Department of Climate Change, Energy, the Environment and Water

Your ref: PAE-76223961
Our ref: DOC24/789854

James McDonough
Team Leader
Department of Planning, Housing and Infrastructure

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

Dear James

Input into Secretary's Environmental Assessment Requirements – Pittman Quarry (SSD-76210271)

Thank you for your Major Projects Portal request dated 25 September 2024 seeking input into the Secretary's Environmental Assessment Requirements (SEARs) for the Pittman Quarry. The proposed development is within the Singleton local government area.

The Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) understands that the project involves development of a 1,000,000 tonne per annum (tpa) hard rock quarry, expected to extract 30 million tonnes (mt) over the project lifetime. BCS understands that the proposal is a State Significant Development (SSD-76210271) project under the Environmental Planning and Assessment Act 1979.

BCS has prepared Standard SEARs which are presented in **Attachment 1**. Any project-specific SEARs have been provided for this project in **Attachment 2**. Details of guidance documents are provided in **Attachment 3**.

If you have any further questions about this issue, please contact our Hunter Central Coast Planning Team at huntercentralcoast@environment.nsw.gov.au.

Yours Sincerely

Joe Thompson
Director Hunter Central Coast
Biodiversity, Conservation and Science

30 September 2024

Enclosure – Attachments 1, 2 and 3

Attachment 1 - Standard Environmental Assessment Requirements

Biodiversity

1. Biodiversity impacts related to the proposed development (SSD-76210271) are to be assessed in accordance with the Biodiversity Assessment Method 2020 and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the *Biodiversity Conservation Act 2016* (s6.12), *Biodiversity Conservation Regulation 2017* (s6.8) and Biodiversity Assessment Method 2020.
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method 2020.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows;
    - The total number and classes of biodiversity credits required to be retired for the development/project;
    - The number and classes of like-for-like biodiversity credits proposed to be retired;
    - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
    - Any proposal to fund a biodiversity conservation action;
    - Any proposal to conduct ecological rehabilitation (if a mining project);
    - Any proposal to make a payment to the Biodiversity Conservation Fund.

If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.

4. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the *Biodiversity Conservation Act 2016*.

Water and soils

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

6. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
    a. Existing surface and groundwater.
    b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.

c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters.

d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.

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

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

Flooding and coastal erosion

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

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

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

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

12. Modelling in the EIS must consider and document:

    a. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood.
    b. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazards and hydraulic categories.
    c. Relevant provisions of the NSW 2023 Flood Risk Management Manual.

13. The EIS must assess the impacts on the proposed development on flood behaviour, including:

    a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
    b. Consistency with Council floodplain risk management plans.
    c. Compatibility with the flood hazard of the land.
    d. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    e. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    f. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.
    g. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the SES and Council.
    h. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the SES and Council.
    i. Emergency management, evacuation and access, and contingency measures for the development considering the full range or flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the SES.
    j. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

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

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

15. The EIS must consider have regard to any certified Coastal Management Program (or Coastal Zone Management Plan) and be consistent with the management objectives described in the Coastal Management Act 2016 and development controls for coastal management areas mapped under the State Environmental Planning Policy (Resilience and Hazards) 2021.

Attachment 2 – Project specific environmental assessment requirements

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

Attachment 3 – Guidance material

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

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

Title	Web address
Canberra, ACT (Simpson, SL, Mosley, L, Batley, GE and Shand P. 2018).	
National Acid Sulfate Soils Guidance: Guidance for the dewatering of acid sulfate soils in shallow groundwater environments, Department of Agriculture and Water Resources, Canberra, ACT. (Shand, P, Appleyard, S, Simpson, SL, Degens, B, Mosley, LM 2018)	*https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf*
Flooding and coastal hazards	
Coastal management	*https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management*
Floodplain Risk Management Manual	*https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-manual*
Coastal Management Manual	*https://www.environment.nsw.gov.au/topics/water/coasts/coastal-management/manual*
NSW Climate Impact Profile	*http://climatechange.environment.nsw.gov.au/*
Floodplain Risk Management Guidelines	*http://www.environment.nsw.gov.au/topics/water/coasts-and-floodplains/floodplains/floodplain-guidelines*
Australian Rainfall and Runoff: A Guide to Flood Estimation	*http://arr.ga.gov.au/*
Marine and Coastal Ecology	
Marine Estate Management Strategy	*https://www.marine.nsw.gov.au/marine-estate-programs/marine-estate-management-strategy*
NSW Marine Estate Threat and Risk Assessment	*https://www.marine.nsw.gov.au/marine-estate-programs/threat-and-risk-assessment*
National Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds	*https://www.dcceew.gov.au/environment/biodiversity/publications/national-light-pollution-guidelines-wildlife*
NSW Marine Protected Areas	*https://www.marine.nsw.gov.au/your-marine-estate/marine-protected-areas*

Australian Government
Civil Aviation Safety Authority

AIR NAVIGATION, AIRSPACE AND AERODROMES BRANCH

CASA Ref: F24/29234-1

DPHI ref: SSD-76210271 Email Thursday, Wed 25/09/2024 12:53 PM

James McDonough
The Department of Planning, Housing and Infrastructure
NSW
james.mcdonough@dpie.nsw.gov.au

PITTMAN QUARRY (SSD-76210271) (SINGLETON SHIRE) CASA COMMENTS ON SEARS

CASA has reviewed the Scoping Report for the proposed Pittman Quarry, near Singleton. It is noted that “A detailed noise and blasting impact assessment will be carried out”

The Scoping Report advises that:

- The Elderslie Airport is also located approximately 3.5 km south of the proposed quarry and is primarily used by parachuting clubs and skydiving centres.

