Appendix B - Secretary's Environmental Assessment Requirements

Planning and Assessments
Energy and Resource Assessments

Contact: Joel Herbert
Phone: 8289 6614
Email: Joel.herbert@planning.nsw.gov.au

Mr Mark Daniels
Planning and Development Manager
Borg Manufacturing Pty Ltd

Via email: danielsm@borgs.com.au

Dear Mr Daniels,

Planning Secretary's Environmental Assessment Requirements
Razorback Quarry (EAR 1523)

I refer to your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the above development, which is designated local development under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Please find attached a copy of the SEARs for the Environmental Impact Statement (EIS) for the proposed development. These requirements have been prepared in consultation with relevant government agencies based on the information your company has provided to date. The agencies' comments are attached for your information (see Attachment 2). You must have regard to these comments in the preparation of the EIS.

In your request for SEARs, you have also indicated that the proposal is classified as integrated development under section 4.46 of the EP&A Act as it requires additional statutory authorisations. You are encouraged to consult with the relevant agencies with respect to licence/approval requirements. If further integrated approvals are required, you must undertake your own consultation with the relevant public authorities, and address their requirements in the EIS.

The Department wishes to emphasise the importance of effective and genuine community consultation during the preparation of the EIS. This process should provide the community with a clear understanding of the proposal and its potential impacts and include active engagement with the community regarding key issues of concern. The development application (DA) for the proposed development must be accompanied by clear evidence of the consent to the lodgement of the DA of all owners of land directly subject to the DA.

Please contact the consent authority at least two weeks before you propose to submit your DA. This will enable the consent authority to:

- confirm the applicable fees; and
- determine the number of copies (hard-copy and digital) of the EIS that will be required for reviewing purposes.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will also require separate approval under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment and Energy to determine if an approval under the EPBC Act is required (http://www.environment.gov.au or 6274 111).

You should contact the Mine Safety branch of the NSW Resources Regulator in regard to this and other matters relating to compliance with the *Work Health and Safety (Mines and Petroleum* Sites*) Act 2013.*

If you have any enquiries about these requirements, please contact Joel Herbert on the details listed above.

Yours sincerely,

[redacted]

Matthew Sprott
Director
Resource Assessments
as delegate for the Planning Secretary

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* and Schedule 2 of the *Environmental Planning and Assessment Regulation 2000.*

Designated Development

EAR Number	EAR 1523
Proposal	Extraction and processing of up to 200,000 tonnes of sand and gravel per annum over a 30 year period from a total resource of 4,000,000 million tonnes.
Location	39 Razorback Road, Running Stream, NSW 2850 (Lot 2 DP 569979)
Applicant	Plantation Pine Products Australia Pty Ltd
Date of Issue	2 March 2021
Date of Expiry	2 March 2023
General Requirements	The Environmental Impact Statement (EIS) for the development must comply with the requirements in Clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000.* In particular, the EIS must include: • an executive summary; • a comprehensive description of the development, including: - a detailed site description and history of any previous quarrying on the site, including a current survey plan; - identification of the resource, including the amount, type, composition; - the layout of the proposed works and components (including any existing infrastructure that would be used for the development); - an assessment of the potential impacts of the development, as well as any cumulative impacts, including the measures that would be used to minimise, manage or offset these impacts; - a detailed rehabilitation plan for the site; - any likely interactions between the development and any existing/approved developments and land uses in the area, paying particular attention to potential land use conflicts with nearby residential development; - a list of any other approvals that must be obtained before the development may commence; - the permissibility of the development, including identification of the land use zoning of the site; - identification of sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways; • a suitable monitoring and reporting procedure to ensure that the total resource extracted by the development does not exceed 5 million tonnes; • a conclusion justifying why the development should be approved, taking into consideration: - alternatives; - the suitability of the site; - the biophysical, economic and social impacts of the project, having regard to the principles of ecologically sustainable development; and - whether the project is consistent with the objects of the Environmental Planning and Assessment Act 1979; and • a signed declaration from the author of the EIS, certifying that the information contained within the document is neither false nor misleading.
Consultation	In preparing the EIS for the development, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers and any surrounding landowners that may be impacted by the development. The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.
Key Issues	The EIS must assess the potential impacts of the proposal at all stages of the development, including the establishment, operation and decommissioning of the development.

	The EIS must address the following specific issues: • **Water** – including: - a detailed site water balance and an assessment of any volumetric water licensing requirements, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply infrastructure and water storage structures; - identification of any licensing requirements or other approvals required under the *Water Act 1912* and/or *Water Management Act 2000*; - demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP) - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant Water Sharing Plan or water source embargo; - a detailed consideration of the need to maintain an adequate buffer between all excavations and the highest predicted groundwater table; - an assessment of activities that could cause erosion or sedimentation issues, and the proposed measures to prevent or control these impacts; - an assessment of any likely flooding impacts of the development; - an assessment of potential impacts on the quality and quantity of existing surface and ground water resources, including a detailed assessment of proposed water discharge quantities and quality against receiving water quality and flow objectives; and - a detailed description of the proposed water management system, water monitoring program and other measures to mitigate surface and groundwater impacts; • **Noise** – including a quantitative assessment of potential: - construction and operational noise and off-site transport noise impacts of the development in accordance with the *Interim Construction Noise Guideline, NSW Noise Policy for Industry and NSW Road Noise Policy* respectively; - reasonable and feasible mitigation measures to minimise noise emissions; and - monitoring and management measures; • **Air** – including an assessment of the likely air quality impacts of the development in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW*. The assessment is to give particular attention to potential dust impacts on any nearby private receivers due to construction activities, the operation of the quarry and/or road haulage; • **Biodiversity** – including: - accurate predictions of any vegetation clearing on site; - a detailed assessment of the potential biodiversity impacts of the development, paying particular attention to threatened species, populations and ecological communities and groundwater dependent ecosystems undertaken in accordance with Sections 7.2 and 7.7 of the *Biodiversity Conservation Act 2016*; and - a detailed description of the proposed measures to maintain or improve the biodiversity values of the site in the medium to long term, as relevant. • **Heritage** – including: - an assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage; and - identification of Historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items, having regard to the relevant policies and guidelines listed in Attachment 1; • **Traffic &Transport** – including: - accurate predictions of the road traffic generated by the construction and operation of the development, including a description of the types of vehicles likely to be used for transportation of quarry products; - an assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road networks, detailing the nature of the traffic generated, transport routes, traffic volumes and potential impacts on local and regional roads; - a description of the measures that would be implemented to maintain and/or improve the capacity, efficiency and safety of the road network (particularly the proposed transport routes) over the life of the development; - evidence of any consultation with relevant roads authorities, regarding the establishment of agreed contributions towards road upgrades or maintenance; and - a description of access roads, specifically in relation to nearby Crown roads and fire trails; • **Land Resources**– including an assessment of: - potential impacts on soils and land capability (including potential erosion and land contamination) and the proposed mitigation, management and remedial measures (as appropriate);

	- potential impacts on landforms (topography), paying particular attention to the long-term geotechnical stability of any new landforms (such as overburden dumps, bunds etc); and - the compatibility of the development with other land uses in the vicinity of the development, in accordance with the requirements of Clause 12 of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*; • **Waste** – including estimates of the quantity and nature of the waste streams that would be generated or received by the development and any measures that would be implemented to minimise, manage or dispose of these waste streams; • **Hazards** – including an assessment of the likely risks to public safety, paying particular attention to potential bushfire risks and the transport, storage, handling and use of any hazardous or dangerous goods; • **Visual** – including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, including with respect to any new landforms; • **Social & Economic** – an assessment of the likely social and economic impacts of the development, including consideration of both the significance of the resource and the costs and benefits of the project; and • **Rehabilitation** – including: - a detailed description of the proposed rehabilitation measures that would be undertaken throughout the development and during quarry closure; - a detailed rehabilitation strategy, including justification for the proposed final landform and consideration of the objectives of any relevant strategic land use plans or policies; and - the measures that would be undertaken to ensure sufficient financial resources are available to implement the proposed rehabilitation strategy, recognising that a rehabilitation bond will likely be required as a condition of any future development consent.
Environmental Planning Instruments	The EIS must take into account all relevant State Government environmental planning instruments, guidelines, policies, and plans. While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies and plans that may be relevant to the environmental assessment of this development. During the preparation of the EIS you must also consult the Department's EIS Guideline – Extractive Industries – Quarries. This guideline is available at http://www.planning.nsw.gov.au/~/media/Files/DPE/Guidelines/extractive-industries-quarries-eis-guideline-1996-10.ashx. In addition, the EIS must assess the development against the Mid-Western Regional Local Environmental Plan 2012 and any relevant development control plans/strategies.

