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	SSI 7614
Proposal Name	Merimbula Sewage Treatment Plant Upgrade and Deep Water Ocean Outfall
Location	Arthur Kaine Drive, Merimbula
Proponent	Bega Valley Shire Council
Date of Reissue	14 May 2021

1. General SEARs

Desired Performance Outcome	Requirement	Current Guidelines[1]
1. Environmental Impact Assessment Process The process for assessment of the proposal is transparent, balanced, well focussed and legal.	1. The Environmental Impact Statement must be prepared in accordance with Part 3 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). 2. It is the Proponent's responsibility to determine whether the project needs to be referred to the Commonwealth Department of the Environment for an approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The Proponent must contact the Commonwealth Department of the Environment immediately if it is determined that an approval is required under the EPBC Act, as supplementary environmental assessment requirements may need to be issued to ensure a streamlined assessment under the Bilateral agreement can be achieved. 3. Where the project requires approval under the EPBC Act and is being assessed under the Bilateral Agreement the EIS should address: (a) Consideration of any Protected Matters that may be impacted by the development where the Commonwealth Minister has determined that the proposal is a Controlled Action. (b) Identification and assessment of those Protected Matters that are likely to be significantly impacted. (c) Details of how significant impacts to Protected Matters have been avoided, mitigated and, if necessary, offset. (d) Consideration of, and reference to, any relevant conservation advices, recovery plans and threat abatement plans. 4. The onus is on the Proponent to ensure legislative requirements relevant to the project are met.	EPBC Act Environment Assessment Process (SEWPAC, 2010)
2. Environmental Impact Statement The project is described in sufficient	1. The EIS must include, but not necessarily be limited to, the following: (a) executive summary;	

[1] Guidelines listed are the current list of guidelines that may be applicable to a SSI project. It is the Proponents responsibility to identify, and justify, which guidelines have been applied to a specific project.

Desired Performance Outcome	Requirement	Current Guidelines[1]
detail to enable clear understanding that the project has been developed through an iterative process of impact identification and assessment and project refinement to avoid, minimise or offset impacts so that the project, on balance, has the least adverse environmental, social and economic impact, including its cumulative impacts.	(b) a description of the project, including all components and activities (including ancillary components and activities) required to construct and operate it; (c) a statement of the objective(s) of the project; (d) a summary of the strategic need for the project with regard to its State significance and relevant State Government policy; (e) an analysis of any feasible alternatives to the project[2]; (f) a description of feasible options within the project[3]; (g) a description of how alternatives to and options within the project were analysed to inform the selection of the preferred alternative / option. The description must contain sufficient detail to enable an understanding of why the preferred alternative to and options(s) within the project were selected; (h) a concise description of the general biophysical and socio-economic environment that is likely to be impacted by the project (including offsite impacts). Elements of the environment that are not likely to be affected by the project do not need to be described; (i) a demonstration of how the project design has been developed to avoid or minimise likely adverse impacts; (j) the identification and assessment of key issues as provided in the 'Assessment of Key Issues' performance outcome; (k) a statement of the outcome(s) the proponent will achieve for each key issue; (l) for both construction and operation, measures to avoid, minimise or offset impacts must be linked to the impact(s) they treat, so it is clear which measures will be applied to each impact; (m) consideration of the interactions between measures proposed to avoid or minimise impact(s), between impacts themselves and between measures and impacts[4]; (n) an assessment of the cumulative impacts of the project taking into account other projects that have been approved but where construction has not commenced, projects that have commenced construction, and projects that have recently been completed; (o) statutory context of the project as a whole, including:	

[2] Alternatives to a project are different projects which would achieve the same project objective(s) including the consequences of not carrying out the project. For example, alternatives to a road project may be a rail project in the same area and alternate routes for the road.

[3] Options within the project are variations of the same project. For example, options within a road project could be design of an intersection; the location or design of a bridge; locations for a vent stack.

[4] Measures proposed to avoid or minimise one impact may cause an unintended impact on another issue. Therefore these impacts and their interactions need to be analysed and resolved where possible.

