Annex A

SEARs and Existing Development Consent

Planning Services
Resource Assessments
Contact: Anthony Barnes
Phone: 8289 6709
Email: anthony.barnes@planning.nsw.gov.au

Matt Errington
Principal Environmental Consultant
Environmental Resources Management Australia
Locked Bag 3012 Australia Square
NSW 1215

Dear Mr Errington

Reissue of State Significant Development - Secretary's Requirements
Sancrox Quarry Extension Project (SSD 7293)

I have enclosed updated Secretary's requirements for the preparation of an Environmental Impact Statement (EIS) for the Sancrox Quarry Extension Project which replace the Secretary's requirements issued on 19 October 2015.

These requirements are based on the information you have previously provided, and reflect previous consultation with relevant government agencies.

Your attention is drawn to the environmental planning instruments (EPI), policies and guidelines to be addressed in your EIS (see Attachment 1). Please note that where these EPIs, guidelines and policies have changed or been updated, your EIS will need to address the latest available version.

The agencies' previous comments are attached for your information (see Attachment 2). You must have regard to these comments in the preparation of the EIS.

Please note that the Department may alter these requirements at any time, and that you must consult further with the Department if you do not lodge a development application and EIS for the project within the next two years.

You should establish whether the proposal requires a separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as soon as possible. If such an approval is required, please notify the Department immediately, as the Commonwealth approval process is likely to be integrated with the NSW approval process (under the bilateral agreement), and supplementary requirements will need to be issued.

Please contact the Department at least two weeks before you plan to submit the development application and EIS for the project. This will enable the Department to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the required number of copies of the EIS (hard copy and digital).

It is important for you to recognise that the Department will review the EIS for the project carefully before putting it on public exhibition. If it fails to adequately address these requirements, then you will be required to submit an amended EIS.

If you have any enquiries about these requirements, please contact Anthony Barnes on the details listed above.

Yours sincerely

Howard Reed

Howard Reed 18.9.17
Director
Resource Assessments
as the Secretary's delegate

Secretary's Environmental Assessment Requirements

State Significant Development

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD 7293
Proposal	The Sancrox Quarry Extension Project, which involves: • extending the approved extraction boundary by approximately 52 hectares, • extending the quarry life by ten years (from 20 to 30 years), • increasing the production limit from 455,000 tonnes per annum (tpa) to 750,000 tpa, • constructing and operating a concrete batching plant producing 20,000m^3 per annum (p/a), • constructing and operating a concrete recycling facility processing 20,000 tonnes p/a, • increasing truck movements and equipment loading from 7am–11pm weekdays, and 7am–1pm weekends and public holidays to 24 hours per day 7 days per week, • increasing quarry operations from 7am–5pm weekdays, and 7am–1pm Saturday to 24 hours per day 7 days per week, • transporting material off-site via public roads; and • Constructing and operating an asphalt plant producing 50,000 tonnes per annum.
Location	Sancrox Road Sancrox, Lot 2 DP 574308 Lot 353 DP 754434 Lot 1 DP 704890 Lot 1 DP 720807
Applicant	Hanson Construction Materials Pty Ltd (Hanson)
Date of Issue	18 September 2017
General Requirements	The Environmental Impact Statement (EIS) for the development must comply with the requirements in Clauses 6 and 7 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000.* In particular, the EIS must include: • a stand-alone executive summary; • a full description of the development, including: – the resource to be extracted, including the amount, type and composition; – the site layout and extraction plan, including cross-sectional plans; – the production process and processing activities, including the in-flow and out-flow of materials and points of discharge to the environment; – surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); – a waste (overburden, rejects, tailings etc) management strategy; – a water management strategy; – a rehabilitation strategy to apply during, and after completion of, extraction operations, and proposed final use of site; and – the likely interactions between the development and any existing, approved or proposed development in the vicinity of the site; • a strategic justification of the development focusing on site selection and the suitability of the proposed site; • a list of any approvals that must be obtained before the development may

	commence; • an assessment of the likely impacts of the development on the environment, focussing on the key issues identified below, including: – a description of the existing environment likely to be affected by the development, using sufficient baseline data; – an assessment of the likely impacts of all stages of the development, including any cumulative impacts, taking into consideration any relevant laws, environmental planning instruments, guidelines, policies, plans and industry codes of practice; – a description of the measures that would be implemented to avoid, minimise, mitigate and/or offset the likely impacts of the development, and an assessment of: o whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented; o the likely effectiveness of these measures; and o whether contingency measures would be necessary to manage any residual risks; and – a description of the measures that would be implemented to monitor and report on the environmental performance of the development; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • consideration of the development against all relevant environmental planning instruments (including Part 3 of the *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007)*; • the reasons why the development should be approved, having regard to: - relevant matters for consideration under the *Environmental Planning and Assessment Act 1979*, including the objects of the Act; - the biophysical, economic and social impacts of the project, including the principles of ecologically sustainable development; - the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses; - feasible alternatives to the development (and its key components), including the consequences of not carrying out the development; • a signed declaration from the author of the EIS, certifying that the information contained within the document is neither false nor misleading. While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies, and plans that may be relevant to the environmental assessment of this development. In addition to the matters set out in Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*, the development application must be accompanied by a signed report from a suitably qualified expert that includes an accurate estimate of the capital investment value (as defined in Clause 3 of the *Environmental Planning and Assessment Regulation 2000*) of the development, including details of all the assumptions and components from which the capital investment value calculation is derived.
Key Issues	The EIS must address the following key issues: • **Noise & Blasting** – including: - a detailed assessment of the likely construction, operational and off-site transport noise impacts of the development in accordance with the *Interim Construction Noise Guideline*, *NSW Industrial Noise Policy* and the *NSW Road Noise Policy* respectively, and having regard to the *Voluntary Land Acquisition and Mitigation Policy*; - if a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities under the *Interim Construction Noise Guideline*; - proposed blasting hours, frequency and methods; - a detailed assessment of the likely blasting impacts of the development (including noise, vibrations, overpressure, visual and odour) on people,

	animals, buildings, infrastructure and significant natural features, having regard to the relevant ANZEC guidelines; - reasonable and feasible mitigation measures to minimise noise emissions; and - monitoring and management measures, in particular real-time and attended noise monitoring; • **Air Quality** – including: - a detailed assessment of potential construction and operational impacts, in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW,* and with a particular focus on dust emissions including $PM_{2.5}$ and PM_{10}, and having regard to the *Voluntary Land Acquisition and Mitigation Policy*; - an assessment of potential dust and other emissions generated from processing, operational activities and transportation of quarry products; - reasonable and feasible mitigation measures to minimise dust and emissions; and - monitoring and management measures, in particular, real-time air quality monitoring; • **Water** – including: - a detailed site water balance, including a description of site water demands, water disposal methods (inclusive of volume and frequency of any water discharges), water supply infrastructure and water storage structures; - identification of any licensing requirements or other approvals under the *Water Act 1912* and/or *Water Management Act 2000*; - demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP); - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP or water source embargo; - an assessment of any likely flooding impacts of the development; - an assessment of the likely impacts on the quality and quantity of existing surface and ground water resources, including a detailed assessment of proposed water discharge quantities and quality against receiving water quality and flow objectives; - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure, and other water users; and - a detailed description of the proposed water management system (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts; • **Biodiversity** – including: - accurate predictions of any vegetation clearing on site; - a detailed assessment of the likely biodiversity impacts of the development, paying particular attention to threatened species, populations and ecological communities and groundwater dependent ecosystems, and having regard to the *NSW Biodiversity Offsets Policy for Major Projects* and the *Framework for Biodiversity Assessment*; and - a strategy to offset any residual impacts of the development in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*, including evidence that the appropriate type and quantum of offsets will be available; • **Heritage** – including: - an assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage; and - identification of historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items, having regard to the relevant policies and guidelines listed in

	Attachment 1; • **Traffic & Transport** – including: - accurate predictions of the road traffic generated by the construction and operation of the development, including a description of the types of vehicles likely to be used for transportation of quarry products; - a detailed assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road network (as identified above), including a road safety audit; and - a description of the measures that would be implemented to mitigate any impacts, including concept plans of any proposed upgrades, developed in consultation with the relevant road and rail authorities (if required); • **Land Resources** – including a detailed assessment of: - potential impacts on soils and land capability (including potential erosion and land contamination) and the proposed mitigation, management and remedial measures (as appropriate); - potential impacts on landforms (topography), paying particular attention to the long term geotechnical stability of any new landforms (such as overburden dumps, bunds etc); and - the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements in Clause 12 of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries)* 2007, paying particular attention to the agricultural land use in the region; • **Waste –** including estimates of the quantity and nature of the waste streams that would be generated or received by the development and any measures that would be implemented to minimise, manage or dispose of these waste streams; • **Hazards –** including an assessment of the likely risks to public safety, paying particular attention to the transport, handling and use of any hazardous or dangerous goods; • **Visual** – including a detailed assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, paying particular attention to any new landforms, and to minimising the lighting impacts of the development; • **Social & Economic** – including: - a detailed assessment of the likely social impacts of the development on the local and regional community in accordance with the *Social impact assessment guideline for State significant mining, petroleum production and extractive industry development*; and - a detailed assessment of the likely economic impacts of the development, paying particular attention to: o the significance of the resource; o the costs and benefits of the project; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates; and o the demand for the provision of local infrastructure and services; and • **Rehabilitation** – including the proposed rehabilitation strategy for the site having regard to the key principles in the *Strategic Framework for Mine Closure*, including: - rehabilitation objectives, progressive rehabilitation commitments, methodology, monitoring programs, performance standards and proposed completion criteria; - nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and - the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region.
Consultation	During the preparation of the EIS, you must consult with relevant local, State and Commonwealth Government authorities, service providers, Aboriginal stakeholders, community groups and affected landowners. You must:

	• consult with: - affected landowners; - community groups; - Port Macquarie-Hastings Council; - Office of Environment and Heritage (including the Heritage Branch); - Environment Protection Authority; - Division of Resources and Geoscience within the Department; - Department of Primary Industries (including the DPI Water, NSW Forestry, Agriculture and Fisheries sections and Crown Lands division); - North Coast Local Land Services; - Roads and Maritime Services; - NSW Rural Fire Service; and • establish a Community Consultative Committee for the project in accordance with the *Community Consultative Committee Guidelines for State Significant Projects,* and consult with the committee during the preparation of the EIS.
Further consultation after 2 years	If you do not lodge a development application and EIS for the development within 2 years of the issue date of these requirements, you must consult further with the Secretary in relation to the preparation of the EIS.

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

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

Land	
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)
	Agfact AC.25: Agricultural Land Classification (NSW Agriculture)
	Agricultural Issues for Extractive Industries (NSW Trade and Investment)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
Traffic	
	Guide to Traffic Generating Development (RMS)
	Road Design Guide (RMS) & relevant Austroads Standards
Biodiversity	
	Biodiversity Offsets Scheme (OEH)
	Guidelines for Threatened Species Assessment (DP&E)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DP&E)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
	Port Macquarie-Hastings Local Environmental Plan 2011
Hazards	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Waste	
	Waste Classification Guidelines (EPA)
Rehabilitation	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Strategic Framework for Mine Closure (ANZMEC-MCA)
Social & Economic	
	Social impact assessment guideline for State significant mining, petroleum production and extractive industry development (DP&E)
Environmental Planning Instruments - General	
	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
	State Environmental Planning Policy (State and Regional Development) 2011
	State Environmental Planning Policy (Infrastructure) 2007
	State Environmental Planning Policy 55 – Remediation of Land
	Port Macquarie-Hastings Local Environmental Plan 2011

ATTACHMENT 2

Agency Correspondence

NSW GOVERNMENT | Department of Primary Industries

OUT17/34142

Ms Genevieve Seed
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

genevieve.seed@planning.nsw.gov.au

Dear Ms Seed

Sancrox Quarry Extension (SSD 7293)
Request to re-issue SEARS

I refer to your email of 17 August 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant branches of DPI.

Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI provides the following recommendations for matters to be addressed in the Environmental Impact Statement (EIS) for the proposal with additional comments at **Attachment A**.

Water

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and groundwater sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- A detailed assessment against the NSW Aquifer Interference Policy (2012) using DPI Water's assessment framework.
- Full technical details and data of all surface and groundwater modelling, and an independent peer review.
- Proposed management and disposal of produced or incidental water.

- Works are to be in accordance with the "*Guidelines for Controlled Activities on Waterfront Land* (DPI Water 2012)". It is noted a number of first and second order watercourses are mapped within the proposed extension area.
- Details of the final landform of the site, including final void management (where relevant) and rehabilitation measures.
- Proposed surface and groundwater monitoring activities and methodologies.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS in the form of a table.

Land

Department of Industry – Lands & Forestry advises that in relation to the Crown road which traverses Lot 2 DP 574308, this proposal cannot be supported or approved whilst this land remains Crown road. To proceed, the adjoining land owner must make application to the Department for road closure and purchase. For further information and the relevant forms, please go to http://www.crownland.nsw.gov.au/crown_lands/roads.

The Crown road closure and purchase process can take a significant amount of time to complete and Lands & Forestry recommends early lodgement of the application. The applicant may request expedition of the application and should provide documentation to support any such request. This request will be assessed but priority cannot be guaranteed.

Yours sincerely

Mitchell Isaacs

Director, Planning Policy & Assessment Advice

1 September 2017

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:

https://goo.gl/o8TXWz

ATTACHMENT A

Sancrox Quarry Extension (SSD 7293)
DPI Water General Assessment Requirements for State Significant Development and State Significant Infrastructure projects

The following detailed assessment requirements are provided to assist in adequately addressing the assessment requirements for State Significant Development (SSD) and State Significant Infrastructure (SSI) projects for Generic projects; Coal Mines and Gas projects; Quarries and Non Coal Mines and Linear projects respectively where relevant.

For further information visit the DPI Water website, www.water.nsw.gov.au

Key Relevant Legislative Instruments

This section provides a basic summary to aid proponents in the development of an Environmental Impact Statement (EIS), and should not be considered a complete list or comprehensive summary of relevant legislative instruments that may apply to the regulation of water resources for a project.

The EIS should take into account the objects and regulatory requirements of the *Water Act 1912* (WA 1912) and *Water Management Act 2000* (*WM Act*), and associated regulations and instruments, as applicable.

Water Management Act 2000 (WM Act)
Key points:

- Volumetric licensing in areas covered by water sharing plans
- Works within 40m of waterfront land
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.
- No exemptions for volumetric licensing apply as a result of the *EP&A Act*.
- Harvestable rights dams
- Aquifer interference activity approval provisions have not yet commenced and are regulated by the *Water Act 1912*
- Flood management work approval provisions have now commenced
- Maximum penalties of $ 2.2 million plus $ 264,000 for each day an offence continues apply under the *WM Act*

Water Act 1912 (WA 1912)
Key points:

- Monitoring bores
- Aquifer interference activities that are not regulated as a water supply work under the *WM Act*.
- No exemptions apply to licences or permits under the *WA 1912* as a result of the *EP&A Act*.
- Regulation of water bore driller licensing.

Water Management (General) Regulation 2011
Key points:

- Provides various exemptions for volumetric licensing and activity approvals
- Provides further detail on requirements for dealings and applications.

