

Jeffrey Peng
Department of Planning & Environment

Via email: Jeffrey.peng@planning.nsw.gov.au

Cc: mhf@safework.nsw.gov.au

Dear Jeffrey

Tocumwal Magazine Storage Upgrade (SSD-6423965)

Thank you for the opportunity to provide comment on the proposed upgrade at the Orica Tocumwal site located at 431 Newall Highway, Tocumwal NSW 2714. SafeWork NSW has already been working closely with Orica in regards the technical aspects of the site and the design of the magazines and will continue to do so. Our comments below are more general in nature however relevant in consideration of the SSD.

Note, Orica Tocumwal is a determined Major Hazard Facility (MHF) as such there are obligations under clause 588 of the *Work Health and Safety Regulation 2017* for Orica to provide written notice to the Regulator of any change to any material particular in any information given at any time by the operator to the Regulator in relation to the licence within 14 days after the operator becomes aware of the change.

With regards the proposed changes then the following comments are made:

- SafeWork NSW has advised Orica to implement a security fence around the MHF facility.
- Orica are required to implement a vegetation management plan for the facility.
- Orica should provide details for security coverage off CCTV for the magazines and the truck parking area.
- The separation distance between trucks whilst parked should meet the requirements of the relevant Australian standards.
- Orica should provide details of the lightning protection system.
- Orica should ensure that all safety assessments are current before implementing the change for each magazine.
- Orica should prepare construction, operational hazard and risk assessments that should be submitted to SafeWork NSW
- Orica should perform a bush fire assessment report for the proposed development.
- Details should be provided of what will happen to the old magazines after the construction of the new magazines.

Note, SafeWork NSW has not assessed the distances to off-site facilities at this stage. However, the final design and location of the explosive magazines will need to comply accordingly.

If you have any questions regarding this submission, please contact Harit Jani on (02) 8867 2842.

Yours sincerely



Andrew Battye

Manager – Dangerous Goods & Explosives

SafeWork NSW

14 December 2023



DOC23/1020119-3

1 December 2023

Mr Jeffrey Peng
Senior Environmental Assessment Officer

Via Major Projects Portal (SSD-64923965)

**Secretary's Environmental Assessment Requirements (SEARs) for the Orica Tocumwal Magazine Storage Upgrade (SSD-64923965)
No Comment on the Scoping Report**

Dear Mr Peng

I refer to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the Scoping Report for the proposed SEARs (SSD-64923965) for Orica Tocumwal Magazine Storage Upgrade at 431 Newell Highway Tocumwal NSW.

Based on the information provided, the EPA has no comment on this proposal and no further consultation is required. This is because:

- the proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act* (1997), noting that the proposed amount for the onsite storage of chemicals does not trigger the scheduled activity of 'chemical storage' as it is less than 2,000 tonnes.
- the proposal is not being undertaken by or on behalf of a NSW Public Authority, nor are there activities for which the EPA is the appropriate regulatory authority.
- the site is not being regulated by the EPA under the *Contaminated Land Management Act* (1997).

Please contact Jenny Gustafson on (02) 9585 6471 or environmentprotection.planning@epa.nsw.gov.au if you wish to discuss this matter.

Yours sincerely

A handwritten signature in blue ink that reads 'DAMIEN ROSE'.

Damien Rose
Unit Head -Environment Protection Planning

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

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

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

Your ref: SSD-64923965

Our ref: DOC23-1021778

Jeffrey Peng
Senior Environmental Assessment Officer
Department of Planning and Environment – Planning Group

Via Major Projects Portal: PAE-64924712

Dear Jeffrey,

Subject: Request for Secretary’s Environmental Assessment Requirements – Tocumwal Magazine Storage Upgrade (SSD 64923965)

Thank you for your email dated 20 November 2023 seeking input from the Biodiversity and Conservation Division (BCD) into the Department of Planning and Environment Secretary’s Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Tocumwal Magazine Storage Upgrade (SSD 64923965).

