

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the Environmental Planning and Assessment Regulation 2000

Application Number	SSD-9681
Project Name	Bathurst Second Circuit
Development	<p>Development of a second circuit for motor vehicle racing at Mount Panorama, Bathurst, and infrastructure and associated facilities, including the following:</p> <ul style="list-style-type: none"> · primary pit building · estate store · paddock areas · access roads · car parking · helipad · spectator areas · hotel · driver education centre · driver training centre
Location	<p>Mid Western Highway, Robin Hill</p> <p>(Lot 40 DP1056379 ; Lot 1 DP986862 ; Lot 1685 DP1085547 ; Lot 1 DP154855 ; Lot 7 DP811653 ; Lot 1511 DP135112 ; Lot 4 DP811653 ; Lot 5 DP840514 ; Lot 6 DP840514 ; Lot 1 DP811653 ; Lot 30 DP871410 ; Lot 6 DP811653 ; Lot 121 DP1098713 ; Lot 7 DP840514 ; Lot 5 DP864272 ; Lot 31 DP871410 ; Lot 5 DP811653 ; Lot 316 DP1210859 ; Lot 314 DP1210859 ; Lot 1 DP1188058 ; Lot 1 DP232111 ; Lot 88 DP750357 ; Lot 238 DP750357 ; Lot 283 DP47960 ; Lot 12 DP232111 ; Lot 148 DP750357 ; Lot 282 DP47960 ; Lot 281 DP853511 ; Lot 300 DP1192298)</p>
Applicant	Bathurst Regional Council
Date of Issue	08/11/2019
General Requirements	<p>The environmental impact statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). In addition, the EIS must include:</p> <ul style="list-style-type: none"> · a detailed description of the development, including: <ul style="list-style-type: none"> - the need for the proposed development - justification for the proposed development - likely staging of the development - likely interactions between the development and existing, approved and proposed operations in the vicinity of the site - plans of any proposed building works · consideration of all relevant environmental planning instrument, including identification and justification of any inconsistencies with these instruments

	<ul style="list-style-type: none"> · a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment · a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data; - an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; - a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/ or contingency plans to manage significant risks to the environment; and - an assessment of any cumulative impacts with existing, proposed and approved developments in the local area. · a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> - a detailed calculation of the capital investment value (CIV) (as defined in clause 3 of the Regulation) of the proposal, including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate applicable GST component of the CIV; - an estimate of jobs that will be created during the construction and operational phases of the proposed development; and - certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context – including:</p> <ul style="list-style-type: none"> · demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification of any inconsistencies. The following must be addressed: <ul style="list-style-type: none"> o State Environmental Planning Policy (State & Regional Development) 2011 o State Environmental Planning Policy (Infrastructure) 2007 o State Environmental Planning Policy (Primary Production and Rural Development) 2019 o State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 o State Environmental Planning Policy No. 33 – Hazardous and Offensive

Development

- o State Environmental Planning Policy No. 44 – Koala Habitat Protection
- o State Environmental Planning Policy No. 55 – Remediation of Land
- o Bathurst Regional Local Environmental Plan 2014.
- detail the nature and extent of any prohibitions that apply to the development;
- identify compliance with the development standards applying to the site and provide justification for any contravene of the development standards; and
- address the relevant planning provisions, goals and strategic planning objectives in the following:
 - o NSW State Priorities
 - o Future Transport Strategy 2056 and supporting plans
 - o Central West and Orana Regional Plan 2036

2. Community and stakeholder engagement – including:

- a detailed community and stakeholder participation strategy which identifies who in the community has been consulted and a justification for their selection, other stakeholders consulted and the form(s) of consultation, including justification for this approach;
- a report on the results of the implementation strategy including issues raised by the community and surrounding land owners and occupiers that may be impacted by the proposal;
- details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal; and
- details of the proposed approach to future community and stakeholder engagement based on the results of consultation.