ATTACHMENT 1

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.bookshop.nsw.gov.au
http://www.publications.gov.au

Environmental Planning Instruments, Policies, Guidelines & Plans

Environmental Planning Instruments - General	
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
	State Environmental Planning Policy (State and Regional Development) 2011
	State Environmental Planning Policy (Infrastructure) 2007
	Mid-Western Regional Local Environmental Plan 2012
Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Land	
	State Environmental Planning Policy No. 55 – Remediation of Land
	Agricultural Land Classification (DPI)
	Rural Land Capability Mapping (OEH)
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Guidelines for Consultants Reporting on Contaminated Sites (EPA)
	Agricultural Issues for Extractive Industry Development (DPI)
Water	
Groundwater	NSW Aquifer Interference Policy 2012 (NOW)
	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	NSW State Rivers and Estuary Policy (NOW)
	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities (NOW)
	Guidelines for Controlled Activities on Waterfront Land 2018 (NRAR)
Flooding	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
Biodiversity	

	Biodiversity Assessment Method (OEH 2017)
	Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH 2017)
	Ancillary rules: Biodiversity conservation actions
	Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying variation rules
	NSW Guide to Surveying Threatened Plants (OEH 2016)
	Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECC 2009)
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DEC 2004)
	Threatened Species Assessment Guideline – The Assessment of Significance (DECC 2007)
	OEH principles for the use of biodiversity offsets in NSW
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Guide to investigation, assessing and reporting on Aboriginal cultural heritage in NSW (OEH) 2011
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
Noise	
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
Air	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
	Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	National Greenhouse Accounts Factors (Commonwealth)
Transport	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning for Bushfire Protection 2019 (RFS)
Resource	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
Waste	
	Waste Classification Guidelines (EPA)
	Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 (EPA)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Strategic Framework for Mine Closure (ANZMEC-MCA)

ATTACHMENT 2

AGENCIES' CORRESPONDENCE

Our ref: DOC21/20631

Mr Joel Herbert
Environmental Assessment Officer
Energy and Resource Assessments
Department of Planning, Industry and Environment
joel.herbert@planning.nsw.gov.au

Dear Mr Herbert

Razorback Quarry – Request for Environmental Assessment Requirements

I refer to your email dated 12 January 2021 seeking input into the Department of Planning, Industry and Environment's Environmental Assessment Requirements (EARs) for the preparation of an Environmental Impact Assessment (EIS) for Razorback Quarry.

The Biodiversity, Conservation and Science Directorate (BCS) has considered your request and provides EARs for the proposed development in **Attachments A** and **B**.

BCS recommends the EIS needs to appropriately address the following:

1. Biodiversity and offsetting
2. Water and soils
3. Flooding

Please note the following;

1. The Biodiversity Assessment Method 2020 came into effect on 22 October 2020. There are transitional arrangements in place to minimise the impacts that amendments to the BAM may have on proponents and landholders. **Attachment A** provides details of the transitional arrangements.

If you have any questions about this advice, please do not hesitate to contact Michelle Howarth, A/Senior Team Leader Planning North West, via michelle.howarth@environment.nsw.gov.au or (02) 6883 5339.

Yours sincerely,

[redacted]

Michelle Howarth
A/Senior Team Leader Planning North West
Biodiversity, Conservation and Science Directorate

15 January 2021

Attachment A - Environmental Assessment Requirements

Attachment B - Guidance Material

ATTACHMENT A

BCS's Recommended Environmental Assessment Requirements (EARs) for Razorback Quarry

OEH	Office of Environment and Heritage (now Biodiversity, Conservation and Science Directorate)
BCS	Biodiversity, Conservation and Science Directorate of the NSW Department of Planning, Industry and Environment, formerly OEH
The Department	NSW Department of Planning, Industry and Environment
NPWS	National Parks and Wildlife Service

1. The Proposal

All components of the proposed development must be clearly described, including:

- the location of the proposed development and its context in the locality
- the rationale for the project
- the size, scale and type of the proposed development
- the pre-construction, construction, operational, and, where relevant, decommissioning and rehabilitation phases of the proposed development, and the methods proposed to implement these phases
- plans and maps of the proposed development showing the locations of relevant phases and infrastructure
- the staging and timing of the proposed development
- the proposed development's relationship to any other proposals and developments

2. Environmental Impacts of the Proposal

The proponent must consider, assess, quantify and report on the likely environmental impacts of the proposal if applicable, particularly:

- Biodiversity
- National Park estate: land reserved or acquired under the *National Parks and Wildlife Act 1974*
- Flooding, floodplain issues and coastal erosion
- Cumulative impacts

The Secretary's Environmental Assessment Requirements should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines and reference material is presented in **Attachment B**. Appropriate justification should be provided in instances where the matters below are not addressed.

3. Biodiversity

Biodiversity Assessment Methodology for the Biodiversity Offsets Scheme (BOS)

The EIS should include an assessment of the following:

a. The EIS must assess the impact of the proposed development on biodiversity values to determine if the proposed development is "likely to significantly affect threatened species" for the purposes of Section 7.2 of the Biodiversity Conservation Act 2016 (BC Act), as follows:

   a. The EIS must demonstrate and document how the proposed development exceeds, or does not exceed, the biodiversity offsets scheme threshold as set out in Section 7.4 of the BC Act 2016 and Clause 7.1 of the Biodiversity Conservation Regulation 2017 (BC Regulation) by determining whether the proposed development involves:

      i. **The clearing of native vegetation exceeding the thresholds** listed under Clause 7.23 of the BC Regulation, **or**

      ii. The clearing of native vegetation, or other action, **on land included on the Biodiversity Values Map** published under Clause 7.23 of the BC Regulation (this map includes areas of outstanding biodiversity value, as declared under Section 3.1 of the BC Act).

   b. If the proposal does not trigger any of the criteria in (a) above, then the EIS must determine whether the proposed development is likely to have a significant impact based on '*the test for determining whether proposed development likely to significant affect threatened species or ecological communities'* in Section 7.3 of the BC Act.

   c. Where there is reasonable doubt regarding potential impacts, or where information is not available, then a significant impact upon biodiversity should be considered likely when applying the test in Section 7.3 of the BC Act. Where it is concluded that there is no significant impact, the EIS must justify how the conclusion has been reached.

   d. If the development exceeds the thresholds in (a) or (b), then the EIS must be accompanied by a biodiversity development assessment report (BDAR) prepared in accordance with Part 6 of the BC Act. That is, the Biodiversity Assessment Methodology applies.

Required Information

Where development is considered "likely to significantly impact on threatened species" and a Biodiversity Development Assessment Report is required, the following requirements apply:

- Biodiversity impacts related to the proposal are to be assessed in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method.
- The BDAR must document the application of the avoid, minimise and offset hierarchy including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method.
- The BDAR must include details of the measures proposed to address the offset obligation as follows:
  - The total number and classes of biodiversity credits required to be retired for the proposal.
  - The number and classes of like-for-like biodiversity credits proposed to be retired.
  - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules.
  - Any proposal to fund a biodiversity conservation action.
  - Any proposal to make a payment to the Biodiversity Conservation Fund.