BCD has reviewed the supplied information:

- GHD 2023, *Tocumwal Magazine Storage Upgrade Scoping Report*, Orica Australia Pty Ltd, 17 November 2023

We provide SEARs for the proposed development in **Attachment A**. Guidance material is listed in **Attachment B**.

BCD recommends that the EIS appropriately address the following:

1. Biodiversity
2. Flooding

The EIS should fully describe the proposal, the existing environment, including threatened species habitat not associated with vegetation communities such as paddock trees, and impacts of the development including the location and extent of all proposed works that may impact on flooding and biodiversity. The scale and intensity of the proposed development should dictate the level of investigation. It is important that all conclusions are supported by adequate data. The assessment must include all ancillary infrastructure associated with the project including but not limited to roads, water and power supplies, construction and ongoing operation, and Rural Fire Service requirements for asset protection.

Biodiversity

As this is a State Significant Development (SSD) the EIS must include a Biodiversity Development Assessment Report (BDAR).

Chapter 6.7 of the Scoping Report (Biodiversity) is not a surrogate for the BDAR:

- The BDAR will not be waived. Minimum requirements for the biodiversity assessment are listed in Appendix K of the Biodiversity Assessment Method (BAM). The Accredited Assessor preparing the BDAR is advised to follow the BDAR template.
- State-wide PCT mapping presented in the Scoping Report (Figure 6.1) is only indicative at a site scale and should not be relied on to map vegetation for development assessment.
- Non-native planted vegetation is to be included in vegetation mapping and assessed for threatened species habitat values.

- Vegetation mapping is to be fully revised and supported with empirical evidence to accurately reflect the extent of PCTs and condition classes present on the proposal site.
- The NSW conservation status of Threatened Ecological Communities listed at Table 6.1 is not correct.
- Measures to avoid and minimise impacts on biodiversity must be detailed in the BDAR.
- The development footprint must involve all clearing of native vegetation including ancillary works.

When the BDAR is submitted, we request that the BAM accredited assessor provides spatial data directly to BCD. Other digital data can be uploaded into the Biodiversity Offset and Agreement Management System (BOAMS).

Regarding the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, the EIS should identify any relevant Matters of National Environmental Significance, and whether the proposal has been referred to the Australian Government or whether it is already determined to be a controlled action.

The presence or absence of the EPBC listed *White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland* is to be re-assessed following revision of the mapping to include all woodland areas, including regenerating trees that are visible on aerial imagery underlying Figure 6.1.

Flooding

The proposed subject site is surrounded by irrigation channels and relatively flat topography. Berrigan and Moira Shire Councils developed the Murray River Regional Flood Study in 2010 which focused on the floodplain area upstream to Barooga and downstream to Tocumwal.

That flood study indicates the subject land is impacted by flooding from the Murray River by relatively shallow flows in the 1% Annual Exceedance Probability (AEP) flood. The Scoping Report states the subject land is not flood prone, but that claim is not supported by the Berrigan and Moira flood study.

Berrigan Shire Council is also revising the Tocumwal-Barooga Flood Study. It will redefine the flood risk of the subject land using contemporary flood modelling techniques, tools and guidelines. When complete, this flood study will accurately define the flood risks due to riverine and major overland flow at this proposal site.

BCD recommends the proponent uses the new flood study model being developed by Berrigan Shire Council or conduct other quantitative flood modelling to determine the impact of riverine and major overland flow flood events.

Substantially modifying existing development, without effective consideration of the impacts of flooding, can change flood behaviour and place the development and its users at an unacceptable level of flood risk.

The EIS should specifically address the requirements for flooding listed at Attachment A and conduct quantitative flood modelling in accordance with the Australian Rainfall & Runoff Guidelines (2019) to appropriately locate infrastructure and assess impacts. That assessment should include waterway crossings for site access.

If you have any questions regarding this advice, please contact Marcus Wright, Senior Conservation Planning Officer via rog.southwest@environment.nsw.gov.au or 02 6983 4917.

