Transport for NSW

6 September 2023

TfNSW reference: WST16/00066/15 | SF2016/057834

Resource Assessments
Department of Planning & Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Jarrod Blane

SSD-61394968: Request for Secretary's Environmental Assessment Requirements (SEARs) for South Keswick Quarry Production Increase for Dubbo Regional Council

Dear Jarrod,

Thank you for referring the abovementioned request for SEARs via the NSW Major Projects Planning Portal on 18 August 2023 inviting comment from Transport for NSW (TfNSW).

TfNSW has reviewed the Scoping Report, prepared by Umwelt Environmental & Social Consultants dated July 2023 prepared for the prospective development comprising of an increase of extraction from 495,000tpa to 750,000tpa at the South Keswick Quarry. It is further understood that the proposal will create additional traffic generation at the intersection to the classified (State) road (HW7) and Sheraton Road, an existing local road.

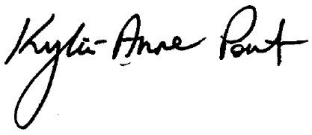
TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy 2056*.

To ensure that TfNSW's key interests are addressed, TfNSW requests that any future application be submitted with an Environmental Impact Assessment (EIA) containing a Traffic Impact Assessment (TIA), prepared by a suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, Australian Standards and any complementary TfNSW Supplements, and *Roads and Maritime Guide to Traffic Generating Developments*. The TIA should contain information listed in Attachment A: Traffic Impact Assessment (TIA).

TfNSW encourages early discussions with proponents regarding the traffic and network matters associated with State Significant Development. If you wish to discuss this matter further, please contact Brendan Croft, Development Services Case Officer, on ph. 1300 019 680.

On determination of this matter, please forward a copy of the final SEARs to TfNSW at development.west@transport.nsw.gov.au.

Yours faithfully,



Kylie-Anne Pont
Team Leader Development Services
West Region | Community and Place
Regional and Outer Metropolitan

Attachment A: Traffic Impact Assessment (TIA)

The purpose of the TIA is to address 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 requested TIA should be tailored to the scope of the proposed development and include, but not be limited to, the following:

- Detailed plans identifying the location of any:
  - Proposed and existing project-related infrastructure within and outside of the project boundary.
  - Any other project-related structures within the road reserve. Include demarcation of local and classified road reserves.
  - Structures on the road network that could be sensitive to blasting (e.g. bridges, pump stations, etc.). Note, if any structures are likely to be affected, an assessment of the impact must ensure that the peak particle velocity is limited to an acceptable level to TfNSW.
- An assessment should be undertaken as a part of the EIS and TIA to identify the projects that will have overlapping operational periods and assess the cumulative traffic impacts with emphasis on the following:
  - The cumulative impacts from traffic generated from quarry operations in terms of the origin-destination routes, access, AM/PM peaks where there is overlap with other projects (e.g., Mars quarry).
  - The cumulative impacts of heavy vehicle movements in terms of AM/PM peaks and routes where there is an overlap with other projects and existing land uses. Specific reference shall be made to address the existing school zones along key routes identified and how safety concerns are to be mitigated during the operation of the production increase.
- Heavy vehicle routes:
  - National Heavy Vehicle Regulator (NHVR) approved routes identified on the Restricted Access Maps (RAV MAP) are to be utilised for the heavy vehicle routes for the proposed development.
  - Consideration for any future plans by Council to alter the road network that would provide options for an alternative route to the classified road network. NB: the proponent is encouraged to consult with Council to appropriately address this matter.
- Project schedule:
  - Phases and stages of the project, including operation and decommissioning / rehabilitation, as applicable, and
  - Operational hours and days of work, number of shifts and start and end times.
- Traffic volumes including:
  - 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 including:
  - Number and ratio of heavy vehicles to light vehicles,
  - Peak times for existing traffic justified by up-to-date traffic counts,
  - Peak times for project-related traffic including commuter periods,
  - Proposed hours for transportation and haulage,
  - Interactions between existing and project-related traffic.
- Capacity analysis using SIDRA or other relevant application, to identify an acceptable Level of Service (LOS) at intersections with the classified (State) road (Mitchell Highway) [HW7], and where relevant, analysis of any other intersections along the proposed transport route/s.
- The origins, destinations and routes for:
  - Commuter (employee and contractor) light vehicles and pool vehicles,
  - Heavy (haulage) vehicles.
- Road safety assessment of key haulage route/s. Note, where road safety concerns are identified at a specific location along the proposed haulage routes, TfNSW suggests that the TIA be supported by a targeted Road Safety Audit undertaken by suitably qualified persons in accordance with the *Austroads Guidelines.*
- 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).
- Consideration of the local climate conditions that may affect road safety during the life of the project (e.g. fog, wet and dry weather, icy road conditions).
- The layout of the internal road network, parking facilities and infrastructure.
- Impact on public transport (public and school bus routes) and consideration for alternative transport modes such as carpooling and shuttle buses during construction.
- Identification and assessment of potential environmental impacts of the project, such as blasting, lighting, visual, noise, dust and drainage on the function and integrity of all affected public roads.
- Controls for transport and use of any dangerous goods in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*, the *Australian Dangerous Goods Code* and *AS4452 Storage and Handling of Toxic Substances*.
- A draft Traffic Management Plan (TMP) that could be implemented following approval of the EIS, in consultation with relevant Councils and TfNSW. The TMP should 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.

Our ref:DOC23/736612
Your ref: SSD-61394968

Jarrod Blane
Senior Planning Officer
Energy and Resource Assessments
NSW Planning
jarrod.blane@dpie.nsw.gov.au

Dear Jarrod

South Keswick Quarry Production Increase – SEARs

I refer to your email dated 18 August 2023 seeking input into the Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the South Keswick Quarry Production Increase Project (SSD-61394968).

The Biodiversity, Conservation and Science Directorate (BCS) has considered your request and provides SEARs 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

BCS understands the proposed development is not anticipated to require any impacts to native vegetation or species habitat. Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) provides that applications for state significant development are to be accompanied by a Biodiversity Assessment Development Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.