- If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.

The BDAR must be prepared by a person accredited to apply the Biodiversity Assessment Method under s6.10 of the *Biodiversity Conservation Act 2016*.

Where a BDAR is not required and a threatened species assessment is prepared to support a conclusion of "no significant impact", the EIS must include a field survey of land identified as native vegetation and/or native species habitat inclusive of non-vegetative habitat, namely, karst, caves, crevices, cliffs, rocky outcrops and other features of geological significance and habitat associated with human made structures. This should be conducted and documented in accordance with the relevant guidelines including the Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECCW, 2009), Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft (DEC, 2004) and Guidelines for Threatened Species Assessment (Dept Planning, July 2005). The approach should also reference the field survey methods and assessment information on the Department of Planning, Industry and Environment website including the BioNet Atlas, Threatened Species Profiles, taxon specific survey guidelines and BioNet Vegetation Classification (see Attachment 2).

Transitional arrangements for the *Biodiversity Assessment Method 2020*

Clause 6.31 of the *Biodiversity Conservation Regulation 2017* provides that when the BAM is amended, a BAR may be prepared based on the prior version of the BAM for the following designated periods;

- 12 months for a BDAR in respect of SSD/SSI or standard biocertification,
- 12 months or longer if approved by the Minister for a BDAR in respect of strategic biocertification,
- 6 months for BARs in respect of all other development or stewardship applications

A BAR prepared under these arrangements must state that it has been prepared based on the prior version.

This means that from 22 October 2020 until the end of the relevant designated transition period a BAR may be prepared using **either** the BAM 2017 **or** the BAM 2020, but not a combination of both.

If an Accredited Assessor has commenced preparing a BAR in accordance with the BAM 2017, it is recommended that they discuss the transition options with the proponent/landholder. If opting to continue using the BAM2017, the BAR must be prepared within the relevant designated period and must include a statement that it has been prepared based on the BAM 2017. In addition, because BOAMs has been updated to reflect the BAM 2020 settings, an assessor continuing to prepare a BAR under the BAM 2017 should consult the Release Notes (attached) to ensure the correct BAM-C settings are applied.

Where an assessor proposes to apply BAM 2017 to a scattered tree (formerly paddock tree) or small area streamlined assessment, the assessor must contact BAM Support for guidance on how to use the BAM Calculator to apply the transitional arrangements. However, if the applicant or assessor proposes to apply BAM 2017 to a BSSAR, the applicant or assessor must contact the Biodiversity Conservation Trust to discuss use of this option.

4. NPWS Managed Estate

Land reserved or acquired under the *National Parks and Wildlife Act 1974* (NPW Act)

If the proposed development is within, adjacent to, or in close proximity to, NPWS managed conservation estate (e.g. a national park, nature reserve, state conservation area, land which is declared wilderness under the *Wilderness Act 1987*), or is within, adjacent to, or in close proximity to, a watercourse that flows directly into NPWS managed conservation estate, then the EIS must address impacts upon such area/s.

Where NPWS managed estate is likely to be impacted, the EIS should include:

- The following (as appropriate):
  - Evidence that the proponent has consulted with BCS on the legal permissibility of the proposal under the NPW Act.
  - In the case of proposals on land declared as wilderness under the *Wilderness Act 1987*, evidence that the proponent has consulted with BCS on the appropriateness of the proposal. That is, whether it is consistent with the objects of the *Wilderness Act 1987* (section 3) and the management principles for wilderness areas (section 9).
  - Alternative options that have been explored to avoid impacts on the NPWS managed estate (on-park) and a clear justification of any on-park components of the proposal.
  - If on-park impacts are considered unavoidable, consideration of the issues, including details of any compensation proposal, consistent with the Department's *Revocation, Recategorisation and Road Adjustment Policy* (2012) for proposals that are located wholly or partly in a National Park or other land acquired or reserved under the *National Parks and Wildlife Act 1974*.
- Consideration of the matters identified in the *Guidelines for consent and planning authorities for Developments adjacent to National Parks and Wildlife Service Land* (NPWS, 2020) where a proposal adjoins or is immediate vicinity of NPWS managed estate, or is upstream of NPWS managed estate, which include:
  - The nature of the impacts, including direct and indirect impacts
  - The extent of the direct and indirect impacts
  - The duration of the direct and indirect impacts
  - The objectives of the reservation of the land
- A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified direct and indirect impacts associated with the proposal. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

5. Water

- The EIS must map features relevant to water, including:
  - Rivers, streams, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
  - Wetlands (as described in s4.2 of the Biodiversity Assessment Method).
  - Groundwater.
  - Groundwater dependent ecosystems.
- The EIS must describe background conditions for any water resource likely to be affected by the proposal, including:
  - Existing surface and groundwater.
  - Hydrology

- Water Quality Objectives (as endorsed by the NSW Government) including groundwater as appropriate that represent the community's uses and values for the receiving waters. Indicators and trigger values/criteria for the identified environmental values in accordance with the ANZECC (2000) *Guidelines for Fresh and Marine Water Quality* and / or local objectives, criteria or targets endorsed by the NSW Government
- *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions* (OEH/EPA, 2017).

- The EIS must assess the impacts of the proposal on water quality, including:
  - The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the proposal protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
  - Identification of proposed monitoring of water quality.
  - Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan).
- The EIS must assess the impact of the proposal on hydrology, including:
  - Water balance including quantity, quality and source.
  - Effects upon rivers, wetlands, estuaries, marine waters and floodplain areas.
  - Effects upon water-dependent fauna and flora including groundwater dependent ecosystems.
  - Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
  - Changes to environmental water availability, both regulated / licensed and unregulated / rules-based sources of such water.

6. Flooding

- The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
  - Flood prone land (ie land susceptible to the probable maximum flood event).
  - Flood planning area, the area below the flood planning level.
  - Hydraulic categorisation (floodway and flood storage areas).
  - Flood hazard.
- The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 10% Annual Exceedance Probability (AEP), 1% AEP flood levels and the probable maximum flood, or an equivalent extreme event.
- The EIS must model the effect of the proposal (including fill) on the current flood behaviour for a range of design events as identified above, and the 0.5% AEP and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
- All site drainage, stormwater quality devices and erosion / sedimentation control measures should be identified in the EIS and the onsite treatment of stormwater and effluent runoff and predicted stormwater discharge quality from the proposal should be detailed.
- Modelling in the EIS must consider and document:
  - Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.

- The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood (PMF), or an equivalent extreme flood.
- Impacts of the proposal on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories.
- Impacts of earthworks and stockpiles within the flood prone land up to the PMF level. The assessment should be based on understanding of cumulative flood impacts of construction and operational phases.
- Relevant provisions of the NSW Floodplain Development Manual 2005.

- The EIS must assess the impacts on the proposal on flood behaviour, including:
  - Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
  - Consistency with Council floodplain risk management plans.
  - Consistency with any Rural Floodplain Management Plans.
  - Compatibility with the flood hazard of the land.
  - Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
  - Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
  - Whether there will be a direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
  - Appropriate mitigation measures to offset potential flood risk arising from the proposal. Any proposed mitigation work should be modelled and assessed on the overall catchment basis in order to ensure it fits its purpose and meets the criteria of the Council where it is located, and to ensure it has no adverse impact to surrounding areas.
  - Any impacts the proposal may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
  - Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
  - Emergency management, evacuation and access, and contingency measures for the proposal during both construction and operational phases considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
  - Any impacts the proposal may have on the social and economic costs to the community as a consequence of flooding.