Yours sincerely



Andrew Fisher
5 December 2023

Senior Team Leader Planning South West, Biodiversity and Conservation Division
Environment and Heritage Group
Department of Planning and Environment

ATTACHMENT A – Recommended Environmental Assessment Requirements for Tocumwal Magazine Storage Upgrade
(SSD 64923965)

ATTACHMENT B – Guidance material

Attachment A Recommended Environmental Assessment Requirements for Tocumwal Magazine Storage Upgrade (SSD 64923965)

Sources of guidance material for terms in [blue](#) are in Attachment B

<p>Biodiversity</p>
<p>1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2016 using the Biodiversity Assessment Method (BAM) 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 the BAM, unless DPE determines that the proposed development is not likely to have any significant impact on biodiversity values.</p>
<p>2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect, uncertain and prescribed impacts in accordance with the BAM.</p>
<p>3. The BDAR must include details of the measures proposed to address the offset obligation as follows;</p> <ul style="list-style-type: none"> 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 make a payment to the Biodiversity Conservation Fund. <p>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.</p>
<p>4. The BDAR must be submitted with all digital spatial data associated with the survey and assessment as per Appendix K of the BAM.</p>
<p>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.</p>
<p>Flooding</p>
<p>6. The EIS must map the following features relevant to flooding as described in the Flood Risk Management Manual: the policy and manual for flood liable land (NSW Government 2023) including:</p> <ul style="list-style-type: none"> 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.

<p>7. 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.</p>
<p>8. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:</p> <ul style="list-style-type: none"> a. Current flood behaviour for a range of design events as identified in 7 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.
<p>9. Modelling in the EIS must consider and document:</p> <ul style="list-style-type: none"> 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. 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, hazards and hydraulic categories. d. Relevant provisions of the Flood Risk Management Manual: the policy and manual for flood liable land (2023).
<p>10. The EIS must assess the impacts on the proposed development on flood behaviour, including:</p> <ul style="list-style-type: none"> 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 river banks 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 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 SES and Council. j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the 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
<u>Relevant Legislation</u>	
<i>Biodiversity Conservation Act 2016</i>	www.legislation.nsw.gov.au/#/view/act/2016/63/full
<i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>	www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
<i>Environmental Planning and Assessment Act 1979</i>	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
<u>Biodiversity</u>	
Biodiversity Assessment Method 2020 (DPIE 2020)	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/accredited-assessors/biodiversity-assessment-method-2020
Biodiversity Assessment Method 2020 Operational Manual – Stage 1 (DPE 2022)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-manual-2020-operational-manual-stage-1
Biodiversity Assessment Method 2020 Operational Manual – Stage 2 (DPE 2023)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-operational-manual-stage-2
BDAR Template (DPE 2022)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template
BAM Assessor Resources (including links to Survey Guidelines, Registers and Databases)	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources
BAM Assessor FAQ	https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-questions-and-answers
Biodiversity Values Map	www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap https://datasets.seed.nsw.gov.au/dataset/biodiversity-values-map
Guidance to assist a decision maker to determine a serious and irreversible impact (DPIE 2019)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Ancillary rules: biodiversity conservation actions	https://www.environment.nsw.gov.au/research-and-publications/publications-search/ancillary-rules-biodiversity-conservation-actions
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/research-and-publications/publications-search/ancillary-rules-reasonable-steps-to-seek-like-for-like-biodiversity-credits
DPE Threatened Species Profiles	www.environment.nsw.gov.au/threatenedspeciesapp/
BioNet Atlas	www.environment.nsw.gov.au/wildlifeatlas/about.htm