The preliminary environmental assessment indicates that this project may be eligible for the requirement for a BDAR to be waived. Should the proponent wish to apply for a waiver a standalone request will need to be submitted. The request must be accompanied by supporting information that adequately demonstrates the proposal is not likely to have any significant impact on biodiversity values.

If you have any questions about this advice, please do not hesitate to contact Ben Ellis, A/Principal Project Manager, via ben.ellis@environment.nsw.gov.au or (02) 8275 1838.

Yours sincerely,

Sarah Carr
Director Planning North West
Biodiversity, Conservation and Science Directorate

22 August 2023

Attachment A - Environmental Assessment Requirements

Attachment B - Guidance Material

Standard Environmental Assessment Requirements

BCS	Biodiversity, Conservation and Science Directorate of the NSW Department of Planning and Environment
The Department	NSW Department of Planning and Environment
NPWS	National Parks and Wildlife Service

Ancillary development components
The assessment should include all components of the proposal, including any ancillary activities such as road/track widening to enable transport of infrastructure components, connecting pipelines and transmission lines etc.

Category 1 – exempt land
For SSD/SSI proposals that affect rural land as defined under Part 5A of the *Local Land Services Act 2013*, a draft Native Vegetation Regulatory Map (NVR Map) is available. If the subject land is proposed to be delineated based on the NVR map categories, the map as it relates to the development site may be requested from the DPE Data Broker during preparation of the Biodiversity Development Assessment Report (BDAR) and prior to the BDAR being submitted to the consent authority. Requests should be made via – *data.broker@environment.nsw.gov.au*. Where Category 2 – Regulated land is likely to be present on a development site, this will be identified on the draft map supplied by the Data Broker and is land where the BAM must be applied. Where Category 1 – Exempt Land is likely to be present on a development site, early engagement with BCS is encouraged. Site-based floristic assessment is required to verify the presence or absence of critically endangered ecological communities (CEECs), critically endangered plants and threatened grasslands and threatened fauna, in order to confirm at the site scale whether the criteria for Category 1 – Exempt Land is met. Note that prescribed impacts must still be assessed on land identified as Category 1 – Exempt Land. In addition, the Environment Protection and Biodiversity Conservation Act 1999 might also still apply. Prior to the BDAR Biodiversity Development Assessment Report being submitted to the consent authority, the accredited assessor should submit a proposed land categorisation method to the BCS North West Planning team at *rog.nw@environment.nsw.gov.*au for review. The BCS North West Planning Team may be able to provide in-principal support of land categorisation assessments prior to EIS exhibition. For more information, see *Determining native vegetation land categorisation for application in the Biodiversity Offsets Scheme*

Controlled Actions under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)
If the proposed development is likely to be a 'Controlled Action' under the EPBC Act, the accredited assessor should contact the BCS North West Planning team at *rog.nw@environment.nsw.gov.au* prior to submission of the EIS. The BCS North West Planning team can provide guidance on the minimum information requirements for the EIS for any entities that have been or are likely to be deemed a 'Controlled Action'.

Biodiversity

1. Biodiversity impacts related to the proposed [development/project] are to be assessed in accordance with *Section 7.9 of the Biodiversity Conservation Act 2016* the *Biodiversity Assessment Method 2020* 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 2020*, unless the Department determines that the proposed development is not likely to have any significant impacts on biodiversity values.
2. The BDAR must apply the avoid, minimise, and offset framework; including assessing all direct, indirect, uncertain and prescribed impacts in accordance with the *Biodiversity Assessment Method 2020*.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows:
    a. The total number and classes of biodiversity credits required to be retired for the development/project;
    b. The number and classes of like-for-like biodiversity credits proposed to be retired;
    c. The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
    d. Any proposal to fund a *biodiversity conservation action*;
    e. Any proposal to conduct ecological rehabilitation (if a mining project);
    f. 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.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix K of the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.

NOTE – A BDAR template and guidance document has been created to assist accredited assessors to prepare a BDAR. It has been developed in accordance with best practice, the minimum information requirements, and to support BDAR reviewers. The BDAR Template can be found *here* and the Guidance for the BDAR Template can be found *here*.

Residual Prescribed Impacts within the BAM 2020

Prescribed impacts can be difficult to quantify as they may result in discrete impacts, spatially undefined impacts, ecological regime shifts and/or impact cascades over time. Consequently, avoiding or minimising such impacts is critical and will likely be a key consideration for the consent authority in determining conditions of approval for relevant proposals.

If avoidance and mitigation measures are not applicable or will not result in the complete reduction of prescribed impacts occurring, the assessor and proponent will need to consider options to compensate for unavoidable residual prescribed impacts.

The BAM-C does not calculate biodiversity credits to offset a prescribed impact. However, the consent authority has the discretion to increase the number of biodiversity credits to be retired (or other conservation measures to be undertaken), under a planning approval.

The assessment and calculation of a predicted offset obligation for any prescribed impacts must be presented prior to project determination and any impact occurring, in accordance with Section 7.14 of the Biodiversity Conservation Act 2016. The purpose of this requirement is to ensure:

- commitments to proposed mitigation measures for residual prescribed impacts are described and can be captured in the projects consent conditions; and
- the total offset obligation can be embedded in the project approval

It is recommended that the proponent and assessor consult with BCS during the assessment process on prescribed impact assessment and calculation, when required.

Cumulative Impacts

Cumulative impacts should be assessed through application of the *Cumulative Impact Assessment for State Significant Projects guidance* (DPE, Oct 2022).

6. The EIS must contain a summary of the commitments set out in the BDAR to avoid, minimise and mitigate the biodiversity impacts of development that are to be implemented, post approval, by their inclusion in a Biodiversity Management Plan (BMP)). The preparation of a BMP to fulfil the avoid and minimise requirements of the BDAR must be included as a condition of consent/approval, unless otherwise agreed with BCS. The BMP must include detailed measures to minimise impacts on biodiversity, monitoring and reporting requirements, proposed adaptive management measures, performance criteria recommended to meet states outcomes, remedial actions to be undertaken of actions fail to achieve stated outcomes, and any additional actions relevant to the management of biodiversity.