Guidance Material

Title	Web address
Relevant Legislation	
Biodiversity Conservation Act 2016	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2016-063
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	https://www.legislation.gov.au/Details/C2014C00140/Download
Environmental Planning and Assessment Act 1979	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Fisheries Management Act 1994	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1994-038
National Parks and Wildlife Act 1974	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1974-080
Protection of the Environment Operations Act 1997	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
Water Management Act 2000	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2000-092
Wilderness Act 1987	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1987-196
Biodiversity	
Biodiversity Values Map	https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap
Biodiversity Assessment Method (OEH, 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020
BAM 2020 Operational Manual Stage 1	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-manual-2020-operational-manual-stage-1
BAM Operational Manual Stage 2	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-operational-manual-stage-2
BAM 2020 Operational Manual Stage 3	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-operational-manual-stage-3
BAM Calculator User Guide	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-user-guide
Serious and irreversible impacts of development on biodiversity	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/biodiversity-offsets-scheme/serious-and-irreversible-impacts
Practice Note - Guidance for assessors and decision makers in applying modified benchmarks to assessments of vegetation integrity: Biodiversity Assessment Method	https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-assessors-decision-makers-applying-modified-benchmarks-to-assessments-vegetation-integrity

Title	Web address
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Accreditation Scheme for Application of the Biodiversity Assessment Method Order 2017	https://www.legislation.nsw.gov.au/view/pdf/asmade/sl-2017-471
Ancillary rules: Biodiversity conservation actions	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/ancillary-rules-biodiversity-conservation-actions-170496.pdf
Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/ancillary-rules-reasonable-steps-like-for-like-biodiversity-credits-170498.pdf
Ancillary rules: Impacts on threatened species and ecological communities excluded from application of variation rules	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/ancillary-rules-impacts-on-threatened-entities-excluded-from-variation-170497.pdf?la=en&hash=C38840BFF49F012433532DF72E3D90C741E4DAC1
The Department's Threatened Species Website	https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species
NSW BioNet (Atlas of NSW Wildlife)	www.bionet.nsw.gov.au/
Surveying Threatened Plants and their Habitats - NSW Survey Guide For The Biodiversity Assessment Method (DPIE 2020).	https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method
Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - November 2004	https://www.environment.nsw.gov.au/surveys/BiodiversitySurveyGuidelinesDraft.htm
Threatened species survey and assessment guidelines: field survey methods for fauna – amphibians	https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-species-field-survey-methods-for-fauna-amphibians
NSW Survey Guide for Threatened Frogs	https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs
Surveying 'species credit' threatened bats and their habitats – NSW survey guide for the Biodiversity Assessment Method	https://www.environment.nsw.gov.au/research-and-publications/publications-search/species-credit-threatened-bats-nsw-survey-guide-for-biodiversity-assessment-method
Bat calls of NSW - region-based guide to the echolocation calls of Microchiropteran bats	https://www.environment.nsw.gov.au/surveys/Batcalls.htm
Community Biodiversity Survey Manual	https://www.environment.nsw.gov.au/surveys/CommunityBiodiversitySurveyManual.htm
BioNet Vegetation Classification - NSW Plant Community Type (PCT) database	www.environment.nsw.gov.au/research/Vegetationinformationsystem.htm
The Departments Data Portal (access to online spatial data)	http://data.environment.nsw.gov.au/

Title	Web address
Fisheries NSW policies and guidelines	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
National Park Estate	
Guidelines for consent and planning authorities for Developments adjacent to National Parks and Wildlife Service Land (NPWS, 2020)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Parks-reserves-and-protected-areas/Development-guidelines/developments-adjacent-npws-lands-200362.pdf
List of national parks	https://www.nationalparks.nsw.gov.au/conservation-and-heritage/national-parks
Revocation, recategorisation and road adjustment policy (OEH, 2012)	http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm
List of aquatic reserves	www.dpi.nsw.gov.au/fisheries/habitat/protecting-habitats/mpa
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC & ARMCANZ (2000) Water Quality Guidelines	https://www.waterquality.gov.au/anz-guidelines/resources/previous-guidelines/anzecc-armcanz-2000
Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions	http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf
Flooding	
Floodplain development manual	http://www.environment.nsw.gov.au/floodplains/manual.htm
Floodplain Risk Management Guidelines	http://www.environment.nsw.gov.au/topics/water/coasts-and-floodplains/floodplains/floodplain-guidelines
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	https://www.environment.gov.au/climate-change/adaptation/publications/climate-change-impact-risk-management

Joel Herbert

From: Lindsay Dunstan <Lindsay.Dunstan@midwestern.nsw.gov.au>
Sent: Friday, 18 December 2020 3:10 PM
To: Joel Herbert
Subject: RE: Request for Requirements - EARs 1523 - Razorback Quarry

Hi Joel,

As per our phone discussion earlier in the week, thank you for providing Mid-Western Regional Council (Council) with the opportunity to provide input into the Secretary's Environmental Assessment Requirements (SEARs) for the proposed Razorback Quarry (EAR 1523). Council has reviewed the requirements for EAR 1523 and requests the following issues to be specifically addressed as part of the Environmental Impact Assessment (EIS).

Road Reserve
From the aerial imagery and cadastral mapping available to Council, it appears that Razorback Road does not sit entirely within the associated road reserve. The misalignment is minimal and it does not appear likely to cause issues for the proposal. However, Council requests that the proponent be made aware of this and address this in their proposal.

Crown Road
The section of Razorback Road along the northern boundary of Lot 2 DP 569979 is Crown land. The proponent has not addressed this in the Scoping Report and if any work is required on this section of road, the consent of Crown will need to be obtained.

Operating Hours
There is an inconsistency in the Scoping Report regarding operating hours. One section (pg. 9) states that quarrying will only occur on weekdays from 8am to 3:30pm. However, another section (pg.17) states extraction will occur on Saturday 8am to 1pm in addition to the above weekday hours, whilst haulage will be from Monday to Saturday 8am to 3:30pm. This inconsistency will need to be clarified by the applicant.

Should you have any further enquiries in relation to this matter, please contact Council on (02) 6378 2850.

Regards

Lindsay Dunstan
Manager Statutory Planning
Mid-Western Regional Council

t 02 6378 2850
f 02 6378 2815 | e lindsay.dunstan@midwestern.nsw.gov.au
a 86 Market Street | PO Box 156 Mudgee NSW 2850
w www.midwestern.nsw.gov.au
facebook | twitter | youtube

From: Joel Herbert <Joel.Herbert@planning.nsw.gov.au>
Sent: Friday, 20 November 2020 1:30 PM
To: Council <Council@midwestern.nsw.gov.au>; Angela Stewart <development.western@rms.nsw.gov.au>; 'records@rfs.nsw.gov.au' <records@rfs.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>; DPI Landuse Ag Mailbox <landuse.ag@dpi.nsw.gov.au>; Resources

Regulator <nswresourcesregulator@service-now.com>; EPA Planning Matters Mailbox <planning.matters@epa.nsw.gov.au>; DPI AHP Central Mailbox <ahp.central@dpi.nsw.gov.au>; Lands Ministerials <lands.ministerials@industry.nsw.gov.au>; DPI Cabinet Mailbox <dpi.cabinet@dpi.nsw.gov.au>; DRG RO Assessment Coordination Mailbox <assessment.coordination@planning.nsw.gov.au>; DPI Landuse Enquiries Mailbox <landuse.enquiries@dpi.nsw.gov.au>
Subject: Request for Requirements - EARs 1523 - Razorback Quarry

Caution: This email originated from outside the organisation.

Good afternoon,

Proposal – Razorback Quarry
EAR ID No. 1523

Borg Manufacturing Pty Ltd on behalf of Plantation Pine Products Australia Pty Ltd (the Applicant) has requested the requirements of the Secretary of the Department of Planning and Environment for the preparation of an Environmental Impact Statement (EIS) for the above local designated development located in the Mid-Western local government area.

I have attached a copy of the Applicant's request for your reference.

Under Schedule 2 of the *Environmental Planning and Assessment Regulation 2000,* the Secretary is requesting your requirements for the EIS.

It would be greatly appreciated if we could receive your advice by **Friday 3 December 2020.**

Please note that the proposal seeks to extract weathered conglomerate and sandstone from a total resource of 4,000,000 million tonnes at a maximum rate of 200,000 tonnes per annum for up to 30 years.