- The Applicant will notify the closest neighbouring property owners (i.e. sensitive receptors located along Springvale Road) of the timing upcoming blast events in the days prior to blasting events

The Skydiving Club / Aerodrome Operator should be identifying as a sensitive receptor and also notified prior to blasting events. I don’t know whether this requirement warrants an entry in the SEARs. It could be something along the lines:
“The EIS should address the requirement to notify the users of Elderslie Airport of the timing of upcoming blast events in the days prior to blasting events”.

CASA has no other Aviation Safety related issues.

Yours sincerely

David Alder

David Alder
Aerodrome Engineer

27 September 2024

Record Number: 24/06269#59

Planning Number: SSD-76210271

Pittman Quarry

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

No Crown land, roads or waterways are contained within the project footprint, however Crown roads adjoin the project footprint, to the west of Lots 903 & 904 DP1061259 and Lot 65 DP752473. If the proposal requires the use of these Crown roads in order to implement the Pittman Quarry proposal, the roads will need to be acquired by way of Crownroad purchase application, alternatively the Department may need to consider transfer of the impacted roads to Council.

Further information regarding purchasing a Crown road is located at the following link: https://www.crownland.nsw.gov.au/licences-leases-and-permits/information-about-crown-roads/purchase-crown-road.

If the proponent requires further information, or has any questions, please contact Hannah Muir, Senior Natural Resource Management Officer in Crown Lands, on 02 4920 5138 or at Hannah.muir@crownland.nsw.gov.au.

Yours sincerely

Peter Draper
Group Leader Property Management
T 0419 626 862 | E peter.draper@crownland.nsw.gov.au

Department of Primary Industries
and Regional Development

OUT24/15599

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

james.mcdonough@dpie.nsw.gov.au

Pittman Hard Rock Quarry Project (SSD-76210271)

Dear Mr McDonough

Thank you for your referral via the Major Projects Portal of 25 September 2024 and the opportunity to provide comment on the Pittman Hard Rock Quarry Project.

The NSW Department of Primary Industries and Regional Development (the Department) collaborates and partners with our stakeholders to protect and enhance the productive and sustainable use and resilience of agricultural resources and the environment.

The Department has reviewed the scoping report provided and notes that the project proposes to develop a hard rock quarry with a footprint of approximately 52ha to extract 30M tonnes of resource material over 30 years. It is also noted that the proposed weighbridge area has been identified as mapped BSAL.

As agriculture is undertaken in the surrounding area the matters outlined in Appendix 1 should be included in the SEARs document to ensure consideration of agriculture is appropriately undertaken in the preparation of the Environmental Impact Statement.

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

Sincerely

LParker

Lilian Parker
Agricultural Land Use Planning
Esigned 8 October 2024

Encl – Appendix 1 – DPIRD SEARs requirements

Appendix 1

DPIRD SEARs requirements - Pittman Hard Rock Quarry Project (SSD-76210271)

Cumulative impacts and Land Use Conflict Risk Assessment (LUCRA)

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

- Areas removed from agricultural use due to quarrying operations, infrastructure, plant or access requirements as well as the storage or processing of materials.
- Any areas to be excluded (temporarily or permanently) from agricultural use to ensure a safe working environment and prevent injury to livestock and wildlife.
- A Land Use Conflict Risk Assessment (LUCRA) should be undertaken by a suitably qualified person to identify potential impacts the proposal may impose on or in the reverse experience from, lawful agricultural land uses and activities in the vicinity and detail effective mitigation measures.

Biosecurity issues

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

Land Stewardship and Rehabilitation

- Provide details of any proposed earthworks including, an assessment of the overall footprint where the natural contours of the land will be modified, the total amount of material involved, how any stockpiled material will be managed and an outline of how this material will or will not be used for rehabilitation purposes.
- Undertake a soil survey, prior to works commencing, as a benchmark for rehabilitation.

The SEARs document should refer to the following references:

- DPI Land Use Conflict Risk Assessment (LUCRA) Guide
- Land and Soil Capability Assessment Scheme: second approximation (2012)
- Biophysical Strategic Agricultural Land (BSAL)
- Agricultural Issues for Extractive Industry Development (DPI)

DOC24/789105-4

3 October 2024

James McDonough
Planning and Assessment Division
Department of Planning, Housing and Industry
Locked Bag 5022
PARRAMATTA NSW 2124

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

EPA's Recommended Secretary's Environmental Assessment Requirements - Pittman Quarry, SSD-76210271

Dear Mr McDonough

I am writing in response to your request for the Environment Protection Authority's (EPA's) Secretary's Environmental Assessment Requirements (SEARs) for the Pittman Quarry, SSD-76210271.

