

Planning Secretary's Environmental Assessment Requirements

Section 5.16 of the *Environmental Planning and Assessment Act 1979*

Application Number	SSI-36408005
Project Name	Commodity Logistics and Import Project
Location	Five Islands Road, Port Kembla
Applicant	Bluescope Steel Limited
Date of Issue	01/03/2022
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation) and must have regard to the <i>State Significant Infrastructure Guidelines</i>.</p> <p>The EIS must include:</p> <ul style="list-style-type: none"> · a stand-alone executive summary; · a detailed description of the project, including: · a history of the site, including development consents and approved plans previously and/or currently applicable to the site; · the strategic need for the project with regard to its critical State significance; · the justification for the project and an analysis of other options or alternatives considered and the reasons for selecting the preferred option; · likely staging of the project, including construction, commissioning, operation, maintenance and decommissioning; · likely interactions between the project and existing, approved and proposed operations in the vicinity of the site; · site plans and maps at an adequate scale showing the location and design of all project components, the footprint, existing infrastructure and environmental features; and · infrastructure upgrades or items required to facilitate the project, including measures to ensure these upgrades are appropriately maintained. · consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instrument; · a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment; · a detailed assessment of the key issues specified below, and any other significant issues identified in the 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 project, including any cumulative impacts with the Blast Furnace 6 Reline Project and other nearby projects, taking into consideration relevant guidelines, policies, plans and statutes; and · a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the project, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment. · 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:</p> <ul style="list-style-type: none"> · a report from a qualified quantity surveyor providing:

	<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; and · certification that the information provided is accurate at the date of preparation. · an estimate of jobs that will be created during the construction and operational phases of the proposed infrastructure;
Key issues	<p>The level of assessment of likely impacts should be commensurate with the significance or degree or extent of impact within the context of the proposed location and surrounding environment and have regard to applicable NSW Government policies and guidelines.</p> <p>In particular, the EIS must address the following matters:</p> <ul style="list-style-type: none"> · Biodiversity – including an assessment of the biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i>, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted. · Heritage (Aboriginal) – including an assessment of the likely Aboriginal impacts of the project including consultation with Aboriginal stakeholders having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (OEH, 2010). · Hazards and Risks – including: <ul style="list-style-type: none"> - consideration of hazards posed by shipping generated by the project; and - if the project is classified as potentially hazardous in accordance with <i>Hazardous and Offensive Development Application Guidelines - Applying SEPP 33</i> SEPP 33 (DPIE 2011b), a Preliminary Hazard Analysis prepared consistent with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines of Hazard Analysis</i> (DPE, 2011), covering all aspects of the project which may pose a risk to the public; · Land and Water – including: <ul style="list-style-type: none"> - an assessment of potential surface and groundwater impacts of the project; - characterisation of water quality discharges, including quality and quantity of all pollutants from the project for comparison against relevant water quality criteria, and details of proposed water quality controls; - a detailed site water balance, including a description of site water demands and any water licensing requirements; - identification of an adequate and secure water supply for the life of the project - details of the stormwater and wastewater management systems and measures to treat, reuse or dispose of water; - a description of the proposed erosion and sediment controls during construction; - an assessment of potential flooding impacts, including measures that would be employed to minimise risk to life and ensure the safe evacuation of people; and - characterisation of the nature and extent of any acid sulphate soils or contamination on the site, the potential risks to human health and the receiving environment, and the measures that would be implemented to avoid and mitigate impacts; · Air Quality – including: <ul style="list-style-type: none"> - an assessment of the likely air quality impacts of the project in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (EPA, 2016); - consideration of the project's ability to comply with the relevant regulatory

	<p>framework, including the <i>Protection of the Environment Operations Act 1997</i> and the <i>Protection of the Environment Operations (Clean Air) Regulation 2010</i>; and</p> <ul style="list-style-type: none"> - the likely greenhouse gas impacts of the project; • Noise and Vibration – including: <ul style="list-style-type: none"> - assessment of the likely construction noise impacts of the project under the <i>Construction Noise Guideline</i> if available, or the <i>Interim Construction Noise Guideline</i> (DECCW, 2009) if the <i>Construction Noise Guideline</i> is not available. - an assessment of the likely operational noise impacts of the project under the <i>NSW Noise Policy for Industry</i> (EPA, 2017); - an assessment of the likely vibration amenity and structural impacts of the project under <i>Assessing Vibration: A Technical Guideline</i> (DEC, 2006) and <i>German Standard DIN 4150-3 Structural Vibration – effects of vibration on structures</i>; • Transport – including: <ul style="list-style-type: none"> - an assessment of the predicted impacts of project traffic on road safety and capacity during construction and operations, including consideration of cumulative traffic and the need for any road upgrades or infrastructure works to support the project; - details of internal road layouts and vehicle movement plans to demonstrate that all vehicle sizes can be safely accommodated on site; • Visual – including an assessment of the likely visual impacts of the project on the amenity of the surrounding area and private residences in the vicinity of the project; • Socio-Economic – including: <ul style="list-style-type: none"> - an assessment of the social impacts of the project prepared in accordance with the Department's <i>Social Impact Assessment Guideline For State Significant Developments (2021)</i>; and - an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community; and • Waste – identify, quantify and classify the likely waste stream to be generated during construction and operation, and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the EP&A Regulation. These must be provided as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.</p> <p>The EIS must also be accompanied by GIS spatial data as outlined in the State significant infrastructure guidelines.</p>
Engagement	<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>The EIS must detail the engagement undertaken and demonstrate how it was consistent with the Department's <i>Undertaking Engagement Guide: Guidance for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.</p>
Expiry Date	<p>If you do not lodge an EIS for the infrastructure within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary 3 months prior to the expiry</p>