Desired Performance Outcome	Requirement	Current Guidelines[1]
	– how the project meets the provisions of the EP&A Act and EP&A Regulation; – a list of any approvals that must be obtained under any other Act or law before the project may lawfully be carried out; (p) a chapter that synthesises the environmental impact assessment and provides: – a succinct but full description of the project for which approval is sought; – a description of any uncertainties that still exist around design, construction methodologies and/or operational methodologies and how these will be resolved in the next stages of the project; – a compilation of the impacts of the project that have not been avoided; – a compilation of the proposed measures associated with each impact to avoid or minimise (through design refinements or ongoing management during construction and operation) or offset these impacts; – a compilation of the outcome(s) the proponent will achieve; – the reasons justifying carrying out the project as proposed, having regard to the biophysical, economic and social considerations, including ecologically sustainable development and cumulative impacts; (q) relevant project plans drawings, diagrams in an electronic format that enables integration with mapping and other technical software (including mapping of: flood prone land; acid sulfate soils; rivers, streams, wetlands and estuaries; groundwater; groundwater dependent ecosystems; and proposed discharge locations). 2. The EIS must only include data and analysis that is reasonably needed to make a decision on the proposal. Relevant information must be succinctly summarised in the EIS and included in full in appendices. Irrelevant, conflicting or duplicated information must be avoided. 3. The EIS must outline approval pathways of all aspects of the development (i.e. whether some components are being assessed and/or constructed under other parts of the EP&A Act 1979.	
3. Assessment of Key Issues* Key issue impacts are assessed objectively and thoroughly to provide confidence that the project will be constructed and operated within	1. The level of assessment of likely impacts must be proportionate to the significance of, or degree of impact on, the issue, within the context of the proposal location and the surrounding environment. The level of assessment must be commensurate to the degree of impact and sufficient to ensure that the Department and other government agencies are able to understand and assess impacts.	South East and Tablelands Regional Plan 2036

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acceptable levels of impact. * Key issues are nominated by the Proponent in the SSI project application and by the Department in the SEARs. Key issues need to be reviewed throughout the preparation of the EIS to ensure any new key issues that emerge are captured. The key issues identified in this document are not exhaustive but are key issues common to most SSI projects.	2. For each key issue the Proponent must: (a) describe the biophysical and socio-economic environment, as far as it is relevant to that issue; (b) describe the legislative and policy context, as far as it is relevant to the issue; (c) identify, describe and quantify (if possible) the impacts associated with the issue, including the likelihood and consequence (including worst case scenario) of the impact (comprehensive risk assessment), and the cumulative impacts; (d) demonstrate how potential impacts have been avoided (through design, or construction or operation methodologies); (e) detail how likely impacts that have not been avoided through design will be minimised, and the predicted effectiveness of these measures (against performance criteria where relevant); and (f) detail how any residual impacts will be managed or offset, and the approach and effectiveness of these measures. 3. Where multiple reasonable and feasible options to avoid or minimise impacts are available, they must be identified and considered and the proposed measure justified taking into account the public interest.	
4. Consultation The project is developed with meaningful and effective engagement during project design and delivery.	1. The project must be informed by consultation, including with relevant government agencies, infrastructure and service providers, special interest groups, affected landowners, businesses, recreational fishers, commercial fishers, the aquaculture industry and the community. The consultation process must be undertaken in accordance with the current guidelines. 2. The Proponent must document the consultation process and demonstrate how the project has responded to the inputs received. 3. The Proponent must describe the timing and type of community consultation proposed during the design and delivery of the project, the mechanisms for community feedback, the mechanisms for keeping the community informed, and procedures for complaints handling and resolution.	Community Consultative Committee Guidelines, DPE 2016

