Department of Climate Change, Energy, the Environment and Water

Your ref: SSD-70557215
Our ref: DOC24/355717-2

James McDonough
Team Leader
Department of Planning, Housing and Infrastructure

By email: james.mcdonough@dpie.nsw.gov.au

Dear James

Input into Place Strategy Environmental Assessment Requirements (PSEARs) – Hillview Hard Rock Quarry (SSD-70557215) – MidCoast LGA

I refer to your Major Projects Portal request on 8 May 2024 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for Hillview Hard Rock Quarry (SSD-70557215). The proposed development is within the MidCoast Local Government Area.

The Biodiversity Conservation Division (BCD) of the Department of Climate Change, Energy, the Environment and Water (the Department) understands that the proposed development would extract about 45 million tonnes of resource material over a 30 year period. BCD understands that the proposal is a State Significant Development (SSD-13895306) project under the *Environmental Planning and Assessment Act 1979*.

BCD has reviewed the document *Hillview Hard Rock Quarry, 67 Maytoms Road, Booral – Scoping Report, May 2024* and has prepared Standard SEARs which are presented in **Attachment A**. There are no project-specific SEARs provided for this project (**Attachment B**). Details of guidance documents are provided in **Attachment C**.

If you have any further questions about this issue, please contact Steven Crick, Senior Team Leader on 02 4927 3248 or at huntercentralcoast@environment.nsw.gov.au

Yours sincerely

Joe Thompson
Director
Hunter Central Coast Branch
Biodiversity and Conservation Division
27/5/24

Enclosure: Attachments A, B, C

Attachment A – Standard Environmental Assessment Requirements

Biodiversity

1. Biodiversity impacts related to the proposed development (SSD-70557215) are to be assessed in accordance with 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.
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect 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;
   - The total number and classes of biodiversity credits required to be retired for the development/project;
   - The number and classes of like-for-like biodiversity credits proposed to be retired;
   - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
   - Any proposal to fund a biodiversity conservation action;
   - Any proposal to conduct ecological rehabilitation (if a mining project);
   - 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 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*.

Water and soils

5. 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.

6. The EIS must describe background conditions for any water resource likely to be affected by the development, 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 http://www.environment.nsw.gov.au/ieo/index.htm) 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.

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

8. The EIS must assess the impact of the development 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 and coastal erosion

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

10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 1 in 10 year, 1 in 100 year flood levels and the probable maximum flood, or an equivalent extreme event.

11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:

a. Current flood behaviour for a range of design events as identified in 11 above. This includes the 1 in 200 and 1 in 500 year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

12. Modelling in the EIS must consider and document:

    a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
    b. 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.
    c. Relevant provisions of the NSW 2023 Flood Risk Management Manual.

13. The EIS must assess the impacts on the proposed development 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. Compatibility with the flood hazard of the land.
    d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    f. 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.
    g. 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.
    h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
    i. 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 SES.
    j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

14. The [EIS] must describe the potential effects of coastal processes and hazards (within the meaning of the Coastal Management Act 2016), including sea level rise and climate change:

    a. On the proposed development
    b. Arising from the proposed development.

15. The [EIS] must consider have regard to any certified Coastal Management Program (or Coastal Zone Management Plan) and be consistent with the management objectives described in the Coastal

Management Act 2016 and development controls for coastal management areas mapped under the State Environmental Planning Policy (Resilience and Hazards) 2021.

Attachment B – Project specific environmental assessment requirements

Biodiversity - nil
Water and soils - nil
Flooding and coastal erosion - nil

Attachment C – Guidance material

Title	Web address
Relevant legislation	
Biodiversity Conservation Act 2016	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
Coastal Management Act 2016	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
SEPP (Resilience and Hazards) 2021	https://legislation.nsw.gov.au/view/whole/html/inforce/current/epi-2021-0730
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	https://www.legislation.gov.au/Series/C2004A00485
Environmental Planning and Assessment Act 1979	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Fisheries Management Act 1994	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Marine Estate Management Act 2014	https://legislation.nsw.gov.au/view/html/inforce/current/act-2014-072
National Parks and Wildlife Act 1974	https://legislation.nsw.gov.au/view/html/inforce/current/act-1974-080
Protection of the Environment Operations Act 1997	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
Water Management Act 2000	https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092
Wilderness Act 1987	https://legislation.nsw.gov.au/view/html/inforce/current/act-1987-196
Biodiversity	
Biodiversity Assessment Method 2020 & assessor resources (including legislation, manuals, BDAR templates, survey guidelines, registers and databases)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020 https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources
Guidance to assist a decision maker to determine a serious and irreversible impact	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/guidance-decision-makers-determine-serious-irreversible-impact-190511.pdf
Policy and guidelines for fish habitat conservation and management	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment
Guidelines for developments adjacent to national parks and other reserves	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines
SEED Data Portal (access to online spatial & environmental data)	http://seed.nsw.gov.au/

