



Your ref: SSD-70748466  
Our ref: DOC24/375674-3

Chris Eldred  
Senior Planning Officer  
Department of Planning and Environment

By email: [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)

Dear Mr Chris

**Input into Secretary's Environmental Assessment Requirements – Huntlee New Town Stage 2 (SSD – 54836993)**

I refer to your Major Projects Portal request on 13 May 2024 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the development of the Huntlee New Town Stage 2 project. The proposed development is within the Singleton and Cessnock local government area.

Biodiversity, Conservation & Science (BCS) of the Department of Climate Change, Energy, the Environment and Water (the Department) understands the proposed development comprises of approximately 5,000 residential lots and site preparation works including remediation, earthworks, infrastructure provision, road works and open space. BCS understands that the proposal is a State Significant Development (SSD-70748466) project under the *Environmental Planning and Assessment Act 1979*.

BCS has reviewed the document *Scoping Report – Request for Secretary's Environmental Assessment Requirements – Huntlee New Town, Huntlee Pty Ltd* prepared by Ethos Urban dated 8 February 2023 and includes our Standard SEARs which are presented in **Attachment A**. and project specific comments are provided in **Attachment B**. Details of guidance documents are provided in **Attachment C**.

If you have any further questions about this issue, please contact Giorginna Xu, Senior Conservation Planning Officer, on 4927 3185 or at [huntercentralcoast@environment.nsw.gov.au](mailto:huntercentralcoast@environment.nsw.gov.au)

Yours sincerely

Joe Thompson  
**Director**  
**Hunter Central Coast Branch**  
**Biodiversity and Conservation Division**  
28/5/24

Enclosure: Attachments A, B, C

## Attachment A – Standard Environmental Assessment Requirements

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <b>Biodiversity</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 1. See Attachment B                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Water and soils</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 2. The EIS must map the following features relevant to water and soils including: <ul style="list-style-type: none"><li>a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).</li><li>b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).</li><li>c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.</li><li>d. Groundwater.</li><li>e. Groundwater dependent ecosystems.</li><li>f. Proposed intake and discharge locations.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                   |
| 3. The EIS must describe background conditions for any water resource likely to be affected by the development, including: <ul style="list-style-type: none"><li>a. Existing surface and groundwater.</li><li>b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.</li><li>c. Water Quality Objectives (as endorsed by the NSW Government <a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.</li><li>d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the <a href="#">ANZECC (2000) Guidelines for Fresh and Marine Water Quality</a> and/or local objectives, criteria or targets endorsed by the NSW Government.</li></ul> |
| 4. The EIS must assess the impacts of the development on water quality, including: <ul style="list-style-type: none"><li>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.</li><li>b. Identification of proposed monitoring of water quality.</li></ul>                                                                                                                                                                                                                                       |
| 5. The EIS must assess the impact of the development on hydrology, including: <ul style="list-style-type: none"><li>a. Water balance including quantity, quality and source.</li><li>b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.</li><li>c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.</li><li>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).</li></ul>                                                                                                                                                                                                                                                 |

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| <ul style="list-style-type: none"> <li>e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.</li> <li>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.</li> <li>g. Identification of proposed monitoring of hydrological attributes.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Flooding and coastal erosion</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p>6. The EIS must map the following features relevant to flooding as described in the <a href="#">NSW 2023 Flood Risk Management Manual</a> including:</p> <ul style="list-style-type: none"> <li>a. Flood prone land.</li> <li>b. Flood planning area, the area below the flood planning level.</li> <li>c. Hydraulic categorisation (floodways and flood storage areas).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>7. 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>8. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:</p> <ul style="list-style-type: none"> <li>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.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>9. Modelling in the EIS must consider and document:</p> <ul style="list-style-type: none"> <li>a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.</li> <li>b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affectation of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.</li> <li>c. Relevant provisions of the <a href="#">NSW 2023 Flood Risk Management Manual</a>.</li> </ul>                                                                                                                                                                                                                                                                                                                |
| <p>10. The EIS must assess the impacts on the proposed development on flood behaviour, including:</p> <ul style="list-style-type: none"> <li>a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.</li> <li>b. Consistency with Council floodplain risk management plans.</li> <li>c. Compatibility with the flood hazard of the land.</li> <li>d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.</li> <li>e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.</li> <li>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.</li> </ul> |

- 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 of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
- j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

11. The EA 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.

12. The EA 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 (Coastal Management) 2018.



**Attachment B – Project specific environmental assessment requirements**

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## Biodiversity

1. Pursuant to s34A (3) (b) of the Biodiversity Conservation (Savings and Transitional) Regulation 2017, the Secretary of the Department of Planning and Environment certified that the Huntlee New Town residential development concept plan approval satisfactorily offset the project's residual impacts. The assessment therefore must demonstrate that biodiversity losses from the Stage 2 project area are limited to the residual impacts (i.e. after avoidance and mitigation) of the original approval. Table 5-3 of the Ecological Assessment Report – Huntlee (RPS, 2010) identifies the residual impacts to the Central Hunter Riparian Forest as being limited to 27 hectares (ha) and residual impacts to Central Hunter Ironbark – Spotted Gum - Grey Box Forest to 341 ha.
2. Biodiversity impacts related to the proposed development must be assessed in accordance with the planning provisions that were in place prior to the commencement of Part 7 of the *Biodiversity Conservation Act 2016*, which included the former s5A of the *Environmental Planning and Assessment Act 1979*. This includes considering whether there is likely to be a significant impact on threatened species, populations or ecological communities or their habitats in accordance with the now repealed section 5A of that act and, if necessary, preparing a species impact statement.
3. The assessment must document the application of the avoid, minimise and offset principles upon threatened species, and should reflect conservation values including the status of any entity, such as if it is critically endangered, endangered or a vulnerable species, population or ecological community.
4. The assessment must demonstrate how conservation measures have been secured into the future (by a planning agreement, a land reservation or otherwise) to offset the residual impact of the proposed development.
5. The assessment must contain justification whether the proposal, including the actions to avoid and mitigate or compensate to prevent unavoidable impacts will maintain or improve the biodiversity values.
6. The assessment must include accurate predictions of any vegetation to be cleared on site.
7. The assessment must include a detailed assessment of the likely direct and indirect biodiversity impacts of the development, paying particular attention to the following threatened entities:
  - Central Hunter Ironbark-Spotted Gum-Grey Box Forest in the NSW North Coast and Sydney Basin Bioregions
  - River-Flat Eucalypt Forest on Coastal Floodplains of the NSW North Coast, Sydney Basin and South East Corner bioregions.
  - Bynoe's Wattle (*Acacia bynoeana*)
  - *Cymbidium canaliculatum* population in the Hunter Catchment
  - Pine Donkey Orchid (*Diuris tricolor*)
  - Slaty Red Gum (*Eucalyptus glaucina*)
  - *Eucalyptus parramattenis* subsp. *decadens*
  - North Rothbury Persoonia (*Persoonia pauciflora*)
  - Pink-tailed Legless Lizard (*Aprasia parapulchella*)
  - Grey-crowned Babbler
  - Brown Treecreeper
  - Black-chinned Honeyeater

- Speckled Warbler
- Varied Sitella
- Scarlet Robin
- Glossy Black-Cockatoo
- Painted Honeyeater
- Regent Honeyeater
- Swift Parrot
- Little Lorikeet
- Turquoise Parrot
- Powerful Owl
- Barking Owl
- Little Eagle
- Spotted Harrier
- Square-tailed Kite
- Squirrel Glider
- Koala
- Grey-headed Flyingfox
- Yellow-bellied Sheath-tail-bat
- Little Bentwing-bat
- Eastern Bentwing-bat
- Eastern Freetail Bat
- Greater Broad-nosed Bat
- Large-footed Myotis
- Eastern Cave Bat

**Water and soils** - nil

**Flooding and coastal erosion** - nil

## Attachment C – Guidance material

| Title                                                                                                                                                    | Web address                                                                                                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Relevant legislation</b>                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Threatened Species Conservation Act 1995</i>                                                                                                          | <a href="https://legislation.nsw.gov.au/view/html/inforce/current/act-1995-101">https://legislation.nsw.gov.au/view/html/inforce/current/act-1995-101</a>                                                                                                                                                                                                                             |
| <i>Biodiversity Conservation Act 2016</i>                                                                                                                | <a href="https://www.legislation.nsw.gov.au/#/view/act/2016/63/full">https://www.legislation.nsw.gov.au/#/view/act/2016/63/full</a>                                                                                                                                                                                                                                                   |
| <i>Coastal Management Act 2016</i>                                                                                                                       | <a href="https://www.legislation.nsw.gov.au/#/view/act/2016/20/full">https://www.legislation.nsw.gov.au/#/view/act/2016/20/full</a>                                                                                                                                                                                                                                                   |
| <i>Commonwealth Environment Protection and Biodiversity Conservation Act 1999</i>                                                                        | <a href="http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/">http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/</a>                                                                                                                                                                                                                                       |
| <i>Environmental Planning and Assessment Act 1979</i>                                                                                                    | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N</a>                                                                                                                                                                                                                   |
| <i>Fisheries Management Act 1994</i>                                                                                                                     | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N</a>                                                                                                                                                                                                                     |
| <i>Marine Parks Act 1997</i>                                                                                                                             | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N</a>                                                                                                                                                                                                                     |
| <i>National Parks and Wildlife Act 1974</i>                                                                                                              | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N</a>                                                                                                                                                                                                                     |
| <i>Protection of the Environment Operations Act 1997</i>                                                                                                 | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N</a>                                                                                                                                                                                                                   |
| <i>Water Management Act 2000</i>                                                                                                                         | <a href="http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N">http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N</a>                                                                                                                                                                                                                     |
| <i>Wilderness Act 1987</i>                                                                                                                               | <a href="http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N">http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N</a>                                                                                                                                                                                                                       |
| <b>Biodiversity</b>                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                       |
| Biodiversity Assessment Method (OEH, 2020)                                                                                                               | <a href="https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-2020-200438.pdf">https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/biodiversity-assessment-method-2020-200438.pdf</a>                                                           |
| Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)                                              | <a href="http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf">http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf</a>                                                                                                                 |
| Surveying threatened plants and their habitats - NSW survey guide for the Biodiversity Assessment Method (DPIE, 2020)                                    | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method">https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method</a> |
| NSW Survey Guide for Threatened Frogs – A guide for the survey of threatened frogs and their habitats for the Biodiversity Assessment Method (DPIE 2020) | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs">https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs</a>                                                                                                                           |
| 'Species credit' threatened bats and their habitats – NSW survey guide for the Biodiversity Assessment Method                                            | <a href="https://www.environment.nsw.gov.au/research-and-publications/publications-search/species-credit-threatened-bats-nsw-survey-guide-for-biodiversity-assessment-method">https://www.environment.nsw.gov.au/research-and-publications/publications-search/species-credit-threatened-bats-nsw-survey-guide-for-biodiversity-assessment-method</a>                                 |
| Fisheries NSW policies and guidelines                                                                                                                    | <a href="http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation">http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation</a>                                                                                                                                 |
| List of national parks                                                                                                                                   | <a href="http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx">http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx</a>                                                                                                                                                                                                                                 |

| Title                                                                                                                                 | Web address                                                                                                                                                                                                                                                                                    |
|---------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Revocation, recategorisation and road adjustment policy (OEH, 2012)                                                                   | <a href="http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm">http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm</a>                                                                                                                                      |
| Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010) | <a href="http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm">http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm</a>                                                                                                                        |
| <b>Acid sulphate soils</b>                                                                                                            |                                                                                                                                                                                                                                                                                                |
| Acid Sulfate Soils Planning Maps via Data.NSW                                                                                         | <a href="http://data.nsw.gov.au/data/">http://data.nsw.gov.au/data/</a>                                                                                                                                                                                                                        |
| Acid Sulfate Soils Manual (Stone et al. 1998)                                                                                         | <a href="http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf">http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf</a>                                                                                                                        |
| Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)                                                                  | <a href="http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf">http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf</a><br>This replaces Chapter 4 of the Acid Sulfate Soils Manual above. |
| <b>Flooding and coastal erosion</b>                                                                                                   |                                                                                                                                                                                                                                                                                                |
| Reforms to coastal erosion management                                                                                                 | <a href="http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm">http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm</a>                                                                                                                                                  |
| Floodplain development manual                                                                                                         | <a href="http://www.environment.nsw.gov.au/floodplains/manual.htm">http://www.environment.nsw.gov.au/floodplains/manual.htm</a>                                                                                                                                                                |
| Guidelines for Preparing Coastal Zone Management Plans                                                                                | Guidelines for Preparing Coastal Zone Management Plans<br><a href="http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf">http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf</a>                                                                          |
| NSW Climate Impact Profile                                                                                                            | <a href="http://climatechange.environment.nsw.gov.au/">http://climatechange.environment.nsw.gov.au/</a>                                                                                                                                                                                        |
| Climate Change Impacts and Risk Management                                                                                            | <a href="#">Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation</a>                                                                                                                                                 |
| <b>Water</b>                                                                                                                          |                                                                                                                                                                                                                                                                                                |
| Water Quality Objectives                                                                                                              | <a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>                                                                                                                                                                                  |
| ANZECC (2000) Guidelines for Fresh and Marine Water Quality                                                                           | <a href="http://www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1">www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1</a>                   |
| Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones                                              | <a href="http://deccnet/water/resources/AWQGuidance7.pdf">http://deccnet/water/resources/AWQGuidance7.pdf</a>                                                                                                                                                                                  |
| Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)                                                       | <a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>                                                                                                              |

## Chris Eldred

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**From:** Sarah Hyatt <Sarah.Hyatt@cessnock.nsw.gov.au>  
**Sent:** Monday, 6 March 2023 1:30 PM  
**To:** Chris Eldred  
**Subject:** RE: Huntlee Stage 2 Request for SEARs

Hi Chris,

I can confirm that this related to any new intersection proposed, but also an impact on existing intersections.