The EPA has reviewed the following documents:

- *Scoping Report for Proposed 1,000,000tpa Hardrock Quarry (Rev. No.2) – Wedgetail Project Consulting – September 2024*

The EPA understand the proposal is for 1,000,000 tonne per annum hard rock quarry. The quarry is located across Lot 5 Springvale Road, Elderslie, and Blind Creek Road, Glendon Brook, NSW, which is within the Local Government Area of Singleton in NSW.

The EPA has considered the details of the proposal and provides the recommended SEARs as **Attachment A**. In carrying out the assessment, the proponent should refer to the relevant guidelines listed, as well as any relevant industry codes of practice and best practice management guidelines.

The Proponent should be made aware that any commitments made in the environmental assessment may be formalised as approval conditions and may also be placed as formal licence conditions. Consistent with Part 9.4 of the POEO Act the EPA may require the provision of a financial assurance and/or assurances. The amount and form of the assurance(s) would be determined by the EPA and required as a condition of the licence.

If you have any questions about this request, please contact Marshall Sing on 4908 6827 or via email at Marshall.Sing@epa.nsw.gov.au.

Yours sincerely

Corrie Ford
Manager – Operations
Environment Protection Authority

ATTACHMENT A

EPA's Recommended Secretary's Environmental Assessment Requirements – Pittman Quarry, SSD-76210271

1. Environmental impacts of the project

1.1. The description should include the following for both the construction and operation of the project:

a. Details of the premises covered by the project including any relationship with any existing Environment Protection Licences

b. the layout of all the physical elements of the project within the project area, including all buildings, structures, works, haulage activities, pollution controls, stockpile and material handling areas, sealed and unsealed areas, landscaping and open space.

c. all mitigation measures that will be built into the physical layout and design of the project (such as noise walls)

d. any ancillary infrastructure for which approval is being sought (such as upgrades to utilities or surrounding roads)

e. identify those components of the physical layout and design that may change during the detailed design of the project, and set clear limits within which this change may occur without requiring amendments to the DA or modifications to the development consent if the project is approved

f. plans showing the layout and design in plan-view and cross section.

1.2. Identify any likely interactions between the development and any existing/approved developments and land uses in the area.

1.3. Identify all sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways.

1.4. Identify all potential environmental emissions, assess the likely environmental impacts, and describe the proposed mitigation measures to minimise environmental pollution to achieve compliance with relevant environmental legislation, policies, and guidelines.

1.5. The EIS must accurately summarise the key findings of the detailed technical studies in the appendices of the EIS and use suitable cross-referencing to reduce repetition between the two parts of the EIS.

2. EPA Licensing and Approval Requirements

2.1. Identify all approvals and licences required under environment protection legislation including details of all scheduled activities under schedule 1 of the *Protection of the Environment Operations Act 1997.*

2.2. Outline how the proposal and its environmental protection measures would be implemented and managed so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).

3. Construction Works

3.1. The EIS must include detail of the construction works including:

a. any earthworks or site clearing; re-use and disposal of cleared material (including use of spoil on-site).

b. Identify, characterise and classify the following in accordance with the EPA's *Waste Classification Guidelines (2014)*:

i. all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste;

ii. all waste that is to be removed to an offsite location, including proposed quantities. Include the commitment to ensure this waste is taken to a facility that can lawfully receive it.

Note: The EPA's W*aste Classification Guidelines (2014)* are available at: https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste

c. construction timetable and staging; hours of construction; proposed construction methods.

d. environment protection measures, including noise mitigation measures – in accordance with the Interim Construction Noise Guideline (DECC, 2009), dust control measures and erosion, and sediment control measures- in accordance with Managing urban stormwater: Soils and construction, vol. 1 (Landcom 2004).

3.2. Include a site diagram showing the site layout and location of environmental controls.

3.3. Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline (*DECC, 2009). These are available at: https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise

4. Air issues

4.1. The EIS must demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the POEO Act and the *Protection of the Environment Operations (Clean Air) Regulation 2022*. This consideration should include section 129 of the POEO Act concerning control of "offensive odour".

4.2. The EIS must include an air quality impact assessment (AQIA). The AQIA must be carried out in accordance with the document, *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022). These are available at: https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants

4.3. The EIS must detail emission control techniques/practices that will be employed at the site and identify how the proposed control techniques/practices will meet the requirements of the POEO Act, *POEO (Clean Air) Regulation* (2022) and criteria within *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022).

