

# 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*

<b>Application Number</b>	SSD-29458678
<b>Project Name</b>	Oberon Digester - Redirect
<b>Development</b>	Construction and operation of an anaerobic digester and associated infrastructure, with the capacity to process up to 65,000 tonnes of food waste and industrial liquid waste
<b>Location</b>	49 Hawken Street, Lot 20 DP 1249431 and 4 Bounty Street, Lot 17 DP 749692 within Oberon Local Government Area
<b>Applicant</b>	Redirect Recycling Pty Ltd
<b>Date of Issue</b>	2 November 2021
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation) and must have regard to the State Significant Development Guidelines.</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> <li>• a detailed description of the development, including:           <ul style="list-style-type: none"> <li>– a description of waste processing operations (including flow diagrams for each waste stream), including a description of the technology to be installed, resource outputs and the quality control measures that would be implemented</li> <li>– alternatives considered including a description of feasible options within the development which may include a layout options analysis</li> <li>– likely staging of the development</li> <li>– likely interactions between the development and existing, approved and proposed operations within the vicinity of the site, including the proposed landscaping and composting supplies facility (DA10.2021.49.1) and the existing Borg Panels Timber Processing Facility (SSD 7016)</li> <li>– plans of any proposed building works</li> <li>– contributions required to offset the proposal and</li> <li>– infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained.</li> </ul> </li> <li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments</li> <li>• consideration of issues discussed in the public authority responses to request for key issues (see <b>Attachment 2</b>)</li> <li>• a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment</li> <li>• 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"> <li>– a description of the existing environment, using sufficient baseline data</li> <li>– 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 and</li> <li>– 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</li> </ul> </li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> <li>• high quality files of maps and figures of the subject site and proposal</li> </ul>

	<ul style="list-style-type: none"> <li>• a report from a qualified quantity surveyor providing: <ul style="list-style-type: none"> <li>– a detailed calculation of the capital investment value (CIV) of the proposal (as defined in clause 3 of the Regulation), including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate the applicable GST component of the CIV</li> <li>– an estimate of the jobs that will be created by the development during the construction and operational phases of the proposed development</li> <li>– certification that the information provided is accurate at the date of preparation.</li> </ul> </li> </ul>
<p><b>Key issues</b></p>	<p>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Statutory and Strategic Context</b> – including: <ul style="list-style-type: none"> <li>– demonstration that the proposed land use is permissible with consent</li> <li>– a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site</li> <li>– 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 for any inconsistencies. This includes, but is not limited to: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy No 33 - Hazardous and Offensive Development</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ Oberon Local Environmental Plan 2013</li> <li>○ Central West and Orana Regional Plan 2036</li> <li>○ Future Transport Strategy 2056.</li> </ul> </li> </ul> </li> <li>• <b>Suitability of the Site</b> – including: <ul style="list-style-type: none"> <li>– a detailed justification for the proposal and that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints.</li> </ul> </li> <li>• <b>Community and Stakeholder Engagement</b> – a community and stakeholder participation strategy identifying key community members and other stakeholders, including: <ul style="list-style-type: none"> <li>– details and justification for the proposed consultation approach(s)</li> <li>– clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted</li> <li>– issues raised by the community and surrounding landowners and occupiers</li> <li>– clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development</li> <li>– details of the proposed approach to future community and stakeholder engagement based on the results of consultation.</li> </ul> </li> <li>• <b>Air Quality and Odour</b> – a quantitative assessment of the potential air quality, dust and odour impacts, including cumulative air quality impacts and human health risks of the development (construction and operation) on surrounding landowners, businesses and sensitive receptors, in accordance with relevant Environment Protection Authority (EPA) guidelines, including: <ul style="list-style-type: none"> <li>– details of buildings and air handling systems and strong justification for any material handling, processing or stockpiling external to buildings</li> <li>– evidence of appropriate meteorological data for use in dispersion modelling, using real and local meteorological data where possible</li> <li>– inclusion of ‘worst case’ emission scenarios and sensitivity analyses</li> <li>– a contingency plan to address unpredicted operational odour impacts</li> <li>– details of proposed mitigation, management and monitoring measures</li> <li>– a description and appraisal of air quality and odour impact monitoring, emission control techniques and mitigation measures.</li> </ul> </li> <li>• <b>Waste Management</b> – including:</li> </ul>