As I understand, there is a condition on the Stage 1 consent that relates to the preparation of a Traffic Impact Assessment once a specific trigger is reached. This also needs to be taken into account for Stage 2.

Kind regards,



**Sarah Hyatt** Team Leader Development Services  
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325  
p 02 4993 4219  
[www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



**Integrity, Respect, Teamwork, Accountability and Excellence**

*I acknowledge Aboriginal people as the traditional custodians of the land on which Cessnock City Council offices and operations are located, and pay my respects to Elders past, present and future.*

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**From:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Monday, 6 March 2023 1:16 PM  
**To:** Sarah Hyatt <Sarah.Hyatt@cessnock.nsw.gov.au>  
**Subject:** RE: Huntlee Stage 2 Request for SEARs

Hi Sarah,

Thank you for the below comments.

In reference to the first point, is there any specific intersection of Wine Country Drive and the Huntlee development that Council is wanting included?

Kind Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Planning and Assessment | Department of Planning and Environment  
T 02 8289 6855 | E [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

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**From:** Sarah Hyatt <[Sarah.Hyatt@cessnock.nsw.gov.au](mailto:Sarah.Hyatt@cessnock.nsw.gov.au)>  
**Sent:** Friday, 3 March 2023 4:11 PM  
**To:** Chris Eldred <[Christopher.Eldred@dpie.nsw.gov.au](mailto:Christopher.Eldred@dpie.nsw.gov.au)>  
**Subject:** FW: Huntlee Stage 2 Request for SEARs

Good afternoon Chris,

Please find below Council's comments in relation to the attached Draft SEAR's.

- Section 8 of the EIS relates to consideration of the traffic impact on existing and proposed intersection. Council considers that the intersection of the development with Wine Country Drive is of particular importance and is required to be considered.
- The developer will need to consider the provision of community infrastructure in line with Council's requirements, which are detailed in its strategic plans for the area. Council's preference is for a cross boundary planning agreement to address the provision of community infrastructure required as a result of the development. Accordingly, the developer will be required to assist the councils (Cessnock and Singleton) in the preparation of any such agreement. Negotiation with the councils to achieve this outcome should occur early in the development process.

These comments are preliminary in nature, there may be other matters identified once further information becomes available. Council reserves the right to provide further comments once further documentation has been prepared.

Should you require anything further, please don't hesitate to give me a call.

Kind regards,



**Sarah Hyatt** Team Leader Development Services  
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325  
p 02 4993 4219  
[www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



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***I acknowledge Aboriginal people as the traditional custodians of the land on which Cessnock City Council offices and operations are located, and pay my respects to Elders past, present and future.***

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**From:** Chris Eldred <[Christopher.Eldred@dpie.nsw.gov.au](mailto:Christopher.Eldred@dpie.nsw.gov.au)>  
**Sent:** Monday, 27 February 2023 9:34 AM  
**To:** Sarah Hyatt <[Sarah.Hyatt@cessnock.nsw.gov.au](mailto:Sarah.Hyatt@cessnock.nsw.gov.au)>  
**Subject:** Huntlee Stage 2 Request for SEARs

Good Morning Sarah,

A request for feedback from Cessnock City Council on the SEARs for Huntlee Stage 2 was sent to Council via the Major Projects Portal, however it does not appear that the request has been accessed.

The documentation for the SEARs request can be accessed here: <https://www.planningportal.nsw.gov.au/major-projects/projects/huntlee-new-town-stage-2> and the draft SEARs are attached. Can you please arrange for Council to review the documentation and provide any feedback to the Department by 6 March 2023.

Should you have any questions, please feel free to contact me.

Kind Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Planning and Assessment | Department of Planning and Environment  
T 02 8289 6855 | E [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150  
[www.dpie.nsw.gov.au](http://www.dpie.nsw.gov.au)



*The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

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## Chris Eldred

---

**From:** Peter Giannopoulos <Peter.Giannopoulos@cessnock.nsw.gov.au>  
**Sent:** Friday, 24 May 2024 9:25 AM  
**To:** Chris Eldred  
**Subject:** RE: Huntlee New Town Stage 2

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Chris

We have obtained further internal advice in respect to the SEARs for Huntlee New Town Stage 2 (SSD-54836993). Please be advised that the Scoping Report for Huntlee Stage 2 indicates that the development will straddle the Cessnock and Singleton local government areas and will deliver approximately 5,000 residential lots. The Scoping Report does not detail how many of these lots will be located in the Cessnock Local Government Area (LGA). The Developer has separately advised Council that it would be reasonable to assume that approximately 2,200 residential lots will be provided within the Cessnock component of Stage 2 of the development. Assuming this dwelling yield is correct, and relying on an occupancy rate of 2.9 persons per household, the assumed number of people residing within the Cessnock component of Huntlee Stage 2 will be 6,380 people ( $2,200 \times 2.9 = 6,380$ ). The following comments are provided on the basis of this dwelling and population yield.

The Developer will need to comply with the requirements for recreation and community infrastructure detailed in Council's strategic plans for the area, including Council's Recreation and Open Space Strategic Plan, Community Infrastructure Strategic Plan, and Cessnock City Council Library Facilities 2017-2039, A Needs Analysis.

Assuming a population of 6,380 people in the Cessnock component of Huntlee Stage 2, the following recreation and community infrastructure will be required to support the development:

- 6 local parks
- 1 district park
- 1 district sportsground
- 1 Community Hub

Land for this recreation and community infrastructure is to be located in accordance with the Design Guidelines contained in Council's Recreation and Open Space Strategic Plan, Community Infrastructure Plan, Library Facilities 2017-2039, A Needs Analysis, and in consultation with Council.

Any land additional to Council's requirements that is proposed to be dedicated to Council, including land for general public open space, core riparian zone, detention basins, town centre squares, etc., will only be accepted by negotiation with Council through a Voluntary Planning Agreement (VPA). If accepted, any additional land may be subject to a 'land dedication charge' to account for the ongoing cost to Council to maintain the land in perpetuity. The existing Huntlee Stage 1 VPA between Council and the Developer provides land and some monetary and works in kind contributions toward district parks, sportsgrounds and a Community Hub at Huntlee. However, there is presently a shortfall in contributions funding under the Stage 1 VPA to deliver this infrastructure. The Huntlee development has wholly generated the need for this recreation and community infrastructure and as such, Stage 2 of the development will be required to address any shortfall in funding.

Council's preference is for a cross boundary development contribution plan or planning agreement with Singleton Council to address the provision of recreation and community infrastructure.

Council objects to the approval of Huntlee Stage 2, until such time as a contribution plan for the development is adopted by Council, or a VPA Heads of Agreement is executed in relation to Stage 2 of the development. If the Huntlee Developer seeks to enter into a VPA with Council in relation to Stage 2 of the development, the negotiation should occur early in the development process to ensure the matter is finalised in line with the developer's expectations for the development of the site.

If you require any further information, please do not hesitate to contact Iain Rush on telephone 02 4993 4155.

Yours faithfully



**Peter Giannopoulos** Team Leader Development Services  
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325  
p 02 4993 4112  
[www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



**Integrity, Respect, Teamwork, Accountability and Excellence**

*I acknowledge Aboriginal people as the traditional custodians of the land on which Cessnock City Council offices and operations are located, and pay my respects to Elders past, present and future.*

---

**From:** Peter Giannopoulos  
**Sent:** Friday, 17 May 2024 9:08 AM  
**To:** 'Chris Eldred' <Christopher.Eldred@dpie.nsw.gov.au>  
**Subject:** RE: Huntlee New Town Stage 2

Dear Chris

As you will be aware Council has concerns that the Huntlee local VPA and the Major Project Approval do not align. Council's concerns and our previous advice remain valid.

Do not hesitate to contact Iain Rush or myself on (02) 4993 4100, if you have any further questions.

Yours faithfully



**Peter Giannopoulos** Team Leader Development Services  
62-78 Vincent St | PO Box 152 | Cessnock NSW 2325  
p 02 4993 4112  
[www.cessnock.nsw.gov.au](http://www.cessnock.nsw.gov.au)



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---

**From:** Chris Eldred <[Christopher.Eldred@dpie.nsw.gov.au](mailto:Christopher.Eldred@dpie.nsw.gov.au)>  
**Sent:** Monday, 13 May 2024 3:47 PM  
**To:** council <[council@cessnock.nsw.gov.au](mailto:council@cessnock.nsw.gov.au)>  
**Cc:** Iain Rush <[Iain.Rush@cessnock.nsw.gov.au](mailto:Iain.Rush@cessnock.nsw.gov.au)>; Sarah Hyatt <[Sarah.Hyatt@cessnock.nsw.gov.au](mailto:Sarah.Hyatt@cessnock.nsw.gov.au)>  
**Subject:** Huntlee New Town Stage 2

Good Afternoon,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with Cessnock City Council, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? If changes are required to the advice, could you please reissue revised advice. A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
T 02 8289 6855 | E [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
30 Park Ave Coffs Harbour NSW 2450  
[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



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## Chris Eldred

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**From:** Nicole Davis  
**Sent:** Tuesday, 14 May 2024 8:00 AM  
**To:** Chris Eldred  
**Subject:** Heritage NSW Reply - RE: Huntlee New Town Stage 2 SEARs

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Email to be saved

Hi Chris,

I can confirm that our advice remains valid with respect to ACH, no changes required.

Cheers & happy Tuesday  
Nicole

### Nicole Davis

Manager Assessments  
Heritage NSW

**Department of Climate Change, Energy, the Environment and Water (DCCEEW)**

**M** 0409 394 343 **E** [nicole.davis@environment.nsw.gov.au](mailto:nicole.davis@environment.nsw.gov.au)



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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:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Monday, 13 May 2024 3:47 PM  
**To:** Nicole Davis <Nicole.Davis@environment.nsw.gov.au>  
**Subject:** Huntlee New Town Stage 2 SEARs

Good Afternoon Nicole,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with Heritage NSW ACH, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? If changes are required to the advice, could you please reissue revised advice. A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
T 02 8289 6855 | E [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
30 Park Ave Coffs Harbour NSW 2450  
[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



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We acknowledge the traditional custodians of the land and we show our respect for elders past, present  
and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing  
commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

**From:** [Nicole Davis](#)  
**To:** [Chris Eldred](#)  
**Subject:** Heritage NSW - Advice on SEARs - Huntlee New Town Stage 2 (SSD-54836993) (Cessnock City, Singleton Shire)  
**Date:** Saturday, 18 February 2023 4:41:00 PM  
**Attachments:** [..datacontent\image\images\logo1644468813661.png](#)  
[image001.png](#)

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Dear Chris,

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

Aboriginal Cultural Heritage

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

I shall uploaded this email to the MPP. If you require any further information please contact me directly.