Water and soils

7. The EIS must map the following features relevant to water and soils including:
   a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map);
   b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method*);*
   c. Wetlands as described in s4.2 of the Biodiversity Assessment Method;
   d. Groundwater;
   e. Groundwater dependent ecosystems;
   f. Proposed intake and discharge locations.

8. The EIS must describe background conditions for any water resource likely to be affected by the project, including:
   a. Existing surface and groundwater;
   b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations;
   c. 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;
   d. Indicators and trigger values/criteria for the environmental values identified at (c) 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;
   e. *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions.*

9. The EIS must assess the impacts of the project on water quality, including:
   a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the project 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;

b. Identification of proposed monitoring of water quality.

10. The EIS must assess the impact of the project on hydrology, including:
    a. Water balance including quantity, quality and source;
    b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas;
    c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems;
    d. 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);
    e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water;
    f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options;
    g. Identification of proposed monitoring of hydrological attributes.

Flooding

11. The EIS must map the following features relevant to flooding as described in the *Flood Risk Management Manual 2023* including:
    a. Flood prone land;
    b. Flood planning area, the area below the flood planning level;
    c. Hydraulic categorisation (floodways and flood storage areas);
    d. Flood hazard.

12. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.

13. The EIS must model the effect of the proposed project (including fill) on the flood behaviour under the following scenarios:
    a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% 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.

14. Modelling in the EIS must consider and document:
    a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies;
    b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood;
    c. Impacts of the development 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;
    d. Relevant provisions of the NSW *Flood Risk Management Manual 2023*.

15. The EIS must assess the impacts on the proposed project on flood behaviour, including:

a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure;

b. Consistency with Council floodplain risk management plans;

c. Consistency with any Rural Floodplain Management Plans;

d. Compatibility with the flood hazard of the land;

e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land;

f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site;

g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses;

h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council;

i. 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;

j. Emergency management, evacuation and access, and contingency measures for the development considering the full range or 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;

k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

ATTACHMENT B

Guidance Material

Title	Web address
Relevant Legislation	
Biodiversity Conservation Act 2016	*https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2016-063*
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 Assessment Method (OEH, 2020)	*https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020*
Changes to the Biodiversity Assessment Method from 2017 to 2020	*https://www.environment.nsw.gov.au/research-and-publications/publications-search/changes-to-the-biodiversity-assessment-method-from-2017-to-2020*
Biodiversity Development Assessment Report Template	*https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-development-assessment-report-template-220210.docx?la=en&hash=1A4829C7ACA5A51ECE414A767C27361893706CEC*
Guidance for the Biodiversity Development Assessment Report Template	*https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template*
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 2020 Operational Manual Stage 2	*https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-operational-manual-stage-2-230164.pdf*
BAM 2020 Operational Manual Stage 3	*https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-operational-manual-stage-3*

Title	Web address
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*
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)	*https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/nsw-bionet*
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*

Title	Web address
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/*
Determining native vegetation land categorisation for application in the Biodiversity Offsets Scheme	*https://www.environment.nsw.gov.au/research-and-publications/publications-search/determining-native-vegetation-land-categorisation-for-application-in-the-biodiversity-offsets-scheme*
Fisheries NSW policies and guidelines	*https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation*
List of national parks	*https://www.nationalparks.nsw.gov.au/conservation-and-heritage/national-parks*
Revocation, recategorisation and road adjustment policy (OEH, 2012)	*https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment*
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*
<u>Water and Soils</u>	
Acid sulphate soils	
Acid Sulfate Soils Planning Maps via Data.NSW	*https://datasets.seed.nsw.gov.au/dataset/acid-sulfate-soils-risk0196c*
Acid Sulfate Soils Manual (Stone et al. 1998)	*https://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf*
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	*http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf* This replaces Chapter 4 of the Acid Sulfate Soils Manual above.

Title	Web address
Flooding	
Flood Risk Management Manual	*https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual*
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*
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*
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*

From:	Nicole Davis
To:	Jarrod Blane
Subject:	Heritage NSW - ACH - Advice on SEARs - South Keswick Quarry Production Increase (SSD-61394968) (Dubbo Regional)
Date:	Monday, 21 August 2023 7:54:00 PM
Attachments:	..datacontentImagerteImageslogo1644468813661.png image001.png

Dear Jarrod,

Heritage NSW recommends that the following SEAR be included with respect to Aboriginal cultural heritage (ACH).

Aboriginal Cultural Heritage

- Provide an Aboriginal Cultural Heritage Assessment Report (ACHAR), prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts to Aboriginal cultural heritage sites or values associated with the site.

Please contact me directly if you require any further information.

Kind Regards
Nicole Davis

Nicole Davis
Manager Assessments
Heritage NSW
Department of Planning and Environment
E nicole.davis@environment.nsw.gov.au
Locked Bag 5020 Parramatta 2124

NSW GOVERNMENT

From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Sent: Friday, 18 August 2023 2:18 PM
To: Tanya Pelz <tanya.pelz@environment.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Cc: Jarrod Blane <jarrod.blane@dpie.nsw.gov.au>
Subject: Major Projects – New Request for Advice - South Keswick Quarry Production Increase (SSD-61394968) (Dubbo Regional)

The Department has sent you a request for advice in relation to the South Keswick Quarry Production Increase.The due date for this request is 01/09/23.

Please sign in to your account to view the details of this request and to upload your advice.

If you have any enquiries, please contact Jarrod Blane on 0282751831 /at jarrod.blane@dpie.nsw.gov.au.

To sign in to your account click here or visit the Major Projects Website.

Please do not reply to this email.