	date
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.

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Water	
Overall	NSW Water Strategy https://dpie.nsw.gov.au/water/plans-and-programs/nsw-water-strategy
Groundwater	NSW State Groundwater Policy Framework Document and component policies (DPI)
	Relevant Water Sharing Plans
	NSW Aquifer Interference Policy 2012 (DPI)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for Development in the Drinking Water catchments (Hunter Water, 2017)
Surface Water	NSW State Rivers and Estuary Policy (DPI Water)
	NSW Government Water Quality and River Flow Objectives at http://www.environment.nsw.gov.au/ieo/
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC, 2006)
	Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZG)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC, 2008)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Technical Guidelines: Bunding & Spill Management (EPA)
	NSW Guidelines for Controlled Activities (various) (DPI)
Land and Contamination	
	Contaminated Sites Sampling Design Guidelines 1995 (EPA)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (with amendment April 2013)
	Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land
	Acid Sulfate Soils Manual (OEH)
	Australian and New Zealand Guidelines for Fresh and Marine Water Quality (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (with amendment April 2013)
	Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)
	The land and soil capability assessment scheme: Second approximation (OEH)
	Guidelines for Surveying Soil and Land Resources (CSIRO)
	Australian Soil and Land Survey Handbook (CSIRO)
	Soil and Landscape Issues in Environmental Impact Assessment (DPI)
Biodiversity	
	Biodiversity Assessment Method (OEH 2020)
	Biosecurity Act 2015
	Policy and Guidelines for Fish Habitat Conservation and Management – Update (DPI,

	2013)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (DPI Water)
	Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (DPI)
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
	Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (OEH)
Air	
	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, 2005)
	Technical Notes – Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
	POEO Clean Air Regulation (2010)
	National Environment Protection (Diesel Vehicle Emissions) Measure
	National Greenhouse Accounts Factors (Commonwealth)
Noise, Vibration and Blasting	
	NSW Noise Policy for Industry (EPA)
	NSW Road Noise Policy and associated Application Notes (EPA)
	Construction Noise Guideline (EPA) (if finalised and subject to any transitional arrangements), otherwise the Interim Construction Noise Guideline (DECCW, 2009)
	NSW Rail Infrastructure Noise Guidelines (EPA, 2013)
	Environmental Noise Management - Assessing Vibration: a Technical Guideline (DEC, 2006)
Transport	
	Road and Related Facilities within the Department of Planning EIS Guidelines
	Guide to Traffic Generating Projects (RMS)
	Road Design Guide (RMS) & relevant Austroads Standards
	Austroads Guide to Traffic Management Part 12: Traffic Impacts of Project
Hazards and Risks	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Project
	Hazardous and Offensive Project Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Hazardous Industry Planning Advisory Paper No. 11 – Route Selection
	Australian Standard 4452 Storage and Handling of Toxic Substances
	Australian Dangerous Goods Code
	AS2885 Pipelines – Gas and Liquid Petroleum, Operation and Maintenance
	Planning for Bushfire Protection (NSW RFS)
Visual	
	AS4282-1997 Control of the obtrusive effects of outdoor lighting
Waste	
	Waste Classification Guidelines (EPA)

Managing Industrial Waste
Social
<i>Social Impact Assessment Guideline for State Significant Projects (DPIE 2021)</i>
Environmental Planning Instruments – General
<i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Project</i>
<i>State Environmental Planning Policy 55 – Remediation of Land</i>
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
<i>State Environmental Planning Policy (Infrastructure) 2007</i>
<i>State Environmental Planning Policy (Three Ports) 2013</i>
<i>State Environmental Planning Policy (Coastal Management) 2018</i>
Relevant Water Sharing Plans (available at https://www.industry.nsw.gov.au/water)

Please also refer to the Department's Policies and Guidelines including strategic plans and guidelines at: <https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>