Kind Regards  
Nicole Davis

**Nicole Davis**  
Manager Assessments  
Heritage NSW  
**Department of Planning and Environment**

**T** 02 4927 3156 **M** 0409 394 343 **E** [nicole.davis@environment.nsw.gov.au](mailto:nicole.davis@environment.nsw.gov.au)  
Locked Bag 5020 Parramatta 2124



---

**From:** no-reply@majorprojects.planning.nsw.gov.au <no-reply@majorprojects.planning.nsw.gov.au>  
**Sent:** Thursday, 16 February 2023 11:58 AM  
**To:** Tanya Pelz <tanya.pelz@environment.nsw.gov.au>; OEH HD Heritage Mailbox <HERITAGEMailbox@environment.nsw.gov.au>  
**Cc:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Subject:** Major Projects – New Request for Advice - Huntlee New Town Stage 2 (SSD-54836993) (Cessnock City,Singleton Shire)

The Department has sent you a request for advice in relation to the Huntlee New Town Stage 2.The due date for this request is 01/03/23.

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

If you have any enquiries, please contact Chris Eldred on 0282896855 /at [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au).

To sign in to your account click [here](#) or visit the [Major Projects Website](#).

Please do not reply to this email.

Kind regards

The Department of Planning and Environment



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Hunter Water Corporation  
ABN 46 228 513 446

PO Box 5171  
HRMC NSW 2310  
36 Honeysuckle Drive  
NEWCASTLE NSW 2300  
1300 657 657 (T)  
(02) 4979 9625 (F)  
[hunterwater.com.au](http://hunterwater.com.au)

1 March 2023

HW Ref: HW2017-1215/18/28  
Your Ref: SSD-54836993

The Minister for Planning  
Department of Planning, Industry and Environment  
submitted via the Major Projects Portal

Attention: Christopher Eldred

Dear Christopher

**Hunter Water Advice for SEARs - Huntlee New Town Stage 2 (SSD-54836993)**

The Hunter Water Corporation (Hunter Water) offers the following response to your referral dated 16 February 2023, in which you sought advice on the Secretary's Environmental Assessment Requirements (SEARs) for the Huntlee New Town (Huntlee) Stage 2 proposal.

Huntlee is not in Hunter Water's area of operations. Water and wastewater services for Huntlee are owned and operated by a Private Network Operator (PNO) under the *Water Infrastructure Competition Act 2006*. Hunter Water only provides bulk water supply to Huntlee under a Utility Servicing Agreement. Hunter Water has no involvement in the provision of wastewater services to Huntlee.

Hunter Water notes the comments included in *Section 6.1.4 Infrastructure and Utilities* of the Proponents *Scoping Report* stating that:

*The EIS will assess in detail the impact the proposed subdivision will have on existing utility services and service provider assets surrounding the site.*

Hunter Water has existing assets in Wine Country Drive that may be impacted by the proposal. Hunter Water request that these assets be identified in the EIS, as well as the consultation process required to determine any asset impacts and mitigations, such as relocation of assets by the Proponent.

Should you have any further enquiries please contact me.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Barry Calderwood".

**BARRY CALDERWOOD**  
**Account Manager Major Development**

Tel: 02 4979 9721  
Email: [barry.calderwood@hunterwater.com.au](mailto:barry.calderwood@hunterwater.com.au)





## NSW RURAL FIRE SERVICE

Your Reference: PP\_2019\_LAKEM\_004\_00  
Our Reference: SPI20211027000184

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

2 March 2023

**Attention:** Chris Eldred

Dear Sir/Madam,

### Development Application

**State Significant – SEARS – Residential Subdivision/Masterplan Huntlee New Town Stage 2 Huntlee NSW, (SSD 54836993)**

**Lot 12 DP1137569 Singleton LGA; Lot 11 DP 1137569 Singleton & Cessnock LGA; Lot 2 DP 1211767 Cessnock LGA; Lot 3 DP 813163 Cessnock LGA; Lot 4 DP 813163 Cessnock LGA; Lot 13 DP 1137569 Singleton & Cessnock LGA; Lot 158 DP 1259859 Cessnock LGA; Lot 146 DP 1233016 Cessnock LGA; Lot 240 DP 1105591 Cessnock LGA; Lot 231 DP 879198 Cessnock LGA.**

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 16/02/2023.

The NSW RFS has considered the information submitted and provides the following comments;

The Proponent is seeking approval for the Concept Masterplan for Stage 2 of Huntlee New Town development under Division 4.4 of the *Environmental Planning and Assessment Act 1979* (The Act) and detailed approval for the subdivision and construction associated with the first components of the development being "Village 2" and the Town Centre.

The Concept Masterplan for Stage 2 of Huntlee New Town is intended to amend *Cessnock Local Environmental Plan 2011* and *Singleton Local Environmental Plan 2011* to rezone the areas to allow:

- Overall Stage 2 development footprint including the residue of the Town Centre, Villages 2, 3 and 4 and a large lot residential area located to the south of the site on Old North Road,;
- Proposed land use and development yield including provision for residential subdivision of approximately 5,000 dwelling;

#### Postal address

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### Street address

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

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

- Road layout including collector roads, local roads and associated intersections with the existing road network;
- Conceptual open space, landscaping, riparian area.

The NSW RFS supports the proposed residential subdivision/masterplan in principle. Information required in subsequent stages is outlined below:

- A comprehensive Strategic Bush Fire Study should be prepared illustrating compliance of the proposed subdivision/masterplan with the principles of Chapter 4 of *Planning for Bush Fire Protection (PBP) 2019* and demonstrating that the proposal is able to comply with the specific requirements for subdivision in Chapter 5 of *PBP 2019*.
- Future residential subdivisions must address the requirements of Chapter 5 of PBP 2019 to demonstrate compliance with 29kW/m exposure.
- The proposed access provisions need to address perimeter roads along the bush fire interface ensuring compliance with the minimum 8 metre (m) carriageway widths and adequate separation.
- A study of the existing and proposed road networks both within and external to the masterplan area or site layout must consider the potential for development to be isolated in the event of a bush fire.
- Any future Special Fire Protection Purpose Developments must address the requirements of Chapter 6 of PBP 2019.

If you have any queries regarding this advice, please contact Elaine Chandler, Development Assessment and Planning Coordinator, on 1300 NSW RFS.

Yours sincerely,



Kalpana Varghese  
Supervisor, Development Assessment & Planning  
Built & Natural Environment

## Chris Eldred

---

**From:** Elaine Chandler <Elaine.Chandler@rfs.nsw.gov.au>  
**Sent:** Monday, 13 May 2024 4:19 PM  
**To:** Chris Eldred; Records; Planning & Environment Services  
**Subject:** RE: Huntlee New Town Stage 2 SEARs

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Completed

**Categories:** Email to be saved

Good afternoon Chris,

Thank you for your email regarding the Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023 for which the NSW RFS has provided advice. As there has not been any change in the scope or footprint of the proposed SSD, and there is no changes in the information required to be considered, the advice remains the same.

Kind regards,

---

**From:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Monday, May 13, 2024 3:47 PM  
**To:** Records <Records@rfs.nsw.gov.au>; Planning & Environment Services <CustomerService.Centre@rfs.nsw.gov.au>  
**Cc:** Elaine Chandler <Elaine.Chandler@rfs.nsw.gov.au>  
**Subject:** Huntlee New Town Stage 2 SEARs

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Good Afternoon,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with RFS, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? If changes are required to the advice, could you please reissue revised advice. A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
**T** 02 8289 6855 | **E** [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
30 Park Ave Coffs Harbour NSW 2450  
[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



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## Chris Eldred

---

**From:** Sarah Boyton <sboyton@singleton.nsw.gov.au>  
**Sent:** Friday, 3 March 2023 9:38 AM  
**To:** Chris Eldred  
**Subject:** Huntlee Stage 2 Request for SEARs

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning, Chris,

Thank you for the opportunity to respond to the request for SEARs for SSD-54836993 – Huntlee New Town Stage 2. We have reviewed the Concept Plan, Scoping Summary Table and Scoping Report and would like to also see the following addressed.

### Voluntary Planning Agreement

One area of major concern for Singleton Council is the provision of necessary infrastructure and associated costs involved. Council would be seeking a voluntary planning agreement with the developer to address the provision of community infrastructure required as a result of the development. The developer will be required to assist Council in the preparation of the voluntary planning agreement.

Council has an adopted Planning Agreement Policy, which would be the initial point at which we would negotiate. Our policy sets a 1% CIV value as our baseline for planning agreement quantum, and our preference is for the monies to be directed towards our Community Economic Development Fund, for which we have a policy position as well. We would be seeking to apply this in any negotiation with the applicant for a PA for the project.

Both policies are available on our website

<https://portal.singleton.nsw.gov.au/RedDocServ24/default.aspx?DocID=t40Eoj7zgu1%3d> and <https://portal.singleton.nsw.gov.au/RedDocServ24/default.aspx?DocID=E%2fCJEG1Cgaw%3d>.

### Huntlee Development Control Plan 2013

The scoping study fails to address the Huntlee Development Control Plan. The EIS needs to demonstrate how the proposal aligns with the objectives and meets the applicable controls and targets within this plan, with particular regard given to the following key objectives;

- *To facilitate urban development that meets environmental sustainability objectives.*
- *To promote housing diversity by providing a range of housing types.*
- *To create walkable neighbourhoods, with good access to public transport.*
- *To maximise opportunities for local employment and business.*
- *To create vibrant, successful town and neighbourhood centres.*
- *To provide social infrastructure that is flexible and adaptable.*
- *To maximise opportunities for future residents to access and to enjoy the outdoors.*
- *To protect and enhance riparian corridors, significant trees and vegetation*

### Biodiversity

The site contains significant ecologically sensitive areas, Council would like to reiterate the importance of a thorough assessment of the impact on Biodiversity values. Any clearing that was not included under any original approval, and new listed species added to the register, will need to be assessed as per the Biodiversity Conservation Act 2016. This should also include but not be

limited to the establishments of Asset Protection Zones for all the proposed lots. Singleton Council is currently creating High Biodiversity Values mapping, which could impact certain areas on the site, this should be taken into consideration.

#### Bushfire Protection

As referenced above, the inclusion of Asset Protection Zones may be required to be considered at this stage. Council can advise of the requirement to consider Planning for Bushfire Protection 2019 but will defer specific comments to the Rural Fire Service in accordance with s100B of the Rural Fires Act.

#### Zone Permissibility and Objectives

In the Permissibility Section of the Scoping Report there is reference to the Singleton Local Environmental Plan 2011, this need to be amended to the SLEP 2013. R5 zoned land (Lot 13 DP1137569) should also be included with information about how the proposal meets the objectives of all the applicable zones in particular how the proposal plans to minimise conflict between existing land uses within the adjoining zones, with an emphasis on protection of primary production, vineyards and tourism as well as the protection and preservation of the environmentally sensitive values of the land.

#### Flood Planning

The site includes flood prone land within the Black Creek floodplain. The EIS should not only take into consideration and address the current flood controls but consideration should also be given to the Draft Singleton Floodplain Risk Management Study and Plan currently on exhibition.

#### Waste Management

The Scoping Report does not contain any details in regard to the waste management, during the construction phase nor for the post development phase. The EIS must document the proposed waste management strategies for the whole development, with particular attention given to how the development meets the objectives and targets of the *Singleton Waste Strategy 2013-2033* and the NSW EPA Waste Management Strategies and policies.

#### Mine Subsidence

As the development is to occur on land with a probable history of mining, consultation with Subsidence Advisory NSW should be undertaken and relevant advice and comment included in the EIS

#### Singleton Sustainability Strategy 2019–2027

This focusses on the United Nations sustainable Development Goals. The proposed development should show how it drives Singleton to a sustainable future and meets the applicable targets within the strategy

#### Housing Availability during Construction Stage

The proposed development has the potential to disrupt short term accommodation during the construction phase and the EIS should address this and provide workable solutions to avoid further reduction on the availability of short term and affordable housing stock within the region.