Kind regards

The Department of Planning and Environment

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1 September 2023

Jarrod Blane
Senior Planning Officer
NSW Department of Planning & Environment
12 Darcy St
Parramatta NSW 2150

Our ref: RDOC23/175121
Your ref: SSD-61394968

Uploaded to: Major Projects Portal

Dear Mr Blane

Subject: South Keswick Quarry (SSD-61394968) - Request for Secretary's Environmental Requirements (SEARs).

Thank you for the opportunity for Mining Exploration and Geoscience (MEG) to provide advice on the above matter.

Hard rock aggregate is not a prescribed mineral under the *Mining Act 1992* and therefore does not require a mining lease for its extraction.

All environmental reports (EIS, EA, SoEE or similar) accompanying development applications for extractive industry lodged under the *Environmental Planning and Assessment Act 1979* should include a resource assessment which:

- documents the size and quality of the resource and demonstrates 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 separately providing MEG with full resource assessment documentation.

Queries regarding the above should be directed to the MEG at landuse.minerals@regional.nsw.gov.au

Yours sincerely,

Malcolm Drummond
A/Manager, Land Use
Mining Exploration and Geoscience

Resources Regulator
Department of Regional NSW

Monday 28th August 2023

Jarrod Blane
Department of Planning and Environment
Jarrod.blane@dpie.nsw.gov.au

Via: Major Projects Portal

Dear Jarrod,

I refer to your request on 18th August 2023 relating to the South Keswick Quarry Production Increase (SSD-61394968). The Resources Regulator has reviewed the request.

Based on the review of the document, the Resources Regulator advises that it has no specific comments regarding mine safety matters in relation to the proposal.

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.

CONTACT

Should you require any further information or clarification, please contact the Regulator on 1300 814 609 (Press Option 2 Press Option 5) or email nswresourcesregulator@service-now.com.

Yours sincerely,

Anthony Margetts

Acting Chief Inspector of Mines

Resources Regulator

NSW RURAL FIRE SERVICE

Department of Planning and Environment (Parramatta)
Locked Bag 5022,
PARRAMATTA NSW 2124
Australia

Your reference: SSD-61394968
Our reference: DA20230822003678-SEARS-1

ATTENTION: Jarrod Blane

Date: Friday 1 September 2023

Dear Sir/Madam,

Development Application
State Significant – SEARS – Extractive Industry
20L Sheraton Road Dubbo NSW 2830, 211//DP1220433

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 18/08/2023.

The New South Wales Rural Fire Service advises that the preparation of an Environment Impact Statement, should be prepared and incorporate a bush fire assessment report, prepared by a suitably qualified person that addresses the aim and objectives of *Planning for Bush Fire Protection 2019* and which recommends measures to prevent a fire occurring within the site from developing into a bush/ grass fire risk to the surrounding area, with specific reference to Section 8.3.6 Mining (underground and open cut) and Section 8.3.5 Wind and solar farms.

As the proposed development is for the expansion/ production increase of an existing hard rock Quarry, it is considered to be hazardous industry under S8.3.9 of the *Planning for Bushfire Protection 2019*. Accordingly, it is suggested a Fire Safety Study under the DPIE Hazardous Industry Planning and Assessment Papers (HIPAPs) should be prepared. This study should provide details of all credible fire hazards and the associated fire prevention and mitigation measures for the development. The Bush Fire Design Brief (BFDB) must address the appropriate protection measures to be provided commensurate with the bush fire hazards and associated risks.

For any queries regarding this correspondence, please contact Craig Casey on 1300 NSW RFS.

Yours sincerely,

Nika Fomin
Manager Planning & Environment Services
Built & Natural Environment

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

Attachment A

Water Take and Licensing

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
1	A detailed and consolidated site water balance.	
2	Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	NSW Aquifer Interference Policy, section 3 & 5 of the *Water Management Act 2000*, Water Sharing Plans Clause 24 of the *Water Management (General) Regulation 2018* Groundwater Guidelines- https://www.industry.nsw.gov.au/water/licensing-trade/major-projects
3	Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly (including through inflow and seepage), and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	Section 3 & 5 of the *Water Management Act 2000*, Water Sharing Plans Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities
4	Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the *Water Management Act 2000* should be detailed by the proponent.	Water Sharing Plans Sections 3, 5, 60A & 60I of the *Water Management Act 2000* WAL must nominate a work to satisfy s60D of the *Water Management Act 2000* and this is completed by a dealing application under s71W of the *Water Management Act 2000* Exemptions or exclusions information: ○ ○ Clause 21-23, 34-50, sch.1 and 4 *Water Management Regulation 2018* ○ Sections 4.41 and 5.23 of the *EP&A Act 1979* ○ FAQs - Where can I take water without a water access licence?

Water Impacts

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
5	A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	NSW Aquifer Interference Policy Groundwater Guidelines
6	The development of a thorough groundwater conceptual model with supporting cross section and extraction mining depth supported by field data.	NSW Aquifer Interference Policy Groundwater Guidelines
7	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, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	*Water Management Act 2000* Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97 *Water Management Act 2000* Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a)) NSW Aquifer Interference Policy Groundwater Guidelines
8	Proposed surface and groundwater monitoring activities and methodologies and details of a proposed water management plan.	Groundwater Guidelines NSW Water Quality and River Flow Objectives Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)

Assessment against Policy and Guidelines

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
9	Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).	Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
10	Assessment of project against relevant policies and guidelines	Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (NOW 2012), Groundwater Guidelines

AD23/59630
Parcel 26717
DTQ:DQ

12 September 2023

NSW Department of Planning and Environment
Energy, Resources and Industry Assessments
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

Dear Jarrod Blane,

Proposal: **SSD-61394968 South Keswick Quarry – Production Increase**

Property: Lot: 211 DP: 1220433, 20L Sheraton Road DUBBO

Thank you for your correspondence (email) dated 18 August 2023 regarding the abovementioned project. Council Officers have undertaken a preliminary assessment of the proposal and the following comments are provided for input into the SEARs:

(1) Draft SEARs

Council notes that the NSW Major Projects website did not include a draft SEARs for Council's review. This has been standard practice for many years, the most recent example being provided with SSD-59906734 Yarrabin (Phoenix) Pumped Hydro Energy Storage Project.