5. Noise and Vibration

The EIS must assess the following noise and vibration aspects of the proposed development:

5.1. Operational and construction activities on the premises that maybe considered vibration intensive should be assessed using the guidelines contained in the *Assessing Vibration: a technical guideline* (DEC, 2006). These are available at: https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration

5.2. If blasting is required for any reasons during the construction or operational stage of the proposed development, 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). These are available at: https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise

5.3. Operational noise from noise intensive activities to be undertaken on the premises should be assessed using the guidelines contained in the *NSW Noise Policy for Industry* (EPA, 2017). Available at: https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)

5.4. If applicable, noise on public roads from increased road traffic generated by land use developments other than road projects should be assessed using the guidelines contained in the *NSW Road Noise Policy* (EPA, 2011) and associated application notes. Available at: https://www.epa.nsw.gov.au/your-environment/noise/transport-noise.

5.5. If applicable, noise on rail lines from increased rail traffic generated by land-use developments other than rail projects should be assessed using the guidelines contained in the *Rail Infrastructure Noise Guideline* (EPA, 2013) and associated application notes. Available at: https://www.epa.nsw.gov.au/your-environment/noise/transport-noise.

6. Waste, chemicals and hazardous materials and radiation

The EIS must assess the following waste, chemical and hazardous materials related aspects of the proposed development:

6.1. Assess and describe all aspects of waste generation, management and disposal associated with the proposed development.

6.2. Demonstrate compliance with all regulatory requirements outlined in the POEO Act and associated waste regulations.

6.3. Outline contingency plans for any event that may result in environmental harm, such as excessive stockpiling of material, or dirty water volumes exceeding the storage capacity available on-site.

6.4. Demonstrate that appropriate spill containment will be provided for storage, filling and loading of all fuels and other chemicals to be used on site, in accordance with all relevant Australian Standards, and/or NSW EPA's *Storing and Handling of Liquids: Environment Protection-Participants Manual* (DECC, 2007).

6.5. Demonstrate compliance with Part 9.3E of the POEO Act for the use of any industrial chemicals, including details of activities involving Schedule 6 or Schedule 7 chemicals listed on the IChEMS register. Additionally, demonstrate a system for periodic review to ensure that any new IChEMS Register requirements are incorporated.

6.6. Identify the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-21.* Available at: https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/warr-strategy.

7. Water

The EIS surface water quality assessment must:

7.1. Demonstrate that all practical measures to prevent, control, abate or mitigate water pollution have been implemented, including a description of options that were explored (such as reuse to avoid a discharge or treatment).

7.2. Provide details of the proposal that are essential for predicting and assessing potential impacts to receiving waters. This could include (but is not limited to):

a. Site layout, including details of the existing and proposed water management system.

b. Drainage map for the entire site identifying sub-catchments, flow paths, drainage infrastructure, design sizing of structures, water storages, discharge points, and any potential flow paths to receiving waters.

c. How stormwater will be managed in all phases of the project. Information should include, where appropriate, measures to avoid or minimise erosion, leachate generation, and sediment mobilisation at the site.

d. Any in-water activities (such as piling or dredging).

7.3. Include water balance(s) for ground and surface water, including any intake and discharge locations, volumes, frequency and duration.

7.4. Identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point, including residual discharges after mitigation measures are implemented. This should be undertaken for construction and operational phases.

7.5. Include a water pollution impact assessment undertaken consistent with the guidance available at https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments. The level of assessment should be commensurate with the risk to the environment and human health.

7.6. Describe any surface water quality monitoring programs, including proposed monitoring locations, frequency and indicators of surface water quality. Analytical limits of reporting should have regard to any identified guideline values. Water quality monitoring should be undertaken in accordance with the *Approved Methods for the Sampling and Analysis of Water Pollutants in NSW* (2004) available at: https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/water/22p3488-approved-methods-for-water-in-nsw.pdf.

7.7. The EIS must describe how stormwater will be managed in all phases of the project, including details of how stormwater and runoff will be managed to minimise pollution. Information should include measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site. The EIS should consider the guidelines *Managing urban stormwater: soils and construction,* vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC, 2008).

8. Groundwater

8.1. Provide details of the project that are essential for predicting and assessing impacts to groundwater with a description of the existing environment, including:

a. Geological, topographical, and hydrogeological resource descriptions, maps, and cross-sections.

b. Assessment of groundwater quality, users of groundwater, existing bores including depths and construction, assessment of local land use.

c. A hydrogeological interpretation of water-bearing geological units, depth to water table, groundwater gradient, Conceptual hydrogeological model, assessment of groundwater dependent ecosystems.

d. Site map and cross-sections showing and characterising any proposed excavations and spoil emplacement (relative to water table) with topography.

e. Proposed groundwater monitoring program.

f. Assessment should be in accordance with Groundwater assessment toolbox for major projects in NSW - Overview document (DPE, 2022) - https://water.nsw.gov.au/ data/assets/pdf file/0004/507613/Groundwater-assessment-toolbox-for-major-projects-in-NSW.pdf

9. Soils

9.1. The EIS should include an assessment of the potential impacts on soil and land resources should be undertaken, being guided by the *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:

a. 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 Roles) (DECC2008).

b. Mass movement (landslides) – in accordance with *Landslide risk management guidelines* presented in *the Australian Geomechanics Society* (2007).

c. Urban and regional salinity – guidance given in the *Local Government Salinity Initiative* booklets which includes *Site Investigation for Urban Salinity* (DLWC, 2002).