#### Other Planning Instruments to be Considered in the EIS

*State Environmental Planning Policy (Housing) 2021*  
*Singleton Councils Economic Development Strategy*  
*Singleton Land Use Strategy*  
*Branxton Subregional Land Use Strategy*

Thank you for the opportunity to provide advise into the Huntlee Stage 2 SEARs and please do not hesitate to contact me if you have any questions.

Kind regards



**SARAH BOYTON**

Development Planner

**T** 02 6578 7519

**E** [sboyton@singleton.nsw.gov.au](mailto:sboyton@singleton.nsw.gov.au)

**W** [singleton.nsw.gov.au](http://singleton.nsw.gov.au)



Singleton Council acknowledges the Wanaruah, Wonnarua people and their custodianship of the land in the Singleton Local Government Area. We also acknowledge all other Aboriginal and Torres Strait Islanders who live within the Singleton Local Government Area and pay our respect to Elders past, present and future.

## Chris Eldred

---

**From:** Sarah Boyton <sboyton@singleton.nsw.gov.au>  
**Sent:** Thursday, 23 May 2024 8:59 AM  
**To:** Chris Eldred  
**Subject:** RE: Huntlee New Town Stage 2 SEARs

Morning Chris,

The only thing due to a policy change that needs updating is the following;

- VPA from 1% to 1.5%.

We also would like some communication and a resolution from the applicant to the DCP questions we have.

Thanks



**SARAH BOYTON**  
Senior Development Planner

**T** 02 6578 7519  
**E** [sboyton@singleton.nsw.gov.au](mailto:sboyton@singleton.nsw.gov.au)  
**W** [singleton.nsw.gov.au](http://singleton.nsw.gov.au)



Singleton Council acknowledges the Wanaruah, Wonnarua people and their custodianship of the land in the Singleton Local Government Area. We also acknowledge all other Aboriginal and Torres Strait Islanders who live within the Singleton Local Government Area and pay our respect to Elders past, present and future.

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**From:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Wednesday, May 22, 2024 3:39 PM  
**To:** Sarah Boyton <sboyton@singleton.nsw.gov.au>  
**Subject:** RE: Huntlee New Town Stage 2 SEARs

**CAUTION:** This email originated from outside the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Sarah,

Could you please advise if Council will be providing update SEARs requirements for Huntlee Stage 2?

Kind Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
**T** 02 8289 6855 | **E** [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)





*The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

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**From:** Chris Eldred  
**Sent:** Monday, 13 May 2024 3:47 PM  
**To:** [council@singleton.nsw.gov.au](mailto:council@singleton.nsw.gov.au)  
**Cc:** 'sboyton@singleton.nsw.gov.au' <[sboyton@singleton.nsw.gov.au](mailto:sboyton@singleton.nsw.gov.au)>  
**Subject:** Huntlee New Town Stage 2 SEARs

Good Afternoon,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with Singleton Council, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? If changes are required to the advice, could you please reissue revised advice. A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
**T** 02 8289 6855 | **E** [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
30 Park Ave Coffs Harbour NSW 2450  
[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



*The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

Ref: EOTH23-00086

2 March 2023

Department of Planning and Environment  
VIA: NSW Planning Portal

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Re: Agency Consultation for SEARs – SSD-54836993

To Whom it May Concern,

**LOT/DP:** 11, 12 & 13/-/1137569, 2/-/1211767, 3 & 4/-/813163, 158/-/1259859, 146/-/1233016, 240/-/1105591, 231/-/879198.

**ADDRESS:** Huntlee New Town - Stage 2

Thank you for your referral dated 17 February 2023 providing Subsidence Advisory NSW with the opportunity to provide input on environmental assessment requirements pertaining to State Significant Development SSD-54836993.

It is understood that the applicant is proposing to redevelop land for urban development at Huntlee New Town Stage 2.

Some of the lots identified in Table 3 of the Scoping Report by Ethos Urban are within a declared Mine Subsidence District and are undermined by historic abandoned workings in two coal seams.

These workings present varying subsidence risks to development and will require geotechnical investigation in accordance with the requirements of Subsidence Advisory's assessment policies. Some of the undermined areas would likely require remediation prior to any surface development. Other areas may require building controls to manage the risk of subsidence.

Ongoing consultation with Subsidence Advisory NSW is required as project development progresses. Future subdivision or surface development will require approval from Subsidence Advisory.

If you would like more information, please contact me on (02) 4908 4300 or [subsidedevelopment@customerservice.nsw.gov.au](mailto:subsidedevelopment@customerservice.nsw.gov.au).

Kind Regards



**Melanie Fityus**  
Senior Risk Engineer

Ref: EOTH23-00086

24 May 2024

Department of Planning, Housing and Infrastructure  
VIA: Christopher Eldred  
[christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)

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Re: Agency Consultation for SEARs – SSD-70748466

Dear Christopher Eldred,

**LOT/DP:** 11, 12 & 13/-/1137569, 2/-/1211767, 3 & 4/-/813163, 158/-/1259859, 146/-/1233016, 240/-/1105591, 231/-/879198.

**ADDRESS:** Huntlee New Town - Stage 2

Thank you for your email dated 13 May 2024 advising Subsidence Advisory NSW of the re-issuing of the SEARS in relation to State Significant Development SSD-70748466 (from SSD-54836993).

It is understood that the applicant is proposing to redevelop land for urban development at Huntlee New Town Stage 2 and the scope and footprint of SSD-70748466 is identical to SSD-54836993.

Where this remains the case, the advice provided by Subsidence Advisory on 2 March 2023 for SSD - 54836993 remains valid for the reissued SSD.

If you would like more information, please contact me on (02) 4908 4300 or [subsidedevelopment@customerservice.nsw.gov.au](mailto:subsidedevelopment@customerservice.nsw.gov.au).

Kind Regards



**Melanie Fityus**  
Senior Risk Engineer

27 February 2023

File No: NTH22/00065/11  
Your Ref: SSD-54836993

The Director  
Planning and Assessment  
Department of Planning & Environment  
NSW Major Projects Portal

Attention: Chris Eldred - Christopher.eldred@planning.nsw.gov.au

### **RE: Secretary's Environmental Assessment Requirements for Huntlee New Town Stage 2 - Wine Country Drive Huntlee**

I refer to your email of 16 February 2023 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*.

Wine Country Drive (MR220) and Hunter Expressway are classified State roads and Triton Boulevard is a local road. Council is the roads authority for all public roads in the area (excluding Hunter Expressway), in accordance with Section 7 of the *Roads Act 1993*.

#### **Transport for NSW Response**

TfNSW attended a Pre-SEARs meeting with the Proponent on 6 July 2022 and provided further advice on 27 July 2022 relating to the subject application / future Traffic Impact Assessment (TIA). TfNSW appreciates the Proponent engagement.

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**.

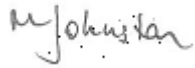
TfNSW highlights that in determining the application under the *Environmental Planning and Assessment Act 1979*, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development. This includes any works which form part of the proposal 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 Masa Kimura, Development Services Case Officer or the undersigned on 1300 207 783 or via email at: [development.north@transport.nsw.gov.au](mailto:development.north@transport.nsw.gov.au)

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OFFICIAL

Yours faithfully,



**Marg Johnston**

Team Leader, Development Services  
Community and Place | Region North  
Regional & Outer Metropolitan

**Enc. ATTACHMENT A - Requested TIA consideration for SEAR**

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## ATTACHMENT A - Traffic Impact Assessment – Requested considerations for SEAR

For context, this attachment must be read with TfNSW letter of 27 February 2023 reference number NTH22/00065/11.

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.
- Comparative / sensitivity analysis with the original Huntlee Town Centre modelling undertaken by Hyder Consulting.
- 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. Due to the impact of COVID-19 on travel patterns, traffic counts undertaken at this time may not be representative of normal volumes. Alternative approaches to understanding the impact of COVID-19 on traffic patterns should be discussed with TfNSW.
  - The volume and distribution of existing and 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;
  - 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.

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- 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.
- 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 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](#).

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## Chris Eldred

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**From:** Development North <Development.North@transport.nsw.gov.au>  
**Sent:** Monday, 13 May 2024 3:53 PM  
**To:** Chris Eldred  
**Cc:** Marg Johnston; Development North  
**Subject:** RE: Huntlee New Town Stage 2 SEARs  
**Attachments:** \_TfNSW+-+Advice+on+SEARs+-+Huntlee+New+Town+Stage+2\_.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Email to be saved

Hi Chris,

Yes, we confirm that the attached response remains valid for this proposal.

Regards,

### Masa Kimura

Development Services Case Officer  
Regional and Outer Metropolitan  
Development Services  
**Transport for NSW**

**T** 1300 207 783 **M** 0407 707 999 **E** [masa.kimura@transport.nsw.gov.au](mailto:masa.kimura@transport.nsw.gov.au)

[transport.nsw.gov.au](https://transport.nsw.gov.au)

6 Stewart Avenue, Newcastle NSW 2302  
Locked Bag 2030, Newcastle NSW 2302

**Working days** Monday to Friday, 8:00am – 3:30pm



Transport  
for NSW

Please consider the environment before printing this email.

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**From:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Monday, May 13, 2024 3:47 PM  
**To:** Development North <Development.North@transport.nsw.gov.au>  
**Cc:** Masa Kimura <Masa.Kimura@transport.nsw.gov.au>; Marg Johnston <Marg.Johnston@transport.nsw.gov.au>  
**Subject:** Huntlee New Town Stage 2 SEARs



Good Afternoon,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with Transport for NSW, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? If changes are required to the advice, could you please reissue revised advice. A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
T 02 8289 6855 | E [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
30 Park Ave Coffs Harbour NSW 2450  
[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



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Department of Planning and Environment  
Locked Bag 5022  
PARRAMATTA NSW 2124

Attention: Chris Eldred

Notice Number      1627052  
Date                    28-Feb-2023

**RE: State Significant Development - Huntlee New Town Stage 2 - SSD-54836993**

I refer to your request for the Environment Protection Authority's (EPA) advice in regard to the above proposal received by the EPA on 16 February 2023.

Insufficient detail is provided in the proposal to clarify if an environmental protection licence under the *Protection of the Environment Operations Act 1997* (POEO Act) is required. Further, based on the limited information provided the EPA considers that it is not the Appropriate Regulatory Authority (ARA) under the POEO Act for the proposal.

Due to the above, the EPA cannot provide advice on the proper regulatory framework and pathway for the proposal, and specifically the waste water services as detailed below. Should the proposal encompass waste water services, require any operations to be licensed under the POEO Act or make the EPA the ARA, then the EPA suggests the Environment Impact Statement (EIS) consider the EPA's EIS requirements in Attachment A. This should address the EPA's concerns below regarding potential environmental impacts from waste water treatment and disposal.

The EPA understands that the proposal may have implications for matters under the *Water Industry Competition Act 2006* (WIC Act) as it relates to the on-site waste water treatment system for the greater Huntlee development and presumably Huntlee New Town Stage 2. The water service provider for the existing Huntlee development, Altogether Group Pty Ltd and Altogether Huntlee Pty Ltd, currently has network and retail operator licences approved under the WIC Act.

The management of wastewater from this proposal needs careful consideration. The current Huntlee subdivision has no direct discharges of effluent to waterways and the EPA is unsure of any commitments made to handling all wastewater on-site in the original concepts for the Huntlee area. The EPA is aware that there may already be concerns regarding the slow up-take of recycled water use at Huntlee, and that this may be exacerbated by further increase in residential allotments.

The treatment and handling of waste water at the proposal must be undertaken in an environmental satisfactory manner. Should Huntlee New Town Stage 2 require the extension of the current Huntlee waste water services, or the commissioning of a similar system, the potential environmental impacts from these operations should be adequately assessed in the planning process. This includes any proposed discharges to water (point and diffuse) and if a direct discharge is being contemplated an assessment of whether

another direct discharge to local waterways is the best environmental outcome, noting the nearby discharge from the Branxton Wastewater Treatment Plant. Any review should assess the need for an environment protection licence under the POEO Act.