(2) Roads and Transport

The Scoping Report indicates that the proponent is seeking to make Boundary Road and Wheelers Lane the primary access routes for the quarry. Council's desired outcome is to reconstruct Sheraton Road from Boundary Road to the Mitchell Highway and remove the heavy vehicle traffic out of Sheraton Road to an alternate route that will facilitate the future Southern Distributor connection to the Mitchell Highway via Sheraton Road north past the quarries. This is the longer term strategy.

However, in the short term, to enable the reconstruction of Sheraton Road, it is proposed to construct a Blueridge link road from Sheraton Road north of the quarries to Capital Drive and the Mitchell Highway as an interim haulage route. The eventual connection of the link road east from the new Capital Drive intersection to the Mitchell Highway will then be the permanent heavy vehicle haulage route.

In consideration of the options proposed for alternate haulage routes from Sheraton Road, Council advises that it cannot concur with the request for the South Keswick Quarry to use Boundary Road and Wheelers Lane as the primary haulage route. Council has determined that:

All communications to: **CHIEF EXECUTIVE OFFICER**
ABN 53 539 070 928
PO Box 81 Dubbo NSW 2830
T (02) 6801 4000 **F** (02) 6801 4259 **E** council@dubbo.nsw.gov.au
Civic Administration Building Church St Dubbo NSW 2830
W dubbo.nsw.gov.au

- The existing road network is being compromised with the advent of increased heavy vehicle activity and that of the increase in traffic throughout the City. Council needs to consider how best to preserve the integrity of its road asset and restrict the heavy vehicle movements to designated roads.

- South Keswick Quarry haulage operations are prohibited during the school zone time restricted periods, 8.30am to 9.00am and 3:00pm to 3.30pm in Sheraton Road.

- Sheraton Road will remain as the primary haulage route for the quarry until such time as the Blueridge link road is constructed to Capital Drive and access to the Mitchell Highway. This is an interim arrangement until such time as the Link Road is extended further east for the Capital Drive intersection to a new connection onto the Mitchell Highway.

- Wheelers Lane south from the Mitchell Highway to Boundary Road is structurally compromised with the ongoing heavy and light traffic loads and is not suitable as a haulage route. Council does not want an escalation of the deterioration of this section of Wheelers Lane. Localised deliveries are acceptable.

- Boundary Road between Sheraton Road and Wheelers Lane was not constructed for the purposes of a primary haulage route for the quarries operations. However, it can be utilised for local deliveries to and from the south Dubbo Area.

Council's Infrastructure Strategy & Design Branch, has also requested that the EIS address the following matters:

- A Driver Code of Conduct
- A road dilapidation report for before the construction of the project and after decommissioning of the project
- Measures that will be taken to minimise traffic related incidents.

(3) Building Works

The submitted Scoping Report indicates that the only substantial new building works which appears to constitute a part of the expansion proposal, is the construction of a pre-coat plant for pre-coating aggregates.

On previous occasions with proposed SSD's, Council has identified the lack of detail associated with the permanent buildings associated with the development, which may require a Construction Certificate. No floor plans, elevation and site plans have been provided in the Scoping Report.

(4) Planning

It is noted that the quarry was approved as regionally significant development under Development Consent D16-482 and was subsequently modified in June 2020 to reflect the current operations as identified in the report.

Council's concern about the location of this quarry has always been its proximity to residential zoned land. Such matters were raised during the assessment of D16-482 Part 1, where Council staff actually recommended refusal due to the potential for land use conflict. In this regard, land immediately to the west of the subject site is zoned R2 Low Density Residential, with a minimum lot size of 600m². Council is presently considering a Development Application for a 658 lot residential subdivision that encroaches onto that land. Other than the Sheraton Road road reserve, there is no other buffer between these land uses. Development consent has also been issued for a 51 lot subdivision to the north-west of the quarry site at Lot 2 DP 1261522.

The increased production rates, which will result in increased daily traffic movements, blasting hours and lifespan of the quarry, has the potential to increase the risk of land use conflict to surrounding residential development. Noting the increased production rates, potential environmental impacts from the quarrying operation such as dust, noise, overblast / vibration and traffic needs to be considered from the closest potential sensitive receivers, which in this instance would be the land immediately to the west at 24R Sheraton Road.

It is noted potential blasting times are proposed to increase to 5pm Monday to Saturday. Due to the land use conflict potential identified above, Council is not supportive of this.

Condition 48 of Development Consent D16-482 requires extraction to be sequenced from west to east, to minimise conflict impacts. Council requests this be reiterated with any consent.

In addition to potential impacts to sensitive residential development, it is also noted the development site is adjacent to a photovoltaic solar farm at 18L Sheraton Road to the north of the quarry. Increased production also has the potential to cause impacts such as dust which may impact the functionality of the solar farm. Council requests any dust studies submitted must also consider impacts on the solar farm.

Condition 47 of Development Consent D16-482 requires a dilapidation report to be submitted to record the condition of any buildings structures and infrastructure associated with the solar farm. Should any new consent be issued, Council recommends a similar requirement.

It is noted that the development will continue to import fly ash and other concrete wash out waste to the site, as was approved under D16-482 Part 6, albeit in larger quantities. Fly ash is considered an environmental hazard as it generally contains organic pollutants and toxic metals such as Selenium, Arsenic, Boron, Vanadium, Aluminium, Lead, Mercury, Chromium, Uranium and Thorium (both of the latter being potentially radioactive). It is therefore recommended a Waste Receival, Storage and Use Management Plan or the like be prepared that considers matters such as source of material, quantities, stockpile areas, bunding of stockpile areas, recording documentation, inspection regimes, and control of product on high wind days.