Title	Web address
Conservation Lands	
Guidelines for developments adjacent to NPWS managed lands	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/development-guidelines
National parks and other lands managed by NPWS	**List** https://www.nationalparks.nsw.gov.au/visit-a-park **Spatial data** https://datasets.seed.nsw.gov.au/dataset/npws-all-managed-land **Recategorisation & adjustments** https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
Australian and New Zealand Guidelines for Fresh and Marine Water Quality	https://www.waterquality.gov.au/anz-guidelines
Water Quality Guidelines Mixing zones	https://www.waterquality.gov.au/anz-guidelines/resources/key-concepts/mixing-zones
Approved methods for the sampling and analysis of water pollutants in NSW (2022)	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licensing-under-poeo-act-1997/licensing-to-regulate-water-pollution/approved-methods-for-sampling-and-analysing-water-pollutants
Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions.	https://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning
Soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
National Acid Sulfate Soils Guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018a).	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf
National Acid Sulfate Soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, L,	https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual

Title	Web address
Ward, N, Toppler, N and Lancaster, G. 2018b).	
National Acid Sulfate soils Guidance: Overview and management of monosulfidic black ooze (MBO) accumulations in waterways and wetlands, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, LA, Ward, NJ, Bush, RT, Toppler, NR, Choppala, G. 2018c)	https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation
National Acid sulfate soils guidance: Guidelines for the dredging of acid sulfate soil sediments and associated dredge spoil management, Department of Agriculture and Water Resources, Canberra, ACT (Simpson, SL, Mosley, L, Batley, GE and Shand P. 2018).	https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf
National Acid Sulfate Soils Guidance: Guidance for the dewatering of acid sulfate soils in shallow groundwater environments, Department of Agriculture and Water Resources, Canberra, ACT. (Shand, P, Appleyard, S, Simpson, SL, Degens, B, Mosley, LM 2018)	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf
Flooding and coastal hazards	
Coastal management	https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management
Floodplain Risk Management Manual	https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual
Coastal Management Manual	https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/manual
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Floodplain Risk Management Guidelines	http://www.environment.nsw.gov.au/topics/water/coasts-and-floodplains/floodplains/floodplain-guidelines
Australian Rainfall and Runoff: A Guide to Flood Estimation	http://arr.ga.gov.au/
Marine and Coastal Ecology	
Marine Estate Management Strategy	https://www.marine.nsw.gov.au/marine-estate-programs/marine-estate-management-strategy
NSW Marine Estate Threat and Risk Assessment	https://www.marine.nsw.gov.au/marine-estate-programs/threat-and-risk-assessment
National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds	https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife
NSW Marine Protected Areas	https://www.marine.nsw.gov.au/your-marine-estate/marine-protected-areas

16/05/2024

Record Number: 24/00084#57

Planning Number: SSD-70557215

Hillview Hard Rock Quarry Project

The Department of Planning, Housing and Infrastructure – Crown Lands has reviewed the proposal.

Crown Lands notes that they may be a Crown waterway within the project area – 'Double Creek'. The Department advises that this waterway should not be impacted by the project site without the appropriate Status Search request to determine the waterway ownership. The Department will need to be referenced, prior to any use or occupation of any Crown waterways during the assessment phase.

Authority to use, traverse, access or build infrastructure on Crown waterways is required under the *Crown Land Management Act 2016*. It is recommended that the proponent contact Crown Lands as early as possible to discuss and initiate the processes required to investigate the status of this waterway. And if it is found to be Crown – the applicant will need to authorise the use of and/or access over the Crown waterway. Further information on the authorisation process will be provided if the waterway is determined to be Crown.

If the proponent requires further information, or has any questions, please contact the Hunter Crown Lands, Land and Asset Management Team, on 1300 886 235 or at maitland.crownland.nsw.gov.au

Yours sincerely,

Snr Natural Resource Management Officer - Hunter
T 02 4931 6459 | E miranda.obrien@crownland.nsw.gov.au

Department of Primary Industries - Agriculture
Department of Regional NSW

OUT24/6435

Department of Planning, Housing and Infrastructure
Mr James McDonough
C/- Major Projects Portal

james.mcdonough@dpie.nsw.gov.au

Hillview Hard Rock Quarry Project (SSD-70557215) (Mid-Coast)

Dear Mr McDonough

Thank you for your referral via the Major Projects Portal of 8 May 2024 and the opportunity to provide comment on the Hillview Hard Rock Quarry Project.

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.

DPI Agriculture has reviewed the scoping report provided. We understand the project proposes to develop a hard rock quarry with a footprint of approximately 48ha near Booral off The Bucketts Way. We note it is estimated that 45M tonnes of resource material is proposed to be extracted at a rate of up to 1.4M tonnes p/annum over 30 years.