The EPA recommends that the Department of Planning and Environment refer the proposal to the Independent Pricing and Regulatory Tribunal (IPART) for their advice regarding the implications for any operations or activities undertaken under the WIC Act.

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, where a licence is required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Lange'.

.....  
**Jenny Lange**

**Unit Head**

**Environment Protection Authority**

(by Delegation)

## **ATTACHMENT A: EIS REQUIREMENTS FOR**

### **State Significant Development - Huntlee New Town Stage 2 - SSD-54836993**

#### **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. Identification and prioritisation of issues
- E. The environmental issues
- F. List of approvals and licences
- G. Compilation of mitigation measures
- H. Justification for the proposal

## A Executive summary

---

The executive summary should include a brief discussion of the extent to which the proposal achieves identified environmental outcomes.

## **B The proposal**

---

### **1. Objectives of the proposal**

- The objectives of the proposal should be clearly stated and refer to:
  - a) the size and type of the operation, the nature of the processes and the products, by-products and wastes produced
  - b) a life cycle approach to the production, use or disposal of products
  - c) the anticipated level of performance in meeting required environmental standards and cleaner production principles
  - d) the staging and timing of the proposal and any plans for future expansion
  - e) the proposal's relationship to any other industry or facility.

### **2. Description of the proposal**

#### ***General***

- Outline the production process including:
  - a) the environmental “mass balance” for the process – quantify in-flow and out-flow of materials, any points of discharge to the environment and their respective destinations (sewer, stormwater, atmosphere, recycling, landfill etc)
  - b) any life-cycle strategies for the products.
- Outline cleaner production actions, including:
  - a) measures to minimise waste (typically through addressing source reduction)
  - b) proposals for use or recycling of by-products
  - c) proposed disposal methods for solid and liquid waste
  - d) air management systems including all potential sources of air emissions, proposals to re-use or treat emissions, emission levels relative to relevant standards in regulations, discharge points
  - e) water management system including all potential sources of water pollution, proposals for re-use, treatment etc, emission levels of any wastewater discharged, discharge points, summary of options explored to avoid a discharge, reduce its frequency or reduce its impacts, and rationale for selection of option to discharge.
  - f) soil contamination treatment and prevention systems.
- Outline construction works including:
  - a) actions to address any existing soil contamination
  - b) any earthworks or site clearing; re-use and disposal of cleared material (including use of spoil on-site)
  - c) construction timetable and staging; hours of construction; proposed construction methods

- d) environment protection measures, including noise mitigation measures, dust control measures and erosion and sediment control measures.
- Include a site diagram showing the site layout and location of environmental controls.

## **Air**

- Identify all sources or potential sources of air emissions from the development.  
*Note: emissions can be classed as either:*
  - *point (e.g. emissions from stack or vent) or*
  - *fugitive (from wind erosion, leakages or spillages, associated with loading or unloading, conveyors, storage facilities, plant and yard operation, vehicle movements (dust from road, exhausts, loss from load), land clearing and construction works).*
- Provide details of the project that are essential for predicting and assessing air impacts including:
  - a) the quantities and physio-chemical parameters (e.g. concentration, moisture content, bulk density, particle sizes etc) of materials to be used, transported, produced or stored
  - b) an outline of procedures for handling, transport, production and storage
  - c) the management of solid, liquid and gaseous waste streams with potential to generate emissions to air.

## **Noise and vibration**

- Identify all noise sources or potential sources from the development (including both construction and operation phases). Detail all potentially noisy activities including ancillary activities such as transport of goods and raw materials.
- Specify the times of operation for all phases of the development and for all noise producing activities.
- For projects with a significant potential traffic noise impact provide details of road alignment (include gradients, road surface, topography, bridges, culverts etc), and land use along the proposed road and measurement locations – diagrams should be to a scale sufficient to delineate individual residential blocks.

## **Water**

- Provide details of the project that are essential for predicting and assessing impacts to waters including:
  - a) the quantity and physio-chemical properties of all potential water pollutants and the risks they pose to the environment and human health, including the risks they pose to Water Quality Objectives in the ambient waters (as defined on <http://www.environment.nsw.gov.au/ieo/index.htm>, using technical criteria derived from *the Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, ANZECC 2000)
  - b) the management of discharges with potential for water impacts
  - c) drainage works and associated infrastructure; land-forming and excavations; working capacity of structures; and water resource requirements of the proposal.

- Outline site layout, demonstrating efforts to avoid proximity to water resources (especially for activities with significant potential impacts e.g. effluent ponds) and showing potential areas of modification of contours, drainage etc.
- Outline how total water cycle considerations are to be addressed showing total water balances for the development (with the objective of minimising demands and impacts on water resources). Include water requirements (quantity, quality and source(s)) and proposed storm and wastewater disposal, including type, volumes, proposed treatment and management methods and re-use options.

## **Waste and chemicals**

Provide details of the quantity and type of both liquid waste and non-liquid waste generated, handled, processed or disposed of at the premises. Waste must be classified according to the EPA's *Waste Classification Guidelines 2014 (as amended from time to time)*

- Provide details of liquid waste and non-liquid waste management at the facility, including:
  - a) the transportation, assessment and handling of waste arriving at or generated at the site
  - b) any stockpiling of wastes or recovered materials at the site
  - c) any waste processing related to the facility, including reuse, recycling, reprocessing (including composting) or treatment both on- and off-site
  - d) the method for disposing of all wastes or recovered materials at the facility
  - e) the emissions arising from the handling, storage, processing and reprocessing of waste at the facility
  - f) the proposed controls for managing the environmental impacts of these activities.
- Provide details of spoil disposal with particular attention to:
  - a) the quantity of spoil material likely to be generated
  - b) proposed strategies for the handling, stockpiling, reuse/recycling and disposal of spoil
  - c) the need to maximise reuse of spoil material in the construction industry
  - d) identification of the history of spoil material and whether there is any likelihood of contaminated material, and if so, measures for the management of any contaminated material
  - e) designation of transportation routes for transport of spoil.
- Provide details of procedures for the assessment, handling, storage, transport and disposal of all hazardous and dangerous materials used, stored, processed or disposed of at the site, in addition to the requirements for liquid and non-liquid wastes.
- Provide details of the type and quantity of any chemical substances to be used or stored and describe arrangements for their safe use and storage.
- Reference should be made to the guidelines: EPA's *Waste Classification Guidelines 2014 (as amended from time to time)*

## **ESD**

- Demonstrate that the planning process and any subsequent development incorporates objectives and mechanisms for achieving ESD, including:



- a) an assessment of a range of options available for use of the resource, including the benefits of each option to future generations

proper valuation and pricing of environmental resources

- b) identification of who will bear the environmental costs of the proposal.

### **3. Rehabilitation**

- Outline considerations of site maintenance, and proposed plans for the final condition of the site (ensuring its suitability for future uses).

### **4. Consideration of alternatives and justification for the proposal**

- Consider the environmental consequences of adopting alternatives, including alternative:
  - a) sites and site layouts
  - b) access modes and routes
  - c) materials handling and production processes
  - d) waste and water management
  - e) impact mitigation measures
  - f) energy sources
- Selection of the preferred option should be justified in terms of:
  - a) ability to satisfy the objectives of the proposal
  - b) relative environmental and other costs of each alternative
  - c) acceptability of environmental impacts and contribution to identified environmental objectives
  - d) acceptability of any environmental risks or uncertainties
  - e) reliability of proposed environmental impact mitigation measures
  - f) efficient use (including maximising re-use) of land, raw materials, energy and other resources.

## C The location

---

### 1. General

- Provide an overview of the affected environment to place the proposal in its local and regional environmental context including:
  - a) meteorological data (e.g. rainfall, temperature and evaporation, wind speed and direction)
  - b) topography (landform element, slope type, gradient and length)
  - c) surrounding land uses (potential synergies and conflicts)
  - d) geomorphology (rates of landform change and current erosion and deposition processes)
  - e) soil types and properties (including erodibility; engineering and structural properties; dispersibility; permeability; presence of acid sulfate soils and potential acid sulfate soils)
  - f) ecological information (water system habitat, vegetation, fauna)
  - g) availability of services and the accessibility of the site for passenger and freight transport.

### 2. Air

- Describe the topography and surrounding land uses. Provide details of the exact locations of dwellings, schools and hospitals. Where appropriate provide a perspective view of the study area such as the terrain file used in dispersion models.
- Describe surrounding buildings that may effect plume dispersion.
- Provide and analyse site representative data on following meteorological parameters, where relevant:
  - a) temperature and humidity
  - b) rainfall, evaporation and cloud cover
  - c) wind speed and direction
  - d) atmospheric stability class
  - e) mixing height (the height that emissions will be ultimately mixed in the atmosphere)
  - f) katabatic air drainage
  - g) air re-circulation.

### 3. Noise and vibration

- Identify any noise sensitive locations likely to be affected by activities at the site, such as residential properties, schools, churches, and hospitals. Typically the location of any noise sensitive locations in relation to the site should be included on a map of the locality.
- Identify the land use zoning of the site and the immediate vicinity and the potentially affected areas.

#### **4. Water**

- Describe the catchment including proximity of the development to any waterways and provide an assessment of their sensitivity/significance from a public health, ecological and/or economic perspective. The Water Quality and River Flow Objectives on the website: <http://www.environment.nsw.gov.au/ieo/index.htm> should be used to identify the agreed environmental values and human uses for any affected waterways. This will help with the description of the local and regional area.

#### **5. Soil Contamination Issues**

- Provide details of site history – if earthworks are proposed, this needs to be considered with regard to possible soil contamination, for example if the site was previously a landfill site or if irrigation of effluent has occurred.

## **D Identification and prioritisation of issues / scoping of impact assessment**

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- Provide an overview of the methodology used to identify and prioritise issues. The methodology should take into account:
  - a) relevant NSW government guidelines
  - b) industry guidelines
  - c) EISs for similar projects
  - d) relevant research and reference material
  - e) relevant preliminary studies or reports for the proposal
  - f) consultation with stakeholders.
- Provide a summary of the outcomes of the process including:
  - a) all issues identified including local, regional and global impacts (e.g. increased/ decreased greenhouse emissions)
  - b) key issues which will require a full analysis (including comprehensive baseline assessment)
  - c) issues not needing full analysis though they may be addressed in the mitigation strategy
  - d) justification for the level of analysis proposed (the capacity of the proposal to give rise to high concentrations of pollution compared with the ambient environment or environmental outcomes is an important factor in setting the level of assessment).

## E The environmental issues

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### 1. General

- The potential impacts identified in the scoping study need to be assessed to determine their significance, particularly in terms of achieving environmental outcomes, and minimising environmental pollution.
- Identify gaps in information and data relevant to significant impacts of the proposal and any actions proposed to fill those information gaps so as to enable development of appropriate management and mitigation measures. This is in accordance with ESD requirements.

*Note: The level of detail should match the level of importance of the issue in decision making which is dependent on the environmental risk.*

### ***Describe baseline conditions***

- Provide a description of existing environmental conditions for any potential impacts.

### ***Assess impacts***

- For any potential impacts relevant for the assessment of the proposal provide a detailed analysis of the impacts of the proposal on the environment including the cumulative impact of the proposal on the receiving environment especially where there are sensitive receivers.
- Describe the methodology used and assumptions made in undertaking this analysis (including any modelling or monitoring undertaken) and indicate the level of confidence in the predicted outcomes and the resilience of the environment to cope with the predicted impacts.
- The analysis should also make linkages between different areas of assessment where necessary to enable a full assessment of environmental impacts e.g. assessment of impacts on air quality will often need to draw on the analysis of traffic, health, social, soil and/or ecological systems impacts; etc.
- The assessment needs to consider impacts at all phases of the project cycle including: exploration (if relevant or significant), construction, routine operation, start-up operations, upset operations and decommissioning if relevant.
- The level of assessment should be commensurate with the risk to the environment.

### ***Describe management and mitigation measures***

- Describe any mitigation measures and management options proposed to prevent, control, abate or mitigate identified environmental impacts associated with the proposal and to reduce risks to human health and prevent the degradation of the environment. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.
- Proponents are expected to implement a 'reasonable level of performance' to minimise environmental impacts. The proponent must indicate how the proposal meets reasonable levels of performance. For example, reference technology based criteria if available, or identify good practice for this type of activity or development. A 'reasonable level of performance' involves adopting and implementing technology and

management practices to achieve certain pollutant emissions levels in economically viable operations. Technology-based criteria evolve gradually over time as technologies and practices change.