(5) Planning Agreement

The terms of the planning agreement (PA) mentioned in the Scoping Report do not align with the actual planning agreement. The PA requires 10c payable to Council per tonne of product.

Amendments to the PA will be required to ensure new development does not have negative impacts on Sheraton Road, and that it appropriately contributes to the eventual Southern Distributor Road. This would make it similar to recent planning agreements we have negotiated.

(6) Workforce Accommodation

The Scoping Report mentions employment numbers as 24-36 FTE, and it would be beneficial to indicate whether these would be local or out-of-town workers.

With the range, timing and workforce requirements of major projects in the region and the Central West and Orana Renewable Energy Zone, workforce accommodation is required to be carefully considered to ensure projects do not unreasonably impact communities of interest.

Council requests that the EIS include a preliminary accommodation plan, which identifies the source of the anticipated workforce, accommodation requirements of the project, existing accommodation and how the project is proposing to provide accommodation for employees.

(7) Other matters

The Central West and Orana Regional Plan came into effect in November 2022, whereas the Scoping Report refers to it as a draft.

The land zones displayed in Figure 2.1 need to be updated to show Employment Zones

Council recently adopted the Southlakes Estate DCP, so any impacts from the development should consider this estate as if it was fully developed.

If you have any enquiries in this matter, please do not hesitate to contact Mr Quigley during normal office hours, on 6801 4000.

Yours faithfully

Darryll Quigley
Manager Building and Development Services

DOC23/732339-3

Department of Planning & Environment
Via Major Project Portal

Attention: Jarrod Blane

6 September 2023

Dear Mr Blane

Secretary's Environmental Assessment Requirements for South Keswick Quarry Production Increase – SSD-61394968

I refer to the email from the Department of Planning and Environment to the Environment Protection Authority (EPA) dated 18 August 2023, seeking the EPA's Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environment Impact Statement (EIS) for the proposed production increase of South Keswick Quarry on behalf of Reginal Hardrock Pty Ltd (the Proponent).

Based on the information provided, the EPA understands that the Proponent is seeking approval to increase the operation of South Keswick Quarry from 495,000 tonnes per annum (tpa) to 750,000 tpa. The planned expansion is proposed to be located within the already existing approved boundary of South Keswick Quarry, Sheraton Road, Dubbo NSW. The proposal seeks approval for:

- Continuation of operations for up to 30 years from date of new determination
- Increase the annual production rate (extraction, processing and transportation) to up to 750,000 tpa.
- Increase in the total resource to be extracted by increasing the area and depth of extraction. Final resource assessment will confirm the extractable resource which is expected to be up to 14,000,000 tonnes.
- Increase in traffic volumes to support the increased production.
- Increase to the extraction area.
- Change to extraction sequence to allow for increase to extraction area and depth of extraction.
- Addition of an aggregate pre-coating plant.

It is understood that an EIS is required for the approval process. The EPA has considered the proposal and provided information required for an EIS under **Attachment A**. The EPA's key information requirements for the proposal include an adequate assessment of:

Noise and vibration impacts
Air quality impacts
Water management

The EPA has also provided the appropriate guidance material to be considered (but not limited to) under **Attachment B.**

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

PO Box 2111
Dubbo
NSW 2830 Australia

L1, 48-52 Wingewarra St
Dubbo
NSW 2830 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

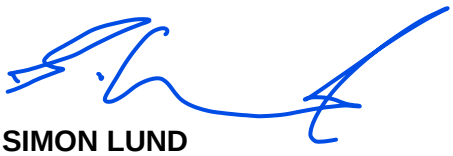
The proponent should be made aware that any commitments made in the EIS may be formalised as approval conditions and may also be placed as formal conditions on an Environment Protection Licence (EPL).

The proponent should be made aware that, consistent with provisions under Part 9.4 of the *Protection of the Environment Operations Act 1997* (the Act) the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of an EPL.

In addition, as a requirement of an EPL, the EPA will require the proponent to prepare, test and implement a Pollution Incident Response Management Plan and/or Plans in accordance with Section 153A of the Act.

If you have any questions about this matter, please contact Isabella Rambaldini on (02) 6883 5358 or by email at info@epa.nsw.gov.au.

Yours sincerely



SIMON LUND
Unit Head
Regulatory Operations Regional

ATTACHMENT A – EPA's Recommended Secretary's Environmental Assessment Requirements – South Keswick Quarry – Regional Hardrock Pty Ltd

How to use these requirements

The EPA requirements have been structured in accordance with relevant guidelines, as follows. It is suggested that the EIS follow the same structure:

A. Executive summary

B. The proposal

C. The location

D. List of required approvals and licences

E. Identification and prioritisation of all issues

F. The environmental issues

G. The mitigation measures

H. Justification for the proposal and conclusion

The EIS should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines/standards at **Attachment B**.

A Executive summary

The document's executive summary should include a discussion of the proposed development, the key environmental risks, the identified mitigation measures, and an overall conclusion and justification for the proposal.

B The proposal

The proposed development must be adequately described and should clearly state and refer to:

a) the type, the nature and size of the proposed development, including proposed average and maximum annual production rates that are expected to occur;

b) the type, the nature and amount of the processes and the products to be used, including the plant and equipment proposed for use, fuel and chemicals required and proposed methods for their transportation, storage, use and their emergency management provisions, including relevant process flow diagrams;

c) the by-products produced and/or wastes produced, including the fate of such products;

d) the staging and timing of the proposal, including any construction works and any plans for potential future expansion plans and the proposed construction and operational hours, including and heavy vehicle movements;

e) the anticipated benefits to relevant industry, community, etc; and

f) the proposal's relationship to any other facility or industry both locally and abroad.