2. Key Issue SEARs

Key Issue and Desired Performance Outcome	Requirement (specific assessment requirements in addition to the general requirement above)	Current Guidelines
1. Water - Quality The project is designed, constructed and operated to protect the NSW Water Quality Objectives where they are currently being achieved, and contribute towards achievement of the Water Quality Objectives over time where they are currently not being achieved, including downstream of the project to the extent of the project impact including estuarine and marine waters (if applicable).	1. The Proponent must: (a) state the ambient NSW Water Quality Objectives (NSW WQO) and environmental values for the receiving waters relevant to the project, including the indicators and associated trigger values or criteria for the identified environmental values; (b) identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point and describe the nature and degree of impact that discharge(s) may have on the receiving environment, including consideration of all pollutants that pose a risk of non-trivial harm to human health and the environment; (c) assess the significance of any identified impacts including consideration of the relevant ambient water quality outcomes; (d) demonstrate how construction and operation of the project will, to the extent that the project can influence, ensure that: – where the NSW WQOs for receiving waters are currently being met they will continue to be protected; – where the NSW WQOs are not currently being met, activities will work toward their achievement over time; (e) include results of sampling of sediments (particularly particle size analysis) along the preferred pipeline route to quantify the risk of a sediment plume being created during the construction phase; (f) include results of effluent plume dispersal modelling including quantification of the impact zone under a range of conditions including northerly current, southerly current, and worst case scenario; (g) include results of water quality modelling and analysis including descriptions of water quality impacts under the worst case scenario; (h) justify, if required, why the WQOs cannot be maintained or achieved over time; (i) demonstrate that all practical measures to avoid or minimise water pollution and protect human health and the environment from harm are investigated and implemented; (j) identify sensitive receiving environments (which may include estuarine and marine waters downstream) and develop a strategy to avoid or minimise impacts on these environments; and	NSW Water Quality and River Flow Objectives http://www.environment.nsw.gov.au/ieo/ Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006) Australian and New Zealand Guidelines for Fresh and Marine Water Quality (ANZECC/ ARMCANZ, 2000) Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC, 2008) Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (DECC, 2008)

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	(k) identify proposed water quality monitoring locations, monitoring frequency and indicators of water quality, including groundwater quality.	
2. Hazards and Risks	1. The Proponent must undertake a preliminary risk screening, with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with the guidelines.	SEPP No. 33 - Hazardous and Offensive Development Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011)
3. Health and Safety The project avoids or minimises any adverse health impacts arising from the project. The project avoids, to the greatest extent possible, risk to public safety.	1. The Proponent must assess any change to the risk to human health and identify mitigation and management measures to ensure appropriate standards are met.	Environmental Health Risk Assessment, Guidelines for assessing human health risks from environmental hazards, Commonwealth of Australia (enHealth, 2012) Methodology for Valuing the Health Impacts of Changes in Particle Emissions (EPA, 2013) Health Impact Assessment: A practical guide (NSW Health, 2007) Health Impact Assessment Guidelines, Commonwealth Department of Health and Aged Care (enHealth, 2001)
4. Biodiversity The project design considers all feasible measures to avoid and minimise impacts on terrestrial and aquatic biodiversity.	1. The Proponent must assess biodiversity impacts in accordance with the Framework for Biodiversity Assessment (FBA). 2. The proponent must assess impacts on threatened biodiversity, native vegetation and habitats resulting from any changes to hydrology.	NSW Biodiversity Offsets Policy for Major Projects (OEH, 2014) Framework for Biodiversity Assessment (OEH, 2014) Biodiversity Assessment Method and

