
Secretary's Environment Assessment Requirements

Ethos Urban

Requirement	Location in Environmental Assessment
SSI-6090 MOD 1 SEARs (formerly MP 07_0117 MOD 1)	
Environmental Impact Assessment Process	
<ul style="list-style-type: none"> The modification assessment must be prepared in accordance with Part 5, Section 5.25 of the <i>Environmental Planning and Assessment Act 1979</i> (the Act). 	This report
<ul style="list-style-type: none"> It is the Proponent's responsibility to determine whether the modification needs to be referred to the Commonwealth Department of the Environment for an approval under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (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. 	Not applicable. Refer to Section 4.0
<ul style="list-style-type: none"> The onus is on the Proponent to ensure legislative requirements relevant to the modification are met. 	Refer to Section 4.0
Environmental Impact Statement	
The EIS must include, but not necessarily be limited to, the following:	Executive Summary
(a) executive summary;	
(b) a description of the modification, including all components and activities (including ancillary components and activities) required to establish and operate it;	Section 3.0
(c) a statement of the objective(s) of the modification;	Section 2.0
(d) a summary of the strategic need for the modification ,with regard to relevant State Government policy;	Section 2.0
(e) an analysis of any feasible alternatives to the modification ;	Section 2.0
(f) a description of feasible options within the modification;	Section 2.0
(g) a description of how alternatives to and options within the modification were analysed to inform the selection of the preferred alternative I option. The description must contain sufficient detail to enable an understanding of why the preferred alternative to and options(s) within the modification were selected;	Section 2.0
(h) a concise description of the general biophysical and socio-economic environment that is likely to be impacted by the modification (including offsite impacts). Elements of the environment that are not likely to be affected by the modification do not need to be described;	Section 6.0
(i) a demonstration of how the modification has been designed and developed to avoid or minimise likely adverse impacts;	Section 6.0
(j) the identification and assessment of key issues as provided in the 'Assessment of Key Issues' performance outcome;	Section 6.0
(k) a statement of the outcome(s) the proponent will achieve for each key issue;	Section 6.0
(l) 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;	Section 6.0
(m) consideration of the interactions between measures proposed to avoid or minimise impact(s), between impacts themselves and between measures and impacts;	Section 6.0
(n) an assessment of the cumulative impacts of the modification 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;	Section 6.0
(o) statutory context of the modification as a whole, including: <ul style="list-style-type: none"> how the modification 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 modification may lawfully be carried out; 	Section 4.0

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<p>(p) a chapter that synthesises the environmental impact assessment and provides:</p> <ul style="list-style-type: none"> - a succinct but full description of the modification for which approval is sought; - a description of any uncertainties that still exist around design, operational methodologies and how these will be resolved in the next stages of the modification; - a compilation of the impacts of the modification 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 establishment and operation) or offset these impacts; - a compilation of the outcome(s) the proponent will achieve; and - the reasons justifying carrying out the modification as proposed, having regard to the biophysical, economic and social considerations, including ecologically sustainable development and cumulative impacts. 	Section 6.0
<p>(q) relevant project plans, drawings, diagrams in an electronic format that enables integration with mapping and other technical software.</p>	Appendices
<ul style="list-style-type: none"> • The modification 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 modification and included in full in appendices. Irrelevant, conflicting or duplicated information must be avoided. 	Noted.
Assessment of Key Issues	
<ul style="list-style-type: none"> • 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. 	Section 6.0
<p>For each key issue the Proponent must:</p> <p>(a) describe the biophysical and socio-economic environment, as far as it is relevant to that issue;</p> <p>(b) describe the legislative and policy context, as far as it is relevant to the issue;</p> <p>(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;</p> <p>(d) demonstrate how potential impacts have been avoided (through design, or construction or operation methodologies);</p> <p>(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</p> <p>(f) detail how any residual impacts will be managed or offset, and the approach and effectiveness of these measures (this may include how existing commitments and conditions would apply to the modification).</p>	Section 6.0
<ul style="list-style-type: none"> • Where multiple 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. 	Section 6.0
Consultation	
<ul style="list-style-type: none"> • The modification must be informed by consultation, including with relevant government agencies, infrastructure and service providers, special interest groups, affected landowners, businesses and the community. The consultation process must be undertaken in accordance with the current guidelines. 	Section 5.0
<ul style="list-style-type: none"> • The Proponent must document the consultation process and demonstrate how the modification has responded to the inputs received. 	Section 5.0
<ul style="list-style-type: none"> • The Proponent must describe the timing and type of community consultation proposed during the design and delivery of the modification, the mechanisms for community feedback, the mechanisms for keeping the community informed, and procedures for complaints handling and resolution. 	Section 5.0
Water - Hydrology	
<p>The Proponent must assess (and model if appropriate) the impact of the construction and operation of the modification and any ancillary facilities (both built elements and discharges) on surface and groundwater hydrology in accordance with the current guidelines, including:</p>	Section 6.6 and Appendix J.

