

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Division 5 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-5537
Project	<p>The Hawsons Iron Ore Project, which includes:</p> <ul style="list-style-type: none"> • developing an open cut magnetite mine and associated infrastructure to support the mine, including a water supply pipeline, ore processing, tailings management and on-site water management infrastructure; • extracting and processing up to 160 million tonnes (Mt) of ore a year to produce up to 20 Mt of magnetite concentrate a year for up to 20 years; • transporting concentrate to Broken Hill via a slurry pipeline for further processing and then to port via rail for export from South Australia; and • progressively rehabilitating the site.
Location	60 km south-west of Broken Hill, within the Unincorporated Far West Region
Applicant	Hawsons Iron Limited
Date of Issue	15 March 2022
General Requirements	<p>The Environmental Impact Statement (EIS) must be prepared in accordance with, and meet the minimum requirements of clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2021</i> (the Regulation), and must have regard to the Department's State Significant Development Guidelines (2021)</p> <p>In particular, the EIS must include, but not necessarily be limited to, the following:</p> <ul style="list-style-type: none"> • a stand-alone executive summary; • a full description of the development, including: <ul style="list-style-type: none"> - the geological setting and resource to be extracted (size and quality), demonstrating efficient resource recovery within environmental constraints; - the mine and processing site layout and scheduling; - minerals processing and transport arrangements; - surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); - workforce requirements during all phases of the development (on a full-time equivalent basis); - surface disturbance footprint; - a waste (overburden, tailings, etc.) management strategy; - a water management strategy; - a rehabilitation strategy; and - the likely interactions between the development and any other existing, approved or proposed mining related development in the vicinity of the site; • a strategic justification of the development focusing on site selection and the suitability of the proposed site; • the terms of any proposed Voluntary Planning Agreement with the relevant Council; • a list of any approvals that must be obtained before the development may commence; • an environmental risk assessment to identify the potential environmental impacts associated with the development, including:

	<ul style="list-style-type: none"> - a description of the existing environment likely to be affected by the development, using adequate baseline data; - an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant legislation, environmental planning instruments, guidelines, policies, plans and industry codes of practice; - a description of the measures that would be implemented to avoid, minimise, mitigate and/or offset the impacts of the development, and an assessment of: <ul style="list-style-type: none"> o whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented; o the likely effectiveness of these measures; and o whether contingency plans would be necessary to manage any significant risks to the environment; and - a description of the measures that would be implemented to monitor and report on the environmental performance of the development; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>); • a conclusion evaluating the merits of the development as a whole, having regard to the requirements in Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i>; and • a signed statement from the author of the EIS, certifying that the information contained within the document is neither false nor misleading. <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> • a report from a qualified quantity surveyor providing a detailed calculation of the capital investment value (CIV) (as defined in Clause 3 of the Regulation) of the proposal, including details of all the assumptions and components from which the capital investment value calculation is derived. The report must be prepared on a company letterhead and indicate the applicable GST components of the CIV; and • an estimate of jobs that will be created during the construction and operational phases of the proposed development
<p>Key issues</p>	<p>The EIS must address the following specific issues, with the level of assessment of likely impacts proportionate to the significance and degree of impact, within the context of the project location and the surrounding environment and having regard to applicable NSW Government policies and guidelines.</p> <ul style="list-style-type: none"> • Land and Soils – including an assessment of: <ul style="list-style-type: none"> - the likely impacts of the development on the soils and land capability of the site and surrounds; and a description of the mitigation and management measures to prevent, control or minimise impacts of the development; - the likely agricultural impacts of the development, including identification of any strategic agricultural land including biosecurity; - whether the soils in the area of the project are potentially contaminated or are acid forming (i.e. acid sulphate soils) and if so, identification of best practice mitigation measures and strategies or remedial and/or disposal actions that will be required/undertaken if applicable in accordance with relevant guidance/standards; - the likely impact of the development on landforms (topography), including the long term geotechnical stability of any new landforms on site; 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 <i>State</i>