9.2. 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. Where required, add any specific assessment requirements relevant to the project.

10. Contamination

10.1. Identify the likelihood of contamination at the site and surrounding land (on different media such as soils, groundwater, ground gas, surface water and sediments, where applicable) by considering the context of past, current, and proposed land uses. The EIS must document how the assessment of contaminated land has been undertaken with regard to the relevant guidelines for contaminated land made or approved by the NSW EPA.

10.2. All reports on contamination must be prepared by a suitably qualified contaminated land consultant(1) who is also certified(2).

(1) A suitably qualified and experienced contaminated land consultant is a contaminated land consultant who meets the competencies outlined in the Guideline on the Competencies and Acceptance of Environmental Auditors and Related Professionals (Schedule B9) as provided in the ASC National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013)."

(2) A certified consultant is a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme;

Note: If an auditor is being engaged for the project, the requirement for a certified consultant to prepare the contaminated land reports is still recommended as it will help ensure all assessment work is done as efficiently as possible, but it is optional. However, it must still be required for all reports to be prepared by a suitably qualified contaminated land consultant.

10.3. Where contamination is considered likely based on past or current land uses or other factors (such as offsite contamination migrating onto the site), undertake detailed site investigation/s to determine the nature and extent of the contamination.

10.4. Where contamination exists, assess if remediation of the land is required, having regard to current and future land uses; and the ecological and human health risks posed by the contamination to both onsite and offsite receptors.

10.5. Where a detailed site investigation is prepared and/or remediation is considered necessary, a NSW EPA accredited Site Auditor must be engaged to undertake an audit. The EIS must include copies of any Interim Audit Advice provided by the auditor and a Site Audit Statement and Site Audit Reports issued by the auditor which certifies the site can be made suitable for the proposed use

10.6. The following references should be included as relevant guidelines that must be followed when assessing contaminated land:

a. *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA, 1998)* - *https://www.epa.nsw.gov.au/-/media/epa/corporate-*

site/resources/clm/managing-contaminated-land-guidelines-remediation.pdf?la=en&hash=6AAE054645C2A0264515ABF7121AEF7F47E5FC85

b. *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015)*

c. *Contaminated land sampling design guidelines - Part 1 and 2 (EPA, 2022)*

d. *Consultants reporting on contaminated land: contaminated land guidelines (EPA, 2020)*

e. *Guidelines for the NSW Site Auditor scheme 3rd edition (EPA, 2017)*

f. Any other relevant guidelines made or approved by the EPA under s105 of the *Contaminated Land Management Act 1997* - *https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines*

11. Climate Change

11.1. The proponent must prepare a Greenhouse Gas Assessment in accordance with the EPA's *Greenhouse Gas Assessment Guide for Large Emitters* (or its most recent version that is available on the EPA website). Input data and assumptions must also be robustly justified by providing supporting evidence to assist the EPA's assessment.

11.2. For projects estimated to emit 25,000 tonnes or more of scope 1 and 2 emissions (CO2-e) in any financial year during the operational life of the project (based on planned operational throughput and as designed), a GHG Mitigation Plan must be provided in accordance with the EPA's *Greenhouse Gas Assessment Guide for Large Emitters* (or its most recent version that is available on the EPA website).

11.3. For projects estimated to emit 25,000 tonnes or more of scope 1 and 2 emissions (CO2-e) in any financial year during the operational life of the project (based on planned operational throughput and as designed), the proponent must prepare a Climate Change Adaptation Plan that incorporates the following components:

a. A climate change risk assessment that addresses predicted climatic changes and the potential impacts of climate hazards on the environmental performance of the project.

Notes:

- A climate hazard is defined as a physical event (hydro-meteorological or oceanographic) that can harm human health, livelihoods, or natural resources. These could be direct climate hazards such as flooding of a sewage treatment plant, causing water pollution to nearby waterways, or indirect hazards such as a drought, where water is not available for dust suppression.
- A climate risk is the potential for adverse consequences for human or ecological systems from climate hazards (adapted from IPCC).
- The risk assessment must take into account AdaptNSW regional climate change projections, for the near future and for the life of the project.
- Regional climate change projections are available on the AdaptNSW website.

b. An assessment of measures to reduce climate risk, including:

i. a description of measures that would be implemented to reduce likely climate change risks and potential impacts on the environmental performance of the project.

ii. an assessment of:

- the likely effectiveness of these measures
- whether these measures will remain effective over time as climate change risks increase
- whether contingency plans will be necessary to manage any residual risks.

iii. if contingency measures are deemed necessary under (ii) above, a description of how the project is designed so that these contingency measures can be readily implemented if and when necessary.

c. A description of how the effectiveness of measures to reduce climate risk will be monitored over time, including:

i. a description of metrics that will be used to periodically evaluate the effectiveness of the adaptation management measures.

ii. a description of the measures that would be implemented to monitor and periodically report on against these metrics.

d. A timetable for review of the project's Climate Change Adaptation Plan that reflects the project's lifespan and incorporates at each review the latest knowledge about predicted climate risks in the short and long term.