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Offsets and/or supplementary measures are assured which are equivalent to any remaining impacts of project construction and operation.	3. The Proponent must assess impacts on endangered ecological communities (EECs), threatened species and/or populations, and provide the information specified in s9.2 of the FBA. 4. The Proponent must identify whether the project as a whole, or any component of the project, would be classified as a Key Threatening Process in accordance with the listings in the *Threatened Species Conservation Act 1997* (TSC Act), *Fisheries Management Act 1994* (FM Act) and *Environment Protection and Biodiversity Conservation Act 2000* (EPBC Act). 5. The proponent must undertake an assessment of significance as required by Part 7A of the FM Act for relevant threatened fish species according to NSW DPI Threatened Species Assessment Guidelines. 6. The Proponent must include a description of benthic habitats along and adjacent to the full length of the proposed outfall pipe and for at least 500 m radius around the discharge point. Impacts to aquatic biodiversity (i.e. rocky reef, marine vegetation and benthic habitat, aquatic biota and fish assemblages) are to be assessed in accordance with the Policy and Guidelines for Fish Habitat Conservation and Management. 7. The Proponent must identify impacts to coastal wetlands and consider: (a) the category of wetland that is being impacted; (b) whether the wetland itself and/or its buffer area is being impacted; (c) the extent of the impact; (d) the condition of the wetland or buffer area subject to the impact; (e) any indirect impacts; and (f) the measures proposed to minimise impact. 8. The Proponent must outline the considerations of site maintenance and proposed plans for the final condition of the site (ensuring its suitability for future uses) including rehabilitation of the site.	Offset Rules (OEH, 2017) Policy and Guidelines for Fish Habitat Conservation and Management – Update (DPI, 2013) OEH Threatened Species Survey and Assessment Guidelines Threatened Species Assessment Guidelines: The assessment of significant (NSW DPI, 2008) Fisheries NSW policy and guidelines for fish habitat conservation and management (update 2013) Aquatic Ecology in Environmental Impact Assessment – EIA Guideline (Marcus Lincoln Smith 2003)
5. Socio-economic, Land Use and Property The project minimises adverse social	1. The Proponent must assess social and economic impacts in accordance with the current guidelines. 2. The Proponent must assess impacts from construction and operation on potentially affected properties, businesses, recreational users and land and water users (for example, tourism, recreational and commercial fishers, aquaculture – existing and proposed), including property	Environmental Planning and Impact Assessment Practice Note: Socio-economic Assessment (RMS, 2013)

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and economic impacts and capitalises on opportunities potentially available to affected communities. The project minimises impacts to property and business and achieves appropriate integration with adjoining land uses, including maintenance of appropriate access to properties and community facilities, and minimisation of displacement of existing land use activities, dwellings and infrastructure.	acquisitions/adjustments, access, amenity and relevant statutory rights. 3. The Proponent must provide an analysis of the potential benefits of the project to recreational fishing along Merimbula Beach, in Merimbula and Pambula Lakes and the oyster industry in both lakes.	
6. Protected and Sensitive Lands The project is designed, constructed and operated to avoid or minimise impacts on protected and sensitive lands. The project is designed, constructed and operated to avoid or minimise future exposure to coastal hazards and processes.	1. The Proponent must assess the impacts of the project on environmentally sensitive land and processes (and the impact of processes on the project) including, but not limited to: (a) land identified as a "coastal wetland" under the State Environmental Planning Policy (SEPP) (Coastal Protection) 2018; (b) land identified as "proximity area for coastal wetlands" under the SEPP (Coastal Protection) 2018; (c) land within the coastal environment area under the State Environmental Planning Policy (Coastal Protection) 2018; (d) land within the coastal use area under the SEPP (Coastal Protection) 2018; (e) land otherwise within the coastal zone; (f) coastal hazards identified in studies completed by local councils or state agencies (including risk mitigation strategies that reduce coastal hazards exposure); (g) coastal processes (including dune stability, sediment movement etc.) associated with adopted risk mitigation actions; (h) the integrity and resilience of the biophysical, hydrological and ecological environment; (i) coastal environmental values and natural coastal processes;	Planning Circular PS14-003: Coastal hazard notations on section 149 planning certificates (DPE, 2014) Guidelines for developments adjoining land and water managed by the Office of Environment and Heritage (OEH, 2013) Our Future on the coast - NSW Coastal Management Manual (OEH 2018) Any applicable Coastal Management Program Revocation, Re-categorisation and Road Adjustment Policy (OEH, 2014)

