastewater and proposed mitigation measures to manage any impacts to receiving waters); – an assessment of flooding impacts associated with the development including details of the flood liability of the site and changes to flooding behaviour; – details of stormwater/wastewater/leachate management systems including the capacity of onsite detention system/s, onsite sewage management and measures to treat, reuse or dispose of water; – a description of erosion and sediment controls; – an assessment of potential impacts to soil and water resources, topography, drainage lines, watercourses and riparian lands on or nearby to the site; – characterisation of the nature and extent of any contamination on the site and a description of proposed management measures; – consideration of salinity and acid sulphate soil impacts; and – all assessments must be undertaken by a suitably qualified and experienced person(s). • 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 and undertaken by a suitably qualified and experienced person(s). The assessment is to include cumulative impacts including the

- identification of existing and approved and/or proposed developments in the vicinity;
 - the details of buildings and air handling systems and strong justification (including quantitative evidence) for any material handling, processing or stockpiling external to a building;
 - a greenhouse gas assessment; and
 - details of proposed mitigation, management and monitoring measures.
- **Noise and Vibration** – including:
 - a quantitative assessment of potential demolition, construction, operational and transport, noise and vibration impacts in accordance with relevant Environment Protection Authority guidelines and undertaken by a suitably qualified and experienced person(s). The assessment is to include cumulative including the identification of existing and potential future sensitive receivers and consideration of approved and/or proposed developments in the vicinity; and
 - details and justification of the proposed noise mitigation and monitoring measures.
- **Traffic and Transport** – including:
 - details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes;
 - an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections, particularly along Elizabeth Drive, using SIDRA or similar traffic model undertaken by a suitably qualified and experienced person(s). The assessment is to include the identification and consideration of approved and/or proposed developments in the vicinity;
 - detailed plans of the proposed layout of the internal road and pedestrian network and parking on site 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.
- **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 measure;
- **Flora and Fauna** – including:
 - details of the number of trees to be removed and the number of trees to be planted on the site; and
 - 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.
- **Heritage** – including:
 - a detailed assessment of Aboriginal cultural heritage; and
 - an assessment of environmental heritage, including identification of measures to mitigate and manage impacts on any heritage conservation area and/or items of heritage significance in the vicinity.
- **Hazards** – 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; 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). • Visual – including a detailed visual impact assessment of the proposed development and consideration of the amenity of the surrounding area.
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: • Penrith City Council; • Department of Primary Industries; • Environment Protection Authority; • Fire and Rescue NSW; • Office of Environment and Heritage; • Roads and Maritime Services; • Rural Fire Service; 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>

<http://www.bookshop.nsw.gov.au>

<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 (DECC) Environmental guidelines: Composting and Related Organics Processing Facilities (DEC) Environmental guidelines: Use and Disposal of Biosolid Products (NSW EPA) Composts, soil conditioners and mulches (Standards Australia, AS 4454)
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) 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)
<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) Technical Guidelines: Bunding & Spill Management (DECC) NSW Floodplain Development Manual 2005 NSW Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
<i>Groundwater</i>	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 Dependent Ecosystems Policy (2002)
	NSW State Groundwater Quantity Management Policy 2002 (DLWC)
	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)
<i>Wastewater</i>	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)
	Recycled Water Guidance Document: Recycled Water Management Systems (DPI, 2015)
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)
	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
<i>Odour</i>	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)
<i>Greenhouse Gas</i>	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
Noise and Vibration	
<i>Noise</i>	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)
<i>Vibration</i>	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)
Fire and Incident Management	
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
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
Flora and Fauna	
	Biodiversity Assessment Method (2017)
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)

ATTACHMENT 2

Public Authority Responses to Request for Key Issues