Access Licence Dealing Principles Order 2004

Harvestable Rights Orders

Water Sharing Plans these are considered regulations under the *WM Act*

It is important that the proponent understands and describes the ground and surface water sharing plans, water sources, and management zones that apply to the project. The relevant water sharing plans can be determined spatially at www.ourwater.nsw.gov.au. Multiple water sharing plans may apply and these must all be described.

The *Water Act 1912* applies to all water sources not yet covered by a commenced water sharing plan.

The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the Water Sharing Plan including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection (including groundwater dependent ecosystems), water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water to be taken from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP, including:
    - Sufficient market depth to acquire the necessary entitlements for each water source.
    - Ability to carry out a “dealing” to transfer the water to relevant location under the rules of the WSP.
    - Daily and long-term access rules.
    - Account management and carryover provisions.
- Provide a detailed and consolidated site water balance.
- Further detail on licensing requirements is provided below.

Relevant Policies and Guidelines

The EIS should take into account the following policies (as applicable):

- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)
- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)
- Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)
- NSW Wetlands Policy (2010)
- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
- NSW Water Extraction Monitoring Policy (2007)

DPI Water policies can be accessed at the following links:
http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx
http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/default.aspx

An assessment framework for the NSW Aquifer Interference Policy can be found online at: http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference.

Licensing Considerations

The EIS is required to provide:

- Identification of water requirements for the life of the project in terms of both volume and timing (including predictions of potential ongoing groundwater take following the cessation of operations at the site – such as evaporative loss from open voids or inflows).
- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction from each water source as defined in the relevant Water Sharing Plan/s and all water supply works to take water.
- Explanation of how the required water entitlements will be obtained (i.e. through a new or existing licence/s, trading on the water market, controlled allocations etc.).
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring. All predicted groundwater take must be accounted for through adequate licensing.
- Details on existing dams/storages (including the date of construction, location, purpose, size and capacity) and any proposal to change the purpose of existing dams/storages
- Details on the location, purpose, size and capacity of any new proposed dams/storages.
- Applicability of any exemptions under the *Water Management (General) Regulation 2011* to the project.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

The Harvestable Right gives landholders the right to capture and use for any purpose 10% of the average annual runoff from their property if in the Eastern and Central Divisions. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a site-specific run-off factor. The MHRDC includes the capacity of all existing dams on the property that do not have a current water licence. Storages capturing up to the harvestable right capacity are not required to be licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams, including a calculator, visit:
http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff

Dam Safety

Where new or modified dams are proposed, or where new development will occur below an existing dam, the NSW Dams Safety Committee should be consulted in relation to any safety issues that may arise. Conditions of approval may be recommended to ensure safety in relation to any new or existing dams.

See www.damsafety.nsw.gov.au for further information.

Surface Water Assessment

The predictive assessment of the impact of the proposed project on surface water sources should include the following:

- Identification of all surface water features including watercourses, wetlands and floodplains transected by or adjacent to the proposed project.
- Identification of all surface water sources as described by the relevant water sharing plan.
- Detailed description of dependent ecosystems and existing surface water users within the area, including basic landholder rights to water and adjacent/downstream licensed water users.
- Description of all works and surface infrastructure that will intercept, store, convey, or otherwise interact with surface water resources.
- Assessment of predicted impacts on the following:
    - flow of surface water, sediment movement, channel stability, and hydraulic regime,
    - water quality,
    - flood regime,
    - dependent ecosystems,
    - existing surface water users, and
    - planned environmental water and water sharing arrangements prescribed in the relevant water sharing plans.

Groundwater Assessment

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources.

Where it is considered unlikely that groundwater will be intercepted or impacted (for example by infiltration), a brief site assessment and justification for the minimal impacts may be sufficient, accompanied by suitable contingency measures in place in the event that groundwater is intercepted, and appropriate measures to ensure that groundwater is not contaminated.

Where groundwater is expected to be intercepted or impacted, the following requirements should be used to assist the groundwater assessment for the proposal.

- The known or predicted highest groundwater table at the site.
- Works likely to intercept, connect with or infiltrate the groundwater sources.
- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Bore construction information is to be supplied to DPI Water by submitting a “Form A” template. DPI Water will supply “GW” registration numbers (and licence/approval numbers if required) which must be used as consistent and unique bore identifiers for all future reporting.

- A description of the watertable and groundwater pressure configuration, flow directions and rates and physical and chemical characteristics of the groundwater source (including connectivity with other groundwater and surface water sources).
- Sufficient baseline monitoring for groundwater quantity and quality for all aquifers and GDEs to establish a baseline incorporating typical temporal and spatial variations.
- The predicted impacts of any final landform on the groundwater regime.
- The existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- An assessment of groundwater quality, its beneficial use classification and prediction of any impacts on groundwater quality.
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.
- Protective measures for any groundwater dependent ecosystems (GDEs).
- Proposed methods of the disposal of waste water and approval from the relevant authority.
- The results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.
- An assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Groundwater Dependent Ecosystems

The EIS must consider the potential impacts on any Groundwater Dependent Ecosystems (GDEs) at the site and in the vicinity of the site and:

- Identify any potential impacts on GDEs as a result of the proposal including:
    - the effect of the proposal on the recharge to groundwater systems;
    - the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections; and
    - the effect on the function of GDEs (habitat, groundwater levels, connectivity).

- Provide safeguard measures for any GDEs.

Watercourses, Wetlands and Riparian Land

The EIS should address the potential impacts of the project on all watercourses likely to be affected by the project, existing riparian vegetation and the rehabilitation of riparian land. It is recommended the EIS provides details on all watercourses potentially affected by the proposal, including:

- Scaled plans showing the location of:
  - wetlands/swamps, watercourses and top of bank;
  - riparian corridor widths to be established along the creeks;
  - existing riparian vegetation surrounding the watercourses (identify any areas to be protected and any riparian vegetation proposed to be removed);
  - the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas; and
  - proposed location of any asset protection zones.
- Photographs of the watercourses/wetlands and a map showing the point from which the photos were taken.
- A detailed description of all potential impacts on the watercourses/riparian land.
- A detailed description of all potential impacts on the wetlands, including potential impacts to the wetlands hydrologic regime; groundwater recharge; habitat and any species that depend on the wetlands.
- A description of the design features and measures to be incorporated to mitigate potential impacts.
- Geomorphic and hydrological assessment of water courses including details of stream order (Strahler System), river style and energy regimes both in channel and on adjacent floodplains.

Drill Pad, Well and Access Road Construction (applies to Coal Mines and Gas projects and Quarries and Non Coal Mine projects)

- Any construction activity within 40m of a watercourse, should be designed by a suitably qualified person, consistent with the NSW *Guidelines for Controlled Activities on Waterfront Land* (July 2012).
- Construction of all wells must be undertaken in accordance with the *Minimum Construction Requirements for Water Bores in Australia* (3rd edition 2012) by a driller holding a bore drillers' licence valid in New South Wales.
- The length of time that a core hole is maintained as an open hole should be minimised.

Landform rehabilitation

Where significant modification to landform is proposed, the EIS must include:

- Justification of the proposed final landform with regard to its impact on local and regional surface and groundwater systems;
- A detailed description of how the site would be progressively rehabilitated and integrated into the surrounding landscape;
- Outline of proposed construction and restoration of topography and surface drainage features if affected by the project; and

- An outline of the measures to be put in place to ensure that sufficient resources are available to implement the proposed rehabilitation.

Additional Landform Rehabilitation Requirements for Coal mines and Gas projects and Quarries and Non Coal Mines (including final void management)

- Detailed modelling of potential groundwater volume, flow and quality impacts of the presence of an inundated final void (where relevant) on identified receptors specifically considering those environmental systems that are likely to be groundwater dependent;
- The measures that would be established for the long-term protection of local and regional aquifer systems and for the ongoing management of the site following the cessation of the project.

Consultation and general enquiries

Assessment of state significant development enquiries, or requests for review or consultation should be directed to the, Water Regulation Co-ordination Unit, water.referrals@dpi.nsw.gov.au.

A consultation guideline and further information is available online at:
www.water.nsw.gov.au/water-management/law-and-policy/planning-and-assessment

End Attachment A

NSW GOVERNMENT | Department of Primary Industries

OUT17/34142

Ms Genevieve Seed
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

genevieve.seed@planning.nsw.gov.au

Dear Ms Seed

Sancrox Quarry Extension (SSD 7293)
Request to re-issue SEARS

I refer to your email of 17 August 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant branches of DPI.

Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI provides the following recommendations for matters to be addressed in the Environmental Impact Statement (EIS) for the proposal with additional comments at **Attachment A**.

Water

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and groundwater sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- A detailed assessment against the NSW Aquifer Interference Policy (2012) using DPI Water's assessment framework.
- Full technical details and data of all surface and groundwater modelling, and an independent peer review.
- Proposed management and disposal of produced or incidental water.

- Works are to be in accordance with the "*Guidelines for Controlled Activities on Waterfront Land* (DPI Water 2012)". It is noted a number of first and second order watercourses are mapped within the proposed extension area.
- Details of the final landform of the site, including final void management (where relevant) and rehabilitation measures.
- Proposed surface and groundwater monitoring activities and methodologies.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS in the form of a table.

Land

Department of Industry – Lands & Forestry advises that in relation to the Crown road which traverses Lot 2 DP 574308, this proposal cannot be supported or approved whilst this land remains Crown road. To proceed, the adjoining land owner must make application to the Department for road closure and purchase. For further information and the relevant forms, please go to http://www.crownland.nsw.gov.au/crown_lands/roads.

The Crown road closure and purchase process can take a significant amount of time to complete and Lands & Forestry recommends early lodgement of the application. The applicant may request expedition of the application and should provide documentation to support any such request. This request will be assessed but priority cannot be guaranteed.

Yours sincerely

Mitchell Isaacs

Director, Planning Policy & Assessment Advice

1 September 2017

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:

https://goo.gl/o8TXWz

ATTACHMENT A

Sancrox Quarry Extension (SSD 7293)
DPI Water General Assessment Requirements for State Significant Development and State Significant Infrastructure projects

The following detailed assessment requirements are provided to assist in adequately addressing the assessment requirements for State Significant Development (SSD) and State Significant Infrastructure (SSI) projects for Generic projects; Coal Mines and Gas projects; Quarries and Non Coal Mines and Linear projects respectively where relevant.

For further information visit the DPI Water website, www.water.nsw.gov.au

Key Relevant Legislative Instruments

This section provides a basic summary to aid proponents in the development of an Environmental Impact Statement (EIS), and should not be considered a complete list or comprehensive summary of relevant legislative instruments that may apply to the regulation of water resources for a project.

The EIS should take into account the objects and regulatory requirements of the *Water Act 1912* (WA 1912) and *Water Management Act 2000* (*WM Act*), and associated regulations and instruments, as applicable.

Water Management Act 2000 (WM Act)
Key points:

- Volumetric licensing in areas covered by water sharing plans
- Works within 40m of waterfront land
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.
- No exemptions for volumetric licensing apply as a result of the *EP&A Act*.
- Harvestable rights dams
- Aquifer interference activity approval provisions have not yet commenced and are regulated by the *Water Act 1912*
- Flood management work approval provisions have now commenced
- Maximum penalties of $ 2.2 million plus $ 264,000 for each day an offence continues apply under the *WM Act*

Water Act 1912 (WA 1912)
Key points:

- Monitoring bores
- Aquifer interference activities that are not regulated as a water supply work under the *WM Act*.
- No exemptions apply to licences or permits under the *WA 1912* as a result of the *EP&A Act*.
- Regulation of water bore driller licensing.

Water Management (General) Regulation 2011
Key points:

- Provides various exemptions for volumetric licensing and activity approvals
- Provides further detail on requirements for dealings and applications.

Access Licence Dealing Principles Order 2004

Harvestable Rights Orders

Water Sharing Plans these are considered regulations under the *WM Act*

It is important that the proponent understands and describes the ground and surface water sharing plans, water sources, and management zones that apply to the project. The relevant water sharing plans can be determined spatially at www.ourwater.nsw.gov.au. Multiple water sharing plans may apply and these must all be described.

The *Water Act 1912* applies to all water sources not yet covered by a commenced water sharing plan.

The EIS is required to:

- Demonstrate how the proposal is consistent with the relevant rules of the Water Sharing Plan including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection (including groundwater dependent ecosystems), water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water to be taken from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP, including:
    - Sufficient market depth to acquire the necessary entitlements for each water source.
    - Ability to carry out a “dealing” to transfer the water to relevant location under the rules of the WSP.
    - Daily and long-term access rules.
    - Account management and carryover provisions.
- Provide a detailed and consolidated site water balance.
- Further detail on licensing requirements is provided below.

Relevant Policies and Guidelines

The EIS should take into account the following policies (as applicable):

- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)
- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)
- Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)
- NSW Wetlands Policy (2010)
- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
- NSW Water Extraction Monitoring Policy (2007)

DPI Water policies can be accessed at the following links:
http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/default.aspx
http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/default.aspx

An assessment framework for the NSW Aquifer Interference Policy can be found online at: http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference.

Licensing Considerations

The EIS is required to provide:

- Identification of water requirements for the life of the project in terms of both volume and timing (including predictions of potential ongoing groundwater take following the cessation of operations at the site – such as evaporative loss from open voids or inflows).
- Details of the water supply source(s) for the proposal including any proposed surface water and groundwater extraction from each water source as defined in the relevant Water Sharing Plan/s and all water supply works to take water.
- Explanation of how the required water entitlements will be obtained (i.e. through a new or existing licence/s, trading on the water market, controlled allocations etc.).
- Information on the purpose, location, construction and expected annual extraction volumes including details on all existing and proposed water supply works which take surface water, (pumps, dams, diversions, etc).
- Details on all bores and excavations for the purpose of investigation, extraction, dewatering, testing and monitoring. All predicted groundwater take must be accounted for through adequate licensing.
- Details on existing dams/storages (including the date of construction, location, purpose, size and capacity) and any proposal to change the purpose of existing dams/storages
- Details on the location, purpose, size and capacity of any new proposed dams/storages.
- Applicability of any exemptions under the *Water Management (General) Regulation 2011* to the project.

Water allocation account management rules, total daily extraction limits and rules governing environmental protection and access licence dealings also need to be considered.

The Harvestable Right gives landholders the right to capture and use for any purpose 10% of the average annual runoff from their property if in the Eastern and Central Divisions. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a site-specific run-off factor. The MHRDC includes the capacity of all existing dams on the property that do not have a current water licence. Storages capturing up to the harvestable right capacity are not required to be licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams, including a calculator, visit:
http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff

Dam Safety

Where new or modified dams are proposed, or where new development will occur below an existing dam, the NSW Dams Safety Committee should be consulted in relation to any safety issues that may arise. Conditions of approval may be recommended to ensure safety in relation to any new or existing dams.

See www.damsafety.nsw.gov.au for further information.

Surface Water Assessment

The predictive assessment of the impact of the proposed project on surface water sources should include the following:

- Identification of all surface water features including watercourses, wetlands and floodplains transected by or adjacent to the proposed project.
- Identification of all surface water sources as described by the relevant water sharing plan.
- Detailed description of dependent ecosystems and existing surface water users within the area, including basic landholder rights to water and adjacent/downstream licensed water users.
- Description of all works and surface infrastructure that will intercept, store, convey, or otherwise interact with surface water resources.
- Assessment of predicted impacts on the following:
    - flow of surface water, sediment movement, channel stability, and hydraulic regime,
    - water quality,
    - flood regime,
    - dependent ecosystems,
    - existing surface water users, and
    - planned environmental water and water sharing arrangements prescribed in the relevant water sharing plans.