If you have any queries, please contact me on the details below.

Joel Herbert
Environmental Assessment Officer
Energy and Resource Assessments
4 Parramatta Square, 12 Darcy Street Parramatta NSW 2150
Locked Bag 5022, Parramatta NSW 2124

T 02 8289 6614 | E Joel.Herbert@planning.nsw.gov.au

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Joel Herbert

From: Lands Ministerials Mailbox
Sent: Tuesday, 1 December 2020 2:12 PM
To: Joel Herbert
Subject: Re: Request for Requirements - EARs 1523 - Razorback Quarry

Good afternoon Joel

DPIE Crown Lands has no comment with regards to this proposal.

Lands Stakeholder Relations

Team telephone numbers: Rebecca Johnson, Principal Project Officer, 4920 5040; Kirstyn Goulding, Administration Officer - Customer Liaison, 4920 5058; Kim Fitzpatrick, Senior Project Officer, 4920 5015, Deb Alterator, Project Support Officer 4920 5172

Crown Lands | Department of Planning, Industry and Environment
E lands.ministerials@dpie.nsw.gov.au
Level 4, 437 Hunter Street Newcastle NSW 2295
www.dpie.nsw.gov.au

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Joel Herbert <Joel.Herbert@planning.nsw.gov.au>
Sent: Friday, 20 November 2020 1:30 PM
To: OLG - Mid Western Regional Council <council@midwestern.nsw.gov.au>; Angela Stewart <development.western@rms.nsw.gov.au>; 'records@rfs.nsw.gov.au' <records@rfs.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>; DPI Landuse Ag Mailbox <landuse.ag@dpi.nsw.gov.au>; Resources Regulator <nswresourcesregulator@service-now.com>; EPA Planning Matters Mailbox <planning.matters@epa.nsw.gov.au>; DPI AHP Central Mailbox <ahp.central@dpi.nsw.gov.au>; Lands Ministerials <lands.ministerials@industry.nsw.gov.au>; DPI Cabinet Mailbox <dpi.cabinet@dpi.nsw.gov.au>; DRG RO Assessment Coordination Mailbox <assessment.coordination@planning.nsw.gov.au>; DPI Landuse Enquiries Mailbox <landuse.enquiries@dpi.nsw.gov.au>
Subject: Request for Requirements - EARs 1523 - Razorback Quarry

Good afternoon,

Proposal – Razorback Quarry
EAR ID No. 1523

Borg Manufacturing Pty Ltd on behalf of Plantation Pine Products Australia Pty Ltd (the Applicant) has requested the requirements of the Secretary of the Department of Planning and Environment for the preparation of an Environmental Impact Statement (EIS) for the above local designated development located in the Mid-Western local government area.

I have attached a copy of the Applicant's request for your reference.

Under Schedule 2 of the *Environmental Planning and Assessment Regulation 2000,* the Secretary is requesting your requirements for the EIS.

It would be greatly appreciated if we could receive your advice by **Friday 3 December 2020.**

Please note that the proposal seeks to extract weathered conglomerate and sandstone from a total resource of 4,000,000 million tonnes at a maximum rate of 200,000 tonnes per annum for up to 30 years.

If you have any queries, please contact me on the details below.

Joel Herbert
Environmental Assessment Officer
Energy and Resource Assessments
4 Parramatta Square, 12 Darcy Street Parramatta NSW 2150
Locked Bag 5022, Parramatta NSW 2124

T 02 8289 6614 | E Joel.Herbert@planning.nsw.gov.au


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OUT20/15214

Mr Joel Herbert
Environmental Assessment Officer
Energy and Resource Assessments

Email: Joel.Herbert@planning.nsw.gov.au

Dear Joel

Environmental Assessment Requirements– EAR 1523 – Razorback Quarry

Thank you for your correspondence dated 20 November 2020 requesting Environmental Assessment Requirements (EARs) for the above proposal.

The NSW Department of Primary Industries (NSW DPI) Agriculture is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend. Important issues for extractive industries are the potential impact on limited agricultural resources and the ability to rehabilitate the land to enable continued agricultural investment.

NSW DPI Agriculture provides EARs (Attachment 1) and a range of publications to assist consent authorities, proponents and the community in addressing the recommended EARs (Attachment 2). We do recognise that the site is dedicated to forestry use, and rehabilitation will also be directed to this end use (and if not may be agricultural). However, the impacts of the operation on surrounding agricultural enterprises and resources require attention, as does the end of use land conditions.

Should you require clarification on any of the information contained in this response, please contact me Mary Kovac, Agricultural Land Use Planning Officer, on 0427949987 or by email at landuse.ag@dpi.nsw.gov.au

Yours sincerely

[redacted]

Mary Kovac
2 December 2020
Agricultural Land Use Planning Officer

Attachment 1: Environmental Assessment Requirements for the Proposed Razorback Quarry (EARs 1532)

Issue	Environmental Assessment Requirements for the Environmental Impact Statement
Site Suitability	• Include a Land Use Conflict Risk Assessment (LUCRA) to identify potential land use conflict with sensitive receptors including surrounding agricultural land uses. The LUCRA is to address separation distances and management practices to minimise odour, dust and noise impacts on sensitive receptors including surrounding agricultural land uses. A LUCRA is described in the DPI Land Use Conflict Risk Assessment Guide. • Include a map, to scale, showing the above operational and infrastructure details including separation distances from sensitive receptors including surrounding agricultural land uses.
Consideration of impacts on agricultural resources and land	**Characteristics of the Land** • Describe the soil, slope, and land capability of the site • Describe the current and historical agricultural land uses on surrounding land in the locality including the land capability and agricultural productivity of the surrounding land. **Impacts on Agricultural Land, Resources and Land Uses** • Detail the potential impacts from the proposed extractive industry on agricultural land and agricultural land uses in the locality. • Consider possible cumulative impacts on surrounding agricultural enterprises and landholders. **Measures to Mitigate Impacts on Agricultural Land** • Demonstrate that all significant impacts on current and potential agricultural developments and resources can be reasonably avoided or adequately mitigated. • Detail the expected life span of the proposed development.
Suitable and secure water supply	• Detail the estimated water demand and water availability and the source of water and any sanitisation methods proposed. • Outline any impacts to water use for agriculture and measures to mitigate against these impacts.
Biosecurity	• Include a biosecurity (pests, weeds and disease) risk assessment outlining the likely plant, animal and community risks. The relevant weed or pest animals for a region are addressed in the regional plans or strategies issued by NSW Local Lands Services. • Include details of how the proposal will deal with identified biosecurity risks as well as contingency plans for any failures. Include monitoring and mitigation measures for weed and pest management.
Traffic movements	• Detail the volume and route of traffic movements for the proposed development and how potential impacts on surrounding agricultural land uses are proposed to be mitigated (e.g. noise, dust, volume of traffic). This should include consideration of Travelling Stock Reserves (TSR) and the movement of livestock or farm vehicles along / across the affected roads.

Land stewardship	• Describe the final proposed land use and landform. • Detail the proposed rehabilitation and decommissioning/closure measures to achieve this land use including the expected timeline for the rehabilitation program. • Outline the monitoring and mitigation measures to be adopted for rehabilitation remedial actions.
Community Consultation	• Consult with the owners / managers of affected and adjoining agricultural operations in a timely and appropriate manner about the proposal, the likely impacts and suitable mitigation measures or compensation.
Emergency Management	• The proposal is to detail contingency plans to enable the operation to deal with emergency situations. The proposal is to detail Emergency Management procedures and responsibilities for responding to bushfire threats

Attachment 2: Guidelines for assessment

Title	Location
Land Use Conflict Risk Assessment Guide	https://www.dpi.nsw.gov.au/agriculture/lup/development-assessment2/lucra
Agricultural Issues for Extractive Industry Development	https://www.dpi.nsw.gov.au/agriculture/lup/development-assessment2/extractive-industries

Mr Joel Herbert
Environmental Assessment Officer
Department of Planning, Industry and Environment

Via: Compliance and Referral Portal

Notice Number	1603270
Date	25-Nov-2020

Dear Mr Herbert

RAZORBACK QUARRY - SEAR ID NO. 1523

I refer to your email to the Environment Protection Authority (EPA), dated 20 November 2020, seeking Secretary Environmental Assessment Requirements (SEARs) for an Environmental Impact Statement (EIS) for the proposed Razorback Quarry located at 39 Razorback Road, Running Stream.