	<p><i>Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, paying particular attention to the agricultural land use in the region;</p> <ul style="list-style-type: none"> • Water – including: <ul style="list-style-type: none"> - an assessment of the likely impacts of the development on the quantity and quality of surface and groundwater resources, having regard to the <i>NSW Aquifer Interference Policy</i>; - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users; - a detailed site water balance, 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 under the <i>Water Act 1912</i> and/or <i>Water Management Act 2000</i>; - an assessment of the reliability of water supply; - 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 WSP or water source embargo; - a detailed description of the proposed water management system (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts (including spill/leak management); - a description of construction erosion and sediment controls, how the impacts of the development on areas of erosion, salinity or acid-sulphate risk, steep gradient land or erodible soils types would be managed and any contingency requirements to address residual impacts; and - an assessment of the potential flooding impacts of the project • Biodiversity – including: <ul style="list-style-type: none"> - an assessment of the direct and indirect impacts of the development throughout its life, and the impacts to biodiversity values in accordance with the <i>NSW Biodiversity Conservation Act 2016</i>, the <i>Biodiversity Assessment Method</i> (BAM 2020 or as updated from time to time and in accordance with transitional arrangements) and documented in a Biodiversity Development Assessment Report (BDAR); and - a strategy to offset any residual impacts in accordance with the <i>Biodiversity Conservation Act 2016</i>; - an assessment of the likely impacts of the development on aquatic ecology and key Fisheries issues, including Aquatic Biodiversity and Key Fish Habitats; • Heritage – including an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development, including consultation with the local Aboriginal community in accordance with <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (OEH 2010); • Air Quality – including: <ul style="list-style-type: none"> - an assessment of the likely air quality impacts of the development in accordance with the <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW</i>, and having regard to the NSW Government's <i>Voluntary Land Acquisition and Mitigation Policy</i>; and - an assessment of the likely greenhouse gas impacts of the development; • Noise and Blasting – including: <ul style="list-style-type: none"> - an assessment of the likely construction, operational and off-site noise impacts of the development in accordance with the <i>Interim Construction Noise Guideline</i>, <i>NSW Noise Policy for Industry</i>, <i>NSW Road Noise Policy</i> and <i>Rail Infrastructure Noise Guideline</i> (as applicable), and having regard to the <i>Voluntary Land Acquisition and Mitigation Policy</i>;
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	<ul style="list-style-type: none"> - an assessment of the likely blasting impacts of the development on people, animals, buildings and infrastructure, and significant natural features, having regard to the relevant ANZECC guidelines; • Transport – including: <ul style="list-style-type: none"> - an assessment of the likely transport impacts of the development on the capacity, condition, safety and efficiency of road and rail networks; - an assessment of the site access routes and access points in accordance with the <i>Roads Act 1993</i>; and - a description of the measures that would be implemented to mitigate any impacts, including any proposed upgrades developed in consultation with the relevant road and rail authorities (if required). • Rehabilitation and Final Landform – including: <ul style="list-style-type: none"> - a detailed overview of the final land-use for the development, including both the mine site and the water supply pipeline; - a description of final landform design objectives, having regard to achieving a natural landform that is safe, stable, non-polluting, fit for the nominated post-mining lands use and sympathetic with surrounding landforms; - the proposed rehabilitation and mine closure strategies for the site having regard to the key principles in the <i>Strategic Framework for Mine Closure</i>, including rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; • Hazards – including an assessment of the likely risks to public safety, paying particular attention to potential bushfire risks and the handling, transport and use of any dangerous goods; • Waste – including estimates of the quantity and nature of the waste streams that would be generated by the development (including tailings and course rejects) and any measures that would be implemented to minimise, manage or dispose of the waste streams; • Visual – including an assessment of: <ul style="list-style-type: none"> - the likely visual impacts of the development (before, during and post-mining) on private landowners in the vicinity of the development and key vantage points in the public domain, paying particular attention to any temporary and permanent modification of the landscape (tailings storage facilities, overburden dumps, bunds, etc.); and - the lighting impacts of the development; • Social and economic – including: <ul style="list-style-type: none"> - an assessment of the anticipated social impacts of the project, prepared in accordance with the <i>Social Impact Assessment Guidelines for State Significant Mining, Petroleum Production and Extractive Industry Development (2017)</i>, including the likely impacts of the development on the local community, cumulative impacts (considering other mining developments in the locality), and consideration of workforce accommodation; and - an assessment of the likely economic impacts of the development, paying particular attention to: <ul style="list-style-type: none"> ○ the costs and benefits of the development; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates (refer to guideline in Appendix 1); and ○ the demand on local infrastructure and services.
<p>Plans and Documents</p>	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.</p>

<p>Consultation</p>	<p>During the preparation of the EIS and subsequent assessment process, you must establish and operate a Community Consultative Committee (CCC) for the development in accordance with the <i>Community Consultative Committee Guidelines: State Significant Projects</i> dated November 2016.</p> <p>You must also consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<p>Further consultation after 2 years</p>	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these Environmental Assessment Requirements, you must consult further with the Secretary in relation to the preparation of the EIS.</p>
<p>References</p>	<p>The assessment of the key issues listed above must take into account relevant planning instruments, guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p>