Groundwater Assessment

To ensure the sustainable and integrated management of groundwater sources, the EIS needs to include adequate details to assess the impact of the project on all groundwater sources.

Where it is considered unlikely that groundwater will be intercepted or impacted (for example by infiltration), a brief site assessment and justification for the minimal impacts may be sufficient, accompanied by suitable contingency measures in place in the event that groundwater is intercepted, and appropriate measures to ensure that groundwater is not contaminated.

Where groundwater is expected to be intercepted or impacted, the following requirements should be used to assist the groundwater assessment for the proposal.

- The known or predicted highest groundwater table at the site.
- Works likely to intercept, connect with or infiltrate the groundwater sources.
- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Bore construction information is to be supplied to DPI Water by submitting a “Form A” template. DPI Water will supply “GW” registration numbers (and licence/approval numbers if required) which must be used as consistent and unique bore identifiers for all future reporting.

- A description of the watertable and groundwater pressure configuration, flow directions and rates and physical and chemical characteristics of the groundwater source (including connectivity with other groundwater and surface water sources).
- Sufficient baseline monitoring for groundwater quantity and quality for all aquifers and GDEs to establish a baseline incorporating typical temporal and spatial variations.
- The predicted impacts of any final landform on the groundwater regime.
- The existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- An assessment of groundwater quality, its beneficial use classification and prediction of any impacts on groundwater quality.
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.
- Protective measures for any groundwater dependent ecosystems (GDEs).
- Proposed methods of the disposal of waste water and approval from the relevant authority.
- The results of any models or predictive tools used.

Where potential impact/s are identified the assessment will need to identify limits to the level of impact and contingency measures that would remediate, reduce or manage potential impacts to the existing groundwater resource and any dependent groundwater environment or water users, including information on:

- Any proposed monitoring programs, including water levels and quality data.
- Reporting procedures for any monitoring program including mechanism for transfer of information.
- An assessment of any groundwater source/aquifer that may be sterilised from future use as a water supply as a consequence of the proposal.
- Identification of any nominal thresholds as to the level of impact beyond which remedial measures or contingency plans would be initiated (this may entail water level triggers or a beneficial use category).
- Description of the remedial measures or contingency plans proposed.
- Any funding assurances covering the anticipated post development maintenance cost, for example on-going groundwater monitoring for the nominated period.

Groundwater Dependent Ecosystems

The EIS must consider the potential impacts on any Groundwater Dependent Ecosystems (GDEs) at the site and in the vicinity of the site and:

- Identify any potential impacts on GDEs as a result of the proposal including:
    - the effect of the proposal on the recharge to groundwater systems;
    - the potential to adversely affect the water quality of the underlying groundwater system and adjoining groundwater systems in hydraulic connections; and
    - the effect on the function of GDEs (habitat, groundwater levels, connectivity).

- Provide safeguard measures for any GDEs.

Watercourses, Wetlands and Riparian Land

The EIS should address the potential impacts of the project on all watercourses likely to be affected by the project, existing riparian vegetation and the rehabilitation of riparian land. It is recommended the EIS provides details on all watercourses potentially affected by the proposal, including:

- Scaled plans showing the location of:
  - wetlands/swamps, watercourses and top of bank;
  - riparian corridor widths to be established along the creeks;
  - existing riparian vegetation surrounding the watercourses (identify any areas to be protected and any riparian vegetation proposed to be removed);
  - the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas; and
  - proposed location of any asset protection zones.
- Photographs of the watercourses/wetlands and a map showing the point from which the photos were taken.
- A detailed description of all potential impacts on the watercourses/riparian land.
- A detailed description of all potential impacts on the wetlands, including potential impacts to the wetlands hydrologic regime; groundwater recharge; habitat and any species that depend on the wetlands.
- A description of the design features and measures to be incorporated to mitigate potential impacts.
- Geomorphic and hydrological assessment of water courses including details of stream order (Strahler System), river style and energy regimes both in channel and on adjacent floodplains.

Drill Pad, Well and Access Road Construction (applies to Coal Mines and Gas projects and Quarries and Non Coal Mine projects)

- Any construction activity within 40m of a watercourse, should be designed by a suitably qualified person, consistent with the NSW *Guidelines for Controlled Activities on Waterfront Land* (July 2012).
- Construction of all wells must be undertaken in accordance with the *Minimum Construction Requirements for Water Bores in Australia* (3rd edition 2012) by a driller holding a bore drillers' licence valid in New South Wales.
- The length of time that a core hole is maintained as an open hole should be minimised.

Landform rehabilitation

Where significant modification to landform is proposed, the EIS must include:

- Justification of the proposed final landform with regard to its impact on local and regional surface and groundwater systems;
- A detailed description of how the site would be progressively rehabilitated and integrated into the surrounding landscape;
- Outline of proposed construction and restoration of topography and surface drainage features if affected by the project; and

- An outline of the measures to be put in place to ensure that sufficient resources are available to implement the proposed rehabilitation.

Additional Landform Rehabilitation Requirements for Coal mines and Gas projects and Quarries and Non Coal Mines (including final void management)

- Detailed modelling of potential groundwater volume, flow and quality impacts of the presence of an inundated final void (where relevant) on identified receptors specifically considering those environmental systems that are likely to be groundwater dependent;
- The measures that would be established for the long-term protection of local and regional aquifer systems and for the ongoing management of the site following the cessation of the project.

Consultation and general enquiries

Assessment of state significant development enquiries, or requests for review or consultation should be directed to the, Water Regulation Co-ordination Unit, water.referrals@dpi.nsw.gov.au.

A consultation guideline and further information is available online at:
www.water.nsw.gov.au/water-management/law-and-policy/planning-and-assessment

End Attachment A

DOC17/427522-01; EF13/3037 (SSD 7293)

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Genevieve Seed

By email: genevieve.seed@planning.nsw.gov.au

Dear Ms Seed

Sancrox Quarry Extension (SSD 7293)
Reissue of Secretary's Environmental Assessment Requirements

I refer to your email to the Environment Protection Authority (EPA), dated 17 August 2017, seeking the EPA's recommended Secretary Environmental Assessment Requirements (SEARS) for the Sancrox Quarry extension proposal, SSD 7293. Provided with your email is the report titled '*Sancrox Quarry Expansion Project – Preliminary Environmental Impact Statement*', dated August 2015.

The EPA notes the request is for the reissuing of the SEARS, as previous SEARS were provided in relation to this proposal in October 2015. As the proposal, has not been altered from the previous 2015 application, the EPA has reviewed the 2015 SEARS submitted and updated them accordingly. These updates primarily relate to the guideline references.

The updated SEARS have been provided at **Attachment A** and the updated guidance material list at **Attachment B**.

The EPA's key information requirements for the project are summarised below and include an adequate description and assessment of:

1. Project proposal including size of the operation, proposed processes, operational hours, maximum and average annual production rate, staging and timing of the proposal;
2. Air quality impacts including a description of all emissions and a specific description of proposed air pollution management strategies;
3. Noise and vibration impacts associated with the proposed construction and hours of operation.
4. Water management onsite including process and stormwater management, sedimentation ponds, details and justification for any proposed discharge(s) and the sensitivity of the receiving environment.
5. Waste generation, source location, classification, quantities, reuse and management measures for activities undertaken at the premises;
6. A proposed monitoring plan to assess the impact on the environment and surrounding receivers over time;
7. An assessment of the cumulative impacts associated with this proposal and other activities in the local area; and

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8. Actions that will be taken to avoid or mitigate impacts or compensate for any unavoidable impacts associated with proposed operations.

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

The proponent should also be aware that any commitments made in the EIS may be formalised as approval conditions and subsequently environment protection licence conditions. Pollution control measures should not be proposed if they are impractical, unrealistic or beyond the financial viability of the development. It is important that all conclusions are supported by adequate data.

If you require any further information regarding this matter, please contact me on 4908 6819 or by email to hunter.region@epa.nsw.gov.au.

Yours sincerely

30/8/17

MICHAEL HOWAT
A/Head Strategic Programs Unit - Hunter
Environment Protection Authority

Encl: **Attachment A** – EPA's Recommended Secretary's Environmental Assessment Requirements – Sancrox Quarry Extension Project (SSD 7293)

Attachment B – Guidance Material

ATTACHMENT A

EPA's Recommended Secretary's Environmental Assessment Requirements – Sancrox Quarry Extension Project (SSD 7293)

1 Environmental impacts of the project

Impacts related to the following environmental issues need to be assessed, quantified and reported on:

- Air Quality
- Noise and Vibration
- Water and Soil Quality and Management
- Waste Management
- Dangerous Goods, Chemical Storage and Bunding

The Environmental Impact Statement (EIS) should address the specific requirements outlined under each heading below and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is at Attachment B.

2 Licensing requirements

Should project approval be granted, the proponent will need to make a separate application to EPA for any variations to the existing Environment Protection Licence No. 5289 for the quarry. Additional information is available through EPA's *Guide to Licensing* document.
http://www.epa.nsw.gov.au/resources/licensing/licensing-guide-160369.pdf

General information on licence requirements can also be obtained from EPA's Environment Line on 131 555 during office hours, or can be found at the EPA web site at:
http://www.epa.nsw.gov.au/licensing/

3 The Proposal and Premises

The objectives of the proposal should be clearly stated and refer to:

- The size and type of the operation;
- The nature of the processes and the products, by-products and wastes produced;
- The types and quantities of any chemicals to be used and stored onsite;
- Proposed operational hours, including any heavy vehicle movements;
- Proposed maximum and average annual production rates that will occur at the premises; and
- Proposed staging and timing of the proposal.

The EIS will need to fully identify all the processes and activities intended for the site over the life of the development. This will include details of:

- The location of the proposed facility and details of the surrounding environment;
- The proposed layout of the site;
- Appropriate land use zoning;
- Ownership details of any residence and/or land likely to be affected by the proposed operations;
- Maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc. in the locality that may be affected by the facility;
- All equipment proposed for use at the site;
- All chemicals, including fuel, used on the site and proposed methods for their transportation, storage, use and emergency management;
- Clearly detail the boundary of the premises; and
- Methods to mitigate any expected environmental impacts of the development.

4 Air Issues

Given the proposed extension of the extraction boundary and addition of potentially odorous activities such as asphalt production, the EIS should include a detailed assessment of air quality and odour impacts. The following matters should be addressed as part of the EIS.

- Assess the risk associated with potential discharges of fugitive and point source emissions for all stages of the proposal. Assessment of risk relates to environmental harm, risk to human health and amenity.

- Justify the level of assessment undertaken on the basis of risk factors, including but not limited to:
    - proposal location;
    - characteristics of the receiving environment; and
    - type and quantity of pollutants emitted.

- Describe the receiving environment in detail. The proposal must be contextualised within the receiving environment (local, regional and inter-regional as appropriate). The description must include but need not be limited to:
    - meteorology and climate;
    - topography;
    - surrounding land-use; receptors; and
    - ambient air quality.

- Include a detailed description of the proposal. All processes that could result in air emissions must be identified and described. Sufficient detail to accurately communicate the characteristics and quantity of all emissions must be provided.

- Include a consideration of 'worst case' emission scenarios and impacts at proposed emission limits.

- Account for cumulative impacts associated with existing emission sources as well as any currently approved developments linked to the receiving environment.

- Include air dispersion modelling where there is a risk of adverse air quality impacts, or where there is sufficient uncertainty to warrant a rigorous numerical impact assessment. Air dispersion modelling must be conducted in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2016).

- Demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the *Protection of the Environment Operations* (POEO) *Act* (1997) and the POEO (Clean Air) Regulation (2010).

- Provide an assessment of the project in terms of the priorities and targets adopted under the NSW State Plan 2010 and its implementation plan Action for Air.

- Detail emission control techniques/practices that will be employed by the proposal.

- Detail monitoring that will be conducted to assess the impacts of the proposal.

5 Noise and Vibration

The following matters should be addressed in relation to noise and vibration impacts associated with the proposal. This includes identification of the hours of operations, assessment of all activities where proposed, and impacts on sensitive receivers associated with the proposed hours of operation. The following matters should be addressed as part of the EIS.

General

- Construction noise associated with the proposed development should be assessed using the Interim Construction Noise Guideline (DECC, 2009).

- Vibration from all activities (including construction and operation) to be undertaken on the premises should be assessed using the guidelines contained in the Assessing Vibration: a technical guideline (DEC, 2006).

- Blast impacts should be demonstrated to be capable of complying with the guidelines contained in Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990).

Industry

- Operational noise from all industrial activities (including private haul roads) to be undertaken on the premises should be assessed using the guidelines contained in the NSW Industrial Noise Policy (EPA, 2000) and Industrial Noise Policy Application Notes.

Road

- Noise on public roads from increased road traffic generated by land use developments should be assessed using the guidelines contained in the NSW Road Noise Policy (DECCW, 2011).

- Noise from new or upgraded public roads should be assessed using the NSW Road Noise Policy (DECCW, 2011).

Monitoring

- Detail monitoring that will be conducted to assess the impacts of the proposal.

6 Water and Soils

6.1 Water Quality

Describe Proposal

- Describe the proposal including position of any intakes and discharges, volumes, water quality and frequency of all water discharges.

- Demonstrate that all practical options to avoid discharges have been implemented and environmental impact minimised where discharge is necessary.

- Where relevant include a water balance for the development including 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.

Background Conditions

- Describe existing surface and groundwater quality. An assessment needs to be undertaken for any water resource likely to be affected by the proposal. Issues to be discussed should include but are not limited to:
  - a description of any impacts from existing industry or activities on water quality
  - a description of the condition of the local catchment e.g. erosion, soils, vegetation cover, etc.
  - an outline of baseline groundwater information, including, for example, depth to water table, flow direction and gradient, groundwater quality, reliance on groundwater by surrounding users and by the environment

- historic river flow data

- State the Water Quality Objectives for the receiving waters relevant to the proposal. These refer to the community's agreed environmental values and human uses endorsed by the NSW Government as goals for ambient waters (http://www.environment.nsw.gov.au/ieo/index.htm). Where groundwater may be impacted the assessment should identify appropriate groundwater environmental values.

- State the indicators and associated trigger values or criteria for the identified environmental values. This information should be based on the ANZECC (2000) Guidelines for Fresh and Marine Water Quality as a minimum but should also be based on advice from Hunter Water Corporation given the sensitive receiving environment of Grahamstown Dam water supply.

- State any locally specific objectives, criteria or targets which have been endorsed by the NSW Government.

Impact Assessment

- Describe the nature and degree of impact that any proposed discharges will have on the receiving environment, both surface water and groundwater.
- Detail contractual and other arrangements that will be put in place to prevent pollution from haul roads and unsealed roads per se, particularly rights of carriageways not owned by the proponent.
- Assess impacts against the relevant ambient water quality outcomes. Demonstrate how the proposal will be designed and operated to:
  - protect the Water Quality Objectives for receiving waters where they are currently being achieved; and
  - contribute towards achievement of the Water Quality Objectives over time where they are not currently being achieved.
- Where a discharge is proposed that includes a mixing zone, the proposal should demonstrate how wastewater discharged to waterways will ensure the ANZECC (2000) water quality criteria for relevant chemical and non-chemical parameters are met at the edge of the initial mixing zone of the discharge, and that any impacts in the initial mixing zone are demonstrated to be reversible.
- Propose water quality limits for any discharge(s) that adequately protects the receiving environment.
- Assess impacts on groundwater and groundwater dependent ecosystems.
- Describe how stormwater will be managed both during and after construction.