- details and a description of the source, class, composition and quantity of each of the waste streams that would be accepted at the site
- details of the processing capacity of the facility including typical, maximum rates of processing, the maximum daily, weekly and annual throughput and the maximum volume of waste to be stored at the premises at any one time
- details on the location, size and number of any stockpiles of any waste
- details of how waste would be stored (including the maximum daily 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
- details of the quantity and type of wastes generated at the facility that is proposed to be re-used, including details of the proposed use or application of each product and their quantities
- detail the developments waste tracking system for incoming and outgoing waste
- details of the waste management strategy for construction and ongoing operational waste generation and by-products
- the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste and Sustainable Materials Strategy 2041*
- details of consistency with the EPA's Energy from Waste Policy Statement and Eligible Waste Fuel Guidelines
- details of consistency with the EPA's Standards for Managing Construction Waste in NSW (November 2018).
- **Traffic and Transport** – a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services and Austroads guidelines, that includes:
  - details of all daily and peak traffic volumes likely to be generated during all key stages of construction and operation, including a description of key access / haul routes, vehicle types and potential queuing impacts
  - 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 using SIDRA or similar traffic model
  - plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the local road network
  - details and plans of proposed on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards
  - details of the largest vehicle anticipated to access and move within the site, including swept path analysis
  - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site
  - details of road upgrades, infrastructure works or new roads or access points required for the development if necessary.
- **Soils and Water** – a surface and groundwater assessment that includes:
  - an assessment of potential surface and groundwater impacts associated with the development
  - a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements
  - details of stormwater/wastewater management system including the capacity of onsite detention system(s), onsite sewage management and measures to treat, reuse or dispose of water
  - description of the measures to minimise water use
  - description of the proposed erosion and sediment controls during construction
  - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria
- **Contamination** – a site contamination assessment in accordance with the *Managing Land Contamination Planning Guidelines: SEPP 55 – Remediation of Land* (DUAP, 1998), including characterisation of the nature and extent of any contamination on the site and surrounding area

- **Noise and Vibration** – a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines and Australian Standards which includes:
  - the identification of impacts associated with construction, site emission and traffic generation at noise affected sensitive receivers, including the provision of operational noise contours and a detailed sleep disturbance assessment
  - details of noise monitoring survey, background noise levels, noise source inventory and ‘worst case’ noise emission scenarios
  - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
  - a cumulative impact assessment inclusive of impacts from other developments
  - details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of mitigation these measures and details of any proposed compliance monitoring programs.
- **Visual** – including:
  - including an assessment of the potential visual impacts of the project on the amenity of the surrounding area.
  - detailed plans showing suitable landscaping which incorporates endemic species as well as how it maximises opportunities for green infrastructure, consistent with Greener Places (Government Architect NSW, 2020).
- **Infrastructure Requirements** – an infrastructure management plan that includes:
  - a detailed written and/or graphical description of infrastructure required on the site, including any electrical substation/s and on-site switch yard/s
  - details of the existing capacity of the site to service the proposed development and any extension or augmentation, property tenure or staging requirements for the provision of utilities, including arrangements for electrical network requirements, drinking water, wastewater and recycled water
  - a description of how any upgrades will be co-ordinated, funded and delivered on time and be maintained to facilitate the development
  - identification of any existing infrastructure or easements on or off the site which may be impacted by construction or operation of the development and details of measures to be implemented to address any impacts.
- **Hazards and Risk** – 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), that includes:
    - a clear indication of class, storage and handling quantities and location of all dangerous goods and hazardous materials associated with the development
  - a Preliminary Hazard Analysis (PHA) prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011), should the preliminary risk screening indicate that the project is “potentially hazardous”.
- **Greenhouse Gas and Energy Efficiency** – including an assessment of the energy use of the proposal and all reasonable and feasible measures that would be implemented on site to minimise the proposal’s greenhouse gas emissions (reflecting the Government’s goal of net zero emissions by 2050).
- **Aboriginal Cultural Heritage** – an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the site.
- **Non-Aboriginal Cultural Heritage** – a non-Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must detail potential impacts on heritage assets and any proposed management and mitigation measures.
- **Biodiversity** – an assessment of the proposal’s biodiversity impacts in accordance with the *Biodiversity Conservation Act 2016*, 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.