Notes:

Further guidance on considering climate adaptation can be found in the following resources:

- ISO 31000
- ISO/TS 14092
- AS 5334
- Climate Risk Ready NSW Guide (while this guide was developed for NSW Government agencies, the principles, steps and resources may assist the proponent to prepare a Climate Change Adaptation Plan).

Department of Primary Industries
and Regional Development

C24/847

8 October 2024

Major Projects Portal
Attn: James McDonough

Re: Request for Secretary's Environmental Assessment Requirements (SEAR's) for Pittman Quarry.

Dear James,

Thank you for your referral of 25 September 2024 seeking consultation on the proposal from DPIRD Fisheries, a division of NSW Department of Primary Industries & Regional Development on the proposed works stated above.

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

The site contains key fish habitat, and the Department recommends that the project is designed to:

- maintain fish passage at all stages during and following construction,
- minimise potential erosion and sedimentation impacts to the river during and following construction, and
- maintain a vegetated buffer zone to the river as per section 3.2.3.2 of the P&G.

It is important that the key fish habitat values of the catchment are maintained to ensure the continuance of recreational fishing. The site is upstream from the Hunter River that supports popular recreationally fished species. For further information about key fish habitat please refer to https://www.dpi.nsw.gov.au/fishing/habitat/protecting-habitats#KFH

As the degradation of native riparian vegetation along NSW watercourses is listed as a key threatening process (KTP) under the *Fisheries Management Act* DPIRD-Fisheries recommends that this activity is avoided. Please refer to https://www.dpi.nsw.gov.au/fishing/threatened-species/what-current/key-threatening-processes/degradation-of-native-riparian-vegetation for more information on this KTP.

ahp.central@dpird.nsw.gov.au
1243 Bruxner Hwy, Wollongbar NSW 2477
0491 283 129
dpird.nsw.gov.au

DPIRD Fisheries, places particular importance upon the need to minimise the harm to the natural environment both at the work site and in downstream/adjacent waters. The Department expects implementation of Best Management Practice with respect to erosion and sediment control as outlined in the publication “Managing Urban Stormwater: Soils and Construction” (4*th* Edition Landcom, 2004), commonly referred to as “The Blue Book” (see https://www.environment.nsw.gov.au/research-and-publications/managing-urban-stormwater-soils-and-construction-volume-1-4th-editon).

Environmental Assessment Requirements

The Department advises that in addition to the standard EIS requirements the proposed development should consider and provide an aquatic ecological environmental assessment as per *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)* and include the following information:

- Waterways that may be affected either directly or indirectly by the development or activity should be clearly identified.
- Description of aquatic and riparian vegetation should be presented and mapped.
- The extent of aquatic habitat removal or modification which may result from the proposed development.
- Details of the location of all waterway crossings, including any access tracks, timetable for construction of the proposal with details of various phases of construction
- Details of the methodology (e.g. directional drilling, trenching, boring) for any works within or adjacent to waterways.
- Aspects of the management of the proposal, both during construction and after completion, that relate to impact minimisation e.g., Environment Management Plans.

General information requirements that may be of assistance in the preparation of an environmental assessment for this proposal are listed below in Attachment 1. Attachment 2 contains links to important DPIRD Fisheries reference documents.

If you require any further information, please contact me on sophie.johns@dpi.nsw.gov.au

Sincerely,

Sophie Johns
Fisheries Manager, Coastal Systems

Attachment 1 – General information requirements for environmental assessment

Fisheries NSW recommends that development proposals comply with the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* (referred to hereafter as P&GLs) (found at https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation)

Issue	Information requirements for environmental assessment
A: General Requirements	▪ site address and contact details ▪ property description (e.g. Lot and DP numbers) ▪ a clear description of the proposal including details of construction methods and materials ▪ map(s) of the development area and adjacent areas - this should include nearby waterways, adjacent infrastructure (such as jetties) and land use ▪ clear photographs of the site (at low and high tide in estuaries), including photographs of any riparian and aquatic vegetation present (including pest species such as *Caulerpa taxifolia*) ▪ location of any oyster leases or other aquaculture facilities and recreational and commercial fishing areas within the subject waterway ▪ a description of the potential direct and indirect impacts on aquaculture, commercial and recreational fishing from the development ▪ a clear description of the physical and hydrological features of the development area (which may extend upstream and downstream of the development site in the case of flowing rivers or tidal waterways) ▪ approximate depth contours within 20 metres of the proposal ▪ a clear description of aquatic environments including: - fish in the locality, including threatened and protected species, populations, ecological communities, pest species or presence of 'critical habitat' under the FM Act or EPBC Act - an aquatic and riparian vegetation survey map of the area which shows the location and/or coverage of saltmarsh, mangrove, seagrass, macroalgae, macrophytes, riparian vegetation and snags - description of aquatic habitat TYPE on site (see Table 1 in the P&GLs) - description of the waterway CLASS (see Table 2 in the P&GLs) ▪ details of the nature, timing, magnitude and duration of the proposed disturbance to the aquatic environment ▪ assessments of predicted impacts upon any threatened species (fish and marine vegetation) (i.e. completion of a 7 part test and/or species impact statement(s)) and other aquatic flora and fauna ▪ details of any mitigation measures to limit environmental impacts ▪ details of the general regional context, any protected areas, other developments in the area, and/or cumulative impacts ▪ a copy of the land owner's consent where relevant ▪ notification of any other matters relevant to the proposal and of interest to NSW DPIRD
Dredging and reclamation activities	• purpose of works • type(s) and distribution of marine vegetation in the vicinity of the proposed works • method of dredging to be used • timing and duration of works • dimension of area of works including levels and volume of material to be extracted or placed as fill • nature of sediment to be dredged, including Acid Sulphate Soil, contaminated soils etc • method of marking area subject to works • environmental safeguards to be used during and after works • measures for minimising harm to fish habitat under the proposal • spoil type and source location for reclamation activities • method of disposal of dredge material • location and duration of spoil stockpiling, if planned
Activities that damage marine vegetation	• type of marine vegetation to be harmed • map and density distribution of marine vegetation • reasons for harming marine vegetation • methods of harming marine vegetation • construction details • duration of works/activities • measures for minimising harm to marine vegetation under the proposal and details of compensatory habitat development to replace lost vegetation. • method and location of transplanting activities or disposal or marine vegetation.
Activities that block fish passage	• type of activity eg works in a stream that change flow or morphological characteristics • length of time fish passage is to be restricted • timing of proposed restriction • remediation works