We note the wider project site (401ha) has identified State Significant Agricultural Land (SSAL) that is identified on the preliminary draft SSAL map, including areas nearby along The Bucketts Way. These areas also align with the land identified as Class 4 Land and Soil Capability within the project site. The scoping report provides the proposed project's development footprint which appears to be in the best position considering the identified SSAL.

Agriculture is predominant within the surrounding area which is developing as an ideal location for the poultry industry. This type of agriculture is not reliant on the biophysical capabilities of the land for agricultural production, but rather a quality water supply and a reliable power supply. The area is very accessible to the Baiada poultry processing plant at Beresfield and to the Pacific Highway.

DPI Agriculture considers the further issues outlined in Appendix 1 should be included in the SEARs document to ensure consideration of agriculture is appropriately undertaken in the preparation of the Environmental Impact Statement.

Should you require clarification on any of the information contained in this response, please do not hesitate to contact me by email at landuse.ag@dpi.nsw.gov.au.

Sincerely

Helen Willis
Agricultural Land Use Planning Officer
Soils and Water | Agricultural Land Use Planning
Hunter Region

16 May 2024

Encl – Appendix 1 – DPI Agriculture SEARs requirements

Appendix 1

DPI Agriculture SEARs requirements - Hillview Hard Rock Quarry Project (SSD-70557215)

Cumulative impacts

Cumulative impacts on agricultural resources and developments can result from the combined effects of developments over time and multiple developments in a locality. Assessment should identify potential impacts on rural enterprises and landholders, assess the relative risks and consider possible cumulative effects. Aspects to consider include:

- Areas removed from agricultural use due to quarrying operations, infrastructure, plant or access requirements as well as the storage or processing of materials.
- Any areas to be excluded (temporarily or permanently) from agricultural use to ensure a safe working environment and prevent injury to livestock and wildlife.

Biosecurity issues

- Include a biosecurity (pests, weeds, and disease) risk assessment outlining the likely plant, animal, and community risks. The relevant weed or pest animals for a region are addressed in the regional plans or strategies issued by NSW Local Lands Services.
- Include details of how the proposal will deal with identified biosecurity risks as well as contingency plans for any failures. Include monitoring and mitigation measures for weed and pest management prior to operations commencing, during operation and rehabilitation.

Land Use Conflict Risk Assessment (LUCRA)

- A Land Use Conflict Risk Assessment (LUCRA) should be undertaken by a suitably qualified person to identify potential impacts the proposal may impose on or in the reverse experience from, lawful agricultural land uses and activities in the vicinity and detail effective mitigation measures.

Land Stewardship

- 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 an outline of how this material will or will not be used for rehabilitation purposes.
- Provide a complete soil survey, undertaken prior to works commencing, as a benchmark for rehabilitation.

The SEARs document should refer to the following references:

- DPI Land Use Conflict Risk Assessment (LUCRA) Guide
- Land and Soil Capability Assessment Scheme: second approximation (2012)
- Draft State Significant Agricultural Map (DPI)
- Agricultural Issues for Extractive Industry Development (DPI)

Department of Primary Industries

Our Ref: C24/437 21/05/2024

Your Ref: PAE-70565715

James McDonough

Department of Planning, Housing and Infrastructure
c/o: Major Projects Portal

Dear James,

Request for input into the Secretary's Environmental Assessment Requirements for the proposed Hillview Hard Rock Quarry Project SSD-70557215

Thank you for your referral of 08/05/2024 seeking input on the proposed SEARs from DPI Fisheries, a division of NSW Department of Primary Industries.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed the scoping report and notes the presence of key fish habitat within and near to the project area. All Strahler 3rd order and above waterways are considered to be key fish habitat. Waterways mapped as likely Threatened Species habitat are also considered to be key fish habitat. At the proposal site, the key fish habitat have been preliminarily identified via desktop to include Double Creek.

This proposal has potential to include direct and indirect impacts to key fish habitat, both onsite and downstream. DPI Fisheries provides the following key issue recommendations for inclusion in the Hillview Hard Rock Quarry Project SSD-70557215 SEARS.

AQUATIC ECOLOGICAL ASSESSMENT

An aquatic ecological assessment is required that addresses all direct and indirect impacts of the Hillview Hard Rock Quarry Project on Key Fish Habitat and associated flora and fauna including threatened species, populations, and communities during construction and operation for the life of the asset.

The Aquatic Ecological Assessment should cover the assessment requirements outlined in Chapter 3 of the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* including:

- Recent aerial photograph (preferably colour), map or GIS of the locality which details the Key Fish Habitat of the development site, all habitats impacted by the development, and waterway classification (CLASS) as defined in Tables 1 and 2 of the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*.