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<p>(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;</p> <p>(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, ecosystems and species, groundwater users and the potential for settlement;</p> <p>(c) changes to environmental water availability and flows, both regulated/licensed and unregulated/rules-based sources;</p> <p>(d) direct or indirect increases in erosion and siltation; and</p> <p>(e) water take (direct or passive) from all surface and groundwater sources with estimates of annual volumes during construction and operation.</p>	
<ul style="list-style-type: none"> The Proponent must identify any requirements for baseline monitoring of hydrological attributes. 	<p>Section 6.6 and Appendix J.</p>
<p>Water – Quality</p>	
<p>The Proponent must:</p> <p>(a) state the ambient NSW Water Quality Objectives (NSW WQO) and environmental values for the receiving waters relevant to the modification, including the indicators and associated trigger values or criteria for the identified environmental values;</p> <p>(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 any 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;</p> <p>(c) identify the rainfall event that the water quality protection measures will be designed to cope with;</p> <p>(d) assess the significance of any identified impacts including consideration of the relevant ambient water quality outcomes;</p> <p>(e) demonstrate how construction and operation of the modification will, to the extent that the modification can influence, ensure that:</p> <ul style="list-style-type: none"> where the NSW WQOs for receiving waters are currently being met they will continue to be protected; and where the NSW WQOs are not currently being met, activities will work toward their achievement over time; <p>(f) justify, if required, why the WQOs cannot be maintained or achieved over time;</p> <p>(g) demonstrate that all practical measures to avoid or minimise water pollution and protect human health and the environment from harm are investigated and implemented;</p> <p>(h) 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</p>	<p>Section 6.6 and Appendix J.</p>
<ul style="list-style-type: none"> identify proposed monitoring locations, monitoring frequency and indicators of surface and groundwater quality. 	<p>Section 6.6 and Appendix J.</p>
<p>Flooding</p>	
<p>The Proponent must assess and (model where required) the impacts on 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 and storm intensity due to climate change) including:</p> <p>(a) any detrimental increases in the potential flood affectation of other properties, assets and infrastructure;</p> <p>(b) consistency {or inconsistency} with applicable Council floodplain risk management plans;</p> <p>(c) compatibility with the flood hazard of the land;</p> <p>(d) compatibility with the hydraulic functions of flow conveyance in flood ways and storage areas of the land;</p> <p>(e) downstream velocity and scour potential;</p> <p>(f) impacts the development may have upon existing community emergency management arrangements for flooding. These matters must be discussed with the State Emergency Services and Council; and</p>	<p>Section 6.2 and Appendix F.</p>
<ul style="list-style-type: none"> any impacts the development may have on the social and economic costs to the community as consequence of flooding. 	<p>Section 6.2 and Appendix F.</p>

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Soils	
<ul style="list-style-type: none"> 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 modification. 	Section 6.5 and Appendix J.
<ul style="list-style-type: none"> The Proponent must assess the impact of the modification on acid sulfate soils (including impacts of acidic runoff offsite) in accordance with the current guidelines. 	Section 6.5 and Appendix J.
<ul style="list-style-type: none"> 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. 	Section 6.5 and Appendix J.
<ul style="list-style-type: none"> 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 modification area. 	Section 6.5 and Appendix J.
<ul style="list-style-type: none"> The Proponent must assess the impacts of the modification on soil salinity and how it may affect groundwater resources and hydrology. 	Section 6.5 and Appendix J.
<ul style="list-style-type: none"> 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 and principles in the current guidelines. 	Section 6.5 and Appendix J.
Transport and Traffic	
<p>The Proponent must assess construction transport and traffic (vehicle, pedestrian and cyclists) impacts, including, but not necessarily limited to:</p> <ul style="list-style-type: none"> (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 worker parking; (d) 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); (e) access constraints and impacts on public transport, pedestrians and cyclists; and (f) the need to close, divert or otherwise reconfigure elements of the road and cycle network associated with construction of the modification. 	Section 6.3 and Appendix K.
<ul style="list-style-type: none"> The Proponent must assess the operational transport impacts of the modification, including forecast travel demand and traffic volumes for the modification and the surrounding road, cycle and public transport network. 	Section 6.3 and Appendix K.
Noise and Vibration – Amenity	
<ul style="list-style-type: none"> The Proponent must assess construction and operational noise and vibration impacts in accordance with relevant NSW noise and vibration guidelines. The assessment must include consideration of impacts to sensitive receivers including small businesses, and include consideration of sleep disturbance and, as relevant, the characteristics of noise and vibration (for example, low frequency noise). 	Section 6.4 and Appendix I.
<ul style="list-style-type: none"> The Proponent must demonstrate that blast impacts are capable of complying with the current guidelines, if blasting is required. 	No blasting is proposed.