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	(j) water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014); (k) marine vegetation, rocky reefs and benthic habitats, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms; (l) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability; (m) Aboriginal cultural heritage, practices and places; (n) use of the surf zone; (o) protected areas (including land and water) managed by OEH and/or DPI Fisheries under the *National Parks and Wildlife Act 1974* and the *Marine Estate Management Act 2014*; (p) Key Fish Habitat as mapped and defined in accordance with the FM Act; (q) waterfront land as defined in the *Water Management Act 2000*; (r) land or waters identified as Critical Habitat under the TSC Act, FM Act or EPBC Act; (s) areas of outstanding biodiversity value under the TSC Act; and (t) biobank sites, private conservation lands and other lands identified as offsets.	Guidelines for controlled activities on waterfront land (DPI 2012 and NRAR 2018)
7. Water - Hydrology Long term impacts on surface water and groundwater hydrology (including drawdown, flow rates and volumes) are minimised. The environmental values of nearby, connected and affected water sources, groundwater and dependent ecological systems including estuarine and marine water (if applicable) are maintained (where values are achieved) or improved and maintained (where values are not achieved).	1. The Proponent must describe (and map) the existing hydrological regime for any surface and groundwater resource (including reliance by users and for ecological purposes) likely to be impacted by the project. 2. The Proponent must prepare a detailed water balance including inflow volumes and discharge locations, volume, frequency and duration. 3. The Proponent must assess (and model if appropriate) the impact of the construction and operation of the project and any ancillary facilities (both built elements and discharges) on surface and groundwater hydrology in accordance with the current guidelines, including: (a) natural processes within rivers, wetlands, estuaries, marine waters and floodplains that affect the health of the fluvial, riparian, estuarine or marine system and landscape health (such as modified discharge volumes, durations and velocities), aquatic connectivity and access to habitat for spawning and refuge; (b) impacts from any permanent and temporary interruption of groundwater flow, including the extent of drawdown, barriers to flows, implications for groundwater dependent surface flows,	NSW Aquifer Interference Policy (DPI, 2012) Risk assessment Guidelines for Groundwater Dependent Ecosystems (Office of Water, 2012)

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Sustainable use of water resources.	ecosystems and species, groundwater users and the potential for settlement; (c) direct or indirect increases in erosion, siltation and destruction of vegetation; and (d) minimising the effects of proposed stormwater and wastewater management during construction and operation on natural hydrological attributes (such as volumes, flow rates, management methods and re-use options) and on the capacity of existing systems. 4. The Proponent must identify any requirements for baseline monitoring of hydrological attributes.	
8. Heritage The design, construction and operation of the project facilitates, to the greatest extent possible, the long term protection, conservation and management of the heritage significance of items of environmental heritage and Aboriginal objects and places. The design, construction and operation of the project avoids or minimises impacts, to the greatest extent possible, on the heritage significance of environmental heritage and Aboriginal objects and places.	1. The Proponent must identify and assess any direct and/or indirect impacts (including cumulative impacts) to the heritage significance of: (a) Aboriginal places and objects, as defined under the *National Parks and Wildlife Act 1974* and in accordance with the principles and methods of assessment identified in the current guidelines; (b) Aboriginal places of heritage significance, as defined in the Standard Instrument – Principal Local Environmental Plan; (c) environmental heritage, as defined under the *Heritage Act 1977*; and (d) items listed on the National and World Heritage lists. 2. Where impacts to State or locally significant heritage items are identified, the assessment must: (a) include a statement of heritage impact for all heritage items (including significance assessment); (b) consider impacts to the item of significance caused by, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, visual amenity, landscape and vistas, curtilage, subsidence and architectural noise treatment (as relevant); (c) outline measures to avoid and minimise those impacts in accordance with the current guidelines; (d) 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); and (e) where potential archaeological impacts have been identified, develop an appropriate archaeological assessment methodology (terrestrial and maritime), including research design, to guide physical archaeological test excavations (as relevant) and include the results of these test excavations.	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) Aboriginal Cultural Heritage Consultation requirements for proponents (DECCW, 2010) Code of practice for archaeological investigation of Aboriginal objects in NSW (DECCW, 2010) NSW Skeletal Remains: Guidelines for Management of Human Remains (Heritage Office, 1998) Aboriginal site recording form Aboriginal site impact recording form Aboriginal Heritage Information Management System site registration form Care agreement application form for the transfer of Aboriginal objects