Mail to: M. Coughran,1243 Bruxner Hwy, Wollongbar NSW 2477
Email: ahp.central@dpi.nsw.gov.au
ABN 20770707468

- Location details of all temporary and permanent infrastructure and construction activities, such as waterway crossings, intake/outtake towers, access tracks, tunnels, pipelines, raceways, etc.
- Mapping of the full aerial extent of Key Fish Habitat types that will be impacted either directly or indirectly by the development and subsequent operation of Hillview Hard Rock Quarry, with impacted habitats clearly identified on recent aerial photographs, maps or GIS.
- Description, quantification, and mapping of all aquatic and riparian vegetation communities potentially impacted by the development. This should include an assessment of the extent and condition of aquatic and riparian vegetation and the presence of significant habitat features (e.g. gravel beds, snags, reed beds, rock bars, etc).
- Quantification of the extent of aquatic and riparian habitat removal, modification or inundation (whether temporary or permanent) that will result from the proposed development within and outside the footprint of the development.
- Development of mitigation measures during construction (e.g. Environmental Management Plans) and operation (e.g. Operational Management Plan) including monitoring of proposed mitigation measures and plans to confirm their effectiveness.

DREDGING AND RECLAMATION ACTIVITIES

The EIS should assess any dredging and reclamation activities as defined by the *FMA 1994* and includes such works (but not limited to) waterway work platforms, coffer dams, intake/outtake towers, raceways, and excavating or reclaiming the bed or banks of any waterways. The EIS should describe the type and extent of any dredging or reclamation activities within 'water land'. This assessment should include;

- Purpose of works
- Method of dredging and reclamation to be used
- Duration of dredging and reclamation works
- Time of dredging and reclamation works
- Dimension and depth of area to be dredged or reclaimed
- Nature of sediment to be dredged
- Method of disposal of dredge material
- Location and duration of spoil stockpiling, if planned
- Spoil type and source location for reclamation activities
- Details of dewatering activities or use of coffer dams and diversion channels.
- Environmental safeguards to be used during and after works
- Measures for minimising harm to Key Fish Habitat

FISH PASSAGE

The design and construction of waterway crossings of key fish habitat waterways should be undertaken in accordance with the Department's Policy and Guidelines for Fish Friendly Waterway

Mail to: M. Coughran,1243 Bruxner Hwy, Wollongbar NSW 2477
Email: ahp.central@dpi.nsw.gov.au
ABN 20770707468

Crossings (2004) and Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2004).

LOSS OF RIPARIAN VEGETATION

Hillview Hard Rock Quarry Project has the potential to cause impacts during construction and operation on riparian vegetation, which is listed as a Key Threatening Process (*Degradation of native riparian vegetation*) under the *FMA 1994*. The EIS will need to assess and quantify the full extent of riparian vegetation loss and will need to assess any impacts on riparian bank stability.

If you have any queries, please contact Cherie Colyer-Morris, Fisheries Manager, Coastal Systems (Central) at cherie.colyer-morris@dpi.nsw.gov.au.

Yours sincerely,

C. Colyer-Morris

Cherie Colyer-Morris
Fisheries Manager, Coastal System

DPI Fisheries
Mail to: M. Coughran,1243 Bruxner Hwy, Wollongbar NSW 2477
Email: ahp.central@dpi.nsw.gov.au
ABN 20770707468

Department of Planning, Housing and Infrastructure
Via Major Projects Portal and
By email: james.mcdonough@dpie.nsw.gov.au

Attention: James McDonough

20 May 2024

Mid-Coast Council - Hillview Hard Rock Quarry – SSD-70557215

I refer to your request to the NSW Environment Protection Authority (EPA) dated 8th of May 2024, seeking the EPA's Secretary's Environmental Assessment Requirements (SEAR's) to assist with the preparation of an Environmental Impact Statement (EIS) for Mid-Coast Council - Hillview Hard Rock Quarry – SSD-70557215.

The EPA has considered the details of the proposal and has identified the information it requires to adequately assess the proposal which is contained in **Attachment A**. In summary, the EPA's key information requirements for the proposal include an adequate assessment of:

1. Potential noise and vibration impacts due to construction and operation;

2. Potential air quality impacts due to construction and operation;

3. Impacts on water quality and site wide water management;

4. Waste management and disposal;

5. Dangerous goods, chemical storage and bunding; and

6. Cumulative impacts

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

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

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 Environment Protection Licence (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 Daniel Trotter on (02) 55343007 or by email at info@epa.nsw.gov.au.

Yours sincerely

.....
Emma Coombs
Acting Unit Head
Environment Protection Authority
(by Delegation)

ATTACHMENT A: EIS REQUIREMENTS FOR

Mid-Coast Council - Hillview Hard Rock Quarry – SSD-70557215

How to use these requirements

The EPA requirements have been structured in accordance with the DPE EIS 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 approvals and licences

E. Identification and prioritisation of issues

F. The environmental issues

G. Compilation of 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.

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

The impact of noise and vibration must be managed to protect the amenity and wellbeing of the community. Potential impacts should be minimised through the implementation of all feasible and reasonable mitigation measures. This will require a detailed Noise Impact Assessment (NIA) to be completed. The NIA must:

- 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.

