

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Part 8 of the *Environmental Planning and Assessment Regulation 2021*

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| Application Number | SSD-70557215 |
| Project | <p>Hillview Hard Rock Quarry Project, which involves:</p> <ul style="list-style-type: none"> establishing a quarry to extract and process up to 1.5 million tonnes of hard rock per annum for up to 30 years; constructing an access road and new intersection at Maytoms Lane and The Bucketts Way; constructing associated site infrastructure and amenities; transporting material off-site via public roads; and progressively rehabilitating the site. |
| Location | 67 Maytoms Lane Booral within Mid-Coast Local Government Area |
| Proponent | Coastwide Materials Pty Limited |
| Date of Issue | 03/06/2024 |
| General Requirements | <p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements as prescribed by Part 8 of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) and must have regard to the <i>State Significant Development Guidelines</i>.</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> - adequate baseline data - consideration of the potential cumulative impacts due to other developments in the vicinity (completed, underway or proposed); - measures to avoid, minimise and if necessary, offset predicted impacts, including detailed contingency plans for managing any significant risks to the environment; and - a health impact assessment of local and regional impacts associated with the development, including those health risks associated with relevant key issues. <p>The EIS must also be accompanied by an Estimated Development Cost (EDC) report, providing:</p> <ul style="list-style-type: none"> - a detailed calculation of the EDC of the development prepared in |

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| | <p>accordance with the relevant planning circular using the Standard Form of EDC Report.</p> <ul style="list-style-type: none"> - the EDC Report must specify the EDC of the extractive industry component of the development. - an estimate of the retained and new jobs that would be created during the construction and operational phases, including details of the methodology to determine the figures provided. |
| Key issues | <p>The EIS must address the following specific matters:</p> <p>1. Statutory and Strategic Context</p> <p>Address the statutory provisions applying to the development contained in all relevant environmental planning instruments, including:</p> <ul style="list-style-type: none"> o Great Lakes Local Environmental Plan 2014; o State Environmental Planning Policy (Resources and Energy) 2021; o State Environmental Planning Policy (Planning Systems) 2021; o State Environmental Planning Policy (Biodiversity and Conservation) 2021; and o State Environmental Planning Policy (Resilience and Hazards) 2021. <p>Address the relevant planning provisions, goals and strategic planning objectives in Hunter Regional Plan 2041.</p> <p>2. Biodiversity</p> <p>Prepare a Biodiversity Development Assessment Report (BDAR) that assesses biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i> and the Biodiversity Assessment Method 2020.</p> <p>Any application that is required to be submitted with a Biodiversity Development Assessment Report must use the template available at: https://www.environment.nsw.gov.au/research-and-publications/publications-search/guidance-for-the-biodiversity-development-assessment-report-template.</p> <p>3. Noise and blasting</p> <p>A noise and blasting impact assessment including:</p> <ul style="list-style-type: none"> o a detailed assessment of the likely construction, operational and off-site transport noise impacts of the development in accordance with the Interim Construction Noise Guideline, NSW Noise Policy for Industry and the NSW Road Noise Policy respectively, and having regard to the Voluntary Land Acquisition and Mitigation Policy. if a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities under the Interim Construction Noise Guideline; o proposed blasting hours, frequency and methods; o a detailed assessment of the likely blasting impacts of the development (including noise, vibrations, overpressure, visual and |

odour) on people, animals, buildings, infrastructure and significant natural features, having regard to the relevant ANZEC guidelines;

- o reasonable and feasible mitigation measures to minimise noise emissions; and
- o monitoring and management measures, in particular real-time and attended noise monitoring.

4. Air quality

An air quality impact assessment including:

- o a detailed assessment of potential construction and operational impacts, in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW, and with a particular focus on dust emissions including PM2.5 and PM10, and having regard to the Voluntary Land Acquisition and Mitigation Policy;
- o an assessment of potential dust and other emissions generated from processing, operational activities and transportation of quarry products;
- o an assessment of the greenhouse gas emission impacts of the development;
- o reasonable and feasible mitigation measures to minimise dust and emissions; and
- o monitoring and management measures, in particular, real-time air quality monitoring;

5. Water resources

A water resources impact assessment, including:

- o a detailed site water balance, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply infrastructure and water storage structures;
- o identification of any licensing requirements or other approvals under the *Water Act 1912* and/or *Water Management Act 2000*;
- o demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP);
- o a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP;
- o an assessment of any likely flooding impacts of the development;
- o an assessment of the likely impacts on the quality and quantity of existing surface and ground water resources, including a detailed assessment of proposed water discharge quantities and quality against receiving water quality and flow objectives;

- o an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users; and
- o a detailed description of the proposed water management system (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts;

6. Heritage

An assessment of impacts to Aboriginal and historic heritage, including:

- o an assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage; and
- o identification of historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items, having regard to the relevant policies and guidelines listed in Attachment 1;

7. Traffic and Transport

A traffic and transport impact assessment, including:

- o accurate predictions of the road traffic generated by the construction and operation of the development, including a description of the types of vehicles likely to be used for transportation of quarry products, concrete and other materials;
- o a detailed assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road network (as identified above), including a road safety audit;
- o an assessment of cumulative traffic impacts, having regard to any other proposed developments in the locality; and
- o a description of the measures that would be implemented to mitigate any impacts, including concept plans of any proposed upgrades, developed in consultation with the relevant road and rail authorities (if required); and
- o a description of existing and proposed access roads.

8. Land resources

A land resources impact assessment, including:

- o potential impacts on soils and land capability (including potential erosion, land contamination and biosecurity risks) and the proposed mitigation, management and remedial measures (as appropriate);
- o potential impacts on landforms (topography), paying particular attention to the long-term geotechnical stability of any new landforms (such as overburden dumps, bunds etc); and
- o the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements in Clause 12 of State Environmental Planning Policy (Mining, Petroleum Production

and Extractive Industries) 2007, paying particular attention to the agricultural land use in the region;

9. Waste management

A waste management assessment, including:

- o estimates of the quantity and nature of the waste streams that would be generated or received by the development;
- o details of liquid waste and non-liquid waste management, including:
 - the transportation, assessment and handling of waste arriving at or generated at the site;
 - any waste processing related to the proposal, including reuse, recycling, reprocessing or treatment both on- and off-site;
 - the method for disposing of all wastes or recovered materials;
 - concrete and cement/fly ash spillage and clean up arrangements;
 - identification of the history of concrete waste materials arriving on site and whether there is any likelihood of contaminated material, and if so, measures for the management of any contaminated material;
 - the emissions arising from the handling, storage, processing and reprocessing of waste; and
 - the proposed controls for managing the environmental impacts of these activities.
- o any measures that would be implemented to minimise, manage or dispose of these waste streams, in accordance with the NSW Waste Avoidance and Resource Recovery Strategy 2014-21; and
- o details of the type and quantity of any chemical substances to be used or stored and describe arrangements for their safe use and storage.

10. Hazards

An assessment of the likely risks to public safety, paying particular attention to potential bushfire risks and the transport, handling and use of any hazardous or dangerous goods;

11. Visual

A detailed assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, including with respect to any new landforms, and to minimising the lighting impacts of the development;

12. Social and Economic

A Social Impact Assessment prepared in accordance with the Social Impact Assessment Guideline for State Significant Projects. A detailed assessment of the likely economic impacts of the development, paying particular attention to:

- o the significance of the resource;

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| | <ul style="list-style-type: none"> o the costs and benefits of the project; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates; and o the demand for the provision of local infrastructure and services. <p>13. Rehabilitation</p> <p>The proposed rehabilitation strategy for the site having regard to the key principles in the Strategic Framework for Mine Closure, including:</p> <ul style="list-style-type: none"> o rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; o nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and o the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region. |
| Plans and Documents | <p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Part 8 of the Regulation. Provide these as part of the EIS rather than as separate documents.</p> <p>In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.</p> |
| Engagement | <p>During the preparation of the EIS, you must consult with the relevant local, State or Australian Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> - affected landowners; - community groups; - MidCoast Council; - Port Stephens Council - Biodiversity, Conservation and Science within the Department of Climate Change, Energy, the Environment and Water; - Heritage NSW - Environment Protection Authority; - Regional NSW – Mining, Exploration and Geoscience; - Department of Primary Industries (including Agriculture and Fisheries); - Crown Lands; - the Water Group within the Department of Climate Change, Energy, the Environment and Water; - NSW Rural Fire Service; and |

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| | <ul style="list-style-type: none"> - Transport for NSW. <p>The EIS must detail the engagement undertaken and demonstrate how it was consistent with the <i>Undertaking Engagement Guidelines for State Significant Projects</i>. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project.</p> |
| Expiry Date | <p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs is required, please consult with the Planning Secretary 3 months prior to the expiry date.</p> |
| References | <p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.</p> |

