

Assessment of Clause 228(2) Factors

Clause 228(2) of the Regulations provides those factors that must be taken into account concerning the impact of an activity on the environment. These factors are assessed in the Table below.

Clause 228	Response	Potential impact
(a) any environmental impact on a community	There will be minor residual impacts such as noise, traffic associated with various construction activities (i.e. minor site preparation). These impacts will be satisfactorily managed by the CEMP.	Short term/minor
(b) Any transformation of a locality	The proposal relates to minor enabling works for the expansion of the MRRC. These works are consistent with the existing use of the site as a correctional facility and will not result in the transformation of the locality.	None
(c) Any environmental impact on the ecosystem of the locality	The proposal is located within the boundaries of an existing correctional complex where no significant ecosystem is present.	None
(d) Any reduction of the aesthetics, recreational, scientific or other environmental quality or value of a locality	The proposal would not result in any reduction of these qualities or values.	None
(e) Any effect on a locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural historical, scientific or social significance or other special value for present or future generations	The impact on heritage significance of the site and individual items has been assessed as part of this REF and the supporting HIS. It is concluded that the proposal will not affect the heritage significance of the site.	None
(f) Any impact on the habitat of protected animals (within the meaning of the National Parks and Wildlife Act 1974)	There are no anticipated impacts on protected flora and fauna, therefore no mitigation safeguards or measures are proposed.	None
(g) Any endangering of any species of animal, plant or other form of life, whether living on land, in water or air	The proposal would not endanger any species of plant, animal or another form of life.	None
(h) Any long term effects on the environment	The proposal would not have any long-term impacts on the environment.	None
(i) Any degradation of the quality of the environment	Short term impacts are likely as a result of construction activities. Mitigation safeguards and measures will be implemented to minimise the impact.	Short term/minor
(j) Any risk to the safety of the environment	Minor safety issues associated with construction works. The CEMP will outline relevant management measures.	Short term/minor

Clause 228	Response	Potential impact
(k) Any reduction in the range of beneficial uses of the environment	The proposal would not result in any reduction in the range of beneficial uses of the environment.	None
(l) Any pollution of the environment	Air quality may be impacted during certain construction activities on site (i.e. demolition and vehicle movements). These impacts will be satisfactorily managed by the CEMP.	Short term/minor
(m) Any environmental problems associated with the disposal of waste	It is not anticipated that there will be problems associated with the disposal of construction waste. Waste management will be addressed in the CEMP	None
(n) Any increase demands on resources (natural or otherwise) that are or are likely to become short supply	The proposal would not increase the demand on any resources that are or are likely to become in short supply.	None
(o) Any cumulative environmental effect with other existing or likely future activities	No cumulative impacts were identified within the vicinity of the site.	None
(p) Any impact on coastal processes and coastal hazards including those under projected climate change conditions.	The proposal would not impact on coastal processes and coastal hazards.	None

Assessment of Ecologically Sustainable Development Principles

Section 6(2) of the NSW Protection of the Environment Administration Act 1991 and Schedule 2 of the EP&A Regulations must be considered regarding the potential impact of an activity on the environment. These principles are assessed in the Table below.

Principle	Response
Precautionary principle 'if there are threats of serious or irreversible damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation'.	There are no threats of serious or irreversible damage associated with the proposal. A number of mitigation measures will be put in place to ensure ongoing consistency with this principle.
Intergenerational equity 'the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations'.	The site is highly modified; the proposal will not impact on health, diversity or productivity of the environment.
Conservation of biological diversity and ecological integrity 'Diversity of genes, species, populations and communities, as well as the ecosystems and habitats to which they belong, must be maintained and improved to ensure their survival'.	As stated above, the site is highly modified there will be no impact to biodiversity or ecological values as a result of this proposal.
Improved valuation, pricing and incentive mechanism 'costs to the environment should be factored into the economic costs of a project'.	The proposal will implement mitigation measures to protect the value of the environment.