Monitoring

- Describe how predicted impacts will be monitored and assessed over time.

6.2 Soil

The EIS should include:

- An assessment of potential impacts on soil and land resources should be undertaken, being guided by Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:
  - Soil erosion and sediment transport - in accordance with Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008).

- Mass movement (landslides) – in accordance with Landslide risk management guidelines presented in Australian Geomechanics Society (2007).
- Urban and regional salinity – guidance given in the Local Government Salinity Initiative booklets which includes Site Investigations for Urban Salinity (DLWC, 2002).

- A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

7 Waste

The EIS should:

- Include a detailed plan for in-situ classification of waste material, including the sampling locations and sampling regime that will be employed to classify the waste, particularly with regards to the identification of contamination hotspots.

- Identify, quantify, characterise and classify all waste that currently exists at the site. Identify the intended end use, for example reuse or disposal, and the end use location(s) for the waste. Also, specify the mechanism under which waste will be reused or disposed, such as a Resource Recovery Exemption. Note: All waste must be classified in accordance with EPA's Classification Guidelines.

- Identify, characterise and classify all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste.
  Note: All waste must be classified in accordance with EPA's Waste Classification Guidelines.

- Identify, characterise and classify all waste that is proposed to be disposed of to an offsite location, including proposed quantities of the waste and the disposal locations for the waste. This includes waste that is intended for re-use or recycling.
  Note: All waste must be classified in accordance with EPA's Classification Guidelines.

- Include a commitment to retaining all sampling and classification results for the life of the project to demonstrate compliance with EPA's Waste Classification Guidelines.

- Provide details of how waste will be handled and managed onsite to minimise pollution, including:

  a) Stockpile location and management
     - Labelling of stockpiles for identification, ensuring that all waste is clearly identified and stockpiled separately from other types of material (especially the separation of any contaminated and non-contaminated waste).
     - Proposed height limits for all waste to reduce the potential for dust and odour.
     - Procedures for minimising the movement of waste around the site and double handling.
     - Measures to minimise leaching from stockpiles into the surrounding environment, such as sediment fencing, geofabric liners etc.

  b) Erosion, sediment and leachate control including measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site during works. The EIS should show the location of each measure to be implemented. The Proponent should consider measures such as:
     - Sediment traps
     - Diversion banks
     - Sediment fences
     - Bunds (earth, hay, mulch)

- Geofabric liners
- Other control measures as appropriate

The Proponent should also provide details of:
- how leachate from stockpiled waste material will be kept separate from stormwater runoff;
- treatment of leachate through a wastewater treatment plant (if applicable); and
- any proposed transport and disposal of leachate off-site.

- Provide details of how the waste will be handled and managed during transport to a lawful facility. If the waste possesses hazardous characteristics, the Proponent must provide details of how the waste will be treated or immobilised to render it suitable for transport and disposal.

- Include details of all procedures and protocols to be implemented to ensure that any waste leaving the site is transported and disposed of lawfully and does not pose a risk to human health or the environment.

- Include a statement demonstrating that the Proponent is aware of EPA's requirements with respect to notification and tracking of waste.

- Include a statement demonstrating that the Proponent is aware of the relevant legislative requirements for disposal of the waste, including any relevant Resource Recovery Exemptions, as gazetted by EPA from time to time.

- Outline contingency plans for any event that affects operations at the site that may result in environmental harm, including: excessive stockpiling of waste, volume of leachate generated exceeds the storage capacity available on-site etc.

8 Dangerous Goods, Chemical storage and Bunding

- The EIS must outline all details regarding the transport, handling, storage and use of dangerous goods, chemicals and products, including fuel, both on site and with ancillary activities and describe the measures proposed to minimise the potential for leakage or the migration of pollutants into the soil/waters or from the site.

- The EIS should identify any fuel or chemical storage areas proposed for the site.

- The EIS should consider compliance with the following legislation, standards and guidelines where relevant:
  - Australian Standard AS1692:1989 Tanks for Flammable and combustible liquids;
  - The DECC's "Bunding and Spill Management" Technical Guideline (November 1997)
  - Australian Standard AS 1940:2004 The Storage and Handling of Flammable and Combustible Liquids
  - Australia Standard AS 4452-1997: The Storage and Handling of Toxic Substances;
  - Australian/New Zealand Standard AS/NZS 4452:1997: The Storage and Handling of Mixed Classes of Dangerous Goods in Packages and Intermediate Bulk Containers; and
  - Road and Rail Transport (Dangerous Goods) Act 1997

9 Monitoring Programs

The EIS should include a detailed assessment of any noise, air quality, weather, water or waste monitoring required during the construction and on-going operation of the site to ensure that the development achieves a satisfactory level of environmental performance. The evaluation should include a detailed description of the monitoring locations, sample analysis methods and the level of reporting proposed.

ATTACHMENT B

Guidance Material

Title	Web address
Relevant Legislation	
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
Protection of the Environment Operations (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+428+2010+cd+0+N
Licensing	
Guide to Licensing	http://www.epa.nsw.gov.au/resources/licensing/licensing-guide-160369.pdf
Air Issues	
Air Quality	
Approved methods for the Modelling and Assessment of Air Pollutants in NSW (2016)	http://www.epa.nsw.gov.au/resources/epa/approved-methods-for-modelling-and-assessment-of-air-pollutants-in-NSW-160666.pdf
Approved methods for the Sampling and Analysis of Air Pollutants in NSW (2016)	http://www.epa.nsw.gov.au/resources/air/07001amsaap.pdf
POEO (Clean Air) Regulation 2010	http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+428+2010+cd+0+N
Noise and Vibration	
Interim Construction Noise Guideline (DECC, 2009)	http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf
Assessing Vibration: a technical guideline (DEC, 2006)	http://www.epa.nsw.gov.au/resources/noise/vibrationguide0643.pdf
Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990)	http://www.epa.nsw.gov.au/resources/noise/ANZECBlasting.pdf
NSW Industrial Noise Policy	http://www.epa.nsw.gov.au/resources/noise/ind_noise.pdf
NSW Road Noise Policy (DECCW, 2011)	http://www.epa.nsw.gov.au/resources/noise/2011236nswroadnoisepolicy.pdf
Waste	
Waste Classification Guidelines (EPA, 2014)	http://www.epa.nsw.gov.au/wasteregulation/classify-guidelines.htm
Resource recovery exemption	http://www.epa.nsw.gov.au/wasteregulation/recovery-exemptions.htm
Water and Soils	
Soils – general	
Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000)	http://www.dnr.nsw.gov.au/care/soil/soil_pubs/pdfs/tech_rep_34_new.pdf

Title	Web address
Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC 2008)	Vol 1 - Available for purchase at http://www.landcom.com.au/whats-new/publications-reports/the-blue-book.aspx Vol 2 - http://www.environment.nsw.gov.au/stormwater/publications.htm
Landslide risk management guidelines	http://www.australiangeomechanics.org/resources/downloads/
Site Investigations for Urban Salinity (DLWC, 2002)	http://www.environment.nsw.gov.au/resources/salinity/booklet3siteinvestigationsforurbansalinity.pdf
Local Government Salinity Initiative Booklets	http://www.environment.nsw.gov.au/salinity/solutions/urban.htm
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	http://www.mincos.gov.au/publications/australian_and_new_zealand_guidelines_for_fresh_and_marine_water_quality
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.epa.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

Heritage Council of New South Wales

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File No: EF17/9967
Ref No: DOC17/427040

Genevieve Seed
Senior Planning Officer - Resource Assessments
Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000

E-mail:Genevieve.Seed@planning.nsw.gov.au

Dear Ms Seed

Request for Secretary's Environmental Assessment Requirements (SEARs) for Sancrox Quarry Extension Project (SSD 7293).

Reference is made to your correspondence received on 17 August 2017 requesting SEARs input from the Heritage Council of NSW (the Heritage Council) for the above proposal.

After a review of the documentation, it appears that the proposed State Significant Development (SSD) site does not include any items on the State Heritage Register. However, it is noted that an early grave is identified from the National Trust Register in the suburb of Sancrox and this area may have other historical archaeological potential associated with the development of the settlement of Port Macquarie Hastings Council LGA which requires consideration and management.

It is recommended that although the Proponent did not identify heritage as an issue, the following additional SEARS are included to address this potential:

- The Environmental Impact Statement (EIS) should identify if there are any potential heritage items within the proposed project area including historical archaeological potential. If any potential heritage items are likely to be affected, a Heritage Impact Statement (HIS) must be prepared in accordance with the guidelines in the NSW Heritage Manual 1996. The HIS should assess how the development would impact on any places of heritage significance in or surrounding the SSD site.
- A historical archaeological assessment should be prepared by a suitably qualified historical archaeologist in accordance with the Heritage Division, Office of Environment and Heritage Guidelines *'Assessing Significance for Historical Archaeological Sites and 'Relics'* 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations.

If you have any questions regarding the above matter, please contact Felicity Barry, Senior Archaeologist, at the Heritage Division, Office of Environment and Heritage on telephone (02) 9995 6914 or by e-mail: Felicity.Barry@environment.nsw.gov.au.

Yours sincerely

25/08/2017
Katrina Stankowski
Acting Manager, Listings
Heritage Division
Office of Environment & Heritage
As Delegate of the Heritage Council of NSW

Office of Environment & Heritage

NSW GOVERNMENT

Our Ref: DOC17/428839
Your Ref: SSD 7293

Ms Genevieve Seed
Senior Planning Officer
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Seed

Re: Request for OEH Environmental Assessment Requirements – Hanson Construction Materials Pty Ltd Sancrox Quarry Extension, within the Port Macquarie Hasting Council Local Government Area (SSD 7293)

Thank you for your e-mail of 18 August 2017 inviting input from the Office of Environment and Heritage (OEH) for the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the Sancrox Quarry Extension proposal. I appreciate the opportunity to provide advice.

The OEH notes that the proposal will be assessed as State Significant Development/Infrastructure in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Environmental Impact Statement (EIS) SEARs provided by OEH are limited to Aboriginal cultural heritage, biodiversity, OEH estate, historic heritage, acid sulphate soils, flooding, stormwater and coastal erosion.

We also advise that the OEH SEARs, as it relates to biodiversity, have been issued with respect to the *Biodiversity Conservation Act 2016.*

The proponent should ensure that the EIS will be sufficiently comprehensive to enable unambiguous determination of the extent of the direct and indirect impact(s) of the proposal. The EIS should include an appropriate assessment of the potential impacts on biodiversity (threatened species, ecological communities, or their habitat), and Aboriginal cultural heritage. OEH considers that this information is necessary to assess an EIS for the proposal.

The full lists of OEH's standard and project specific requirements that may need to be addressed in the EIS are provided in **Attachment A** and **Attachment B** respectively. In preparing the EIS, the proponent should refer to the relevant guidance material listed in **Attachment C.**

If you have any further questions about this issue, Ms Rachel Binskin, Regional Operations Officer, Regional Operations, OEH, can be contacted on 6659 8247or at rachel.binskin@environment.nsw.gov.au.

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Yours sincerely

7.9.17

KRISTER WAERN
A/Senior Team Leader Planning, North East Region
Regional Operations

Contact officer: RACHEL BINSKIN
6659 8247

Enclosure: Attachment A – OEH Standard Environmental Assessment Requirements, Attachment B – OEH Project Specific Requirements, and Attachment C – Guidelines Materials

Attachment A – OEH Standard Environmental Assessment Requirements (SSD 7036)

Biodiversity
1. Biodiversity impacts related to the proposed project are to be assessed in accordance with the Biodiversity Offset Scheme (BOS), and documented in a Biodiversity Development Assessment Report (BDAR) in accordance with Part 6 of the *Biodiversity Conservation Act 2016* (BC Act). The BDAR is to be prepared by a person accredited in accordance with s6.10 of the BC Act.
Aboriginal cultural heritage
2. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the project and document these in the EIS. This may include the need for surface survey and test excavation. The identification of cultural heritage values should be guided by the *Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW* (DECCW, 2011) and consultation with OEH regional officers.
3. Where Aboriginal cultural heritage values are identified, consultation with Aboriginal people must be undertaken and documented in accordance with the *Aboriginal cultural heritage consultation requirements for proponents 2010* (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the EIS.
4. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the EIS. The EIS must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.
Historic heritage
5. The EIS must provide a heritage assessment including but not limited to an assessment of impacts to *State and local heritage* including conservation areas, natural heritage areas, places of Aboriginal heritage value, buildings, works, relics, gardens, landscapes, views, trees should be assessed. Where impacts to State or locally significant heritage items are identified, the assessment shall: a. outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the mitigation measures) generally consistent with the NSW Heritage Manual (1996), b. be undertaken by a suitably qualified heritage consultant(s) (note: where archaeological excavations are proposed the relevant consultant must meet the NSW Heritage Council's Excavation Director criteria), c. include a statement of heritage impact for all heritage items (including significance assessment), d. consider impacts including, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, landscape and vistas, and architectural noise treatment (as relevant), and e. where potential archaeological impacts have been identified develop an appropriate archaeological assessment methodology, including research design, to guide physical archaeological test excavations (terrestrial and maritime as relevant) and include the results of these test excavations.

Water and soils

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

7. The EIS must describe background conditions for any water resource likely to be affected by the project, including:
   a. Existing surface and groundwater.
   b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
   c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
   d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.

8. The EIS must assess the impacts of the project on water quality, including:
   a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the project protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
   b. Identification of proposed monitoring of water quality.

9. The EIS must assess the impact of the project on hydrology, including:
   a. Water balance including quantity, quality and source.
   b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
   c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
   d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
   e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
   f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
   g. Identification of proposed monitoring of hydrological attributes.

Flooding and coastal erosion

10. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
    a. Flood prone land
    b. Flood planning area, the area below the flood planning level.
    c. Hydraulic categorisation (floodways and flood storage areas).
11. 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.
12. The EIS must model the effect of the proposed project (including fill) on the flood behaviour under the following scenarios:
    a. Current flood behaviour for a range of design events as identified in 8) above. 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.
13. Modelling in the EIS must consider and document:
    a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
    b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
    c. Relevant provisions of the NSW Floodplain Development Manual 2005.
14. The EIS must assess the impacts on the proposed project on flood behaviour, including:
    a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
    b. Consistency with Council floodplain risk management plans.
    c. Compatibility with the flood hazard of the land.
    d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
    g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
    h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
    i. Emergency management, evacuation and access, and contingency measures for the development considering the full range or flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
    j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

Attachment B – OEH Project-specific Environmental Assessment Requirements (SSD 7036)

Biodiversity

1. The species listed below as 1(a) and (b) are to be included, as part of the 'potential' serious and irreversible impacts, on other threatened entities as part of s10.2.1.5 of the *Biodiversity Assessment Method 2017* (BAM), not listed in the *Guidance and criteria to assist a decision maker to determine a serious and irreversible*. Should one of these entities be identified during survey, the proponent is required to provide additional information in accordance with section 10.2 of the BAM.
    a. *Dendrobium melaleucaphilum* – Spider Orchid
    b. *Phaius australis* – Southern Swamp Orchid
2. The EIS is to include relevant local planning undertaken by the Port Macquarie - Hastings Council for the Greater Sancrox Area, in the context of the greater landscape to assess existing, and future habitat connectivity, especially in regards to alignment of subregional corridors, and local habitat linkages in accordance with s4.2.1.3 (d) of the BAM.