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	3. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the proposal and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The investigation, assessment and reporting of Aboriginal cultural heritage values must be conducted in accordance with the current Code of Practice and Guide. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact on cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH. 4. Consultation with Aboriginal people must be undertaken and documented in accordance with the current consultation requirements for proponents. The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.	Criteria for the assessment of excavation directors (NSW Heritage Council, 2011) NSW Heritage Manual (Heritage Office and Department of Urban Affairs and Planning, 1994) Assessing Heritage Significance (NSW Heritage Office, 2001) The Australia ICOMOS Burra Charter
9. Soils The environmental values of land, including soils, subsoils and landforms, are protected. Risks arising from the disturbance and excavation of land and disposal of soil are minimised, including disturbance to acid sulfate soils and site contamination.	1. The Proponent must verify the risk of acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Risk Map) within, and in the area likely to be impacted by, the project. 2. The Proponent must assess the impact of the project on acid sulfate soils (including impacts of acidic runoff offsite) in accordance with the current guidelines. 3. The Proponent must assess whether the land is likely to be contaminated and identify if remediation of the land is required, having regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses. Where assessment and/or remediation is required, the Proponent must document how the assessment and/or remediation would be undertaken in accordance with current guidelines. 4. The Proponent must assess whether salinity is likely to be an issue and if so, determine the presence, extent and severity of soil salinity within the project area and the impacts of the project and how it may affect groundwater resources and hydrology. 5. The Proponent must assess the impacts on soil and land resources (including erosion risk or hazard). Particular attention must be given to soil erosion and sediment transport consistent with the practices	Acid Sulfate Soils Assessment Guidelines (DoP, 2008) Acid Sulfate Soils Manual (Acid Sulfate Soils Management Advisory Committee, 1998) Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land, (DUAP & EPA, 1998) Guidelines for Consultants Reporting on Contaminated Sites (OEH, reprinted 2011) Guidelines for the NSW Site Auditor Scheme (DEC, 2006)

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	and principles in the current guidelines.	Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015) Urban and regional salinity – guidance given in the Local Government Salinity Initiative booklets (http://www.environment.nsw.gov.au/salinity/solutions/urban.htm) which includes *Site Investigations for Urban* Salinity (DLWC, 2002) Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000) Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (DECC, 2008) Other guidelines made or approved under section 105 of the *Contaminated Land Management Act 1997*
10. Transport and Traffic Network connectivity, safety and efficiency of the transport system in the vicinity of the project are managed to minimise impacts. The safety of transport system	1. The Proponent must assess construction transport and traffic (vehicle, pedestrian and cyclists) impacts, including, but not necessarily limited to: (a) a considered approach to route identification and scheduling of transport movements; (b) the number, frequency and size of construction related vehicles (passenger, commercial and heavy vehicles, including spoil management movements); (c) construction vehicle access arrangements to Merimbula Beach; (d) construction worker parking;	Guide to Traffic Management – Part 3 Traffic Studies and Analysis (Austroads, 2007) Guide to Traffic Generating Developments Version 2.2 (RTA, 2002)

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customers is maintained. Impacts on network capacity and the level of service are effectively managed. Works are compatible with existing infrastructure and future transport corridors.	(e) the nature of existing traffic (types and number of movements) on construction access routes (including consideration of peak traffic times and sensitive road users and parking arrangements); (f) access constraints and impacts on public transport, pedestrians and cyclists; and (g) the need to close, divert or otherwise reconfigure elements of the road and cycle network associated with construction of the project.	Guide to Traffic Management Part 12 (Austroads) and the complementary Roads and Maritime Supplement
11. Noise and Vibration - Amenity Construction noise and vibration (including airborne noise, ground-borne noise and blasting) are effectively managed to minimise adverse impacts on acoustic amenity. Increases in noise emissions and vibration affecting nearby properties and other sensitive receivers during operation of the project are effectively managed to protect the amenity and well-being of the community.	1. The Proponent must assess construction and operational noise and vibration impacts in accordance with current NSW noise and vibration guidelines including consideration of noise characteristics (tonal, intermittent and low frequency noise) and the impact on sensitive receivers. 2. The assessment must include consideration of impacts to the structural integrity and heritage significance of items (including Aboriginal places and items of environmental heritage). 3. The Proponent must demonstrate that blast impacts are capable of complying with the current guidelines, if blasting is required.	Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration (ANZECC, 1990) Assessing Vibration: a technical guideline (DEC, 2006) Interim Construction Noise Guideline (DECCW, 2009) Noise Policy for Industry (EPA, 2017) Construction Noise Strategy (TfNSW, 2012) NSW Road Noise Policy (DECCW, 2011) Development Near Rail Corridors and Busy Roads – Interim guideline (DoP, 2008)