- Use environmental impacts as key criteria in selecting between alternative sites, designs and technologies, and to avoid options having the highest environmental impacts.
- Outline any proposed approach (such as an Environmental Management Plan) that will demonstrate how commitments made in the EIS will be implemented. Areas that should be described include:
  - a) operational procedures to manage environmental impacts
  - b) monitoring procedures
  - c) training programs
  - d) community consultation
  - e) complaint mechanisms including site contacts
  - f) strategies to use monitoring information to improve performance
  - g) strategies to achieve acceptable environmental impacts and to respond in event of exceedences.

## 4. Air

### ***Describe baseline conditions***

- Provide a description of existing air quality and meteorology, using existing information and site representative ambient monitoring data.

### ***Assess impacts***

- Identify all pollutants of concern and estimate emissions by quantity (and size for particles), source and discharge point.
- Estimate the resulting ground level concentrations of all pollutants. Where necessary (e.g. potentially significant impacts and complex terrain effects), use an appropriate dispersion model to estimate ambient pollutant concentrations. Discuss choice of model and parameters with the EPA.
- Describe the effects and significance of pollutant concentration on the environment, human health, amenity and regional ambient air quality standards or goals.
- Describe the contribution that the development will make to regional and global pollution, particularly in sensitive locations.
- For potentially odorous emissions provide the emission rates in terms of odour units (determined by techniques compatible with EPA procedures). Use sampling and analysis techniques for individual or complex odours and for point or diffuse sources, as appropriate.

*Note: With dust and odour, it may be possible to use data from existing similar activities to generate emission rates.*

- Reference should be made to relevant guidelines e.g. *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (EPA, 2022); *Approved Methods for the Sampling and Analysis of Air Pollutants in NSW* (EPA, 2022); *Assessment and Management of Odour from Stationary Sources in*

NSW (DEC, 2006); *Technical Notes: Assessment and Management of Odour from Stationary Sources in NSW* (DEC, 2006); *Load Calculation Protocol for use by holders of NSW Environment Protection Licences when calculating Assessable Pollutant Loads* (DECC, 2009).

### ***Describe management and mitigation measures***

- Outline specifications of pollution control equipment (including manufacturer's performance guarantees where available) and management protocols for both point and fugitive emissions. Where possible, this should include cleaner production processes.

## **5. Noise and vibration**

### ***Describe baseline conditions***

- Determine the existing background (LA90) and ambient (LAeq) noise levels, as relevant, in accordance with the *NSW Noise Policy for Industry*.
- Determine the existing road traffic noise levels in accordance with the *NSW Road Noise Policy*, where road traffic noise impacts may occur.
- The noise impact assessment report should provide details of all monitoring of existing ambient noise levels including:
  - a) details of equipment used for the measurements
  - b) a brief description of where the equipment was positioned
  - c) a statement justifying the choice of monitoring site(s), including the procedure used to choose the site(s), having regards to Fact Sheets A and B of the *NSW Noise Policy for Industry*.
  - d) details of the exact location of the monitoring site and a description of land uses in surrounding areas
  - e) a description of the dominant and background noise sources at the site
  - f) day, evening and night assessment background levels for each day of the monitoring period
  - g) the final Rating Background Level (RBL) value
  - h) graphs of the measured noise levels for each day should be provided
  - i) a record of periods of affected data (due to adverse weather and extraneous noise), methods used to exclude invalid data and a statement indicating the need for any re-monitoring.

### ***Assess impacts***

- Determine the project noise trigger levels for the site. For each identified potentially affected receiver, this should include:
  - a) determination of the project intrusive noise level for each identified potentially affected receiver
  - b) selection and justification of the appropriate amenity category for each identified potentially affected receiver
  - c) determination of the project amenity noise level for each receiver

- d) determination of the appropriate maximum noise level event assessment (sleep disturbance) trigger level.
  - Maximum noise levels during night-time period (10pm-7am) should be assessed to analyse possible affects on sleep. Determine expected noise level and noise character likely to be generated from noise sources during:
    - a) site establishment
    - b) construction
    - c) operational phases
    - d) transport including traffic noise generated by the proposal
    - e) other services.
- Note: The noise impact assessment report should include noise source data for each source in 1/1 or 1/3 octave band frequencies including methods for references used to determine noise source levels. Noise source levels and characteristics can be sourced from direct measurement of similar activities or from literature (if full references are provided).*
- Determine the noise levels likely to be received at the reasonably most affected location(s) (these may vary for different activities at each phase of the development).
  - The noise impact assessment report should include:
    - a) a plan showing the assumed location of each noise source for each prediction scenario
    - b) a list of the number and type of noise sources used in each prediction scenario to simulate all potential significant operating conditions on the site
    - c) any assumptions made in the predictions in terms of source heights, directivity effects, shielding from topography, buildings or barriers, etc
    - d) methods used to predict noise impacts including identification of any noise models used.
    - e) the weather conditions considered for the noise predictions
    - f) the predicted noise impacts from each noise source as well as the combined noise level for each prediction scenario
    - g) for developments where a significant level of noise impact is likely to occur, noise contours for the key prediction scenarios should be derived
    - h) an assessment of the need to include modification factors as detailed in Fact Sheet C of the *NSW Noise Policy for Industry*.
  - Discuss the findings from the predictive modelling and, where relevant noise criteria have not been met, recommend additional feasible and reasonable mitigation measures.
  - The noise impact assessment report should include details of any mitigation proposed including the attenuation that will be achieved and the revised noise impact predictions following mitigation.
    - a) Where relevant noise/vibration levels cannot be met after application of all feasible and reasonable mitigation measures the residual level of noise impact needs to be quantified
  - For the assessment of existing and future traffic noise, details of data for the road should be included such as assumed traffic volume; percentage heavy vehicles by time of day; and details of the calculation process. These details should be consistent with any traffic study carried out in the EIS.



- Where blasting is intended an assessment in accordance with the *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration* (ANZECC, 1990) should be undertaken. The following details of the blast design should be included in the noise assessment:
  - a) bench height, burden spacing, spacing burden ratio
  - b) blast hole diameter, inclination and spacing
  - c) type of explosive, maximum instantaneous charge, initiation, blast block size, blast frequency.

### ***Describe management and mitigation measures***

- Determine the most appropriate noise mitigation measures and expected noise reduction including both noise controls and management of impacts for both construction and operational noise. This will include selecting quiet equipment and construction methods, noise barriers or acoustic screens, location of stockpiles, temporary offices, compounds and vehicle routes, scheduling of activities, etc.
- For traffic noise impacts, provide a description of the ameliorative measures considered (if required), reasons for inclusion or exclusion, and procedures for calculation of noise levels including ameliorative measures. Also include, where necessary, a discussion of any potential problems associated with the proposed ameliorative measures, such as overshadowing effects from barriers. Appropriate ameliorative measures may include:
  - a) use of alternative transportation modes, alternative routes, or other methods of avoiding the new road usage
  - b) control of traffic (eg: limiting times of access or speed limitations)
  - c) resurfacing of the road using a quiet surface
  - d) use of (additional) noise barriers or bunds
  - e) treatment of the façade to reduce internal noise levels buildings where the night-time criteria is a major concern
  - f) more stringent limits for noise emission from vehicles (i.e. using specially designed 'quite' trucks and/or trucks to use air bag suspension
  - g) driver education
  - h) appropriate truck routes
  - i) limit usage of exhaust brakes
  - j) use of premium mufflers on trucks
  - k) reducing speed limits for trucks
  - l) ongoing community liaison and monitoring of complaints
  - m) phasing in the increased road use.

## 4. Water

### **Describe baseline conditions**

- Describe existing surface and groundwater quality – an assessment needs to be undertaken for any water resource likely to be affected by the proposal and for all conditions (e.g. a wet weather sampling program is needed if runoff events may cause impacts).  
*Note: Methods of sampling and analysis need to conform with an accepted standard (e.g. Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC 2004) or be approved and analyses undertaken by accredited laboratories).*
- Provide site drainage details and surface runoff yield.
- State the ambient Water Quality and River Flow Objectives for the receiving waters. These refer to the community's agreed environmental values and human uses endorsed by the Government as goals for the ambient waters. These environmental values are published on the website: <http://www.environment.nsw.gov.au/ieo/index.htm>. The EIS should state the environmental values listed for the catchment and waterway type relevant to your proposal. NB: A consolidated and approved list of environmental values are not available for groundwater resources. Where groundwater may be affected the EIS should identify appropriate groundwater environmental values and justify the choice.
- State the indicators and associated trigger values or criteria for the identified environmental values. This information should be sourced from the ANZECC 2000 *Guidelines for Fresh and Marine Water Quality* (<http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html>) (Note that, as at 2004, the NSW Water Quality Objectives booklets and website contain technical criteria derived from the 1992 version of the ANZECC Guidelines. The Water Quality Objectives remain as Government Policy, reflecting the community's environmental values and long-term goals, but the technical criteria are replaced by the more recent ANZECC 2000 Guidelines). NB: While specific guidelines for groundwater are not available, the ANZECC 2000 Guidelines endorse the application of the trigger values and decision trees as a tool to assess risk to environmental values in groundwater.
- State any locally specific objectives, criteria or targets, which have been endorsed by the government e.g. the Healthy Rivers Commission Inquiries or the NSW Salinity Strategy (DLWC, 2000) (<http://www.environment.nsw.gov.au/salinity/government/nswstrategy.htm>).
- Where site specific studies are proposed to revise the trigger values supporting the ambient Water Quality and River Flow Objectives, and the results are to be used for regulatory purposes (e.g. to assess whether a licensed discharge impacts on water quality objectives), then prior agreement from the EPA on the approach and study design must be obtained.
- Describe the state of the receiving waters and relate this to the relevant Water Quality and River Flow Objectives (i.e. are Water Quality and River Flow Objectives being achieved?). Proponents are generally only expected to source available data and information. However, proponents of large or high risk developments may be required to collect some ambient water quality / river flow / groundwater data to enable a suitable level of impact assessment. Issues to include in the description of the receiving waters could include:
  - a) lake or estuary flushing characteristics
  - b) specific human uses (e.g. exact location of drinking water offtake)
  - c) sensitive ecosystems or species conservation values

- d) a description of the condition of the local catchment e.g. erosion levels, soils, vegetation cover, etc
- e) an outline of baseline groundwater information, including, but not restricted to, depth to watertable, flow direction and gradient, groundwater quality, reliance on groundwater by surrounding users and by the environment
- f) historic river flow data where available for the catchment.

### **Assess impacts**

- No proposal should breach clause 120 of the *Protection of the Environment Operations Act 1997* (i.e. pollution of waters is prohibited unless undertaken in accordance with relevant regulations).
- Identify and estimate the quantity of all pollutants that may be introduced into the water cycle by source and discharge point including residual discharges after mitigation measures are implemented.
- Include a rationale, along with relevant calculations, supporting the prediction of the discharges.
- Describe the effects and significance of any pollutant loads on the receiving environment. This should include impacts of residual discharges through modelling, monitoring or both, depending on the scale of the proposal. Determine changes to hydrology (including drainage patterns, surface runoff yield, flow regimes, wetland hydrologic regimes and groundwater).
- Describe water quality impacts resulting from changes to hydrologic flow regimes (such as nutrient enrichment or turbidity resulting from changes in frequency and magnitude of stream flow).
- Identify any potential impacts on quality or quantity of groundwater describing their source.
- Identify potential impacts associated with geomorphological activities with potential to increase surface water and sediment runoff or to reduce surface runoff and sediment transport. Also consider possible impacts such as bed lowering, bank lowering, instream siltation, floodplain erosion and floodplain siltation.
- Identify impacts associated with the disturbance of acid sulfate soils and potential acid sulfate soils.
- Containment of spills and leaks shall be in accordance with EPA's guidelines section 'Bunding and Spill Management' at <http://www.epa.nsw.gov.au/mao/bundingspill.htm> and the most recent versions of the Australian Standards referred to in the Guidelines. Containment should be designed for no-discharge.
- The significance of the impacts listed above should be predicted. When doing this it is important to predict the ambient water quality and river flow outcomes associated with the proposal and to demonstrate whether these are acceptable in terms of achieving protection of the Water Quality and River Flow Objectives. In particular the following questions should be answered:
  - a) will the proposal protect Water Quality and River Flow Objectives where they are currently achieved in the ambient waters; and
  - b) will the proposal contribute towards the achievement of Water Quality and River Flow Objectives over time, where they are not currently achieved in the ambient waters.
- Consult with the EPA as soon as possible if a mixing zone is proposed (a mixing zone could exist where effluent is discharged into a receiving water body, where the quality of the water being discharged does not immediately meet water quality objectives. The mixing zone could result in dilution, assimilation and decay of the effluent to allow water quality objectives to be met further downstream, at the edge of the mixing zone). The EPA will advise the proponent under what conditions a mixing zone will and will not be acceptable, as well as the information and modelling requirements for assessment.