Aboriginal cultural heritage

3. The assessment of cultural heritage values must include a surface survey undertaken by a qualified archaeologist in areas with potential for subsurface Aboriginal deposits. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the EIS.
4. The EIS must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the proposal to formulate appropriate measures to manage unforeseen impacts.
5. The EIS must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

Flooding and coastal erosion

6. The EIS must consider the effects of sea level rise on all flood risks on the site under the following scenarios:
    a. Current sea level.
    b. Projected sea levels in 2050 and 2100 which have been peer-reviewed and widely accepted by scientific opinion.

Attachment C – OEH Guidance Material (SSD 7036)

Title	Web address
Relevant Legislation	
Biodiversity Conservation Act 2016	https://www.legislation.nsw.gov.au/~/view/act/2016/63/full
Coastal Management Act 2016	https://www.legislation.nsw.gov.au/~/view/act/2016/20
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
Environmental Planning and Assessment Act 1979	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
Fisheries Management Act 1994	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
Marine Parks Act 1997	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N
National Parks and Wildlife Act 1974	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
Water Management Act 2000	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
Wilderness Act 1987	http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N
Biodiversity	
Biodiversity Conservation Regulation 2017	https://www.legislation.nsw.gov.au/~/view/regulation/2017/432
Biodiversity Conservation (Savings and Transitional) Regulation 2017	https://www.legislation.nsw.gov.au/~/view/regulation/2017/433
Biodiversity Assessment Method (OEH, 2017)	http://www.environment.nsw.gov.au/biodiversity/assessmentmethod.htm
Online Biodiversity Assessment Method Calculator	https://www.lmbc.nsw.gov.au/bamcalc
Serious and irreversible impact (OEH, 2017)	http://www.environment.nsw.gov.au/biodiversity/seriousirreversibleimpacts.htm
Offset Rules	http://www.environment.nsw.gov.au/biodiversity/offsetrules.htm
Fisheries NSW policies and guidelines	http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, re-categorisation and road adjustment policy (OEH, 2012)	http://www.environment.nsw.gov.au/policies/RevocationOfLandPolicy.htm
Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW, 2010)	http://www.environment.nsw.gov.au/protectedareas/developmntadjoiningdecc.htm
Heritage	

Title	Web address
The Burra Charter (The Australia ICOMOS charter for places of cultural significance)	http://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf
Statements of Heritage Impact 2002 (HO & DUAP)	http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf
NSW Heritage Manual (DUAP) (scroll through alphabetical list to 'N')	http://www.environment.nsw.gov.au/Heritage/publications/
Aboriginal Cultural Heritage	
Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/cultureheritage/commconsultation/09781ACHconsultreq.pdf
Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)	http://www.environment.nsw.gov.au/resources/cultureheritage/10783FinalArchCoP.pdf
Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (OEH 2011)	http://www.environment.nsw.gov.au/resources/cultureheritage/20110263ACHguide.pdf
Aboriginal Site Recording Form	http://www.environment.nsw.gov.au/resources/parks/SiteCardMainV1_1.pdf
Aboriginal Site Impact Recording Form	http://www.environment.nsw.gov.au/resources/cultureheritage/120558asirf.pdf
Aboriginal Heritage Information Management System (AHIMS) Registrar	http://www.environment.nsw.gov.au/contact/AHIMSRegistrar.htm
Care Agreement Application form	http://www.environment.nsw.gov.au/resources/cultureheritage/20110914TransferObject.pdf
Water and Soils	
Acid sulphate soils	
Acid Sulfate Soils Planning Maps via Data NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
Acid Sulfate Soils Laboratory Methods Guidelines (Ahern et al. 2004)	http://www.environment.nsw.gov.au/resources/soils/acid-sulfate-soils-laboratory-methods-guidelines.pdf This replaces Chapter 4 of the Acid Sulfate Soils Manual above.
Flooding and Coastal Erosion	
Reforms to coastal erosion management	http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm
Floodplain development manual	http://www.environment.nsw.gov.au/floodplains/manual.htm
Guidelines for Preparing Coastal Zone Management Plans	Guidelines for Preparing Coastal Zone Management Plans http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm

Title	Web address
ANZECC (2000) Guidelines for Fresh and Marine Water Quality	www.environment.gov.au/water/publications/quality/australian-and-new-zealand-guidelines-fresh-marine-water-quality-volume-1
Applying Goals for Ambient Water Quality Guidance for Operations Officers – Mixing Zones	http://deccnet/water/resources/AWQGuidance7.pdf
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.environment.nsw.gov.au/resources/legislation/approvedmethods-water.pdf

NSW RURAL FIRE SERVICE

The Secretary
NSW Planning & Environment
GPO Box 39
Sydney NSW 2001

Your Ref: SSD 7293
Our Ref: D15/2871
DA17082308907 AB

ATTENTION: Genevieve Seed

31 August 2017

Dear Ms Seed,

Request for Secretary's Environmental Assessment Requirements - Sancrox Quarry Extension

I refer to your email from the NSW Department of Planning & Environment dated 17 August 2017 seeking comment from the NSW Rural Fire Service on matters to be included in the Secretary's Environmental Assessment Requirements for the proposed Sancrox Quarry extension.

The subject land is mapped as bushfire prone land by Port Macquarie - Hastings Council. The NSW Rural Fire Service considers that the environmental assessment for the proposed development should address the following:

- the aim and objectives of 'Planning for Bushfire Protection 2006';
- identification of bush fire prone land within 140 metres of the proposed development;
- identification of potential ignition sources during construction and operation of the development;
- storage of fuels and other hazardous materials (e.g. explosives for blasting);
- stockpiling of any mulched vegetation;
- proposed bushfire protection measures for the development, including vegetation management and fire suppression capabilities;
- operational access for fire fighting appliances to the site; and
- emergency and evacuation planning.

Postal address
Records
NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address
NSW Rural Fire Service
Planning and Environment Services (North)
Suite 1, 129 West High Street
COFFS HARBOUR NSW 2450

T (02) 6691 0400
F (02) 6691 0499
www.rfs.nsw.gov.au
Email: pes@rfs.nsw.gov.au

For any queries regarding this correspondence please contact Alan Bawden on 6691 0400.

Yours sincerely,

Ian Cook
Acting Manager – Planning and Environment Services North
The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at www.rfs.nsw.gov.au and search under 'Planning for Bush Fire Protection, 2006'.

File No: NTH12/00067/06
Your Ref: SSD_7293

The Manager
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Genevieve Seed – Senior Planning Officer

Dear Sir / Madam,

Secretary's Environmental Assessment Requirements for SSD 7293 – Sancrox Quarry, Sancrox Road, Sancrox

I refer to your email of 17 August 2017 requesting an updated to the Secretary's Environmental Assessment Requirements (EARs) for the abovementioned state significant development.

Roles and Responsibilities

The key interests for Roads and Maritime Services are the safety and efficiency of the road network, traffic management, the integrity of infrastructure assets and the integration of land use and transport.

Port Macquarie-Hastings Council is the Roads Authority for all public roads in the subject area pursuant to Section 7 of the *Roads Act 1993* Roads and Maritime is the roads authority for freeways and can exercise road authority functions for classified roads in accordance with the Roads Act. Council is responsible setting standards, determining priorities and carrying out works on public (local) roads.

Roads and Maritime Response

Roads and Maritime requests that the Environmental Assessment be supported by a Traffic Impact Assessment (TIA) prepared by a suitably qualified person in accordance with the Austroads Guide to Traffic Management Part 12, the complementary Roads and Maritime Supplement and RTA Guide to Traffic Generating Developments. The TIA is to address the following;

- The total impact of existing and proposed development on the road network with consideration for a 10 year horizon.
- The volume and distribution of traffic generated by the proposed development.
- Intersection sight distances at key intersections along the primary haul route.
- Existing and proposed site access standards.
- Details of proposed improvements to affected intersections.
- Details of servicing and parking arrangements.

- Impact on public transport (public and school bus routes) and consideration for alternative transport modes such as walking and cycling.
- Impacts of road traffic noise and/or dust generated along the primary haul route/s.
- Consideration for Clause 16(1) of the Mining SEPP regarding;
    - Impact on school zones and residential areas.
    - Code of Conduct for haulage operators
    - Road safety assessment of key haulage route/s

  Should Council wish to condition the preparation of a Code of Conduct for haulage operators, this could include, but not be limited to;

    a. A map of the primary haulage routes highlighting critical locations.
    b. Safety initiatives for haulage through residential areas and/or school zones.
    c. An induction process for vehicle operators & regular toolbox meetings.
    d. A complaint resolution and disciplinary procedure.
    e. Any community consultation measures for peak haulage periods.

Where road safety concerns are identified at a specific location along the identified haulage route/s, Roads and Maritime suggests that the TIA be supported by a targeted Road Safety Audit undertaken by suitably qualified persons.

The current Austroads Guidelines, Australian Standards and Roads and Maritime Supplements are to be adopted for any proposed works on the classified road network.

The Developer would be required to enter into a 'Works Authorisation Deed' (WAD) with Roads and Maritime for any works deemed necessary on the classified road network. The developer would be responsible for all costs associated with the works and administration for the WAD. Further information on undertaking private developments adjacent to classified roads can be accessed at:

http://www.rms.nsw.gov.au/projects/planning-principles/index.html

Advice to the Consent Authority

Roads and Maritime highlights the Consent Authority is responsible for considering the environmental impacts of any road works which are ancillary to the development. This includes any works which form part of the proposal and/or any works deemed necessary to include as requirements in the conditions of development consent.

If you have any further enquiries regarding the above comments please contact Bill Butler, A / Manager Land Use Assessment on (02) 6640 1362 or via email at: development.northern@rms.nsw.gov.au

Yours faithfully

W.R Butler

for Liz Smith
A / Network & Safety Manager, Northern Region

Port Macquarie-Hastings Council
PO Box 84
Port Macquarie
NSW Australia 2444
DX 7415
e council@pmhc.nsw.gov.au

ABN 11 236 901 601

PORT MACQUARIE HASTINGS COUNCIL

21 August 2017

Refers to: CRM 16196/2017
Your Ref: SSD 7293
Parcel No.: 18314, 18327, 28897 & 28898

Genevieve Seed
Senior Planning Officer
GPO Box 39
SYDNEY NSW 2001
genevieve.seed@planning.nsw.gov.au

Dear Genevieve

Updated Secretary's Environmental Assessment Requirements (SEARs) for Sancrox Quarry Extension Project (SSD 7293) at Sancrox Road, Sancrox

I refer to your email to Council dated 17 August 2017 regarding the above matter.

Please be advised that Council staff have reviewed the current proposal, the SEARs issued on 19 October 2015 and the previous requirements of the other Government Departments. A summary of the key Council matters for consideration include:

- The property is largely zoned RU1 Primary Production under the Port Macquarie Hastings Local Environmental Plan 2011. However, Lot 1 DP 704890 also contains IN1 General Industrial and SP2 Special Purposes zoning. Proposal to address permissibility of the quarry and associated aspects.
- Compliance with State Environmental Planning Policy (State and Regional Development) 2011 to be outlined.
- State Environmental Planning Policy No 33 - Hazardous and Offensive Development to be considered.
- State Environmental Planning Policy No 44 – Koala Habitat Protection to be considered.
- State Environmental Planning Policy No 55 – Remediation of Land to be considered.
- State Environmental Planning Policy No 62 – Sustainable Aquaculture to be considered given proximity to Hastings River and tributaries.
- State Environmental Planning Policy No 64 – Advertising and Signage to be considered if any signage proposed (ie quarry business identification signs).
- State Environmental Planning Policy No 71 – Coastal Protection applies to part of the land and is therefore to be considered.
- State Environmental Planning Policy (Infrastructure) 2007 to be considered. In particular, Division 17, Subdivision 2 provisions.
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 to be considered.
- State Environmental Planning Policy (Rural Lands) 2007 to be considered.
- Proposal to have regard for the Port Macquarie Hastings Local Environmental Plan 2011 (LEP 2011).

PORT MACQUARIE OFFICE
17 Burrawan Street, Port Macquarie NSW 2444
t 02 6581 8111 f 02 6581 8123

WAUCHOPE OFFICE
49 High Street, Wauchope NSW 2446
t 02 6589 6500

LAURIETON OFFICE
9 Laurie Street, Laurieton NSW 2443
t 02 6559 9958

Parcel No.: 18314, 18327, 28897 & 28898

- Lot 2 DP 574308 contains potential acid sulphate soils and is flood prone. These aspects will need to be addressed.
- Proposal should consider consolidating all the parcels of land into one lot.
- Noise, air and vibration impacts from the quarry operations, concrete batching plant etc and associated flow on activities (ie truck movements) to be addressed. Any proposed buffers will need to be contained on the quarry site or an agreement in place with impacted neighbours.
- The applicant is to contact Council's Contribution Section to ascertain if any s94A contributions, s64 contributions and/or Voluntary Planning Agreement (VPA) is required to address impacts associated with the extension.
- Details of any staging to be included in the application.
- Details of any rehabilitation and final use to be detailed in the application.
- Confirmation on what will happen to the existing consents applying to the site, including their rehabilitation and proposed final use.
- Proposal to address potential fly rock impacts on surrounding industrial and rural residential land. Any proposed buffers will need to be contained on the quarry site or an agreement in place with impacted neighbours.
- Traffic impact assessment should be required.
- Proposal to detail any existing structures/buildings to be retained and or demolished.
- Consideration should be given to closing and obtaining all of the Crown Road that traverses the site, not just the northern section.
- Stormwater management plan required.
- All processes involved in the quarry, batching plants etc to be detailed in the EIS.
- The application is to outline the proposed water and sewer supply with any connection to Council's reticulated system requiring Council approval.
- At this stage, the Sancrox area is also being considered by Council as a potential long term urban growth area.

Should you have any questions in relation to the above, please call me on 65818538 or email clinton.tink@pmhc.nsw.gov.au.

Yours sincerely

Clinton Tink
Development Assessment Planner

PORT MACQUARIE-
HASTINGS COUNCIL

PO Box 84
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NSW Australia 2444
DX 7415

council@pmhc.nsw.gov.au
www.pmhc.nsw.gov.au

ABN: 11 236 901 601

PORT MACQUARIE
HASTINGS

26 March 2014

Parcel Number: 18314, 28897

Hanson Construction Materials Pty Ltd
Locked Bag 5260
PARRAMATTA NSW 2124

Dear Sir/Madam

DA 1995/193.1 - Modification of Consent Pursuant to Section 96 (1A) of the Environmental Planning & Assessment Act 1979

I refer to your application dated 2 October 2013 to modify consent to allow a temporary increase in the extraction limit under DA 1995/193 at LOT: 353 DP: 754434, LOT: 1 DP: 720807 Sancrox Road SANCROX, Pacific Highway SANCROX.