Title	Web address
BioNet Vegetation Classification – see NSW Plant Community Type (PCT) classification link for PCT database login page.	http://www.environment.nsw.gov.au/research/Visclassification.htm
NSW SEED Data Portal (access to online spatial data)	https://www.seed.nsw.gov.au/
Fisheries NSW policies and guidelines	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
<u>Flooding</u>	
Flood Risk Management Manual: the policy and manual for flood liable land (2023)	https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual
Australian Rainfall and Runoff: A Guide to Flood Estimation (2019)	http://arr.ga.gov.au/
Flood Risk Management Manual Guideline FB04: Incorporating 2016 Australian Rainfall and Runoff in studies.	www.environment.nsw.gov.au/research-and-publications/publications-search/floodplain-risk-management-guide
Flood Risk Management Manual Guideline LU01: Flood impact and risk assessment	https://www.environment.nsw.gov.au/research-and-publications/publications-search/flood-impact-and-risk-assessment



File Ref. No: FRN23/3731 BFS23/6745 8000032106
TRIM Doc. No: D23/114986
Contact: Senior Firefighter Gavin Scott

23 November 2023

JEFFREY PENG
NSW Department of Planning and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Jeffrey,

Re: Advice on Secretary's Environmental Assessment Requirements (SEARs) – TOCUMWAL MAGAZINE STORAGE – 431 NEWELL HIGHWAY, APPROXIMATELY FOUR KILOMETRES NORTH OF THE TOWNSHIP OF TOCUMWAL. (SSD-64923965)

Fire and Rescue NSW (FRNSW) acknowledge correspondence received on 20 November 2023, requesting input into the preparation of the SEARs for the TOCUMWAL MAGAZINE STORAGE – 431 NEWELL HIGHWAY, APPROXIMATELY FOUR KILOMETRES NORTH OF THE TOWNSHIP OF TOCUMWAL. (SSD-64923965). FRNSW have reviewed the Scoping Report with particular focus to Section 6.3 Hazards and Risk.

There is currently insufficient information available regarding the fire safety and emergency response management aspects of the project. FRNSW requests to be consulted and given the opportunity to review and provide comment regarding the proposed fire and life safety systems at the preliminary and final design phases of the project.

For further information please contact the Operational Liaison and Special Hazards Unit, referencing FRNSW file number BFS23/6745. Please ensure that all correspondence in relation to this matter is submitted electronically to firesafety@fire.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "James O'Carroll".

Superintendent James O'Carroll
Manager
Operational and Liaison and Special Hazards Unit

Cc: jeffrey.peng@planning.nsw.gov.au

Jeffery Peng
Department of Planning and Environment
PO BOX 404, PARRAMATTA NSW 2124
By email: jeffrey.peng@planning.nsw.gov.au

The Department of Planning and Environment has received a request for Secretary's Environmental Assessment Requirements (SEARs) for the Tocumwal Magazine Storage Upgrade (SSD-64923965)

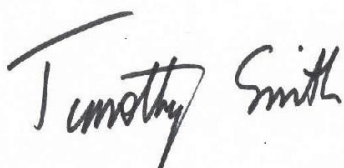
Dear Mr Peng

Thank you for your referral dated 20 November 2023 inviting SEARS input from the Heritage Council of NSW on the above State Significant Development (SSD-64923965) proposal.

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

If you have any questions about this correspondence, please contact Kelly Pleasance, Assistant Customer Service Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely



Tim Smith OAM
Director Assessments
Heritage NSW
Department of Planning & Environment
As Delegate of the Heritage Council of NSW

4 December 2023

From: [Nicole Davis](#)
To: [Jeffrey Peng](#)
Subject: Heritage NSW - Aboriginal Cultural Heritage - Advice on SEARs - Tocumwal Magazine Storage Upgrade (SSD-64923965) (Berrigan Shire)
Date: Friday, 24 November 2023 12:44:00 PM
Attachments: [..datacontent\img\arte\images\logo1644468813661.png](#)
[image001.png](#)

Dear Jeffrey,

Heritage NSW recommends that the following SEAR's be included with respect to Aboriginal cultural heritage (ACH) in relation to the proposed Tocumwal Magazine Storage Upgrade (SSD-64923965) (Berrigan Shire).