**Note:** *The assessment of water quality impacts needs to be undertaken in a total catchment management context to provide a wide perspective on development impacts, in particular cumulative impacts.*

- Where a licensed discharge is proposed, provide the rationale as to why it cannot be avoided through application of a reasonable level of performance, using available technology, management practice and industry guidelines.
- Where a licensed discharge is proposed, provide the rationale as to why it represents the best environmental outcome and what measures can be taken to reduce its environmental impact.
- Reference should be made to relevant guidelines e.g. *Managing Urban Stormwater: Soils and Construction* (Landcom, 2004), *Guidelines for Fresh and Marine Water Quality* (ANZECC 2000), *Environmental Guidelines: Use of effluent by Irrigation* (DEC, 2004).

### ***Describe management and mitigation measures***

- Outline stormwater management to control pollutants at the source and contain them within the site. Also describe measures for maintaining and monitoring any stormwater controls.
- Outline erosion and sediment control measures directed at minimising disturbance of land, minimising water flow through the site and filtering, trapping or detaining sediment. Also include measures to maintain and monitor controls as well as rehabilitation strategies.
- Describe waste water treatment measures that are appropriate to the type and volume of waste water and are based on a hierarchy of avoiding generation of waste water; capturing all contaminated water (including stormwater) on the site; reusing/recycling waste water; and treating any unavoidable discharge from the site to meet specified water quality requirements.
- Outline pollution control measures relating to storage of materials, possibility of accidental spills (e.g. preparation of contingency plans), appropriate disposal methods, and generation of leachate.
- Describe hydrological impact mitigation measures including:
  - a) site selection (avoiding sites prone to flooding and waterlogging, actively eroding or affected by deposition)
  - b) minimising runoff
  - c) minimising reductions or modifications to flow regimes
  - d) avoiding modifications to groundwater.
- Describe groundwater impact mitigation measures including:
  - a) site selection
  - b) retention of native vegetation and revegetation
  - c) artificial recharge
  - d) providing surface storages with impervious linings
  - e) monitoring program.
- Describe geomorphological impact mitigation measures including:
  - a) site selection

- b) erosion and sediment controls
- c) minimising instream works
- d) treating existing accelerated erosion and deposition
- e) monitoring program.
- Any proposed monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (DEC 2004).

## 5. Soils and contamination

### ***Describe baseline conditions***

- Provide any details (in addition to those provided in the location description - Section C) that are needed to describe the existing situation in terms of soil types and properties and soil contamination.

### ***Assess impacts***

- Identify any likely impacts resulting from the construction or operation of the proposal, including the likelihood of:
  - a) disturbing any existing contaminated soil
  - b) contamination of soil by operation of the activity
  - c) subsidence or instability
  - d) soil erosion
  - e) disturbing acid sulfate or potential acid sulfate soils.
- Reference should be made to relevant guidelines e.g. *Contaminated Sites – Guidelines for Consultants Reporting on Contaminated Sites* (OEH, 2011); *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997* (EPA, 2015).

### ***Describe management and mitigation measures***

- Describe and assess the effectiveness or adequacy of any soil management and mitigation measures during construction and operation of the proposal including:
  - a) erosion and sediment control measures
  - b) proposals for site remediation – see *Managing Land Contamination, Planning Guidelines SEPP 55 – Remediation of Land* (Department of Urban Affairs and Planning and Environment Protection Authority, 1998)
  - c) proposals for the management of these soils – see *Acid Sulfate Soil Manual* (Acid Sulfate Soil Advisory Committee 1998) and *Acid Sulfate Soils Assessment Guidelines* (Acid Sulfate Soil Advisory Committee 1998).

## 6. Waste and chemicals

### ***Describe baseline conditions***

- Describe any existing waste or chemicals operations related to the proposal.

### ***Assess impacts***

- Assess the adequacy of proposed measures to minimise natural resource consumption and minimise impacts from the handling, transporting, storage, processing and reprocessing of waste and/or chemicals.
- Reference should be made to: the EPA's *Waste Classification Guidelines 2014 (as in force from time to time)*
- If the proposal is an energy from waste facility it must:
  - demonstrate that the proposed operation will comply with the NSW EPA's Energy from Waste Policy Statement;
  - describe of the classes and quantities of waste that would be thermally treated at the facility;
  - demonstrate that waste used as a feedstock in the waste to energy plant would be the residual from a resource recovery process that maximises the recovery of material;
  - detail procedures that would be implemented to control the inputs to the waste to energy plant, including contingency measures that would be implemented if inappropriate materials are identified;
  - detail the location and size of stockpiles of unprocessed and processed recycled waste at the site;
  - demonstrate any waste material (e.g. biochar, ash) produced from the waste to energy facility for land application is fit-for-purpose and poses minimal risk of harm to the environment in order to meet the requirements for consideration of a resource recovery order and /or exemption by the EPA;
  - detail procedures for the management of other solid, liquid and gaseous waste streams;
  - describe how waste would be treated, stored, used, disposed and handled on site, and transported to and from the site, and the potential impacts associated with these issues, including current and future offsite waste disposal methods; and
  - identify the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21*.

### ***Describe management and mitigation measures***

- Outline measures to minimise the consumption of natural resources.
- Outline measures to avoid the generation of waste and promote the re-use and recycling and reprocessing of any waste.
- Outline measures to support any approved regional or industry waste plans.

## **7. 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.
- Assess the impact of the proposal against the long term air, noise and water quality objectives for the area or region.
- Identify infrastructure requirements flowing from the proposal (e.g. water and sewerage services, transport infrastructure upgrades).
- Assess likely impacts from such additional infrastructure and measures reasonably available to the proponent to contain such requirements or mitigate their impacts (e.g. travel demand management strategies).

## **F. List of approvals and licences**

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- Identify all approvals and licences required under environment protection legislation including details of all scheduled activities, types of ancillary activities and types of discharges (to air, land, water).



## **G. Compilation of mitigation measures**

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- 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).
- The mitigation strategy should include the environmental management and cleaner production principles which would be followed when planning, designing, establishing and operating the proposal. It should include two sections, one setting out the program for managing the proposal and the other outlining the monitoring program with a feedback loop to the management program.

## H. Justification for the Proposal

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

## ATTACHMENT B: GUIDANCE MATERIAL

| Title                                                                         | Web address                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Relevant Legislation</b>                                                   |                                                                                                                                                                                                                                                                                                 |
| <i>Contaminated Land Management Act 1997</i>                                  | <a href="http://www.legislation.nsw.gov.au/#/view/act/1997/140">http://www.legislation.nsw.gov.au/#/view/act/1997/140</a>                                                                                                                                                                       |
| <i>Environmentally Hazardous Chemicals Act 1985</i>                           | <a href="http://www.legislation.nsw.gov.au/#/view/act/1985/14">http://www.legislation.nsw.gov.au/#/view/act/1985/14</a>                                                                                                                                                                         |
| <i>Environmental Planning and Assessment Act 1979</i>                         | <a href="http://www.legislation.nsw.gov.au/#/view/act/1979/203">http://www.legislation.nsw.gov.au/#/view/act/1979/203</a>                                                                                                                                                                       |
| <i>Protection of the Environment Operations Act 1997</i>                      | <a href="http://www.legislation.nsw.gov.au/#/view/act/1997/156">http://www.legislation.nsw.gov.au/#/view/act/1997/156</a>                                                                                                                                                                       |
| <i>Water Management Act 2000</i>                                              | <a href="http://www.legislation.nsw.gov.au/#/view/act/2000/92">http://www.legislation.nsw.gov.au/#/view/act/2000/92</a>                                                                                                                                                                         |
| <b>Licensing</b>                                                              |                                                                                                                                                                                                                                                                                                 |
| Guide to Licensing                                                            | <a href="http://www.epa.nsw.gov.au/licensing/licenceguide.htm">www.epa.nsw.gov.au/licensing/licenceguide.htm</a>                                                                                                                                                                                |
| <b>Air Issues</b>                                                             |                                                                                                                                                                                                                                                                                                 |
| <b>Air Quality</b>                                                            |                                                                                                                                                                                                                                                                                                 |
| Approved methods for modelling and assessment of air pollutants in NSW (2022) | <a href="https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants">https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants</a> |
| Approved methods for sampling and analysis of air pollutants in NSW (2022)    | <a href="https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/sampling-analysing-air-emissions">https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/sampling-analysing-air-emissions</a>                                                                       |
| POEO (Clean Air) Regulation 2010                                              | <a href="http://www.legislation.nsw.gov.au/#/view/regulation/2010/428">http://www.legislation.nsw.gov.au/#/view/regulation/2010/428</a>                                                                                                                                                         |
| <b>Noise and Vibration</b>                                                    |                                                                                                                                                                                                                                                                                                 |
| NSW Noise Policy for Industry                                                 | <a href="http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)">http://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)</a>                                                                             |
| Interim Construction Noise Guideline (DECC, 2009)                             | <a href="http://www.epa.nsw.gov.au/noise/constructnoise.htm">http://www.epa.nsw.gov.au/noise/constructnoise.htm</a>                                                                                                                                                                             |
| Assessing Vibration: a technical guideline (DEC, 2006)                        | <a href="http://www.epa.nsw.gov.au/noise/vibrationguide.htm">http://www.epa.nsw.gov.au/noise/vibrationguide.htm</a>                                                                                                                                                                             |
| NSW Road Noise Policy (DECCW, 2011)                                           | <a href="http://www.epa.nsw.gov.au/your-environment/noise/transport-noise">http://www.epa.nsw.gov.au/your-environment/noise/transport-noise</a>                                                                                                                                                 |
| NSW Rail Infrastructure Noise Guideline (EPA, 2013)                           | <a href="http://www.epa.nsw.gov.au/your-environment/noise/transport-noise">http://www.epa.nsw.gov.au/your-environment/noise/transport-noise</a>                                                                                                                                                 |