B. Aquatic habitat assessment	The aim of the aquatic assessment should be to define the presence of 'key fish habitat' within the study site, adjacent areas (upstream and downstream), and the broader regional area. There may be a range of potential fish habitats that could be impacted by a particular activity. Some points to consider include: ▪ geomorphic characteristics of the waterway (i.e. what characteristics of a CLASS 1-4 waterway does it have (see Table 2 in P&GLs)? Is it a gully, intermittent stream or major river? Does it have deep pools or in-stream gravel beds? Is it a wetland? Does the watercourse connect with other watercourses upstream or downstream? What is the slope/gradient?) ▪ is it mapped as key fish habitat? (see www.dpi.nsw.gov.au/fisheries/habitat/protecting-habitats#KFH for maps of key fish habitat per Local Government Area) ▪ flow regime of the watercourse (e.g. is it an intermittent or permanently flowing stream? What is the range of water velocity of the flow? What are the maximum and minimum or percentile flows (in megalitres/day) for the watercourse?) ▪ description of local wave and current regimes (in tidal areas) ▪ description of the water quality (e.g. discolouration, sedimentation, turbidity, pH, dissolved oxygen, nutrients) ▪ types of surrounding land use (e.g. agricultural, urban, aquaculture) ▪ condition of riparian vegetation (i.e. present or absent. Are the species native or exotic? Is the density of vegetation thick or sparse?) ▪ condition of freshwater aquatic vegetation (i.e. present or absent. Are the species native or exotic? Is the density of vegetation thick or sparse? Is it continuous or sparse in coverage? What is the aerial extent of major vegetation types? Is the vegetation healthy or degraded?) ▪ condition of marine vegetation (i.e. information on type, species, shoot density and/or percentage cover. Is the vegetation continuous or sparse in coverage? What is the aerial extent? Is the vegetation healthy or degraded? Is wrack (dead seagrass or macroalgae) present?) ▪ presence of wetlands nearby (including freshwater wetlands and saltmarsh) (i.e. are wetlands protected under any legislation (e.g. SEPP 14 coastal wetlands, Ramsar wetlands)? Are the wetlands in a healthy or degraded condition?) ▪ substrate type (e.g. rock, sand, gravel, silt) ▪ presence of refuge areas (e.g. adjacent wetlands, upstream pools) ▪ presence of spwning areas (e.g. gravel beds, snags, reed beds, saltmarshes) ▪ presence of natural or artificial barriers to fish passage upstream and downstream (e.g. waterfalls, cascades, weirs, dams, floodgates, road crossings) ▪ types of migratory fish or other aquatic species likely to inhabit the areas (based on known distribution range within the scientific literature) ▪ timing of construction in relation to any fish migration seasons ▪ timing of construction in relation to flow conditions relative to expected wet seasons ▪ presence of any listed threatened or protected aquatic species or 'critical habitat' under the FM Act and EPBC Act
C. Aquatic fauna assessment	For aquatic fauna studies, sites where fish and/or other aquatic fauna are well documented, and no threatened species are recorded, a site inspection and desktop review of the study site and regional area may be the required level of assessment. During the completion of the planning phase for a new project, it may be determined that a detailed aquatic survey is required. Detailed surveys are to be undertaken only after direct consultation with NSW DPIRD as permits are required for sampling aquatic fauns under the FM Act. The Department of Planning and Infrastructure has developed a document entitled *Aquatic Ecology in Environmental Impact Assessment* (Lincoln-Smith 2003) which may also assist in the survey design. Note that a detailed survey may be required: a) where the project is on a CLASS 1 or 2 watercourse (see Table 2 in P&GLs) or where it has been identified that there may be a significant impact on a threatened aquatic species; and/or b) where the project crosses through, over or within a 'critical habitat' and a Species Impact Statement is required.
D. Assessment of likely impacts	• indicate the location, nature and extent of habitat removal or modification (both direct and indirect) which may result from the proposed action; • discuss the potential impact of the modification or removal of habitat (potential direct and indirect sources of impact are stated in the letter with this attachment). **Note:** In defining the proposal area, discussion must be provided regarding possible indirect effects of the proposal on species/habitats in the area surrounding the subject site: for example, through altered hydrological regimes, soil erosion or pollution.
E. Ameliorative measures	The environmental assessment should consider and provide detail on how the proposal has been or may be modified and managed to minimise impacts and conserve aquatic habitat on the subject site and in the study area.