Requirement	Location in Environmental Assessment
Heritage	
<p>The Proponent must identify and assess any direct and/or indirect impacts (including cumulative impacts) to the heritage significance of:</p> <p>(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;</p> <p>(b) Aboriginal places of heritage significance, as defined in the Standard Instrument - Principal Local Environmental Plan;</p> <p>(c) environmental heritage, as defined under the Heritage Act 1977; and</p> <p>(d) items listed on the National and World Heritage lists.</p>	Sections 6.7 and 6.8 and Appendices G & H.
<ul style="list-style-type: none"> Where archaeological investigations of Aboriginal objects are proposed these must be conducted by a suitably qualified archaeologist, in accordance with section 1.6 of the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (DECCW 2010). 	Section 6.7 and Appendix H.
<ul style="list-style-type: none"> Where impacts to Aboriginal objects and/or places are proposed, consultation must be undertaken with Aboriginal people in accordance with the current guidelines. 	Noted.
Climate Change Risk	
<ul style="list-style-type: none"> The Proponent must assess the risk and vulnerability of the modification to climate change in accordance with the current guidelines. 	Section 6.10 and Appendix E.
<ul style="list-style-type: none"> 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. 	
Protected and Sensitive Lands	
<p>The Proponent must assess the impacts of the modification on environmentally sensitive land and processes (and the impact of processes on the modification) including, but not limited to:</p> <p>(a) land to which State Environmental Planning Policy (Coastal Management) 2018 applies;</p> <p>(b) protected areas (including land and water) managed by OEH and/or DPI Fisheries under the <i>National Parks and Wildlife Act 1974</i> and the <i>Marine Estate Management Act 2014</i>;</p> <p>(c) Key Fish Habitat as mapped and defined in accordance with the <i>Fisheries Management Act 1994</i> (FM Act); and</p> <p>(d) biodiversity stewardship sites, private conservation lands and other lands identified as offsets.</p>	Section 6.10.
Waste	
<p>The Proponent must assess predicted waste generated from the modification during construction and operation, including:</p> <p>(a) classification of the waste in accordance with the current guidelines;</p> <p>(b) estimates I details of the quantity of each classification of waste to be generated during the construction of the modification, including bulk earthworks and spoil balance;</p> <p>(c) handling of waste including measures to facilitate segregation and prevent cross contamination;</p> <p>(d) management of waste including estimated location and volume of stockpiles;</p> <p>(e) waste minimisation and reuse;</p> <p>(f) lawful disposal or recycling locations for each type of waste; and</p> <p>(g) contingencies for the above, including managing unexpected waste volumes.</p>	Section 6.10.
<ul style="list-style-type: none"> The Proponent must assess potential environmental impacts from the excavation, handling, storage on site and transport of the waste particularly with relation to sediment/leachate control, noise and dust. 	Section 6.10.
Industry Specific Sears	
Design Quality	
<ul style="list-style-type: none"> Demonstrate how the development will achieve: <ul style="list-style-type: none"> design excellence in accordance with any applicable EPI provisions. good design in accordance with the seven objectives for good design in Better Placed. Where required by an EPI or concept approval, demonstrate how the development has been subject to a competitive design process or reviewed by the State Design Review Panel (SDRP). Recommendations are to be addressed prior to lodgement. 	Section 6.1 and Appendix E.

Requirement	Location in Environmental Assessment
Built Form	
<ul style="list-style-type: none"> • Explain and illustrate the proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach. • Demonstrate how the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality. • Demonstrate how the building design will deliver a high-quality development, including consideration of façade design, articulation, materials, finishes, colours, any signage and integration of services. • Assess how the development complies with the relevant accessibility requirements. 	<p>Section 6.1 and Appendix E.</p>
Visual Impact	
<ul style="list-style-type: none"> • Provide a visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development. • Where the visual analysis has identified potential for significant visual impact, provide a visual impact assessment that addresses the impacts of the development on the existing catchment. 	<p>Section 6.9 and Appendix L.</p>
Traffic, Transport and Accessibility	
<ul style="list-style-type: none"> • Provide a transport and accessibility impact assessment, which includes: <ul style="list-style-type: none"> – details of all traffic types and volumes likely to be generated during construction and operation, including a description of key access and haul routes. – an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections (using industry standard modelling). – 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 street network. – details and plans of any proposed internal road network, loading dock provision and servicing, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards. – swept path analysis for the largest vehicle requiring access to the development. – details of road upgrades, infrastructure works, or new roads or access points required for the development if necessary. • Provide a Construction Traffic Management Plan detailing predicted construction vehicle movements, routes, access and parking arrangements, coordination with other construction occurring in the area, and how impacts on existing traffic, pedestrian and bicycle networks would be managed and mitigated. 	<p>Section 6.3 and Appendix K.</p>
Biodiversity	
<ul style="list-style-type: none"> • Assess any biodiversity impacts associated with the development in accordance with the Biodiversity Conservation Act 2016 and the Biodiversity Assessment Method 2020, including the preparation of a Biodiversity Development Assessment Report (BDAR), unless a waiver is granted, or the site is on biodiversity certified land. • If the development is on biodiversity certified land, provide information to identify the site (using associated mapping) and demonstrate the proposed development is consistent with the relevant biodiversity measure conferred by the biodiversity certification. 	<p>Section 6.10 and Appendix M.</p>