C The location

Provide an overview of the setting in which the proposed development is to take place in its local and regional environmental context including:

a) the location of the proposed facility, its layout, including plant and equipment, and details of the surrounding environment, including land use zoning with appropriate maps/diagrams;

b) the topography;

c) meteorological data (e.g. temperature, wind (prevailing wind direction and strength), rainfall, evaporation, etc);

d) surrounding land uses, including ownership details of any residence and/or land likely to be affected by the proposed facility with appropriate maps/diagrams;

e) ecological information (vegetation, fauna, waters) with appropriate maps/diagrams; and

f) availability of services and the accessibility of the site for passenger and freight transport.

D List of approvals and licences

Identify all approvals, licences or permits required to undertake the proposed development as well as those already obtained and those to be obtained.
The EPA is the Appropriate Regulatory Authority for environmental pollution matters under the POEO Act by virtue of clause 92 of the of the *Protection of the Environment Operations (General) Regulation 2009* (Regulation).

E Identification and prioritisation of issues / scoping of impact assessment

Identify a scoping risk assessment methodology, undertake a risk assessment, and identify and prioritise key issues.

F The environmental issues

1. Noise

- Identify the existing noise environment (including any relevant noise assessment groupings) and identify applicable noise goals in line with relevant guidance/standards;
- Identify potential noise and vibration sources and impacts during both construction and operational stages and identify best practice mitigation measures (pollution control) and strategies to be incorporated for both stages to minimise noise and vibration emissions/impacts (with proposed timing), including validation monitoring, in line with relevant guidance/standards; and
- Propose representative noise monitoring locations for determining compliance with applicable noise goals and where relevant noise goals would be set as representative limits.

Note: this will require a detailed Noise Impact Assessment to be completed, also incormporating, but not limited to:

- 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.

2. Blasting and Vibration

- Proposed hours, frequency, methods and impacts; and
- An assessment of the likely blasting and vibration impacts of the development, having regard to the relevant ANZECC guidelines and paying particular attention to impacts on people, buildings, livestock, infrastructure and significant natural features.

3. Air

- Identify the existing air quality environment and identify applicable air quality goals (i.e. ground level concentrations for pollutants and odour assessment criteria) in line with relevant guidance/standards; and
- Identify potential air quality and odour sources and impacts (including point source emissions from any site-based plant and equipment and/or fugitive dust or other emissions) during both construction and operational stages and identify best practice mitigation measures (pollution control) and strategies to minimise point and/or fugitive and/or odour emissions/impacts (with proposed timing), including monitoring, in line with relevant guidance/standards; and
- Include an emission inventory of all sources of air emissions.

Note: this will require a detailed Air Quality Impact Assessment to be completed.

4. Water

- Identify the condition of the local catchment and those immediate areas on and around the proposed development e.g. soils, erosion potential, vegetation cover, etc; and
- Identify nearby water resources, the background water conditions (including river flow data, water flow/direction and quality data, the depth to groundwater, groundwater flow/gradient and quality data, reliance on water resources by surrounding users and by the environment) and relevant water quality objectives in line with relevant guidance/standards; and
- Identify existing impacts to water resources (including other industrial discharges); and
- Identify any water intakes, intake frequency and volumes related to the proposed development; and
- Identify any expected discharges (including stormwater), discharge quality, discharge frequency and volumes related to the proposed development; and
- Identify all practical measures that can be taken to prevent any expected discharges or an explanation of why any specific discharges cannot be prevented; and
- Identify potential impacts to surface and groundwater during both construction and operational stages and identify best practice mitigation measures (pollution control) and strategies to protect surface and groundwater resources, particularly erosion and sediment controls during the construction stage and the rehabilitation stage and the inclusion of permanent erosion and sediment controls where required and applicable; and
- Include a detailed water balance and discharge inventory; and
- Include an assessment of any mixing zones; and
- Include any proposed discharge limits.

Note: this will require a detailed Water Assessment to be completed.

5. Land

- Identify if the soils in the area of the Proposal are contaminated or are acid forming (i.e. acid sulphate soils) and if so, identify best practice mitigation measures (pollution control) and strategies or remedial and/or disposal actions that will be required/undertaken if applicable in accordance with relevant guidance/standards; and
- Identify potential impacts to soils/land resources as a result of the proposed development and identify best practice mitigation measures (pollution control) and strategies that will be required/undertaken if applicable in accordance with relevant guidance/standards.

6. Waste

- Identify all waste types that will be generated as a result of the proposed development during both construction and operation, their classification and the ways in which they will be legally handled, stored, transported, reused, recycled or disposed of, including sampling/monitoring, record keeping, waste tracking, contingency measures and any other verification practices, in accordance with relevant guidance/standards; and
- Identify options and strategies for waste minimisation; reuse and recycling across all activities and processes during both construction and operational stages.

7. Storage and use of fuels / chemicals etc

- Identify all fuels/chemicals/products/dangerous goods to be stored/used onsite; and
- Identify adequate handling, storage, control and usage requirements for any fuels/chemicals/products/dangerous to be stored/used onsite.

8. Incident Management

Identify adequate incident management procedures to be established including notification requirements to the Appropriate Regulatory Authority and other relevant authorities for incidents that cause or have the potential to cause material harm to the environment (Part 5.7 of the POEO Act).

9. Cumulative impacts

- Identify the extent that the receiving environment is already stressed by existing development and background levels of emissions to which this proposal will contribute; and
- Identify the cumulative impacts of the proposed development in a local context.

10. Monitoring Programs

Include a detailed proposal of any noise, air, water, land, waste, meteorological etc monitoring during construction and operation to ensure and assumptions, predictions, goals, criteria etc are achieved. The proposal should include a detailed description of the monitoring locations, sample analysis methods and the level of reporting proposed.

G. Compilation of mitigation measures

- Outline how the proposal and its environmental protection measures would be implemented and managed in an integrated manner so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).
- Include any Statement of Commitments to be made by the Proponent.

H. Justification for the proposed development and conclusion

Reasons should be included which justify undertaking the proposal in the manner proposed, having regard to the potential environmental impacts.