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Please also refer to the Department's Policies and Guidelines including strategic plans and guidelines at:

<https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>

Land	
	Strategic Regional Land Use Policy: Guideline for Agricultural Impact Statements 2012 (DPI)
	Agfact AC.25: Agricultural Land Classification 2002 (NSW Agriculture)
	Primefact 1063: Infrastructure proposals on rural land 2013 (DPI)
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Australian Soil and Land Survey Handbook 2009 (CSIRO)
	Guidelines for Surveying Soil and Land Resources 2008 (CSIRO)
	The land and soil capability assessment scheme: second approximation 2012 (OEH)
	Interim Protocol for Site Verification & Mapping of Biophysical Strategic Land 2013 (OEH)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Land Use Conflict Risk Assessment Guide 2011 (DPI)
Water	
	NSW Murray Darling Basin Porous Rock Groundwater Sources 2012
	NSW Water Sharing Plans
Water Sharing Plans	NSW Water Strategy
	Water Management Act 2000
	Lower Murray Darling Unregulated and Alluvial Water Sources 2012
	NSW State Groundwater Policy Framework Document 1997 (NOW)
	Groundwater Monitoring and Modelling Plans - Information for prospective mining and petroleum exploration activities (DPI, DPI Water, 2014)
	NSW State Groundwater Quality Protection Policy 1998 (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (DPI 2012)
	NSW Aquifer Interference Policy 2012 (NOW)
Groundwater	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia 1995 (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
	Murray-Darling Basin Groundwater Quality. Sampling Guidelines. Technical Report No 3 (MDBC)
	Murray-Darling Basin Commission. Groundwater Flow Modelling Guideline (Aquaterra Consulting Pty Ltd)
	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)
Surface Water	Australian and New Zealand Guidelines for Fresh and Marine Water Quality
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)

	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	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)
	Use of Effluent by Irrigation Guideline (EPA)
	A Rehabilitation Manual for Australian Streams 2000 (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities (NOW)
Flooding	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
Biodiversity	
	Biodiversity Assessment Method 2020 (OEH)
	Threatened Species Assessment Guidelines - Assessment of Significance (OEH)
	Guidance to assist a decision-maker to determine a serious and irreversible impact (OEH)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
	Policy and Guidelines for Fish Habitat Conservation and Management (DPI Fisheries)
Heritage	
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (OEH)
	Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW 2010 (OEH)
	Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW 2011 (OEH).
	NSW Heritage Manual 2002 (OEH)
	Assessing Significance for Historical Archaeological Sites and 'Relics' 2009 (OEH)
	Statements of Heritage Impact (OEH)
	<u>Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter 2013</u>
	Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW 2010 (DECCW)
Air Quality	
	Voluntary Land Acquisition and Mitigation Policy: For State Significant Mining, Petroleum and Extractive Industry Developments (DPE)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	National Greenhouse Accounts Factors (Commonwealth)
Noise, Vibration & Blasting	
	Revised Voluntary Land Acquisition and Mitigation Policy 2018 (DPE)
	Noise Policy for Industry 2017 (EPA)
	Construction Noise Guideline (EPA) (if finalised), otherwise Interim Construction Noise Guideline 2009 (EPA)
	NSW Road Noise Policy 2011 (EPA)

	Development Near Rail corridors and Busy Roads Interim Guideline 2008
	Rail Infrastructure Noise Guideline 2013 (EPA)
	Environmental Noise Management – Assessing Vibration: a technical guide 2006 (DEC)
	Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration 1990 (ANZECC)
Transport	
	Guide to Traffic Generating Developments 2002 or latest revision (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
	Austroads Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments
	Future Transport Strategy 2056 and supporting plans
Hazards	
	Australian Dangerous Goods Code
	Australian Standard 4452 Storage and Handling of Toxic Substances
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning for Bush Fire Protection 2006 (RFS)
Social and economic	
	Social Impact Assessment Guideline 2021
	Guidelines for the economic assessment of mining and coal seam gas proposals 2015 (NSW Government)
Waste	
	Waste Classification Guidelines (EPA)
	Protection of the Environment Operations (Waste) Regulation 2014
	Environmental Guidelines: Solid Waste Landfills (EPA)
	Tailings Management – Leading Practice Sustainable Development Program for the Mining Industry (Australian Government)
Resource	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Mine Closure – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Strategic Framework for Mine Closure (ANZMEC-MCA)
Environmental Planning Instruments	
	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
	State Environmental Planning Policy (Rural Lands) 2008
	State Environmental Planning Policy No. 55 – Remediation of Land
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Broken Hill Local Environment Plan 2013