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

| Air | |
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| | Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E) |
| | Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA) |
| | Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA) |
| | Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia' |
| | National Greenhouse Accounts Factors (Commonwealth) |
| Noise & Blasting | |
| | Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E) |
| | NSW Noise Policy for Industry (EPA) |
| | Interim Construction Noise Guideline (DECC) |
| | NSW Road Noise Policy (EPA) |
| | Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC) |
| Water | |
| | NSW State Groundwater Policy Framework Document (NOW) |
| | NSW State Groundwater Quality Protection Policy (NOW) |
| | NSW State Groundwater Quantity Management Policy (NOW) |
| | NSW Aquifer Interference Policy 2012 (NOW) |
| | Office of Water Guidelines for Controlled Activities (2012) |
| Groundwater | Groundwater Monitoring and Modelling Plans – Information for prospective mining and petroleum exploration activities (NOW) |
| | Australian Groundwater Modelling Guidelines 2012 (Commonwealth) |
| | National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) |
| | Guidelines for the Assessment & Management of Groundwater Contamination (EPA) |
| Surface Water | NSW Government Water Quality and River Flow Objectives (EPA) |
| | Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA) |
| | National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ) |
| | National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ) |
| | National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC) |
| | NSW Water Conservation Strategy (2000) |
| | State Water Management Outcomes Plan |
| | NSW State Rivers and Estuary Policy (1993) |
| | Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA) |
| | Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (EPA) |
| | Managing Urban Stormwater: Treatment Techniques (EPA) |
| | Managing Urban Stormwater: Source Control (EPA) |
| | Technical Guidelines: Bunding & Spill Management (EPA) |

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| | Environmental Guidelines: Use of Effluent by Irrigation (EPA) |
| | A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH) |
| | NSW Guidelines for Controlled Activities on Waterfront Land (NOW) |
| Land | |
| | Soil and Landscape Issues in Environmental Impact Assessment (NOW) |
| | Agfact AC.25: Agricultural Land Classification (NSW Agriculture) |
| | Agricultural Issues for Extractive Industries (DPI) |
| | State Environmental Planning Policy No. 55 – Remediation of Land |
| | Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC) |
| | Land Use Conflict Risk Assessment Guide (DPI) |
| Traffic | |
| | Guide to Traffic Generating Development (RMS) |
| | Road Design Guide (RMS) & relevant Austroads Standards |
| Biodiversity | |
| | Biodiversity Assessment Method (OEH) |
| | Fisheries NSW policies and guidelines |
| | Guidelines for developments adjoining Department of Environment, Climate Change and Water (DECCW, 2010) |
| | Guidelines for Threatened Species Assessment (DP&E) |
| | Guidance to assist a decision-maker to determine a serious and irreversible impact (OEH) |
| | NSW State Groundwater Dependent Ecosystem Policy (NOW) |
| | Revocation, recategorisation and road adjustment policy (OEH, 2012) |
| | Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW) |
| | State Environmental Planning Policy (Koala Habitat Protection) 2019 |
| Heritage | |
| | The Burra Charter (The Australia ICOMOS charter for places of cultural significance) |
| | Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH) |
| | Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH) |
| | Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH) |
| | NSW Heritage Manual (OEH) |
| | Statements of Heritage Impact (OEH) |
| Hazards | |
| | State Environmental Planning Policy No. 33 – Hazardous and Offensive Development |
| | Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 |
| | Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis |
| | Planning for Bush Fire Protection 2006 (RFS) |
| Waste | |
| | Waste Classification Guidelines (EPA) |
| | NSW Waste Avoidance and Resource Recovery Strategy 2014-21 (EPA) |
| Rehabilitation | |
| | Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth) |
| | Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth) |
| | Strategic Framework for Mine Closure (ANZMEC-MCA) |
| Social & Economic | |
| | Social impact assessment guideline for State significant mining, petroleum production and extractive industry development (DP&E, 2017) |
| Environmental Planning Instruments - General | |
| | State Environmental Planning Policy (Resources and Energy) 2021 |
| | State Environmental Planning Policy (Planning Systems) 2021 |
| | State Environmental Planning Policy (Biodiversity and Conservation) 2021 |

ATTACHMENT 2
Government Authority Responses to Request for Key Issues