ATTACHMENT B – EPA's Guidance Material (not exhaustive)

Legislation	
Environmental Planning and Assessment Act 1979	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Environmental Planning and Assessment Regulation 2000	https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2000-0557
Protection of the Environment Operations Act 1997	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
Protection of the Environment Operations (Noise Control) Regulation 2017	https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2017-0449
Protection of the Environment Operations (Clean Air) Regulation 2010	https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2010-0428
Protection of the Environment Operations (Waste) Regulation 2014	https://www.legislation.nsw.gov.au/view/html/inforce/current/sl-2014-0666
Waste Avoidance and Resource Recovery Act 2001	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-2001-058
Contaminated Land Management Act 1997	https://www.legislation.nsw.gov.au/view/html/inforce/current/act-1997-140
Licensing	
Licensing Requirements	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing
Noise/Vibration	
Interim Construction Noise Guideline (DECC, 2009)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise
Assessing Vibration: a technical guideline (DEC, 2006)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration
Noise Policy for Industry (2017) and Implementation and Transitional arrangements for the Noise Policy for Industry (2017)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
NSW Road Noise Policy (DECCW, 2011)	https://www.epa.nsw.gov.au/your-environment/noise/transport-noise
Air/Odour	
Approved methods for the Modelling and Assessment of Air Pollutants in NSW (2016)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/modelling-assessing-air-emissions
Approved methods for the Sampling and Analysis of Air Pollutants in NSW (2007)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/modelling-assessing-air-emissions/approved-methods-modelling-assessing-air-pollutants
National Environment Protection (Ambient Air Quality) Measure	http://www.nepc.gov.au/nepms/ambient-air-quality

No EPA specific guidance material exists for the control of dust from construction sites. Consideration should be given to the POEO Act and the Local Government Air Quality Toolkit (DECC, 2007)	http://www.epa.nsw.gov.au/air/lgaqt.htm
Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006) and Technical Notes - Assessment and Management of Odour from Stationary Sources in NSW (DEC, 2006)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/managing-odour/technical-framework-odour
Water/Soils	
ANZECC Guidelines for Fresh and Marine Water Quality (2018)	https://www.waterquality.gov.au/guidelines/anz-fresh-marine
NSW Water Quality and River Flow Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
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)	https://www.epa.nsw.gov.au/your-environment/water/polices-guidelines-and-programs
Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000)	No longer online
Managing urban stormwater: soils and construction, vol. 1 (Landcom, 2004) and Addendum Publications (Various)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/managing-urban-stormwater-soils-and-construction-volume-1-4th-editon
Landslide Risk Management (2007)	http://www.australiangeomechanics.org/resources/downloads/
Site Investigations for Urban Salinity (DLWC, 2002)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/site-investigations-for-urban-salinity
Dryland Salinity Resources (Various)	https://www.environment.nsw.gov.au/topics/land-and-soil/soil-degradation/salinity
Contaminated Sites Assessment and Remediation	
Contaminated Land – EPA website	https://www.epa.nsw.gov.au/your-environment/contaminated-land
Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land	http://www.epa.nsw.gov.au/clm/planning.htm
Guidelines for the NSW Site Auditor Scheme – 3rd Edition (EPA, 2017)	https://www.epa.nsw.gov.au/publications/contaminatedland/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition

Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)	https://www.epa.nsw.gov.au/your-environment/contaminated-land/site-auditor-scheme
Sampling Design Guidelines (EPA, 1995)	https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines
National Environment Protection (Assessment of Site Contamination) Measure	http://www.nepc.gov.au/nepms/assessment-site-contamination
Waste	
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Waste Classification Guidelines – 4 Parts (EPA, 2014)	http://www.epa.nsw.gov.au/wasteregulation/classify-waste.htm
Chemical and Fuel Storage	
Storage and Handling of Dangerous Goods – Code of Practice (WorkCover, 2005)	http://www.safework.nsw.gov.au/__data/assets/pdf_file/0005/50729/storage-handling-dangerous-goods-1354.pdf

Department of Primary Industries - Agriculture
Department of Regional NSW

OUT23/14282

Department of Planning and Environment
Major projects planning portal

Major Projects Portal

Attention: Jarod Blane

South Keswick Quarry Production Increase (SSD-61394968) (Dubbo Regional)

Dear Ms Dunlop

Thank you for your correspondence of 18 May 2023 and the opportunity to provide input to the Secretaries Environmental Assessment Requirements (SEARs) for the proposed South Keswick Quarry production increase.

The NSW Department of Primary Industries (DPI) Agriculture collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

NSW DPI (Agriculture) has reviewed the South Keswick Quarry Scoping Report, prepared by Umwelt, dated July 2023 and provides the following matters for inclusion in the SEARs for your consideration:

- Detail the potential impacts from the proposed extractive industry on agricultural land and agricultural land uses in the locality.
- Describe the soil, slope, land capability, agricultural productivity, land characteristics and the history of agricultural land uses on the proposed development 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.
- Consider possible cumulative impacts on surrounding agricultural enterprises and landholders.
- Demonstrate that all significant impacts on current and potential agricultural developments and resources can be reasonably avoided or adequately mitigated.
- Outline any impacts to water use for agriculture and measures to mitigate against these impacts.
- Include details of how the proposal will deal with biosecurity risks for agricultural land.
- Describe the final proposed land use and landform once the life of the proposed development has ceased and rehabilitation has been completed.
- 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.
- Provide details of any proposed earthworks including an assessment of the overall footprint where the natural contours of the land will be modified, the total amount of material involved, how any stockpiled material will be managed and outline of how this material will or will not be used for rehabilitation purposes.

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- Provide a complete soil survey, undertaken prior to works commencing, as a benchmark for rehabilitation.
- Detail the cropping history or capability for cropping of the land and how the proposed rehabilitation works will enable this land to be used for cropping in the future.

Should you require clarification on any of the information contained in this response, please contact me on 0402 069 605 or by email at landuse.ag@dpi.nsw.gov.au.

Sincerely

Wendy Goodburn
Agricultural Land Use Planner
Soil and Water
Central West Orana Region

31st May 2023