The EPA has reviewed the Scoping Report that accompanied the above mentioned e-mail. The EPA has identified the information it requires to adequately assess the proposal which is contained in Attachment A.

In summary, the EPA's key information requirements for the proposal include an adequate assessment of;

- Air quality impacts;
- Noise impacts; and
- Water management.

In carrying out the assessment, the proponent should refer to the relevant guidelines as listed in Attachment B and any relevant industry codes of practice and best practice management guidelines.

The activity as proposed will be a schedule Activity (extractive Industry and Crushing Grinding and Separating) under the Protection of the Environment Operations Act 1997 and therefore will be Integrated Development application for the purposes of the EPA, requiring an environment protection licence should development consent be granted.

The proponent should be made aware that any commitments made in the EIS may be formalised as approval conditions and may also be placed as formal licence conditions.

Yours sincerely

[redacted]

Sandie Jones

Regional Manager

Regional South - Bathurst

(by Delegation)

ATTACHMENT A: EPA EIS Requirements

Air quality

The EIS should include a detailed air quality impact assessment (AQIA). The AQIA should:

1. Identify all potential discharges of fugitive and point source emissions of pollutants including dust for all stages of the proposal and assess the risk associated with those emissions. All processes that could result in air emissions must be identified and described. Sufficient detail to accurately communicate the characteristics and quantity of all emissions must be provided. Assessment of risk relates to environmental harm, risk to human health and amenity.

2. Justify the level of assessment undertaken on the basis of risk factors, including but not limited to:
    a. proposal location;
    b. characteristics of the receiving environment;
    c. type and quantity of pollutants emitted.

3. Describe the receiving environment in detail. The proposal must be contextualised within the receiving environment (local, regional and inter-regional as appropriate). The description must include but need not be limited to:
    a. meteorology and climate;
    b. topography;
    c. surrounding land-use;
    d. ambient air quality.

4. Include a consideration of 'worst case' emission scenarios and impacts at proposed emission limits.

5. Account for cumulative impacts associated with existing emission sources as well as any currently approved developments linked to the receiving environment.

6. Include air dispersion modelling where there is a risk of adverse air quality impacts, or where there is sufficient uncertainty to warrant a rigorous numerical impact assessment. Air dispersion modelling must be conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2005)*. http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf.

7. Demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations (POEO) Act (1997)* and the *POEO (Clean Air) Regulation (2010)*.

8. Detail emission control techniques/practices that will be employed by the proposal. Consideration should be given to dust management techniques where water is unavailable or limited and the development of a Trigger Action Response Plan (TARP).

Noise and Vibration

In relation to noise impacts, the following matters should be addressed (where relevant) as part of the Environmental Impact Statement.

1. Construction noise associated with the proposed development.

2. Operational noise from all industrial activities proposed (including private haul roads) to be undertaken on the premises should be assessed.

3. Noise from existing or upgraded or new public roads from increased road traffic should be assessed in accordance with the *NSW Road Noise Policy* (DECCW, 2011).

In relation to blasting and vibration, the following matters should be address (where relevant) as part of the Environmental Assessment

- Vibration from all activities (including construction and operation) to be undertaken on the premises should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (DEC2006).
- If blasting is required for any reasons during the construction or operational stage of the proposed development, blast impacts should be demonstrated to be capable of complying with the guidelines contained in *Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration* (ANZEC, 1990).

Water

The EIS should;

1. Describe water usage for the proposal including the position of any intakes and discharges, volumes, water quality and frequency of all water discharges.

2. Describe existing surface and groundwater quality. An assessment needs to be undertaken for any water resource likely to be affected by the proposal.

3. State the Water Quality Objectives for the receiving waters relevant to the proposal. These refer to the community's agreed environmental values and human uses endorsed by the NSW Government as goals for ambient water. http://www.environment.nsw.gov.au/ieo/index.htm. Where groundwater may be impacted the assessment should identify appropriate groundwater environmental values.

4. State the indicators and associated trigger values or criteria for the identified environmental values. This information should be sourced from the ANZECC (2000) Guidelines for Fresh and Marine Water Quality. http://www.environment.gov.au/water/quality/publications/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1.

5. State any locally specific objectives, criteria or targets which have been endorsed by the NSW Government.

6. Provide a water balance for the development including water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

7. Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.

8. Describe the nature and degree of impact that any proposed discharges will have on the receiving environment.

9. Assess impacts against the relevant ambient water quality outcomes. Demonstrate how the proposal will be designed and operated to:

   - protect the Water Quality Objectives for receiving waters where they are currently achieved; and
   - contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved.

10. Where a discharge is proposed that includes a mixing zone, the proposal should demonstrate how wastewater discharged to waterways will ensure the ANZECC (2000) water quality criteria for relevant chemical and non-chemical parameters are met at the edge of the initial mixing zone of the discharge, that any impacts in the initial mixing zone are demonstrated to be reversible.

11. Describe how predicted impacts will be monitored and assessed over time.

12. Assess potential impacts on groundwater and groundwater dependent ecosystems.

13. Detail the erosion and sediment controls to be implemented to minimise erosion and sediment mobilisation at the site which have been designed in accordance with the requirements of the publication *Managing Urban Stormwater: Soils and Construction* (Landcom 2004) and . The EIS should show the location of each measure to be implemented for the construction and operational phases of the project. The measures to be considered include:

    - Sediment traps
    - Diversion banks
    - Sediment fences
    - Bunds (earth, hay, mulch)
    - Geofabric liners
    - Other control measures as appropriate

Waste and Stockpile Management

The EIS should;

1. Identify, characterise and classify all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste. All waste must be classified in accordance with EPA's *Waste Guidelines*.

2. Identify, characterise and classify all waste that is proposed to be disposed of to an offsite location, including proposed quantities of the waste and the disposal locations for the waste. This includes waste that is intended for re-use or recycling. All waste must be classified in accordance with the EPA's *Waste Guidelines*.

3. Provide details of how waste and product stockpiles will be handled and managed onsite to minimise pollution, including:

    - Labelling of stockpiles for identification, ensuring that all waste is in clearly identified stockpiled from other types of material (especially the separation of contaminated and non-contaminated waste).
    - Proposed height limits for all waste and product stockpiles to reduce the potential for dust.
    - Procedures for minimising the movement of waste and products around the site to avoid the need for double handling.
    - Where relevant, measures to minimise leaching from stockpiles into the surrounding environment, such sediment fencing, geofabric liners etc.

4. Provide details of how any waste will be handled and managed during transport to a lawful facility. If the waste possesses hazardous characteristics, the Proponent must provide details of how the waste will be treated or immobilised to render it suitable for transport and disposal.