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

- The ACHAR must be prepared in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and the Code of Practice for the Archaeological Investigation of Aboriginal Objects in NSW (DECCW, 2010), including results of thorough archaeological survey and test excavations (where required);
- Include evidence of adequate and continuous consultation with Aboriginal stakeholders in determining and assessing impacts, developing and selecting options for avoidance of Aboriginal cultural heritage and mitigation measures (including the final proposed measures), having regard to the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010).

If you require any further information please contact me directly.

Kind Regards

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



From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Sent: Monday, 20 November 2023 12:48 PM
To: Erin McWhirter <Erin.McWhirter@environment.nsw.gov.au>; Tanya Pelz <tanya.pelz@environment.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>
Cc: Jeffrey Peng <Jeffrey.Peng@planning.nsw.gov.au>
Subject: Major Projects – New Request for Advice - Tocumwal Magazine Storage Upgrade (SSD-64923965) (Berrigan Shire)

The Department has sent you a request for advice in relation to the Tocumwal Magazine Storage Upgrade. The due date for this request is 03/12/23.

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 Jeffrey Peng on 99956685 /at jeffrey.peng@planning.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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If you are not the intended recipient, please notify the sender and then delete it immediately.

PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



1 December 2023

TfNSW reference: STH22/00321
Your reference: SSD-64923965 (PAE-64924709)

Department of Planning & Environment
By email: jeffrey.peng@planning.nsw.gov.au

Attention: Jeffrey Peng

SSD-64923965 (PAE-64924709) – Proposed Tocumwal Magazine Storage Upgrade – LOT 2 DP225459 – Newell Highway, TOCUMWAL

Dear Jeffrey

Transport for NSW (TfNSW) is responding to SSD-64923965 for the Tocumwal Magazine Storage Upgrade referred on 20 November 2023.

TfNSW has key issues and assessment requirements to be included in the Secretary's Environmental Assessment Requirements (SEARs) which are set out alongside comments on the proposed development in Attachment 1.

TfNSW encourages discussions with proponents regarding the traffic and network matters associated with State Significant Development.

If you have any questions, please contact Cam O'Kane on 0417 508 107 or email development.south@transport.nsw.gov.au.

Yours faithfully



Cam O'Kane
Case Officer, Development Services South

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SSD-64923965 (PAE-64924709) – Proposed Tocumwal Magazine Storage Upgrade – LOT 2 DP225459 – Newell Highway, TOCUMWAL

Context

TfNSW notes for this application:

- The key classified state road is the Newell Way. The subject site has frontage and access to the Newell Highway and well as frontage to Chinamans Road within a 100km/h speed zone;
- TfNSW input is requested by the Secretary under Schedule 2 of the Environmental Planning and Assessment Regulation 2000. The project is State Significant Development (SSD) as it is considered to be a Major Hazard Facility pursuant to Schedule 1, Clause 10(3) of *State Environmental Planning Policy (Planning Systems) 2021*;
- The development proposes construction of four new 250t HE magazines and a new detonator magazine in new locations on the existing Orica site. The site plan can be found in **Attachment 2**;
- The new magazines have been specifically located to ensure that the explosion percussion distance rings (Protected Works A (PWA)) do not extend beyond the boundary of the Orica owned land.
- The application is supported by a Scoping Report prepared by GHE November 2023.

Secretary’s Environmental Assessment Requirements (SEARs)

The Scoping Report identifies that traffic, particularly construction traffic, as an issue to be addressed. Notwithstanding the intent to focus on construction traffic TfNSW advises that in relation to traffic related issues the development should be addressed in two (2) distinct stages as follows;

- Establishment phase – the transport of materials and equipment/components for the establishment of the facility and ancillary infrastructure, the movement and parking of construction related vehicles, including personal vehicles, during the construction period.
- Operational phase – the traffic generation due to the operation, maintenance and servicing of the various elements of the project in addition to the existing traffic generation from other activities on the subject site.

The Scoping Report indicates that the EIS will provide additional details on the proposed size of the construction workforce, forecast construction traffic volumes and conduct a qualitative assessment of the impacts of these additional movements during construction and operation to the local and regional road network.