3. Biodiversity – including:

- an assessment of the proposal's impact on matters protected by the *Environment Protection and Biodiversity Conservation Act 1999* as outlined in Attachment 2, Commonwealth Assessment Requirements; and
- an assessment of the proposal's biodiversity impact in accordance with the *Biodiversity Conservation Act 2016*, including the preparation of a Biodiversity Development Assessment Report where required under the Act.

4. Ecologically sustainable development (ESD) – including:

- detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) will be incorporated in the design of the development; and
- demonstrate how the proposed development responds to sustainable building principles and best practice, and improves environmental

performance through energy efficient design, technology and renewable energy.

5. Traffic and access – including:

- forecast total daily and peak hour trips (freight, employee, customer and any other relevant users) likely to be generated by the proposed development during the full range of events, including vehicle, public transport (including special event bus network), pedestrian and bicycle trips, together with cumulative impacts of existing, proposed and approved developments in the area and any transport / traffic upgrades with special consideration for the operation of the Mid-Western Highway;
- undertake analysis of event transport demand including time/ modal distribution of trips to and from the site including development of a site travel plan which includes strategies to manage access by private vehicles and alternative access arrangements in consultation with Council;
- address the impacts of the proposed development on the operation of existing and future transport networks, including road network performance, potential road safety impacts, public transport capacity and its ability to accommodate the forecast number of trips to and from the development including surrounding footpaths and cycleways;
- provide an assessment of the existing and future performance of key intersections providing access to the site, supported by appropriate modelling and analysis to the satisfaction of RMS and TfNSW. Traffic modelling is to be undertaken using, but not limited to, SIDRA network modelling for current and future years;
- prepare a traffic impact assessment in accordance with the relevant RMS guidelines;
- specifically address clause 101 of State Environmental Planning Policy (Infrastructure) 2007 (SEPP), providing a detailed explanation and justification as to why vehicular access to the site is not practicable from roads other than the classified road (Mid-Western Highway);
- details of access arrangements for emergency vehicles, including protocol procedures for emergency vehicle access to protected areas during emergencies; and
- include a preliminary Construction Traffic and Pedestrian Management Plan to demonstrate consideration of the management of the impact in relation to construction traffic of all stages of the development.

6. Noise and vibration – including:

- a quantitative noise and vibration impact assessment undertaken by a suitably qualified person in accordance with the relevant Environment Protection Authority guidelines and including an assessment of nearby sensitive receivers;

- identify the main noise sources during operation, and potential impacts of construction;
- identify any noise sources during operation, and potential impacts on the surrounding environment;
- cumulative impacts from events at the Second circuit and any other nearby activities; and
- outline measures to minimise and mitigate the potential noise impacts on the surrounding environment.

7. Fire and incident management – including:

- an assessment of bushfire risks and asset protection zones (APZ) in accordance with NSW Rural Fire Service guidelines;
- technical information on the environmental protection equipment to be installed on the premises such as air, water and noise controls, spill clean-up equipment and fire (including location of fire hydrants and water flow rates at the hydrant) management and containment measures; and
- include an assessment against the requirements for *Planning for Bushfire Protection 2006*, particularly access and provision of water supply for firefighting purposes.

8. Heritage – including:

- identify if there are any listed or potential heritage items and conservation areas within or in the vicinity of the site. If any listed or potential heritage items and areas are likely to be affected, a Heritage Impact Statement (HIS) must be prepared in accordance with the Heritage Council of NSW guidelines. The HIS must identify the level significance of any listed or potential heritage items and conservation areas, the likely impact due to the proposal and measures to avoid adverse impacts to heritage resources;
- identify if there are any areas with historical archaeological potential within the proposed site that could be impacted by the proposal; and
- identify and describe any Aboriginal cultural heritage values that exist across the site.

9. Air quality and odour – including:

- a description of all potential sources of air and odour emissions;
- a quantitative air quality impact assessment undertaken by a suitably qualified person in accordance with the relevant Environment Protection Authority guidelines and including an assessment of nearby sensitive receivers;
- cumulative impacts from events at the Second circuit and any other nearby activities; and

- details of proposed mitigation, management and monitoring measures.