ATTACHMENT B: Guidance Material

Title	Web address
Relevant Legislation	
Contaminated Land Management Act 1997	http://www.legislation.nsw.gov.au/#/view/act/1997/140
Environmentally Hazardous Chemicals Act 1985	http://www.legislation.nsw.gov.au/#/view/act/1985/14
Environmental Planning and Assessment Act 1979	http://www.legislation.nsw.gov.au/#/view/act/1979/203
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/#/view/act/1997/156
Water Management Act 2000	http://www.legislation.nsw.gov.au/#/view/act/2000/92
Licensing	
Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
Air Issues	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2016)	http://www.epa.nsw.gov.au/air/appmethods.htm
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/#/view/regulation/2010/428
Noise and Vibration	
NSW Noise Policy for Industry	http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
Interim Construction Noise Guideline (DECC, 2009)	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
NSW Rail Infrastructure Noise Guideline (EPA, 2013)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise

Human Health Risk Assessment	
Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)	http://www.eh.org.au/documents/item/916
Waste, Chemicals and Hazardous Materials and Radiation	
Waste	
Environmental Guidelines: Solid Waste Landfills (EPA, 2016)	http://www.epa.nsw.gov.au/waste/landfill-sites.htm
Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)	http://www.epa.nsw.gov.au/resources/waste/envguidlns/industrialfill.pdf
EPA's Waste Classification Guidelines 2014	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery orders and exemptions	http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm
European Unions Waste Incineration Directive 2000	http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm
EPA's Energy from Waste Policy Statement	http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Chemicals subject to Chemical Control Orders	
Chemical Control Orders (regulated through the EHC Act)	http://www.epa.nsw.gov.au/pesticides/CCOs.htm
National Protocol - Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
Water and Soils	
Acid sulphate soils	
Coastal acid sulfate soils guidance material	http://www.environment.nsw.gov.au/acidsulfatesoil/ and http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm
Acid Sulfate Soils Planning Maps	http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm
Contaminated Sites Assessment and Remediation	
Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	http://www.epa.nsw.gov.au/clm/planning.htm

Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)	http://www.epa.nsw.gov.au/resources/clm/20110650consultantsglines.pdf
Guidelines for the NSW Site Auditor Scheme - 2nd edition (DEC, 2006)	http://www.epa.nsw.gov.au/resources/clm/auditorglines06121.pdf
Sampling Design Guidelines (EPA, 1995)	http://www.epa.nsw.gov.au/resources/clm/95059sampgdlne.pdf
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	http://www.scew.gov.au/nepms/assessment-site-contamination
Soils – general	
Managing land and soil	http://www.environment.nsw.gov.au/soils/landandsoil.htm
Managing urban stormwater for the protection of soils	http://www.environment.nsw.gov.au/stormwater/publications.htm
Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (E. Mines and quarries) (DECC 2008) Vol 1 - Vol 2e -	http://www.environment.nsw.gov.au/resources/water/BlueBookVol1.pdf http://www.environment.nsw.gov.au/resources/stormwater/08208soilsconststorm2e.
Landslide risk management guidelines	http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Local Government Salinity Initiative Booklets	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html
Applying Goals for Ambient Water Quality Guidance for Operations Officers - Mixing Zones	Contact the EPA on 131555
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

Our ref: DOC20/965111

Mr Joel Herbet
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

By email: Joel.Herbert@planning.nsw.gov.au

Dear Mr Herbet

Request for Secretary's Environmental Assessment Requirements (SEARS) for Designated Development Proposal – Razorback Quarry (EAR ID No. 1523)

Thank you for your referral dated 20 November 2020 inviting SEARS input from the Heritage Council of NSW on the above designated development proposal.

The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological deposits. Therefore, no heritage comments are required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.

If you have any questions regarding the above advice, please contact Colleen Klingberg, A/Customer Strategies Officer, at Heritage NSW via on 9873 8566 or Colleen.klingberg@environment.nsw.gov.au

Yours sincerely

Anna London
A/Senior Team Leader Customer Strategies
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW
2 December 2020

DOC21/119488

MINING, EXPLORATION & GEOSCIENCE ADVICE RESPONSE

Joel Herbert
Energy, Resources & Compliance Division
Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

joel.herbert@planning.nsw.gov.au

Dear Joel

Project: Razorback Quarry – Environmental Assessment Requirements 1523
Stage: Secretary's Environmental Assessment Requirements
Development Application: EARs 1523

I refer to your correspondence dated 9 February 2021 inviting the Department of Regional NSW – Mining, Exploration & Geoscience (MEG) to provide comments on the *Addendum to Scoping Report for Razorback Quarry* dated 5 February 2021 submitted by BORG on behalf of Plantation Products Australia Pty Ltd (the Proponent).

MEG has reviewed the addendum report and notes that no clay products will be generated by the proposed operation. MEG is now satisfied that the Project does not involve a Scheduled Mineral requiring regulation under the *Mining Act 1992.*

Accordingly, MEG withdraws the SEARs response issued on 4 December 2020 and provides the following advice.

Resource management of construction materials

Sandstone and conglomerate are not prescribed minerals under the *Mining Act 1992*. While MEG has no statutory role in authorising or regulating the extraction of these commodities, MEG is the principal government authority responsible for assessing the state's resources of construction materials and for advising state and local government on their planning and management.

The Environmental Impact Statement (EIS) should include a resource assessment which:

- documents the size and quality of the resource and demonstrate that both have been adequately assessed; and
- documents the methods used to assess the resource and its suitability for the intended applications.

If deemed commercial-in-confidence, the resource assessment summary included in the EIS should commit to providing MEG with full resource assessment documentation separately.

Data collection requirements for construction materials

MEG collects data on the quantity of construction materials produced annually throughout the

state. Forms are sent to all operating quarries at the end of each financial year for this purpose.

The statistical data collected is of great value to government and industry in planning and resource management, particularly as a basis for analysing trends in production and for estimating future demand for particular commodities or in particular regions.

Production data may be published in aggregated form, however production data for individual operations is kept strictly confidential. In order to assist in the collection of construction material production data, the proponent should be required to provide annual production data for the subject site to MEG as a condition of consent.

Biodiversity offsets - Mineral resource and construction resource considerations

MEG understands that the Project is not expected or likely to require biodiversity offsets. However, MEG would appreciate the opportunity for early consultation in relation to the proposed location of any biodiversity offset areas (both on and off site) or any supplementary biodiversity measures (if required) to ensure there is no consequent reduction in access to prospective land for mineral exploration, or potential for sterilisation of mineral or extractive resources.

Stakeholder consultation requirements

Coal Exploration Licence (EL)7432 – Centennial Inglenook Pty Ltd

MEG advises that the project area is located within Coal Exploration Licence (EL) 7432 held by Centennial Inglenook Pty Ltd. MEG recommends consultation with Centennial, including a record of consultation included in the EIS.

Contact details that the Department currently has on record for Centennial Inglenook is as follows:
Technical Manager EL7432: Thomas Dubos
Phone: 02 63557965
Email: thomas.dubos@centennialcoal.com.au

Geological Survey of NSW

Specific queries regarding the above requirements should be directed to the GSNSW - Land Use team at landuse.minerals@geoscience.nsw.gov.au.

For general advice concerning this letter, please contact the Assessment Coordination Unit on 02 4063 6534 or assessment.coordination@planning.nsw.gov.au.

Yours sincerely

[redacted]

Scott Anson
Manager Assessment Coordination
Resource Operations
Department of Regional NSW – Mining, Exploration & Geoscience
25 February 2021

for
Stephen Wills
Executive Director Resource Operations
Department of Regional NSW – Mining, Exploration & Geoscience

Natural Resources Access Regulator

Contact: Natural Resources Access Regulator
Phone: 1800 633 362
Email: nrar.enquiries@nrar.nsw.gov.au

Our Ref: V15/2812-5#36
SEARs Ref: SEAR 1523

23 February 2021

Joel Herbert
NSW Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy St
PARRAMATTA NSW 2150

Emailed: Joel.Herbert@planning.nsw.gov.au

Dear Sir/Madam

Re: Request for Environmental Assessment Requirements - V15/2812-5#36
Reference Number: SEAR 1523
Description: Razorback Quarry
Location: Lot 2 DP 569979, 39 Razorback Road RUNNING STREAM

Thank you for your email on the 20th November 2020 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the above development. The Natural Resources Access Regulator (NRAR) has reviewed the supporting documentation accompanying the request for SEARs and recommends the Environmental Impact Statement (EIS) be required to include the following;