TfNSW still recommends a Traffic Impact Assessment (TIA) be prepared in relation to the project. The purpose of the TIA should be to address the impact of traffic generation on the public road and rail network and measures employed to ensure traffic efficiency and road safety during construction, operation and decommissioning of the project (if applicable).

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The TIA is to provide for an informed assessment of the traffic implications of the development. For guidance in the preparation of the TIA the applicant is referred to the Austroads publications, particularly the Austroads Guide to Traffic Management Part 12 - Traffic Impacts of Development and Part 3 - Traffic Studies and Analysis and the “Guide to Traffic Generating Developments” prepared by the RTA and similar documentation.

The TIA should include an assessment of the predicted impacts of this development on the road and rail network. The plan shall detail the potential impacts/delays associated with the development, the works required to the existing road and rail infrastructure, the measures to be implemented to maintain the standard and safety of the network, and the procedures to monitor and ensure compliance. Where the development has an impact on the performance of an intersection on the road network, an appropriate junction upgrade may need to be provided.

TfNSW notes that the Figure 2 – Project (**Attachment 2**) indicates that access to the facility is via the existing internal road network two existing entrances to the Newell Highway.

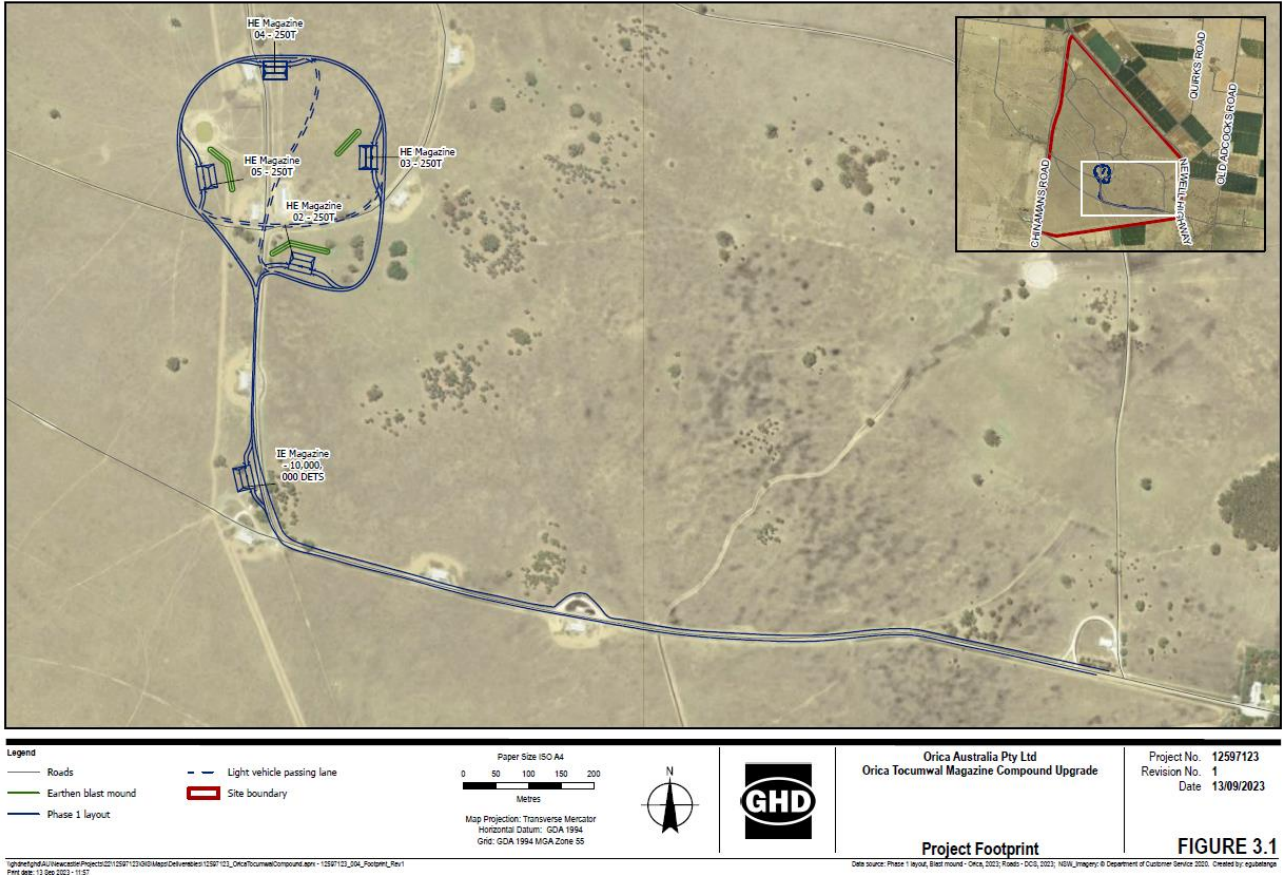
The Traffic Impact Assessment needs to address the impacts of traffic generated by this development upon the nearby road network, particularly intersections. Further to the above the TIA shall outline measures to address and manage traffic related issues generated by the development. The documentation submitted should address, but not be limited to:

- The potential impacts on the road network associated with the development during the lifetime of the project;
- An assessment of the existing and anticipated additional traffic generation on the surrounding road network, including vehicle types and average and peak traffic volumes;
- Travel and haulage routes along the road network for vehicles to and from the development site including appropriate swept paths for large heavy vehicles or the potential for oversize and over-mass vehicle movements;
- Consideration of the cumulative impacts of the potential traffic generation when added to existing traffic volumes upon the surrounding road network shall be undertaken;
- An assessment of the likely transport impacts to the site access route and site access point, particularly in relation to the capacity and condition of the roads;
- Any works/upgrades required within the road network to accommodate the development including concept plans for these works;
- The measures to be implemented to maintain the standard and safety of the road network, and the procedures to monitor and ensure compliance;
- A description of the measures that would be implemented to mitigate any transport impacts during construction;
- Whether a Construction Transport Management Plan and Driver Code of Conduct may be appropriate to outline measures to manage traffic related issues generated by the development.

Should it be identified as part of preparing the EIS or during assessment of the application that mitigation measures are required that will impact a classified road then a strategic design for the proposed works will need to be prepared and submitted. This is required to clarify the scope of works, demonstrate the works can be constructed within the road reserve and allow the consent authority to consider any environmental impacts of the works as part of their assessment. The strategic design for these works shall be in accordance with [Strategic design requirements for DAs - February 2022 \(nsw.gov.au\)](https://www.nsw.gov.au/transport/strategic-design-requirements-for-das)

Please note that the above does not claim to represent an exhaustive listing of all the issues to be considered in the assessment of the traffic impact of the development proposal.

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NSW RURAL FIRE SERVICE

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

Your reference: SSD-64923965
Our reference: DA20231126005375-SEARS-1

ATTENTION: Jeffrey Peng

Date: Monday 11 December 2023

Dear Sir/Madam,

Development Application
State Significant - SEARS - Hazardous Industry
Magazine Storage Upgrade - 431 NEWELL HWY TOCUMWAL NSW 2714, 2//DP225459

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 22/11/2023.

The NSW Rural Fire Service advises that the Environmental Impact Statement for the proposed development should incorporate a bush fire hazard assessment undertaken by a suitably qualified consultant to address the following:

- the aims and objectives of Planning for Bush Fire Protection 2019,
- the specific matters within section 8.3.9 - Hazardous Industry of Planning for Bush Fire Protection 2019, and
- any potential impacts (such as, but not limited to, exclusion zones due to percussion effect) the development could have on aerial firefighting of bush fires in the region.

For any queries regarding this correspondence, please contact Stephen McKinnon on 1300 NSW RFS.

Yours sincerely,

Martha Dotter
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