|                                                                                                                                     |                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Human Health Risk Assessment</b>                                                                                                 |                                                                                                                                                                                                                                             |
| Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)       | <a href="http://www.eh.org.au/documents/item/916">http://www.eh.org.au/documents/item/916</a>                                                                                                                                               |
| <b>Waste, Chemicals and Hazardous Materials and Radiation</b>                                                                       |                                                                                                                                                                                                                                             |
| <b>Waste</b>                                                                                                                        | <a href="http://www.epa.nsw.gov.au/wastestrategy/warr.htm">http://www.epa.nsw.gov.au/wastestrategy/warr.htm</a>                                                                                                                             |
| Environmental Guidelines: Solid Waste Landfills (EPA, 2016)                                                                         | <a href="http://www.epa.nsw.gov.au/waste/landfill-sites.htm">http://www.epa.nsw.gov.au/waste/landfill-sites.htm</a>                                                                                                                         |
| Draft Environmental Guidelines - Industrial Waste Landfilling (April 1998)                                                          | <a href="http://www.epa.nsw.gov.au/resources/waste/envguidlms/industrialfill.pdf">http://www.epa.nsw.gov.au/resources/waste/envguidlms/industrialfill.pdf</a>                                                                               |
| EPA's Waste Classification Guidelines 2014                                                                                          | <a href="http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm">http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm</a>                                                                                           |
| Resource recovery orders and exemptions                                                                                             | <a href="http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm">http://www.epa.nsw.gov.au/wasteregulation/orders-exemptions.htm</a>                                                                                               |
| European Unions Waste Incineration Directive 2000                                                                                   | <a href="http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm">http://ec.europa.eu/environment/archives/air/stationary/wid/legislation.htm</a>                                                                       |
| EPA's Energy from Waste Policy Statement                                                                                            | <a href="http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm">http://www.epa.nsw.gov.au/wastestrategy/energy-from-waste.htm</a>                                                                                                   |
| NSW Waste Avoidance and Resource Recovery Strategy 2014-2021                                                                        | <a href="http://www.epa.nsw.gov.au/wastestrategy/warr.htm">http://www.epa.nsw.gov.au/wastestrategy/warr.htm</a>                                                                                                                             |
| <b>Chemicals subject to Chemical Control Orders</b>                                                                                 |                                                                                                                                                                                                                                             |
| Chemical Control Orders (regulated through the EHC Act )                                                                            | <a href="http://www.epa.nsw.gov.au/pesticides/CCOs.htm">http://www.epa.nsw.gov.au/pesticides/CCOs.htm</a>                                                                                                                                   |
| 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                                                                                                                                                                                                                      |
| <b>Water and Soils</b>                                                                                                              |                                                                                                                                                                                                                                             |
| <b>Acid sulphate soils</b>                                                                                                          |                                                                                                                                                                                                                                             |
| Coastal acid sulfate soils guidance material                                                                                        | <a href="http://www.environment.nsw.gov.au/acidsulfatesoil/">http://www.environment.nsw.gov.au/acidsulfatesoil/</a> and <a href="http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm">http://www.epa.nsw.gov.au/mao/acidsulfatesoils.htm</a> |
| Acid Sulfate Soils Planning Maps                                                                                                    | <a href="http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm">http://www.environment.nsw.gov.au/acidsulfatesoil/riskmaps.htm</a>                                                                                                 |
| <b>Contaminated Sites Assessment and Remediation</b>                                                                                |                                                                                                                                                                                                                                             |
| Managing land contamination: Planning Guidelines – SEPP 55 Remediation of Land                                                      | <a href="http://www.epa.nsw.gov.au/clm/planning.htm">http://www.epa.nsw.gov.au/clm/planning.htm</a>                                                                                                                                         |

|                                                                                                          |                                                                                                                                                                                                                                                                                                                                      |
|----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Guidelines for Consultants Reporting on Contaminated Sites (EPA, 2000)                                   | <a href="http://www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf">http://www.epa.nsw.gov.au/resources/clm/20110650consultantsguidelines.pdf</a>                                                                                                                                                                    |
| Guidelines for the NSW Site Auditor Scheme - 2nd edition (DEC, 2006)                                     | <a href="http://www.epa.nsw.gov.au/resources/clm/auditorguidelines06121.pdf">http://www.epa.nsw.gov.au/resources/clm/auditorguidelines06121.pdf</a>                                                                                                                                                                                  |
| Sampling Design Guidelines (EPA, 1995)                                                                   | <a href="http://www.epa.nsw.gov.au/resources/clm/95059samplingdesign.pdf">http://www.epa.nsw.gov.au/resources/clm/95059samplingdesign.pdf</a>                                                                                                                                                                                        |
| National Environment Protection Measure 1999 (Assessment of Site Contamination) Measure 1999 (or update) | <a href="http://www.scew.gov.au/nepms/assessment-site-contamination">http://www.scew.gov.au/nepms/assessment-site-contamination</a>                                                                                                                                                                                                  |
| <b>Soils – general</b>                                                                                   |                                                                                                                                                                                                                                                                                                                                      |
| Managing land and soil                                                                                   | <a href="http://www.environment.nsw.gov.au/soils/landandsoil.htm">http://www.environment.nsw.gov.au/soils/landandsoil.htm</a>                                                                                                                                                                                                        |
| Managing urban stormwater for the protection of soils                                                    | <a href="http://www.environment.nsw.gov.au/stormwater/publications.htm">http://www.environment.nsw.gov.au/stormwater/publications.htm</a>                                                                                                                                                                                            |
| Landslide risk management guidelines                                                                     | <a href="http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf">http://australiangeomechanics.org/admin/wp-content/uploads/2010/11/LRM2000-Concepts.pdf</a><br><a href="http://www.australiangeomechanics.org/resources/downloads/">http://www.australiangeomechanics.org/resources/downloads/</a> |
| Site Investigations for Urban Salinity (DLWC, 2002)                                                      | <a href="http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf">http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf</a>                                                                                                                |
| Local Government Salinity Initiative Booklets                                                            | <a href="http://www.environment.nsw.gov.au/salinity/solutions/urban.htm">http://www.environment.nsw.gov.au/salinity/solutions/urban.htm</a>                                                                                                                                                                                          |
| <b>Water</b>                                                                                             |                                                                                                                                                                                                                                                                                                                                      |
| Water Quality Objectives                                                                                 | <a href="http://www.environment.nsw.gov.au/ieo/index.htm">http://www.environment.nsw.gov.au/ieo/index.htm</a>                                                                                                                                                                                                                        |
| ANZECC (2000) Guidelines for Fresh and Marine Water Quality                                              | <a href="http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html">http://www.environment.gov.au/water/publications/quality/nwqms-guidelines-4-vol1.html</a>                                                                                                                                            |
| Applying Goals for Ambient Water Quality Guidance for Operations Officers - Mixing Zones                 | Contact the EPA on 131555                                                                                                                                                                                                                                                                                                            |
| Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)                          | <a href="http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf">http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf</a>                                                                                                                                                    |

## Chris Eldred

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**From:** Danielle Thompson on behalf of EPA Environment Protection Planning Team Mailbox  
**Sent:** Tuesday, 14 May 2024 11:01 AM  
**To:** Chris Eldred  
**Subject:** RE: Huntlee New Town Stage 2 SEARs  
**Categories:** Email to be saved

Hi Chris

I have checked in with the team that worked on this matter originally.

They have confirmed that our previous advice remains current.

Regards

**Danielle Thompson**  
Administration Officer  
Strategy & Policy Division  
NSW Environment Protection Authority  
D 02 9895 6450



[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au) @NSW\_EPA

The EPA acknowledges the Traditional Custodians of the land, waters and sky where we work.  
As part of the world's oldest surviving cultures we pay our respect to Aboriginal Elders past and present.

I work on Dharug Country.



Report pollution and environmental incidents 131 555 or +61 2 9995 5555

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**From:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Monday, 13 May 2024 3:47 PM  
**To:** EPA Environment Protection Planning Team Mailbox <environmentprotection.planning@epa.nsw.gov.au>  
**Subject:** Huntlee New Town Stage 2 SEARs

Good Afternoon,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with EPA, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? If changes are required to the advice, could you please reissue revised advice. A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**  
**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure  
T 02 8289 6855 | E [christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)  
30 Park Ave Coffs Harbour NSW 2450  
[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



*The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

## Chris Eldred

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**From:** DPIE Water Assessments Mailbox  
**Sent:** Tuesday, 14 May 2024 10:36 AM  
**To:** Chris Eldred  
**Subject:** Re:

**Categories:** Email to be saved

Hi Chris,

Thank you for contacting us. I can confirm the advice you received remains valid.

Regards,

Alistair Drew

Project Officer

Knowledge Office | Department of Climate Change, Energy, the Environment and Water

Level 17, 4 Parramatta Square, Parramatta NSW 2124

[www.dcccew.nsw.gov.au](http://www.dcccew.nsw.gov.au)

*The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

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**From:** Chris Eldred <Christopher.Eldred@dpie.nsw.gov.au>  
**Sent:** Monday, 13 May 2024 3:46 PM  
**To:** DPIE Water Assessments Mailbox <water.assessments@dpie.nsw.gov.au>  
**Subject:**

**Attention: Maddy Gunethilake**  
**DCCEE Water**

Good Afternoon Maddy,

The Department previously issued the **attached** Secretary's Environmental Assessment Requirement's (SEARs) for Huntlee New Town Stage 2 (SSD-54836993) in 2023. Due to an administrative error, the Department is now reissuing the SEARs under [SSD-70748466](#). There has been no change in the scope or footprint of the proposed SSD. A copy of the updated scoping report can be found on the application page.

In preparation of the previously issued SEARs, the Department consulted with DPE Water, and the **attached** advice was received. Can you please confirm that this advice remains valid so that it can be used to inform the reissued SEARs? A response would be greatly appreciated by **Friday 24 May 2024**.

Should you have any questions, please feel free to contact me.

Regards,

**Chris Eldred**

**Senior Planning Officer, Regional Assessments**

Development Assessment and Infrastructure | Department of Planning, Housing and Infrastructure

T 02 8289 6855 | [E christopher.eldred@planning.nsw.gov.au](mailto:christopher.eldred@planning.nsw.gov.au)



30 Park Ave Coffs Harbour NSW 2450

[www.dphi.nsw.gov.au](http://www.dphi.nsw.gov.au)



*The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land.*

*We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.*

## Department of Planning and Environment

Our ref: OUT23/2468

Chris Eldred  
Planning and Assessment Group  
NSW Department of Planning and Environment

Email: [Christopher.eldred@planning.nsw.gov.au](mailto:Christopher.eldred@planning.nsw.gov.au)

16 February 2023

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**Subject: Huntlee New Town Stage 2 (SSD-54836993)**

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

Dear Chris Eldred

DPE Water has developed standard SEARs for 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](mailto:water.assessments@dpie.nsw.gov.au). or to the following coordinating officer within DPE Water:

Maddy Gunethilake, Project Officer  
E: [maddy.gunethilake@dpie.nsw.gov.au](mailto:maddy.gunethilake@dpie.nsw.gov.au)

Yours sincerely



Maddy Gunethilake  
Project Officer, Assessments, Knowledge Division  
**Department of Planning and Environment: Water**

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.                                                                                                                                                 | <p>NSW Aquifer Interference Policy, section 3 &amp; 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans</p> <p>Clause 24 of the <i>Water Management (General) Regulation 2018</i></p> <p>Groundwater Guidelines-<br/> <a href="https://www.industry.nsw.gov.au/water/licensing-trade/major-projects">https://www.industry.nsw.gov.au/water/licensing-trade/major-projects</a></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 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, 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.                                      | <p>Section 3 &amp; 5 of the <i>Water Management Act 2000</i>, Water Sharing Plans</p> <p>Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 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 <i>Water Management Act 2000</i> should be detailed by the proponent. | <p>Water Sharing Plans</p> <p>Sections 3, 5, 60A &amp; 60I of the <i>Water Management Act 2000</i></p> <p>WAL must nominate a work to satisfy s60D of the <i>Water Management Act 2000</i> and this is completed by a dealing application under s71W of the <i>Water Management Act 2000</i></p> <p>Exemptions or exclusions information:</p> <ul style="list-style-type: none"> <li>○ Clause 21-23, 34-50, sch.1 and 4 <i>Water Management Regulation 2018</i></li> <li>○ Sections 4.41 and 5.23 of the <i>EP&amp;A Act 1979</i></li> <li>○ Water licensing and works approvals exemptions -<br/> <a href="https://water.dpie.nsw.gov.au/licensing-and-trade/licensing/water-licensing-and-works-approvals-exemptions">https://water.dpie.nsw.gov.au/licensing-and-trade/licensing/water-licensing-and-works-approvals-exemptions</a></li> </ul> |

## 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<br>Groundwater Guidelines                                                                                                                                                                                        |
| 6   | 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. | <i>Water Management Act 2000</i> Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97<br><i>Water Management Act 2000</i> Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a))<br>NSW Aquifer Interference Policy<br>Groundwater Guidelines |
| 7   | Proposed surface and groundwater monitoring activities and methodologies.                                                                                                                                                                                                                                                        | Groundwater Guidelines<br>NSW Water Quality and River Flow Objectives<br>Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)                                                                                        |

## Assessment against Policy and Guidelines

| No. | Assessment Requirement                                                                                                                                                                       | Relevant Policy/Guideline/Legislation                                                                                                                                         |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8   | 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)                                                                                                            |
| 9   | 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 |