10. Waste – including:

- details of the quantities and classification of all waste streams to be generated on site in accordance with the EPAs Waste Classification Guidelines (2014);
- details of waste storage, handling, transport, and disposal; and
- the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidelines in the NSW Waste Avoidance and Resource Recovery Strategy 2014-21.

11. Soil and water – including:

- any potential impact of the development on groundwater levels, flow paths and quality;
- any water licensing requirements or other approvals required under the *Water Act 1912* or *Water Management Act 2000*;
- describe water usage for the proposal including the position of any intakes and discharges, volumes, water quality and frequency of all water discharge;
- assessment of potential impacts of the proposed development on flood behaviour at the site and impacts on adjacent land, and measures to mitigate any potential flooding;
- any geotechnical issues (including contamination and acid sulfate soils) associated with the construction of the development; and
- an assessment of whether the proposal will significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

12. Design and visual – including:

- an impact assessment at private receptors and public vantage points;
- details of emergency vehicle access; and
- details regarding the safety and security arrangements for the proposal.

13. Utilities – including:

- address the existing capacity of the site to service the development proposed and any augmentation requirements for utilities, including arrangements for electrical network requirements, drinking water, waste water and recycled water; and
- identify the existing infrastructure on-site and any possible impacts of the construction and operation of the proposal on this infrastructure. The existing

	<p>14. Accommodation –</p> <ul style="list-style-type: none"> · provide detail regarding patron accommodation arrangements during events held at the site; and · provide detail on the proposed hotel including conceptual design and location. <p>15. Socio-economic impacts –</p> <ul style="list-style-type: none"> · provide a social impact assessment for the development. Address the social and economic context of the development in terms of infrastructure requirements, public transport, community services and facilities (such as medical services).
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. You should provide these as part of the EIS rather than as separate documents.
Consultation	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> · Department of Environment and Energy · Environment, Energy and Science Directorate of the Department of Planning, Industry and Environment · Environment Protection Agency · Department of Primary Industries · Roads and Maritime Services · Transport for NSW · NSW Trains · Rural Fire Service · Relevant local Aboriginal Groups · NSW Police Force · Fire and Rescue NSW · Emergency service providers · The surrounding landowners and occupiers that are likely to be impacts by the proposal. <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p> <p>The EIS must describe the consultation process and the issues raised (including by the CCC) and identify where the design of the infrastructure has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
Further consultation after 2 years	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.

References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.
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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.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

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

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

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

Policies, Guidelines & Plans

Aspect	Policy / Methodology
Traffic, Transport and Access	<i>Roads Act 1993</i>
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (RTA, 2002 as updated)
	Road Design Guide (RMS, 2015-2017)
	Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Regional NSW Services and Infrastructure Plan (TfNSW, 2018)
	Tourism and Transport Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
Contamination	State Environmental Planning Policy No. 55 – Remediation of Land
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC, amended April 2013)

Soils and Water	
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
<i>Stormwater</i>	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
<i>Flooding</i>	Floodplain Development Manual (NSW Government, 2005)
<i>Wastewater</i>	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMMC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011)
	Multi-level Risk Assessment (DoP, 2011)
Biodiversity	
	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (OEI, 2017)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
	Policy and Guidelines for Fish Habitat Conservation and Management (DPI,

updated 2013)

Heritage	
	<i>Heritage Act 1977</i>
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
Noise and Vibration	
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Policy for Industry (EPA, 2017)
	Environmental Criteria for Road Traffic Noise (EPA, 1999)
	Noise Guide for Local Government (EPA, updated 2018)
	Interim Construction Noise Guideline (DECC, 2009)
Air Quality	
	Protection of the Environment Operations (Clean Air) Regulation 2002
<i>Air Quality</i>	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)
Bushfire	
	Planning for Bushfire Protection (RFS, 2006)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA, 2014)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
Social	
	Social Impact Assessment Guideline (DPE, 2017)

ATTACHMENT 2

Government Authority Responses to Request for Key Issues