Please be advised that pursuant to Section 96 (1A) of the Act, your application to modify the consent has been granted, subject to:

A. Add condition No's
   - A30, A31

B. Amend condition No's
   - A1, A2, A5, A12, A19, A21

C. Reimposition of all other previously approved conditions of consent as originally determined 18 November 1996 and as modified 5 June 2007, 7 January 2008 & 18 November 2009 with this approval dated 12 March 2014.

The applicant is advised that Section 97AA of the Act confers on an applicant who is dissatisfied with the determination, right of appeal to the Land and Environment Court.

A revised schedule of development consent conditions is attached.

Yours sincerely

Clinton Tink
Development Assessment Planner

SCHEDULE OF CONDITIONS ATTACHED TO THIS CONSENT

The conditions of consent referred to in the Notice of Determination for DA No 1995/193 are as follows:

The development is to be undertaken in accordance with the prescribed conditions of Part 6 - Division 8A of the *Environmental Planning & Assessment Regulations* 2000.

1	Modification 1	5 June 2007
2	Modification 2	7 January 2008
3	Modification 3	18 November 2009
4	Modification 4	12 March 2014

1. The development being completed substantially in accordance with the application and approved plan, except where varied by conditions of this consent and as modified on 14 June 2007, 7 January 2008, 18 November 2009 and 12 March 2014. [4]
2. Extraction must not exceed 70,000 cubic metres per annum. However, the annual extraction rate can increase to 175,000 cubic metres per annum for five (5) years in a row being 12 March 2014 - 12 March 2019 [4]
3. Extraction to take place in accordance with Plan Reference No. 1045/CTK51, 1045/CTK521 and 1045/CTK53 contained within the Statement of Environmental Effects.
4. A plan of survey be lodged within three months from the date of this consent to confirm the maximum area of extraction as shown on Plan Ref No. 1045/CTK53.
5. Hours of operation for the development are to be as follows:
   - 7.00am to 5.00pm Monday to Friday
   - 7.00am to 1.00pm Saturday
   - No work is to be carried out on Sundays

   In addition to the above hours of operation, activities such as the movement of trucks into the site, operation of loading equipment, loading of trucks and movement of trucks out of the site (as outlined in the modification dated 7 January 2008) will also be permitted to occur as follows:

   - 7.00am to 11.00pm Monday to Friday
   - 7.00am to 5.00pm Saturday, Sunday and Public Holidays
   - 11.00pm to 7.00am on up to twenty (20) occasions within a twelve (12) month period (with no overlapping of the twelve (12) month periods). Records are to be kept and provided to Council upon request. It should be noted the hours of operation in this consent will also apply to DA 2004/0609.

   Any work associated with the temporary intensification of the extraction rate up

to 175,000 cubic metres per annum, as per condition 2, must only occur during:

- 7.00am to 5.00pm Monday to Friday
- 7.00am to 1.00pm Saturday

In particular, the temporary intensification of the extraction rate should not occur outside standard hours of operation. [4]

6. A separate development application will be required for any future use of the processing and stockpiling area when the resource becomes exhausted. Further use of this processing plant for material other than that emanating from the onsite pits will require a separate development application.

7. Submission of engineering plans and specifications based on Australian Height Datum to the satisfaction of the Director, Development and environment for:

   A. Construction of a Type A intersection with Sancrox Road and the access road at no cost to Council including:

      i. Reconstruction of the existing pavement, if required, to provide uniform cross falls.

      ii. Bitumen sealing of all pavement widening and tapers to provide uniform skid resistance.

      iii. Bitumen sealing of the access road from Sancrox Road for a distance of 50 metres.

      iv. All necessary surface and subsoil drains.

      v. Provision of traffic signs.

      vi. Provision of all line marking.

      Construction of the above work to the satisfaction of Director of Development and Environment.

8. Compliance with the requirements of NorthPower regarding provision of electricity to serve the development.

9. Any necessary alterations to or relocations of public utility services to be carried out at no cost to Council.

10. All engineering works on Public property or involving extension or modification to public utilities under Council's control are to be carried out in accordance with plans and specifications approved by, under the supervision of and to the satisfaction of the Director Development and Environment.

11. Provision of a security deposit or bank guarantee, prior to release of approved building plans, to cover the estimated cost plus 30% of all engineering works required on public property as assessed by the Director Development and Environment prior to the release of any subsequent building approval, plus a written agreement undertaking to carry out the works required prior to commencement of occupation of the building together with an authorisation for Council to use the funds to complete any unfinished works. Such bond is to be for limited period of two (2) years and cash securities only will be for bonds less than $1,000.

12. A. An Environmental Management (EMP) and Rehabilitation Plan is to be submitted to and approved by Council within six (6) months of the date of

consent/modification. Such management plan shall be prepared in consultation with Hastings Council and all relevant statutory authorities and is to be subject to periodic review and revision as specified in the plan itself. [4]

B. The review and revision process specified in the Environmental Management and Rehabilitation Plan shall result in the production of an environmental audit for the development site. Such an audit shall overview the performance of the quarry in respects of the Statement of environmental Effects, management plan and the relevant environmental statutory provisions.

C. The EMP is to be updated to include the recommendations on managing noise, vibration, blasting and air quality in the ERM Sancrox Quarry Modification of Development Consent Noise and Vibration Impact Assessment dated July 2013 and Air Quality Assessment dated March 2013. During occupation of the site, the requirements of the EMP are to be complied with. [5]

13. The Environmental Management Plan referred to in condition No. 12 shall include the re-spreading of topsoil together with any logs, brush and rocks to facilitate natural regeneration and improve habitat value. Tree species from local seed stock should be planted to supplement natural regeneration and should be planted in clumps. Areas of regeneration shall be fenced to avoid grazing of seedlings. Details to be included in the rehabilitation plan.

14. Further to condition No. 12 relating to rehabilitation this plan shall include immediate commencement of plantings along the northern and eastern boundaries to provide visual screening from adjoining properties.

15. A. The Environmental Management and Rehabilitation Plan is to provide specific details with respect to all monitoring activities associated with ponded water in the quarry pits and the potential for groundwater contamination. In the event that adverse impacts become apparent, work is to cease pending further impact assessment and the adoption of a Council approved contingency plan.

B. The Environmental Management and Rehabilitation Plan shall detail a reporting protocol and format such that all data generated is correctly documented, analysed and submitted to Hastings Council and other relevant Statutory Authorities on a regular basis.

16. The site manager is to be responsible for the implementation of the Environmental Management and Rehabilitation Plan and all monitoring activities carried out on site.

17. The Environmental Management and Rehabilitation Plan should include measures as outlined in the Statement of Environmental Effects to maintain air quality and minimize the likelihood of air pollution.

18. The Environmental Management and Rehabilitation Plan should include measures as outlined in the Environmental Impact Statement to maintain water quality leaving the site.

19. Noise generated from the quarrying operations is not to exceed the acceptable noise limits specified in the Noise Impact Assessment (Report No. 95.993.A1) and as modified by the Acoustic Assessment by ERM dated August 2007, reference 0068650rp1 and as modified by the ERM Sancrox Quarry Modification of Development Consent Noise and Vibration Impact Assessment dated July 2013. Measures to ensure such are to be detailed in the

Environmental Management and Rehabilitation Plan. [4]

20. Should offensive noise be generated, a suitably qualified acoustic engineer shall submit details of noise mitigation works to be undertaken onsite to Council for approval.

21. Approval is to be obtained in writing from the EPA with respect to all pollution control works. Copies of all approvals and licenses shall be submitted to Council, including any changes to cover modifications. [4]

22. Sludge from the settling ponds is to be removed and combined with soil for rehabilitation purposes.

23. Fuel storage areas are to be bunded to 110% of the storage capacity and runoff is to be treated in an appropriate oil separator before being drained to the sedimentation ponds. These storage facilities are to be constructed in accordance with the relevant Australian Standard.

24. Stored liquids, quarry floor refueling areas and machinery maintenance/repair areas are to be bunded to contain spilt chemicals and lubricants.

25. The environmental management plan required to be prepared by the proponent shall address the following:

    (a) The proponent shall ensure that airblasting overpressure levels from blasting at the quarry site does not exceed the following outcomes at any residence or sensitive receiver on any privately owned land:

    Maximum normal airblast overpressure of 115 dBL with allowable exceedences up to 120dBL for 5% of the total number of blasts over a 12 month period.

    (b) The proponent shall ensure that ground vibration levels from blasting at the project site does not exceed the following outcomes at any residence or sensitive receiver or privately owned land:

    Maximum normal Peak Particle Velocity of 5mm/s with allowable exceedences up to 10mm/s for 5% of the total number of blasts over a 12 month period.

    (c) The proponent shall ensure that ground vibration and airblast overpressure levels from blastings at the project site do not exceed the following outcomes at any existing or future industrial or commercial receiver on privately owned land:

    Allowable Limits with regards to Commercial and Industrial receivers:

    Parameter Allowable Limits Vibration (peak particle velocity): 25mm/s
    Parameter Allowable Limits Airblast overpressure: 125 dBL

    (d) The proponent shall employ blasting practices in accordance with AS 2187.2 - 2006 - Explosives - Storage and Use, Part 2: Use of Explosives to:

    - minimise the potential for flyrock;
    - protect the safety of people, property and livestock; and
    - minimises dust and fumes emissions from blasting on the site

    (e) The proponent shall:

    - Notify the landowner/occupier of any residence within 1 kilometre of the quarry pit who registers an interest in being notified about blasting

schedule on site; and

- Publicly display a number on the primary entrance to the site where information regarding blasting at the quarry can be obtained.

(f) The required blasting exclusion zone, in accordance with AS 2187.2 - 2006 - Explosives - Storage and Use, Part 2: Use of Explosives, is to be maintained at all times wholly within the site itself or if provided wholly or partly outside of the site appropriate arrangements, to the satisfaction of Council, are be made with the adjoining landowner/s prior to such operations occurring. [3]

26. All existing vegetation on the site is to remain undisturbed.

27. Within 3 months from the date of approval a cultural heritage awareness programme shall be implemented with site employees in conjunction with the National Parks and Wildlife Service to ensure that employees reflect the contingencies that may arise if relics are uncovered and to ensure that employees are skilled in identifying Aboriginal heritage material.

28. Where Aboriginal relics are uncovered during development works, all works in the vicinity are to cease immediately and the National Parks and Wildlife Service is to be contacted to arrange an inspection by a suitably qualified person.

29. This consent is to be read in conjunction with the approval/consent for DA 2004/0609. Any inconsistencies will need to be referred to Council staff for determination.

30. The landowner shall:

1) Development a truck management plan to address the safety of trucks using the Sancrox Road & Pacific Highway intersection prior to completion of the Sancrox interchange. This truck management plan shall address:

a) Define appropriate driving procedures to minimize safety risk associated with accessing the site, including:

i) Left hand (northbound) and right hand (southbound) egress movements from Sancrox Road to Pacific Highway

ii) Appropriate gap acceptance

iii) Staging of peak truck movement periods to occur outside of highway peak flow periods, and

iv) Any other safety concerns determined as time continues

b) Define toolbox procedures and scheduling to ensure driver behaviour is in accordance with the management plan.

2) Obtain approval from Roads and Maritime Services for the installation of *"Trucks (crossing or entering)"* signage (or equivalent) in accordance with the applicable Australian Standards (in particular, AS 1742). The signs shall be installed on the Pacific Highway approaches to the Sancrox Road intersection. All costs shall be the responsibility of the landowner.

The management plan shall be provided to Council as the Road Authority within one (1) month of the date of determination of this consent. The plan shall be implemented, and evidence provided to Council that the RMS requirements for installation of signage have been satisfied, within 3 months of the date of determination, or prior to exceeding the standard

extraction rate of 70, 000 cubic metres, whichever is sooner. [4]

31. The applicant is to enter into and comply with the planning agreement under section 93F of the Environmental Planning and Assessment Act 1979, known as the Sancrox Employment Land & Quarry Planning Agreement between Port Macquarie Hastings Council and James John Dunn and Catherine Brigette Dunn (as trustees for the JJ & CB Dunn Superannuation Fund), Expressway Spares Pty Ltd, Hanson Construction Materials Pty Limited in relation to the carrying out of the development the subject of this consent. [4]

The conditions referred to in this schedule are imposed in conformity with the relevant provisions of the Environmental Planning and Assessment Act and Regulations, the Local Government Act and Regulations, The Building Code of Australia and with Council's Codes and Policies, LEP's, DCP's or any other ancillary Act or Regulation in force at the time of the date of determination and are aimed at protecting the natural environment, preserving our heritage and providing a safe and health built environment.

Rights of Appeal

If you are dissatisfied with this decision a request for a review of the determination may be made to Council, under the provisions of Section 82A of the Environmental Planning and Assessment Act 1979.

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court.

Yours sincerely

Clinton Tink
Development Assessment Planner

Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444
DX 7415
Email: council@pmhc.nsw.gov.au
Website: www.pmhc.nsw.gov.au
Fax: 6581 8788

ABN: 11 236 901 601

PORT MACQUARIE
HASTINGS

4 July 2007

Our ref : DA 2004/609
PN: 18314 , 28897 , 28898

Hopkins Consultants Pty Ltd
PO Box 1556
PORT MACQUARIE NSW 2444

Dear Sir/Madam

Re: DA 2004/609 - Modification of Consent Pursuant to Section 96 (1A) of the Environmental Planning & Assessment Act 1979

I refer to your application dated 27/10/2006 to modify the extension of the quarry under DA 2004/609 at Lot 353 DP 754434, Lot 1 DP 720807, Lot 1 DP 704890 Sancrox Road SANCROX.

Please be advised that pursuant to Section 96 (1A) of the Act, your application to modify the consent has been granted, subject to:

A. Amend original Conditions A (1), A (12) and A (15)
B. Delete original Condition A (9)
C. Add new Condition A (16)

The applicant is advised that Section 96 (6) of the Act confers on an applicant who is dissatisfied with the determination, right of appeal to the Land and Environment Court within 12 months after the date on which you have received this notice.

A revised schedule of development consent conditions is attached.

Yours faithfully

Clinton Tink
Development Assessment Planner

SCHEDULE OF CONDITIONS ATTACHED TO THIS CONSENT

The conditions of consent referred to in the Notice of Determination for DA No 2004/0609 are as follows:

A - GENERAL MATTERS

(1) (DDA0000101) Except as provided by these conditions of consent, the development shall be carried out in accordance with the approved plans and details submitted to Council, stamped and returned with this consent and as amended on 2 July 2007.

(2) (DDA0000127) Dust nuisance shall not be generated as a result of the undertaking of the development.

(3) (DDA0000176) Wastes including vegetation waste shall not be disposed of by burning.

(4) (DDA0000197) The annual extraction limit of 70,000m^3 shall not be exceeded without Council consent.

(5) (DDA0000198) Internal unsealed roadways, quarry floor and stockpiles are to be watered as required to minimise dust generation impacting on the natural or built environment. A water truck is to be available onsite at all times to enable compliance.

(6) (DDA0000199) No truck carrying extracted or crusher/washed products from the site shall use any public road unless its load is fully covered by a suitable material to prevent spillage or dust falling from the truck. Should any accidental spillage occur from the trucks owned and/or operated by the extraction operator it shall be cleaned up by the operator as soon as practicable.