2. Air

A detailed Air Quality Impact Assessment (AQIA) for construction and operation of the project must be prepared in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW. The AQIA must:

- Demonstrate how the development will comply with the relevant regulatory framework, specifically the POEO Act and the POEO (Clean Air) Regulation (2022).
- Include a cumulative local and regional air quality impact assessment, including odour.
- 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.

3. Water

A detailed Water Quality Impact Assessment (WQIA) for construction and operation of the project must be prepared. The WQIA must:

- demonstrate that all practical options to avoid discharge have been investigated and implemented.

- Demonstrate that measures have been taken to reduce the level of contaminants in the discharge, so that any impact is reduced where a discharge is necessary.
- 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.
- 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.
- Identify existing impacts to water resources (including other industrial discharges).
- 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.
- describe the nature and degree of impact that any discharge/s will have on the receiving environment. This includes consideration of all pollutants that pose a risk of non-trivial harm to human health and the environment. (This should also include intercepted saline groundwater or acidic runoff generated by acid sulphate soil where appropriate.)
- 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.
- Include a detailed water balance and discharge inventory.
- Include an assessment of any mixing zones; and
- Include any proposed discharge limits.

4. Land

- Identify if the soils and groundwater in the area of the project 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. Investigations should be undertaken in accordance with (but not limited to) guidelines identified in Attachment B.
- Identify potential impacts to soils and groundwater /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; and
- A site auditor accredited under the *Contaminated Land Management Act* 1997 (CLM Act) should be engaged to provide a Section A site audit statement (SAS) and accompanying site audit report (SAR) certifying suitability of the land for the proposed land use. By engaging a site auditor to provide a Section A SAS, the site auditor will review the adequacy of the investigations, any remedial works or management plan required and confirm suitability of the land for the proposed use.

5. 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.

6. 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.

7. 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 *Protection of the Environment Operations Act* 1997).

8. 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.

9. 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)

Title	Web address
Relevant Legislation	
Contaminated Land Management Act 1997	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-140
Environmental Planning and Assessment Act 1979	https://legislation.nsw.gov.au/view/html/inforce/current/act-1979-203
Protection of the Environment Operations Act 1997	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
Water Management Act 2000	https://legislation.nsw.gov.au/view/html/inforce/current/act-2000-092
Licensing	
Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
Air Issues	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2022)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants
Approved methods for sampling and analysis of air pollutants in NSW (2022)	https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/sampling-analysing-air-emissions
POEO (Clean Air) Regulation 2022	https://legislation.nsw.gov.au/view/html/inforce/current/sl-2022-0811
Noise and Vibration	
NSW Noise Policy for Industry	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
Interim Construction Noise Guideline (DECC, 2009)	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (DEC, 2006)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise
NSW Rail Infrastructure Noise Guideline (EPA, 2013)	http://www.epa.nsw.gov.au/your-environment/noise/transport-noise

Human Health Risk Assessment	
Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)	http://www.eh.org.au/documents/item/916
Waste, Chemicals and Hazardous Materials and Radiation	
Waste	
Environmental Guidelines: Solid Waste Landfills (EPA, 2016)	http://www.epa.nsw.gov.au/waste/landfill-sites.htm
Draft Environmental Guidelines: Industrial Waste Landfilling (April 1998)	https://www.environment.nsw.gov.au/resources/mao/industrialfill.pdf
EPA's Waste Classification Guidelines 2014	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery orders and exemptions	http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm
European Unions Waste Incineration Directive 2000	http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm
EPA's Energy from Waste Policy Statement	http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm
NSW Waste Avoidance and Resource Recovery Strategy 2014-2021	http://www.epa.nsw.gov.au/wastestrategy/warr.htm
Chemicals subject to Chemical Control Orders	
Chemical Control Orders (regulated through the EHC Act)	http://www.epa.nsw.gov.au/pesticides/CCOs.htm
National Protocol: Approval/Licensing of Trials of Technologies for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
National Protocol for Approval/Licensing of Commercial Scale Facilities for the Treatment/Disposal of Schedule X Wastes - July 1994	Available in libraries
Water and Soils	
Acid sulphate soils	
Coastal acid sulfate soils guidance material	http://www.environment.nsw.gov.au/acidsulfatesoil/ and http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm
Acid Sulfate Soils Planning Maps	https://datasets.seed.nsw.gov.au/dataset/acid-sulfate-soils-risk0196c
Contaminated Sites Assessment and Remediation	
Managing Land Contamination: Planning Guidelines: SEPP 55 Remediation of Land	http://www.epa.nsw.gov.au/clm/planning.htm

Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/20p2233-consultants-reporting-on-contaminated-land-guidelines.pdf
Contaminated Land Management: Guidelines for the NSW Site Auditor Scheme – 3rd edition (EPA, 2017)	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/contaminated-land/17p0269-guidelines-for-the-nsw-site-auditor-scheme-third-edition.pdf
Contaminated land sampling design guidelines Part 1 (application) & 2 (interpretation)	https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines
National Environment Protection (Assessment of Site Contamination) Measure 1999 (or update)	https://www.nepc.gov.au/nepms/assessment-site-contamination
Soils – general	
Managing land and soil	https://www.environment.nsw.gov.au/topics/land-and-soil/managing-land-and-soil
Managing Urban Stormwater Volumes – Erosion control and construction	https://www.environment.nsw.gov.au/topics/water/water-quality/protecting-and-managing-water-quality/waterway-health
Landslide risk management guidelines	https://australiangeomechanics.org/papers/landslide-risk-management-concepts-and-guidelines/
Site Investigations for Urban Salinity (DLWC, 2002)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/site-investigations-for-urban-salinity
Local Government Salinity Initiative Booklets	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Land-and-soil/introduction-urban-salinity.pdf
Water	
NSW Water Quality and River Flow Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	https://www.waterquality.gov.au/anz-guidelines/resources/previous-guidelines/anzecc-armcanz-2000 and https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/water-quality-toxicants/search
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2022)	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/water/22p3488-approved-methods-for-water-in-nsw.pdf
Environmental Guidelines for Use of Effluent by Irrigation	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/epa/effguide.pdf
EPA Guidance Note Water pollution discharge assessments	https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments

Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DEC 2008)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/managing-urban-stormwater-soils-and-construction-volume-1-4th-editon

Our ref: HMS ID 6307

James McDonough
Planner
Department of Planning and Environment
PO BOX 404
PARRAMATTA, 2124 NSW
By email: james.mcdonough@dpie.nsw.gov.au

Request for Secretary's Environmental Assessment Requirements (SEARS) for the Hillview Hard Rock Quarry Project - SSD-70557215

Dear Mr McDonough,

Thank you for your referral dated 08 May 2024 inviting SEARS input from the Heritage Council of NSW on the above State Significant Hillview Hard Rock Quarry Project - SSD-70557215 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 Jacqueline Burges, 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 Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
10 May 2024

From:	Nicole Davis
To:	James McDonough
Subject:	Heritage NSW - Aboriginal Cultural Heritage - Advice on SEARs - Hillview Hard Rock Quarry Project (SSD-70557215) (Mid-Coast)
Date:	Friday, 10 May 2024 12:53:00 PM
Attachments:	.. datacontent_Image_rteImages_logo1644468813661.png image001.png image002.png

Dear James,

Heritage NSW recommends that the following SEAR's be included with respect to Aboriginal cultural heritage (ACH) in relation to the proposed Hillview Hard Rock Quarry Project (SSD-70557215) (Mid-Coast).

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 Climate Change, Energy, the Environment and Water (DCCEEW)
E nicole.davis@environment.nsw.gov.au

NSW GOVERNMENT

I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

From: no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>
Sent: Wednesday, 8 May 2024 11:13 AM
To: simmone.horton@environment.nsw.gov.au; kelly.pleasance@environment.nsw.gov.au; heritagemailbox@environment.nsw.gov.au; tanya.pelz@environment.nsw.gov.au; jacqueline.burges@environment.nsw.gov.au
Cc: james.mcdonough@dpie.nsw.gov.au
Subject: Major Projects – New Request for Advice - Hillview Hard Rock Quarry Project (SSD-70557215) (Mid-Coast)

The Department has sent you a request for advice in relation to the Hillview Hard Rock Quarry Project.The due date for this request is 21/05/24.

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 James McDonough on 0295856313 /at james.mcdonough@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

Subscribe to our newsletter

MINING, EXPLORATION & GEOSCIENCE
Department of Regional NSW

RDOC24/54474
10 May 2024

James McDonough
Department of Planning, Housing and Infrastructure
james.mcdonough@dpie.nsw.gov.au
Via: Major Projects Portal

ADVICE RESPONSE: Hillview Hard Rock Quarry Project

Stage: Advice on Secretary's Environmental Assessment Requirements

Development Application: SSD-70557215

Dear Mr McDonough,

I refer to your correspondence dated 8 May 2024 inviting the Department of Regional NSW – Mining, Exploration and Geoscience (MEG) to provide comments on the Hillview Hard Rock Quarry Project (the Project), submitted by Coastwide Materials Pty Ltd (the Proponent).