	<ul style="list-style-type: none"> <li>• <b>Socio-Economic</b> – including:             <ul style="list-style-type: none"> <li>– a social impact assessment in accordance with the Department’s Social Impact Assessment Guideline</li> <li>– an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community.</li> </ul> </li> <li>• <b>Ecologically Sustainable Development</b> – including:             <ul style="list-style-type: none"> <li>– a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development</li> <li>– a description of the measures to be implemented to minimise consumption of resources, especially energy and water.</li> </ul> </li> <li>• <b>Planning Agreement/Development Contributions</b> – demonstration that satisfactory arrangements have been or would be made to provide, or contribute to the provision of, necessary local and regional infrastructure required to support the development.</li> </ul>
<p><b>Consultation</b></p>	<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"> <li>• Oberon Council</li> <li>• Environment Protection Authority</li> <li>• Environment, Energy and Science Group</li> <li>• Transport for NSW</li> <li>• NSW Fire and Rescue</li> <li>• Jemena</li> <li>• Heritage NSW, Department of Premier and Cabinet</li> <li>• DPIE – Water</li> <li>• surrounding local landowners, businesses and stakeholders</li> <li>• local and regional community and environmental groups</li> <li>• any other public transport, utilities or community service providers.</li> </ul> <p>The EIS must detail the engagement undertaken and demonstrate how it was consistent with the Undertaking Engagement Guide: Guidance for State Significant Projects. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<p><b>SEARs Expiry</b></p>	<p>SEARs will expire two years after the date of issue (or the date they were last modified).</p>
<p><b>References</b></p>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, <b>Attachment 1</b> contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

## **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/>

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### **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 (sqm) 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
  - all levels to be to Australian Height Datum (AHD).
2. Locality/context plan drawn at an appropriate scale should be submitted indicating:
  - significant local features such as heritage items
  - the location and uses of existing buildings, shopping and employment areas
  - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
  - detailed plans, sections and elevations of the existing building, which clearly show all proposed buildings
  - detailed plans of proposed access driveways, internal roads, carparking and external alterations services infrastructure.
4. Schedule of materials, colours and additions. finishes.

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### **Documents to be Submitted**

Documents to submit include:

- one (1) electronic copy of all the documents and plans for review prior to exhibition
  - other copies as determined by the Department once the development application is lodged.
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<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
<b>State Significant Development Guidelines</b>	
	State Significant Assessment Guidelines (DPIE, 2021)
	Undertaking Engagement Guide – Guidance for State Significant Projects (DPIE, 2021)
	Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, 2021)
<b>Waste</b>	
	NSW Waste and Sustainable Material Strategy 2041 (EPA, 2021)
	NSW Plastics Action Plan (EPA, 2021)
	NSW Energy from Waste Policy Statement (EPA, 2021)
	Eligible Waste Fuels Guidelines (EPA, 2016)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA, 2014)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC, 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA, 1997)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
<b>Soils and Water</b>	
Erosion and Sediment	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
Groundwater	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)
Stormwater	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
Wastewater	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
Contamination	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
	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)
Contamination	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMCC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMCC & AHMC, 2009)
Contamination	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (DUAP & EPA, 1998)

<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
	Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)
<b>Hazards and Risk</b>	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
	Assessment Guideline: Multi-level Risk Assessment (Planning and Infrastructure, 2011)
<b>Biodiversity</b>	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (EES, 2021)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
<b>Heritage</b>	<i>Heritage Act 1977</i>
Non-Aboriginal Heritage	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
Aboriginal Heritage	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)
<b>Noise and Vibration</b>	Acoustics - Description and measurement of environmental noise (AS1055:2018)
	Noise Policy for Industry (EPA, 2017)
	NSW Road Noise Policy (DECCW, 2011)
	Noise Criteria Guideline (RMS, 2015)
	Noise Mitigation Guideline (RMS, 2015)
	Interim Construction Noise Guideline (DECC, 2009)
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Guide for Local Government (EPA, 2013)
<b>Air Quality</b>	Protection of the Environment Operations (Clean Air) Regulation 2010
Air Quality	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)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
Greenhouse Gas	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
	National Greenhouse and Energy Reporting Scheme Measurement, Technical Guidelines for the estimation of emissions by facilities in Australia (Department of the Environment and Energy (DoEE), 2017)
	National Greenhouse Accounts Factors (DoEE, 2019)
<b>Urban Design and Visual</b>	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
	Better Placed (Government Architect NSW, 2017)



## **Policies, Guidelines & Plans**

<b>Aspect</b>	<b>Policy / Methodology</b>
	Greener Places (Government Architect NSW, 2020)
<b>Social</b>	
	Social Impact Assessment Guideline for State Significant Projects (DPIE, 2021)

**ATTACHMENT 2**  
**Government Authority Advice**