(7) All vehicles and machinery used must comply with the Environment Protection Authority (EPA) requirements and be fitted with properly maintained emission controls relevant to their date of manufacture.

(8) Approval pursuant to Section 138 of the Roads Act 1993, to carry out works required by the development consent on or within Council's road reserve is to be obtained from Hastings Council. A copy of the approval is to be submitted with the application for construction certificate.

(9) Haulage route from the quarry is to be restricted to Sancrox Road between the quarry entrance and Pacific Highway. Sancrox Road west of the quarry entrance is only to be used as a haulage route for Sancrox and Rawdon island area local deliveries.

(10) Lodgement with Council of a security deposit or bank guarantee in favour of Hastings Council, prior to the issue of the Section 138 certificate the amount to guarantee the satisfactory completion of all infrastructure works associated with developments as required by consent (roadworks/drainage). The bond shall cover the estimated cost plus 30% of public works.

Such bond is to be for limited period of two (2) years and cash securities only, will be for bonds less than $5,000.

(11) The Environmental Management Plan for the quarry shall be amended and updated to cater for the quarry extension. The amended Plan shall be submitted to Council for approval within three (3) months from the date of consent/modification of consent.

(12) (DDPO000551) Landscaped areas being completed prior to work commencing beyond the fault/slip area.

(13) (DDPCC00218) Detailed landscaping plans shall be submitted to Council for approval. Landscaping plans shall be in accordance with Councils adopted AUS-SPEC Development and Construction Guidelines, relevant DCP and Policies. Landscaping plans shall indicate:

- Location of proposed planted shrubs and trees.
- Botanical name of shrubs and trees to be planted.
- Mature height of trees to be planted.
- Location of grassed areas.
- Location of trees identified for retention in the development application plans.

(Note: Special attention should be provided in creating and maintaining boundary vegetation to minimise visual impact).

(14) (DDPCC00226) The proponent shall submit to the Principal Certifying authority for approval engineering plans for the construction of the following road works together with associated stormwater drainage structures, traffic, sediment and erosion control devices that have been designed in accordance with Council's adopted AUS-SPEC Design and Construction Guidelines. The proponent shall be responsible for all costs, including maintenance, for a period of three months from the date of approval of completion of the work. Required road works include:

RURAL SEAL

Rehabilitation of Sancrox Road from the eastern boundary of Lot 3 DP 1000080 (Expressway Spares) to a point 10m west of the access road to Hansons Quarry. Rehabilitation shall include removing the existing seal, reworking the subbase pavement and where necessary adding a minimum 100mm depth of base material (DGB20) to obtain a minimum pavement design of 1×10^6 ESA's prior to resealing the pavement with a minimum two (2) coat, 14/10 bitumen seal. All works to be carried out in accordance with Port Macquarie-Hastings Council AUSPEC Specifications and completed within two (2) years of date of determination of the amended consent.

(15) (DDPCC00246) An Erosion and Sediment Control Management Plan be prepared. The plan shall include measures to:

a) Prevent site vehicles tracking sediment and other pollutants from the development site.

b) Dust control measures.

c) Safety measures for temporary and permanent water bodies including fencing and maximum batter slopes.

d) Contingencies in the event of flooding.

(16) This approval is to be read in conjunction with the approval/consent for DA 1995/193. Any inconsistencies will need to be referred to Council staff for determination.

B - PRIOR TO ANY WORK COMMENCING ON SITE

(1) (DDPW000314) Erosion and sediment controls in accordance with the approved management plan shall be in place prior to the commencement of any works or soil disturbance on the site.

C - DURING WORK

(1) (DDDW000424) Where Aboriginal relics are uncovered during development works, all works in the vicinity are to cease immediately and the National Parks and Wildlife Service is to be contacted to arrange inspection by a suitable qualified person.

(2) (DDDW000455) Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movement of sediments in accordance with the approved management plan. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.

(3) (DDDW000456) Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.

(4) (DDDW000460) The capacity and effectiveness of erosion and sediment control measures shall be maintained at all times in accordance with the approved management plan until such time as the site is made stable by permanent vegetation cover or hard surface.

(5) (DDDW000480) Uncontaminated surface water shall be diverted from the extraction area.

(6) (DDDW000497) Trees are to be inspected for koalas prior to their removal.

D – PRIOR TO extraction commencing from the new area

(1) (DDPO000537) Any necessary alterations to or relocations of public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.

E - OCCUPATION OF THE SITE

(1) (DDOCC00610) All driveways, visitor parking spaces and turning areas shall be kept clear of obstructions at all times.

(2) (DDOCC00614) The development shall be operated in accordance with the Environmental Management Plan as approved by Council.

(3) (DDOCC00618) Materials stockpiles and handling areas shall be maintained in a condition which prevents wind blown or traffic generated dust.

(4) (DDOCC00621) Noise from the development (measured as the L_{Aeq} noise level) shall not exceed the background noise level (measured as the L_{A90} noise level in the absence of the source) by more that 5dB (A) in any Octave Band Centre Frequency, at the boundary of any residence.

(5) (DDOCC00630) Hours of operation of the development are restricted to the following times:

- 7.00 am to 6.00 pm – Mondays to Saturdays
- No work is to be carried out on Sundays and Public Holidays

(6) (DDOCC00697) All loading and unloading in connection with the use must be carried out wholly within the property.

F - ADVICE

(1) (DDADV00732) Pursuant to Section 80A(2) of the Environmental Planning and Assessment Act, 1979, the following works shall not be assessed for the purpose of compliance, or otherwise deemed acceptable, by any person other than Hastings Council:

Stormwater disposal plan/s and works

Plans and works associated with approvals under Section 138 of the Roads Act.

The conditions referred to in this schedule are imposed in conformity with the relevant provisions of the Environmental Planning and Assessment Act and Regulations, the Local Government Act and Regulations, The Building Code of Australia and with Council's Codes and Policies, LEP's, DCP's or any other ancillary Act or Regulation in force at the time of the date of determination and are aimed at protecting the natural environment, preserving our heritage and providing a safe and health built environment.

Rights of Appeal

If you are dissatisfied with this decision a request for a review of the determination may be made to Council, under the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, within 12 months after the date on which you have received this notice.

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court within 12 months after the date on which you have received this notice.

Yours faithfully

Clinton Tink
Development Assessment Planner

Port Macquarie-Hastings Council
PO Box 84
Port Macquarie NSW 2444
DX 7415
Email: council@pmhc.nsw.gov.au
Website: www.pmhc.nsw.gov.au
Fax: 6581 8788
ABN: 11 236 901 601

PORT MACQUARIE
HASTINGS

14 June 2007

Our ref : DA 1995/193
PN: 18314 , 28897

Hanson Const Materials Pty Ltd
14 Blackbutt Road
PORT MACQUARIE NSW 2444

Dear Sir/Madam

Re: DA 1995/193 - Modification of Consent Pursuant to Section 96 (1A) of the Environmental Planning & Assessment Act 1979

I refer to your application dated 05/06/2007 to modify condition of consent relating to operating hours under DA 1995/193 at Lot 353 DP 754434 and Lot 1 DP 720807 Sancrox Road SANCROX.

Please be advised that pursuant to Section 96 (1A) of the Act, your application to modify the consent has been granted, subject to:

A. Amend Conditions 5 and 20.
B. Add additional Condition 28 – Advice.

The applicant is advised that Section 96 (6) of the Act confers on an applicant who is dissatisfied with the determination, right of appeal to the Land and Environment Court within 12 months after the date on which you have received this notice.

A revised schedule of development consent conditions is attached.

Yours faithfully

Clinton Tink
Development Control Planner

SCHEDULE OF CONDITIONS ATTACHED TO THIS CONSENT

The conditions of consent referred to in the Notice of Determination for DA No 1995/0193 are as follows:

1. The development being completed substantially in accordance with the application and approved plan, except where varied by conditions of this consent and as modified on 14 June 2007.
2. Extraction must not exceed 70,000 cubic metres in any twelve month period.
3. Extraction to take place in accordance with Plan Reference No. 1045/CTK51, 1045/CTK521 and 1045/CTK53 contained within the Statement of Environmental Effects.
4. A plan of survey be lodged within three months from the date of this consent to confirm the maximum area of extraction as shown on Plan Ref No. 1045/CTK53.
5. Hours of operation for the development are to be as follows:
   - 7.00am to 5.00pm Monday to Friday
   - 7.00am to 1.00pm Saturday
   - No work is to be carried out on Sundays

   The exception to the above is that the quarry will be permitted to operate until 12.00 midnight for two (2) days during the period of 18 June 2007 to 29 June 2007. Adjoining property owners are to be notified of the extended hours prior to each extended hours event occurring. The extended hours are approved as a one-off with any future requests requiring detailed assessment. The extended hours are to be used as a trial and it is recommended that noise monitoring occur for inclusion in any future applications.
6. A separate development application will be required for any future use of the processing and stockpiling area when the resource becomes exhausted. Further use of this processing plant for material other than that emanating from the onsite pits will require a separate development application.
7. Submission of engineering plans and specifications based on Australian Height Datum to the satisfaction of the Director, Development and environment for:
   A. Construction of a Type A intersection with Sancrox Road and the access road at no cost to Council including:
      i. Reconstruction of the existing pavement, if required, to provide uniform cross falls.
      ii. Bitumen sealing of all pavement widening and tapers to provide uniform skid resistance.
      iii. Bitumen sealing of the access road from Sancrox Road for a distance of 50 metres.
      iv. All necessary surface and subsoil drains.
      v. Provision of traffic signs.
      vi. Provision of all line marking.

Construction of the above work to the satisfaction of Director of Development and Environment.

8. Compliance with the requirements of NorthPower regarding provision of electricity to serve the development.

9. Any necessary alterations to or relocations of public utility services to be carried out at no cost to Council.

10. All engineering works on Public property or involving extension or modification to public utilities under Council's control are to be carried out in accordance with plans and specifications approved by, under the supervision of and to the satisfaction of the Director Development and Environment.

11. Provision of a security deposit or bank guarantee, prior to release of approved building plans, to cover the estimated cost plus 30% of all engineering works required on public property as assessed by the Director Development and Environment prior to the release of any subsequent building approval, plus a written agreement undertaking to carry out the works required prior to commencement of occupation of the building together with an authorisation for Council to use the funds to complete any unfinished works. Such bond is to be for limited period of two (2) years and cash securities only will be for bonds less than $1,000.

12. A. An Environmental Management and Rehabilitation Plan is to be submitted to and approved by Council within six (6) months of the date of consent. Such management plan shall be prepared in consultation with Hastings Council and all relevant statutory authorities and is to be subject to periodic review and revision as specified in the plan itself.

    B. The review and revision process specified in the Environmental Management and Rehabilitation Plan shall result in the production of an environmental audit for the development site. Such an audit shall overview the performance of the quarry in respects of the Statement of environmental Effects, management plan and the relevant environmental statutory provisions.

13. The Environmental Management Plan referred to in condition No. 12 shall include the re-spreading of topsoil together with any logs, brush and rocks to facilitate natural regeneration and improve habitat value. Tree species from local seed stock should be planted to supplement natural regeneration and should be planted in clumps. Areas of regeneration shall be fenced to avoid grazing of seedlings. Details to be included in the rehabilitation plan.

14. Further to condition No. 12 relating to rehabilitation this plan shall include immediate commencement of plantings along the northern and eastern boundaries to provide visual screening from adjoining properties.

15. A. The Environmental Management and Rehabilitation Plan is to provide specific details with respect to all monitoring activities associated with ponded water in the quarry pits and the potential for groundwater contamination. In the event that adverse impacts become apparent, work is to cease pending further impact assessment and the adoption of a Council approved contingency plan.

    B. The Environmental Management and Rehabilitation Plan shall detail a reporting protocol and format such that all data generated is correctly documented, analysed and submitted to Hastings Council and other relevant Statutory Authorities on a

regular basis.

16. The site manager is to be responsible for the implementation of the Environmental Management and Rehabilitation Plan and all monitoring activities carried out on site.

17. The Environmental Management and Rehabilitation Plan should include measures as outlined in the Statement of Environmental Effects to maintain air quality and minimize the likelihood of air pollution.

18. The Environmental Management and Rehabilitation Plan should include measures as outlined in the Environmental Impact Statement to maintain water quality leaving the site.

19. Noise generated from the quarrying operations is not to exceed the acceptable noise limits specified in the Noise Impact Assessment (Report No. 95.993.A1). Measures to ensure such are to be detailed in the Environmental Management and Rehabilitation Plan.

20. Approval is to be obtained in writing from the EPA with respect to all pollution control works. Copies of all approvals and licenses shall be submitted to Council, including any changes to cover modification.

21. Sludge from the settling ponds is to be removed and combined with soil for rehabilitation purposes.

22. Fuel storage areas are to be bunded to 110% of the storage capacity and runoff is to be treated in an appropriate oil separator before being drained to the sedimentation ponds. These storage facilities are to be constructed in accordance with the relevant Australian Standard.

23. Stored liquids, quarry floor refueling areas and machinery maintenance/repair areas are to be bunded to contain spilt chemicals and lubricants.

24. Blasting is restricted to between the hours of 9.00am to 3.00pm Monday to Saturday with a maximum instantaneous charge of 37kg. Blasting carried out within 375 metres of the southern residence is to be restricted to a maximum instantaneous charge of 15kg.

25. All existing vegetation on the site is to remain undisturbed.

26. Within 3 months from the date of approval a cultural heritage awareness programme shall be implemented with site employees in conjunction with the National Parks and Wildlife Service to ensure that employees reflect the contingencies that may arise if relics are uncovered and to ensure that employees are skilled in identifying Aboriginal heritage material.

27. Where Aboriginal relics are uncovered during development works, all works in the vicinity are to cease immediately and the National Parks and Wildlife Service is to be contacted to arrange an inspection by a suitably qualified person.

28. Advice:

    It is advised that noise monitoring occur during the extended hours approved for the period between 18 June 2007 and 29 June 2007 for use in any future application/modification.

The conditions referred to in this schedule are imposed in conformity with the relevant provisions of the Environmental Planning and Assessment Act and Regulations, the Local Government Act and Regulations, The Building Code of Australia and with Council's Codes and Policies, LEP's, DCP's or any other ancillary Act or Regulation in force at the time of the date of determination and are aimed at protecting the natural environment, preserving our heritage and providing a safe and health built environment.

Rights of Appeal

If you are dissatisfied with this decision a request for a review of the determination may be made to Council, under the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, within 12 months after the date on which you have received this notice.

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court within 12 months after the date on which you have received this notice.

Yours faithfully

Clinton Tink
Development Control Planner

6581 8788

13 December 2006

Our ref: DA 2006/497
PN: 18314 , 28897, 28898

Planning Workshop Australia
GPO Box 3275
SYDNEY NSW 2001

Dear Sir/Madam

Notice to applicant of determination of a development application under Section 81(1) (a) of the Environmental Planning and Assessment Act 1979 and Section 99 of the Local Government Act 1993

Subject Development	Install & Operate a Temporary Asphalt Plant
Property Description	DP 754434 Lot 353, DP 704890 Lot 1, DP 720807 Lot 1, Sancrox Road SANCROX
Applicant	Planning Workshop Australia
Owner	Pioneer Concrete (Qld) Pty Ltd (aka Hanson Construction Materials Pty Ltd)

Notice is hereby given of the determination by the consent authority of your development application by granting of consent subject to the conditions detailed on the schedule attached to this notice.