MEG has reviewed the information supplied and notes that the Project does not involve the recovery of Scheduled Minerals identified under Schedule 1 of the Mining Regulation 2016. Accordingly, MEG has no further comment to make on this Project.

For further advice on this matter, please contact Sarah Maiorana, Project Officer, Industry Advisory & Mining Concierge unit - Industry Development branch on 02 4063 6860 or mining.concierge@regional.nsw.gov.au.

Sincerely

Scott Anson
Manager Industry Advisory and Mining Concierge
Industry Development
Department of Regional NSW – Mining, Exploration and Geoscience

for

Tony Linnane
Executive Director Strategy, Performance and Industry Development
Department of Regional NSW – Mining, Exploration and Geoscience

21 May 2024

Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

APPLICATION NO: SSD-70557215 (Our Ref. 25-2024-4-1)

PROPOSAL: Hillview Hard Rock Quarry

PROPERTY: 67 Maytoms Lane Booral

Attention: James McDonough

Thank you for your correspondence dated 8 May 2024 requesting Council's comments for the above development. It is noted that the actual site is not within the Port Stephens Local Government Area but seeks to use Port Stephens local road network. Noting this, Council has given consideration to the SEARs request and makes the following comments.

Traffic
A Traffic Impact Assessment (TIA) should be prepared for the proposal to consider impacts from the proposed development on the road network.

Local Infrastructure Contributions
The Port Stephens Council Local Infrastructure Contributions (LIC) Plan will apply to the proposal. The LIC Plan includes a haulage levy. It is requested that the haulage levy be applied to any future consent for the development to satisfy the maintenance demand from the development on the Port Stephens local road network.

It is requested that Council be consulted prior to the imposition (or exclusion of) any contributions conditions that impact local infrastructure.

Thank you for the opportunity to comment on the SEARs for the Hillview Hard Rock Quarry Project. If you wish to discuss the matters raised above or have any questions, please contact me on the number below and I will be happy to help.

Yours Faithfully

Courtney Sargent
Senior Development Planner

Port Stephens Council
Phone: 4988 0263
Email: Courtney.sargent@portstephens.nsw.gov.au

Transport for NSW

15 May 2024

File No: NTH24/00376/001
Your Ref: SSD 70557215

The Director
Dept of Planning, Housing & Infrastructure
NSW Major Projects Portal

Attention: James McDonough

RE: Secretary's Environmental Assessment Requirements for Hillview Hard Rock Quarry Project
Lot 60 DP1094397, Lot 1 DP159902, Lot 62 DP95029, Lot 63 DP95029, Lot 2 DP1166923, Lot 3 DP1166923, Lot 4 DP1166923 and Lot 64 DP95030; 67 Maytoms Land Booral

I refer to your email of 08 May 2024 requesting input from Transport for NSW to the Secretary's Environmental Assessment Requirements (SEARs) for the abovementioned development proposal.

Roles and Responsibilities

Our 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*.

Maytoms Lane is a local Road, The Bucketts Way (MR90) a classified Regional road and Pacific Highway (HW10) a classified State road. Council is the roads authority for these roads and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

Transport for NSW Response

TfNSW requests that a Traffic Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, the complementary TfNSW Supplement and RTA Guide to Traffic Generating Developments. The TIA should include, but not necessarily be limited to, an assessment of the considerations outlined in **Attachment A**.

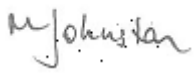
In addition to the TIA, please provide strategic design drawings of all proposed road works and the site access demonstrating scope, estimated cost and constructability of works required to mitigate the impacts of the development on road safety, traffic efficiency and the integrity of transport infrastructure. Works must be appropriately designed for the existing posted speed limit. Any roadwork on classified (State/Regional) road/s is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and TfNSW Supplements.

TfNSW highlights that in determining the application under the *Environmental Planning and Assessment Act 1979*, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as

requirements in the conditions of project approval.

If you have any further enquiries regarding the above comments please do not hesitate to contact Kate Leonard, Development Services Case Officer on 1300 207 783 or via email at: development.north@transport.nsw.gov.au

Yours faithfully,



Marg Johnston
Team Leader, Development Services
Community and Place | Region North
Regional & Outer Metropolitan
Transport for NSW

Enc. ATTACHMENT A - Requested considerations for SEAR - Traffic Impact Assessment

ATTACHMENT A - Requested considerations for SEAR - Traffic Impact Assessment

For context, this attachment must be read with TfNSW letter of 15 May 2024 reference number NTH24/00376/001.

Traffic Impact Assessment (TIA) be prepared by suitably qualified person/s in accordance with the Austroads Guide to Traffic Management Part 12, the complementary TfNSW Supplement and RTA Guide to Traffic Generating Developments.

The TIA is to identify the impacts of the development and the proposed on-site and off-site measures proposed to mitigate the impacts of the development on any road or rail related infrastructure. The TIA must explain and justify all inputs informing the proposed mitigation measures and TIA conclusions.