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12. Flooding The project minimises adverse impacts on existing flooding characteristics. Construction and operation of the project avoids or minimises the risk of, and adverse impacts from, infrastructure flooding, flooding hazards, or dam failure.	1. The Proponent must assess and (model where required) the impacts of flood behaviour during construction and operation for a full range of flood events up to the probable maximum flood (taking into account, sea level rise due to climate change) including: (a) consistency (or inconsistency) with applicable Council floodplain risk management plans; (b) compatibility with the flood hazard of the land; (c) compatibility with the hydraulic functions of flow conveyance in flood ways and storage areas of the land; (d) impacts the development may have upon existing community emergency management arrangements for flooding. These matters must be discussed with the State Emergency Services; and (e) any impacts the development may have on the social and economic costs to the community as consequence of flooding.	NSW Government's Floodplain Development Manual (Department of Natural Resources, 2005) PS 07-003 New guideline and changes to section 117 direction and EP&A Regulation on flood prone land Practical Consideration of Climate Change - Flood risk management guideline (DECC, 2007)
13. Air Quality The project is designed, constructed and operated in a manner that minimises air quality impacts (including nuisance dust and odour) to minimise risks to human health and the environment to the greatest extent practicable.	1. The Proponent must undertake an air quality impact assessment (AQIA) for construction and operation of the project in accordance with the current guidelines. 2. The Proponent must ensure the AQIA demonstrates the ability to comply with the relevant regulatory framework, specifically the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Clean Air) Regulation (2010).	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC, 2007) Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)
14. Waste All wastes generated during the construction and operation of the project are effectively stored, handled, treated, reused, recycled and/or disposed of lawfully and in a manner that protects environmental	1. The Proponent must assess predicted waste generated from the project during construction and operation, including: (a) classification of the waste in accordance with the current guidelines; (b) estimates / details of the quantity of each classification of waste to be generated during the construction of the project, including bulk earthworks and spoil balance; (c) handling of waste including measures to facilitate segregation and prevent cross contamination; (d) management of waste including estimated location and volume of stockpiles;	EPA's Waste Classification Guidelines (2014) Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B. Waste Landfills; C.

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values.	(e) waste minimisation and reuse; (f) lawful disposal or recycling locations for each type of waste; and (g) contingencies for the above, including managing unexpected waste volumes. 2. The Proponent must assess potential environmental impacts from the excavation, handling, treatment and storage on site and transport of the waste particularly with relation to sediment/leachate control, noise and dust.	Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DECC, 2008)
15. Sustainability The project reduces the NSW Government's operating costs and ensures the effective and efficient use of resources. Conservation of natural resources is maximised.	1. The Proponent must assess the sustainability of the project in accordance with the Infrastructure Sustainability Council of Australia (ISCA) Infrastructure Sustainability Rating Tool and recommend an appropriate target rating for the project. 2. The Proponent must assess the project against the current guidelines including targets and strategies to improve Government efficiency in use of water, energy and transport.	NSW Sustainable Design Guidelines Version 3.0 (TfNSW, 2013) Infrastructure Sustainability Rating Tool Scorecard relating to energy and carbon for large infrastructure projects, ISCA
16. Climate Change Risk The project is designed, constructed and operated to be resilient to the future impacts of climate change.	1. The Proponent must assess the risk and vulnerability of the project to climate change in accordance with the current guidelines. 2. The Proponent must quantify specific climate change risks with reference to the NSW Government's climate projections at 10km resolution (or lesser resolution if 10km projections are not available) and incorporate specific adaptation actions in the design. 3. The Proponent must consider the capacity for ecosystem migration for mean sea levels of up to 0.9m above 1990 levels, having regard to the existing and proposed topography of the land.	Australian Government's Climate Change Impacts and Risk Management – A Guide for Business and Government (2006) AS/NZS 3100:2009 Risk Management – Principles and Guidelines