- The identification of an adequate and secure water supply for the life of the project. This includes details of water sources that water will be taken from, and demonstration that appropriate licences and approvals are held or can be obtained under the *Water Management Act 2000*, or any relevant exemptions that apply under Schedule 4 of the *Water Management (General) Regulation 2018*.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at https://www.industry.nsw.gov.au/water).
- Before commencing any proposed works on waterfront land, an application under the Water Management Act 2000 for controlled activity approval (CAA) must be submitted to Natural Resources Access Regulator. Works cannot commence until a CAA has been issued, unless an exemption applies under Schedule 4 of the *Water*

Management (General) Regulation 2018, please refer to NRAR's Exemption Factsheet (available at https://www.industry.nsw.gov.au/__data/assets/pdf_file/0004/172093/Controlled-activity-approval-exemptions-fact-sheet.pdf)

Any questions regarding this correspondence should be directed to nrar.servicedesk@dpie.nsw.gov.au

Yours sincerely

[redacted]

For
Alison Collaros
Manager Licensing & Approvals
Water Regulatory Operations
Natural Resources Access Regulator

DOC20/992750
MAAG0009196

Joel Herbert
Environmental Assessment Officer
Energy & Resource Assessments

Via: Email joel.herbert@planning.nsw.gov.au

Dear Mr Herbert

Re. Request for Requirements - Razorback Quarry - EARs 1523

I refer to your request of 24 November 2020 for advice regarding Razorback Quarry. The Resources Regulator has reviewed the request.

Assessment
Based on the review of the application form and scoping report, the Resources Regulator advises that the quarry does not propose to extract a scheduled mineral under the *Mining Act 1992* and the operation's rehabilitation is therefore not regulated by the Resources Regulator.

Whilst the activity is not regulated by the Resources Regulator under the Mining Act the mine operator is reminded of their obligations under the *Work Health and Safety Act 2011* and *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and associated regulations.

Regulatory requirements if approved
The Resources Regulator may undertake assessments of the mine operators' proposed mining activities under the Work Health and Safety (Mines and Petroleum Sites) Act 2013 and Regulation as well as other WHS regulatory obligations.

Background
The Mining Act Inspectorate within the Resources Regulator has responsibility for providing strategic advice on environmental issues as they relate to or affect mine rehabilitation.

The Mine Safety Inspectorate within the Resources Regulator is responsible for ensuring the mine operators' compliance with the Work Health and Safety (WHS) legislation, in particular the effective management of risks associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*.

Contact
Should you require any further information or clarification, please contact the Office of the Executive Director (ED.ResourcesRegulator@planning.nsw.gov.au)

Yours sincerely,

Alex Tutt-Branco
Executive Officer
Office of the Executive Director, Resources Regulator

4 December 2020

10 December 2020

SF2020/220070; WST20/00413/01

The Manager
Industry Assessments
Department of Planning, Industry and Environment
PO Box 39
Sydney NSW 2001
(By email only)

Attn: Joel Herbert, Environmental Assessment Officer

Dear Mr Herbert,

EAR 1523: Lot 2 DP 569979; 39 Razorback Road, Running Stream
'Razorback Quarry' extractive industry producing up to 200 ktpa

Thank you for the above referral dated 20 November 2020 inviting comments for the Secretary's Environmental Assessment Requirements (SEARs) from Transport for NSW (TfNSW).

From review of the submitted documentation TfNSW notes that:

- The proposal is for a quarry producing a maximum of 200,000 tonnes per annum (200 ktpa) of quartz, sand and clay products, with two full time equivalent staff and a total site area of 24.7 ha including workshop, office and weighbridge facilities. It is noted that the quarry material is loosely consolidated and will be extracted and processed without use of explosives, rock breakers or onsite crushers.

- The proposal would be required to be referred to TfNSW pursuant to Section 16 of the *SEPP (Mining, Petroleum Production and Extractive Industries) 2007*.

- The consent is proposed to be limited to a duration of 30 years.

- Transport of products by road is proposed to be limited to 1,500 tonnes per day, or up to 5 truckloads per hour (10 movements in and out combined). At peak annual extraction of 200 ktpa, transport is expected to average around 650 tonnes per day or 20 truck-and-dog loads (40 movements). Transport hours of 8am to 3:30pm Monday to Friday are proposed, with no haulage on weekends or public holidays.

TfNSW offers the following project-specific comments to assist in preparation of the application:

- A key concern is the apparent lack of available Safe Intersection Sight Distance (SISD) and Minimum Gap Sight Distance (MGSD) between State highway traffic and laden trucks turning right from Razorback Road onto the State highway.

51-55 Currajong Street PARKES NSW 2870 | PO Box 334 PARKES NSW 2870 DX20256
P 6861 1449 | **W** development.western@rms.nsw.gov.au | ABN 18 804 239 602

- These distances are to be assessed in accordance with the Austroads *Guide to Road Design* as part of any application.

- If the application submits that this turning movement can be performed safely, this is to be demonstrated by diagrams representing the sight distances relative to highway horizontal and vertical curve geometry. If the movement cannot be performed safely, alternative safe haulage routes or infrastructure upgrades (such as a southbound climbing lane) may need to be considered.

More generally, TfNSW requests that the Environmental Impact Statement be supported by an Integrated Transport Assessment (ITA) prepared by a suitably qualified person in accordance with the *Austroads Guide to Traffic Management Part 12*, TfNSW *Supplements to Austroads* and the *RTA Guide to Traffic Generating Developments*. The ITA is to address the following.

- Project schedule:
    - Hours and days of work, number of shifts and start and end times,
    - Transport considerations at each phase and stage of the project, including construction, operation and decommissioning,

- Traffic volumes:
    - Existing background traffic,
    - Project-related traffic for each phase or stage of the project,
    - Projected cumulative traffic at commencement of operation, and a 10-year horizon post-commencement,

- Traffic characteristics:
    - Number and ratio of heavy vehicles to light vehicles,
    - Peak times for existing traffic,
    - Peak times for project-related traffic including commuter periods,
    - Proposed hours for transportation and haulage,
    - Interactions between existing and project-related traffic,

- A description of all over size and over mass vehicles and the materials to be transported

- The origins, destinations and routes for:
    - Commuter (employee and contractor) light vehicles and pool vehicles,
    - Heavy (haulage) vehicles,
    - Over size and over mass vehicles,

- Road safety assessment of key haulage route/s,

- The impact of traffic generation on the public road network and measures employed to ensure traffic efficiency and road safety during construction, operation and decommissioning of the project,

- The need for improvements to the road network, and the improvements proposed such as road widening and intersection treatments, to cater for and mitigate the impact of project related traffic,

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- Proposed road facilities, access and intersection treatments are to be identified and be in accordance with Austroads Guide to Road Design including provision of Safe Intersection Sight Distance (SISD),

- Local climate conditions that may affect road safety during the life of the project (e.g. fog, wet and dry weather, icy road conditions),

- Impact on public transport (public and school bus routes),

- Identification and assessment of potential impacts of the project, such as lighting, visual, noise, dust and drainage on the function and integrity of all affected public roads,

- Propose a Traffic Management Plan (TMP) to be developed following approval of the EIS, in consultation with relevant Councils and TfNSW. The TMP would need to identify strategies to manage the impacts of project related traffic, including any community consultation measures for peak haulage periods.

- Propose a Driver Code of Conduct for haulage operations which could include, but not be limited to:
    - Safety initiatives for haulage through residential areas and/or school zones.
    - An induction process for vehicle operators and regular toolbox meetings.
    - A public complaint resolution and disciplinary procedure.

TfNSW appreciates the opportunity to contribute to the SEARs and requests that a copy be forwarded to TfNSW at the same time it is sent to the applicant. If you wish to discuss this matter further, please contact Bevan Crofts, Development Assessment Officer on (02) 6861 1449.

Yours faithfully

Ainsley Bruem
A/Manager Land Use Assessment
Region West

cc General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850

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