The TIA should be tailored to the scope of the proposed development and include, but not necessarily be limited to, consideration of the following;

- A map of the surrounding road network identifying the site access, nearby accesses, intersections and transport related facilities.
- A map of the proposed transport route/s identifying all public roads proposed to obtain access from the classified (State) road/s to the development site.
- The total impact of existing and proposed development on the road network with consideration for a 10 year horizon. This should include;
  - Identify Annual Average Daily Traffic (AADT) volumes with percentage heavy vehicles along the transport route/s and diagrammatically demonstrate AM and PM peak hour movements at key intersections.
  - Background traffic data from published sources and/or recent survey data. The source of data and any assumptions are to be clearly explained and justified, including the growth rate applied to the future horizon.
  - The volume and distribution of proposed trips to be generated by the construction, operational and decommission phases of the development. This should identify the maximum daily and hourly demands generated by the development, particularly where they coincide with the network peak hour.
  - The type and frequency of design vehicles accessing the development site.
- Details of the road geometry and alignment along the identified transport route/s, including existing formations, crossings, intersection treatments and any identified hazards. This should include;
  - Available sight distances at the site access and nearby intersections and any constraint to achieving the required sight distance for the posted speed limit.
  - Available sight distances at intersections along the proposed transport routes and any constraint to achieving the required sight distance for the posted speed limit.
  - An assessment of turn treatment warrants in accordance with the Austroads Guide to Traffic Management Part 6 and Austroads Guide to Road Design Part 4A for intersections along the identified transport route/s, identifying the existence of the minimum basic turn treatments and addressing the need for any warranted higher order treatments.
  - Swept path analysis demonstrating the largest design vehicle entering and leaving the development, and moving in each direction through intersections along the proposed transport route/s.

- Capacity analysis using SIDRA or other relevant application, to identify an acceptable Level of Service (LOS) at intersections with the classified (State) road/s, and where relevant, analysis of any other intersections along the proposed transport route/s.
- A review of crash data along the identified transport route/s for the most recent 5 year reporting period and an assessment of road safety along the proposed transport route/s considering the safe systems principles adopted under Future Transport 2056.
- Strategic (2D) design drawings of all proposed road works and the site access demonstrating scope, estimated cost and constructability of works required to mitigate the impacts of the development on road safety, traffic efficiency and the integrity of transport infrastructure. Works must be appropriately designed for the existing posted speed limit.
- Site plan demonstrating site access, internal manoeuvring, servicing and parking areas consistent with the relevant parts of AS2890 and Council requirements.
- Details of measures to address impacts and/or provide connections for public transport services and active transport modes, such as, public and school bus services, walking and cycling.
- Details of measures to ameliorate the impacts of road traffic noise, dust, and/or glare generated along the proposed transport route/s.
- Details of any Traffic Management Plan (TMP) proposed to address the construction and operation phases of the proposed development. The TMP should be prepared and implemented in accordance with *Australian Standard 1742.3* and the *Work Health and Safety Regulation 2017.* It is recommended that any TMP include, but not necessarily limited to, the following;
  - A map of the primary transport route/s highlighting critical locations.
  - An induction process for vehicle operators and regular toolbox meetings.
  - Procedures for travel through residential areas, school zones and/or bus route/s.
  - any proposed temporary measures such a Traffic Guidance Scheme (TGS)
  - A Driver Code of Conduct for heavy vehicle operators.
  - A complaint resolution and disciplinary procedure.
  - Community consultation measures proposed for peak periods.

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.

Any roadwork on a classified State road/s is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and TfNSW Supplements.

The developer will be required to enter into a Works Authorisation Deed (WAD) with TfNSW for any roadwork deemed necessary on the classified (State) road. The developer will be responsible for all costs associated with the roadwork and administration for the WAD. It is recommended that developers familiarise themselves with the requirements of the WAD process. Further information can be obtained from the TfNSW website.

Department of Planning and Environment

Our ref: OUT24/6413

James McDonough

Planning and Assessment Group
NSW Department of Planning, Housing and Environment

Email: james.mcdonough@dpie.nsw.gov.au

8 May 2024

Subject: **Hillview Hard Rock Quarry Project (SSD-70557215) (Mid-Coast)**

Comment on the Secretary's Environmental Assessment Requirements (SEARs)

Dear James,

The NSW DCCEEW Water Group has developed standard SEARs for quarry SSD and SSI projects. Please see **Attachment A** for detailed requirements.

If any of the requirements do not apply to this project, the proponent should describe why in a short statement.

Should you have any further queries in relation to this submission please do not hesitate to contact DPE Water Assessments at water.assessments@dpie.nsw.gov.au.

Yours sincerely

Alistair Drew
Project Officer, Assessments, Knowledge Division
Department of Planning and Environment: Water

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