Approvals under the Local Government Act, 1993

Local Government Act 1993 approvals granted under Section 78A of the Environmental Planning & Assessment Act 1979 are as follows:

nil

Notes to this consent

1. The date of determination is 11 December 2006.
2. The date from which this consent operates is 13 December 2006 and will lapse unless building, engineering or construction work or a use related to this consent is physically commenced within five (5) years of this date.
3. The period for which this consent can operate may be limited by conditions of this consent.

Yours faithfully

Clinton Tink
Development Control Planner

SCHEDULE OF CONDITIONS ATTACHED TO THIS CONSENT

The conditions of consent referred to in the Notice of Determination for DA No 2006/497 are as follows:

A - GENERAL MATTERS

(1) (DA001) Except as provided by these conditions of consent, the development shall be carried out in accordance with the approved plans and details submitted to Council, stamped and returned with this consent.

(2) (DA002) No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:

- the appointment of a Principal Certifying Authority; and
- the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

(3) (DA003) All building work must comply with the provisions of the Building Code of Australia (BCA).

(4) (DA016) The general terms of approval from the Department of Natural Resources are set out in the schedule attached to this consent and form part of the consent conditions for this approval.

(5) (DA057) Any interruption to the natural overland flow of stormwater drainage, which could result in the disruption of the amenity, or drainage or deterioration to any other property is not permitted.

(6) (DA082) Dust nuisance shall not be generated as a result of the undertaking of the development.

(7) (DA083) Wastes including vegetation shall not be disposed of by burning.

(8) (DA097) The demolition of any existing structure shall be carried out in accordance with Australian Standard AS 2601-1991: *The Demolition of Structures*. No demolition materials shall be burnt or buried on site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Should the demolition works obstruct or inconvenience pedestrian or vehicular traffic on an adjoining public road or reserve, separate application shall be made to Council to enclose the public place with a hoarding fence.

Should asbestos be present, its removal shall be carried out in accordance with the National OH&S Committee – Code of Practice for Safe Removal of Asbestos and its Code of Practice for the Management and Control of Asbestos in the Workplace.

(9) (DA099) The proponent shall provide electricity and telecommunication services in accordance with the requirements of the relevant authority.

(10) Operation of the temporary Sewage Management Facility must:

- Comply with the recommendations of Martens Consultants Report (contained within the SoEE).

- Provide adequate access for removal of waste.
- Ensure that the effluent holding chamber be pumped out immediately when there is evidence that the facility is approaching a level where surcharge into the environment is likely.
- Ensure removal of generated waste is undertaken by a licensed contractor (copies of receipts are required to be provided to Council).
- Make certain all waste removed is disposed of to a recognised waste treatment facility (copies of receipts are required to be provided to Council).

(11) All facilities used in the operation of the Sewage Management Facility must be maintained in a sanitary condition and must be operated in accordance with the requirements of the Local Government (General) Regulation, 2005.

(12) The owner/occupier is to ensure that the operation of the Sewage Management Facility meets the performance standards of Division 7 of the Local Government (General) Regulation, 2005. The standards relate to prevention of the spread of disease, foul odours, contamination of water, degradation of soil and vegetation, discouragement of insects and vermin, ensuring persons do not come in contact with sewage or effluent (whether treated or not) and minimisation of adverse impacts on the amenity of the premises and adjoining land.

(13) In the event that the operation of the Sewage Management Facility fails to meet the performance requirements, Council reserves the right to require the installation of another approved system or facility.

(14) Works must not result in any erosion or degradation of both soils and waterways on-site.

(15) On site car parking to be provided for use by both staff and patrons of the development. Five (5) car spaces and six (6) truck parking/waiting areas are required onsite as part of this consent, as per the approved plans/documentation included with the application. The parking spaces need to comply with the dimensional requirements of Development Control Plan No. 18 – *Off Street Parking Code* and will need to be installed onsite prior to the release of the occupation certificate and maintained at all times.

(16) The asphalt plant shall cease operation upon cessation of two (2) years from the date of the release of the occupation certificate, unless separate approval has been granted to extend the life of the proposal.

(17) The application is to comply with the recommendations listed in the ecological report prepared by Darkheart Eco-Consultancy dated Monday 27 February 2006. Council's Tree Preservation Officer is to be contacted prior to any tree clearing occurring to ensure the recommendations pertaining to tree removal have/will be complied with.

(18) This consent will become null and void if an approval/permit is required under the Native Vegetation Act and is subsequently not granted by the Catchment Management Authority. Therefore, prior to the commencement of any clearing, the Catchment Management Authority is to be contacted to ascertain whether or not a separate approval/permit is required under the Native Vegetation Act.

B - PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

(1) (DB004) Submission to the Principal Certifying Authority prior to the issue of a Construction Certificate detailed design plans for the following works associated with the developments;

1. Earthworks, including filling of the land for flood protection in accordance with;
    a. AUSPEC Design Specification D6, Port Macquarie-Hastings Council current version.
2. Public parking areas including;
    - Driveways and access aisles;
    - Parking bays;
    - Delivery vehicle service bays & turning areas

    in accordance with AS2890.1 - 2001.
3. Stormwater systems in accordance with;
    a. AUSPEC Design Specification D5, Port Macquarie-Hastings Council current version.
4. Erosion & Sedimentation controls in accordance with AUSPEC D7, Port Macquarie-Hastings Council current version.
5. Location of all existing utility services including;
    - Conduits for electricity supply and communication services.
    - Water supply
    - Sewerage
    - Stormwater

An application and checking fee in accordance with Council's Management Plan shall be payable upon submission of engineering design plans.

(2) (DB036) Driveways, access aisles and parking areas shall be provided with a bitumen sealed surface. Such a surface shall be on a suitable pavement, constructed and maintained in accordance with Council's Development, Design and Construction Manuals (as amended).

(3) A vegetation management plan shall be submitted and approved by Council prior to the release of the construction certificate. The plan shall outline, but not be limited to the following:

- Details of plantings of endemic species to provide compensation for the loss of potential habitat on-site through the clearing. The replanting will need to be done upon cessation of the plant.
- Identification and flagging of all senescent/significant trees and areas of vegetation to be preserved on the site.
- Process for removing and disposing of felled trees and vegetation.
- Process of protecting trees to be retained during clearing works.

The plan is to be consistent with/incorporate the recommendations of the ecological report prepared by Darkheart Eco-Consultancy, dated 27 February 2006. In addition, the vegetation management plan (once approved by Council) will form part of this consent and is to be complied with at all times.

C - PRIOR TO ANY WORK COMMENCING ON SITE

(1) (DC006) Erosion and sediment controls in accordance with the approved management plan shall be in place prior to the commencement of any works or soil disturbance on the site.

(2) (DC027) Prior to the any works commencing on the site a Demolition Waste Management Plan shall be prepared and submitted to Council. Such plan is to detail the nature and volume of all demolition wastes and shall detail the methods disposal of wastes. No work shall commence on the site until the management plan has been approved by Port Macquarie-Hastings Council.

D - DURING WORK

(1) (DD006) The capacity and effectiveness of erosion and sediment control measures shall be maintained at all times in accordance with the approved management plan until such time as the site is made stable by permanent vegetation cover or hard surface.

(2) (DD028) Building equipment and/or materials shall be contained wholly within the site and shall not be stored or operated on the footpath or roadway, unless specific written approval has been obtained from Council beforehand.

(3) (DD036) The site shall be left free of wastes and debris following completion of the demolition work.

(4) (DD037) Dust or airborne particles shall not be allowed to escape from the site. The use of fine mesh dust proof screens, fine water sprays or other approved methods are required.

(5) (DD038) In buildings constructed prior to 1970, all existing accumulations of dust (eg in ceiling voids, wall cavities, walls, floors etc) shall be removed by the use of an industrial vacuum fitted with a high efficiency particulate air filter.

(6) (DD039) Demolition works performed on buildings with materials containing asbestos or lead shall be carried out strictly in accordance with the requirements of the Workcover Authority and National OH&S Committee – *Code of Practice for the Safe Removal of Asbestos* and *Code of Practice for the Management and Control of Asbestos in Workplaces.*

(7) (DD040) All asbestos and lead wastes shall be sealed and disposed of in labelled plastic wrapping or bags at Council's Waste Management Facility in accordance with the directions of the Facility Manager. Arrangements are to be made with Council's Services Division prior to disposal.

(8) (DD041) All demolition waste is to be disposed of at the Council Waste Management Facility.

At the completion of demolition activities, Waste Management Centre weighbridge dockets are to be provided to Port Macquarie-Hastings Council to demonstrate compliance with this condition.

(9) (DD045) Should any Aboriginal objects be discovered in any areas of the site then all excavation or disturbance to the area is to stop immediately and the National Parks and Wildlife Service, Department of Environment and conservation is to be informed in accordance with Section 91 of the *National Parks and Wildlife Act 1974.* Subject to an assessment of the extent, integrity and significance of any

exposed objects, applications under either Section 87 or Section 90 of the *National Parks and Wildlife Act 1974* may be required before work resumes.

(10) (DD047) Stockpiles of topsoil, sand, aggregates, spoil or other material shall be stored clear of any natural drainage path, constructed drainage systems, easement, water bodies, or road surface and located wholly within the site with measures in place to prevent erosion or movement of sediments in accordance with the approved management plan. All spillage of materials, as a result of delivery or handling, must be removed as soon as practicable and placed into suitable receptacles for reclamation or disposal in a manner that does not cause pollution of the environment.

(11) (DD048) Open and piped drains, gutters, roadways and access ways shall be maintained free of sediment for the duration of the work. When necessary, roadways shall be swept and drains and gutters cleaned of sediment build up.

E - PRIOR TO THE ISSUE OF OCCUPATION OR SUBDIVISION CERTIFICATE

(1) (DE001) The building/use shall not be occupied or used in whole or in part until an Occupation Certificate has been issued by the Principal Certifying Authority.

(2) (DE043) A Professional Civil Engineer/Registered Surveyor is required to furnish a Compliance Certificate to the Principal Certifying Authority confirming:

a. all drainage lines have been located within the respective easements, and

b. any other drainage structures are located in accordance with the Construction Certificate.

c. all stormwater has been directed to a Council approved drainage system

d. all conditions of consent/ construction certificate approval have been complied with.

e. any on site detention system (if applicable) will function hydraulically in accordance with the approved construction certificate.

(3) (DE044) Each onsite detention system is to be marked by a plate in a prominent position which states:

"This is an onsite detention system. It is an offence to reduce the volume of the tank or basin or interfere with any part of the structure that controls the outflow".

This plate is to be fixed into position prior to the issue of the occupation or subdivision certificate.

(4) (DE072) Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure. Any alterations to or relocation of street lighting to be approved in writing from Port Macquarie-Hastings Council.

(5) (DE073) Ancillary works shall be undertaken at no cost to Council to make the engineering works required by this Consent effective to the satisfaction of Director of Council's Infrastructure Division. Such works shall include, but are not limited to the following:

a. The relocation of underground services where required by civil works being carried out.

b. The relocation of above ground power and telephone services

c. The relocation of street lighting

d. The matching of new infrastructure into existing or future design infrastructure

(6) (DE195) The stormwater pollution controls measures specified in the Water Cycle Management Plan prepared by Martens Consulting Engineers dated July 2006 shall be constructed prior to the issue of the Occupation Certificate.

F - OCCUPATION OF THE SITE

(1) (DF003) All driveways, visitor parking spaces and turning areas shall be kept clear of obstructions at all times.

(2) (DF016) The development shall be operated in accordance with the Environmental Management Plan referred to as Planning Workshop Australia and dated August 2006 as approved by Council.

(3) (DF018) Offensive odours shall not be generated by the development, including the process of processing of asphalt.

(4) (DF019) Materials stockpiles and handling areas shall be maintained in a condition that prevents wind blown or traffic generated dust.

(5) (DF022) Noise from the development (measured as the L_{AeqT} noise level) shall not exceed the background noise level (measured as the L_{A90} noise level in the absence of the source) by more that 5 dB(A) in any Octave Band Centre Frequency, at the boundary of any residence.

(6) (DF023) The development is to be conducted in accordance with the noise impact statement prepared by Hunter Acoustics and dated 27 July 2006.

(7) (DF026) All solid waste generated by the development which cannot be reused or recycled, shall be disposed of at Council's waste management facilities.

(8) (DF027) Wastes awaiting collection and disposal shall be stored in a manner that prevents pollution. All liquid wastes shall be stored in a roofed and bunded area. The bund shall be capable of containing 110% of the capacity of the largest container stored, or 25% of the total storage volume, whichever is greatest.

(9) (DF029) Spills and contaminated runoff from the asphalt plant area where necessary should be prevented from entering the stormwater system. In this regard, adequate spill containment equipment should be maintained on site at all times.

(10) (DF030) Offensive noise shall not be generated as a result of the operation of the development.

(11) (DF195) All loading and unloading in connection with the use must be carried out wholly within the property.

(12) (DF196) Any proposed garbage areas are to be screened from the street.

(13) (DF197) The development shall be operated in accordance with the Water Cycle Management Plan prepared by Martens Consulting Engineers dated July 2006.

(14) (DF198) The applicant shall submit to Council a report, within one month of the plant commissioning, prepared by a suitably qualified acoustical consultant, certifying that the operational noise levels of the development comply with the development consent and the Acoustic Assessment prepared by Hunter Acoustics

dated 27 July 2006. Where the development fails to comply with the Acoustic Assessment, the applicant shall submit a further report for approval to implement further noise mitigation measures. Such measures must be installed and assessed as soon as practicable.

(15) The applicant shall submit to Council a report, within one month of the plant commissioning, prepared by a suitably qualified consultant, certifying that the wet scrubber system is functioning effectively.

Should the wet scrubber system fail/stop, the overall asphalt plant is also to cease operation until the wet scrubber system is fixed.

(16) The applicant shall submit annual reports on production levels to Council.

(17) The applicant shall submit to Council a report, within one month of the plant de-commissioning, prepared by a suitably qualified contaminated site consultant, certifying that the soil has not been contaminated and rendered unsuitable for its current use. Where the report indicates that remediation is required, such remediation shall be undertaken as soon as practicable and a further report shall be submitted to Council following completion of the remediation works.

G - ADVICE

(1) Separate development consent will be required to erect any advertising sign onsite or change the use of the buildings, unless considered exempt development by Council.

(2) This approval does not apply any restriction on the hours of operation.

(3) Further approval will be required to produce more than 30,000 tonnes per year or 150 tonnes per day of asphalt material.

The conditions referred to in this schedule are imposed in conformity with the relevant provisions of the Environmental Planning and Assessment Act and Regulations, the Local Government Act and Regulations, The Building Code of Australia and with Council's Codes and Policies, LEP's, DCP's or any other ancillary Act or Regulation in force at the time of the date of determination and are aimed at protecting the natural environment, preserving our heritage and providing a safe and health built environment.

Rights of Appeal

If you are dissatisfied with this decision a request for a review of the determination may be made to Council, under the provisions of Section 82A of the Environmental Planning and Assessment Act 1979, within 12 months after the date on which you have received this notice.

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right of appeal to the Land and Environment Court within 12 months after the date on which you have received this notice.

Yours faithfully

Clinton Tink
Development Control Planner