Attachment 2 – Guidelines for assessment

Title	Location
Policy and Guidelines for Fish Habitat Conservation and Management (2013)	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation)
Fish Passage Requirements for Waterway Crossings and *Policy (2003) and Guidelines for Fish Friendly Waterway Crossings (2003)*	https://www.dpi.nsw.gov.au/fishing/habitat/threats/barriers
Degradation of native riparian vegetation along NSW watercourses is listed as a key threatening process (KTP) under the Fisheries Management Act DPIRD-Fisheries recommends that this activity is avoided.	https://www.dpi.nsw.gov.au/fishing/threatened-species/what-current/key-threatening-processes/degradation-of-native-riparian-vegetation

Department of Climate Change, Energy, the Environment and Water

Our ref: HMS ID 7357

James McDonough
Team Leader
Department of Planning, Housing and Infrastructure
james.mcdonough@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Pittman Quarry

Major Project reference: SSD-76210271

Received: 25 September 2024

Dear James,

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the Scoping Report dated 8 August 2024.

Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed Pittman Quarry (SSD-76210271).

- The Environmental Impact Statement should be informed by an Aboriginal Cultural Heritage Assessment Report, prepared in accordance with relevant policy and guidelines to identify, describe and assess any impacts to Aboriginal cultural heritage sites or values associated with the project. The Aboriginal Cultural Heritage Assessment Report must be prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011) and the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (2010), including results of archaeological survey and test excavations (where required) undertaken in accordance with the relevant standards and requirements;
- Include evidence of adequate and continuous consultation with Aboriginal parties in relation to determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed

measures) in substantial compliance with the consultation process outlined in the Aboriginal cultural heritage consultation requirements for proponents 2010.

Please note that the above comments relate only to Aboriginal cultural heritage regulation matters. If you have any questions about this correspondence, please contact Alison Lamond, Senior Assessment Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Marika Low

Marika Low
Practice Lead (Acting)
Major Projects
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*

26 September 2024

Department of Climate Change, Energy, the Environment and Water

Our ref: HMS ID 7361

James McDonough
Planner
Department of Planning, Housing and Infrastructure
james.mcdonough@dpie.nsw.gov.au

Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: Pittman Quarry

Major Project reference: SSD-76210271

Received: 25 September 2024

Dear James,

Thank you for your referral inviting comments from the Heritage Council of NSW on the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed the Scoping report dated September 2024. Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to environmental heritage in relation to the proposal:

- Where there is potential of direct or indirect impacts on the heritage significance of Environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.

If you have any questions about this correspondence, please contact Alison Lamond, Manager at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Nicole Davis

Nicole Davis
Strategic Manager – Major Projects
Heritage NSW

Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
3 October 2024

RDOC24/184755
4 October 2024

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

ADVICE RESPONSE: Pittman Quarry

Stage: Advice on Secretary's Environmental Assessment Requirements

Development Application: SSD-76210271

Dear James,

I refer to your correspondence dated 25 September 2024 inviting the Department of Primary Industries and Regional Development - NSW Resources to provide comments on the Pittman Quarry (the Project) submitted by R & J Pittman (the Proponent).

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

Please refer to NSW Resources Regulator advice Attachment A.

For further advice on this matter, please contact Loretta Mackenzie – Acting Project Officer, Industry Advisory and Mining Concierge unit - Industry Development branch on 02 4063 6860 or mining.concierge@regional.nsw.gov.au.

Sincerely

G. Carney

Giselle Carney
Acting Manager Industry Advisory and Mining Concierge
Industry Development
Department of Primary Industries and Regional Development – NSW Resources

for

Tony Linnane
Executive Director Strategy, Performance and Industry Development
Department of Primary Industries and Regional Development - NSW Resources

Resources Regulator
Department of Primary Industries and Regional Development

Friday, 4 October 2024

James McDonough
Department of Planning, Housing and Infrastructure
James.mcdonough@planning.nsw.gov.au

Via: Major Projects Portal

Dear James,

I refer to the Pittman Quarry Scoping Report (SSD-76210271) submitted to the Resources Regulator on 26th September 2024.

Based on the review of the report the Resources Regulator advises that it has no specific comments regarding mine safety matters in relation to the proposal.

LIMITATIONS
It should be noted that the Resources Regulator does not provide any endorsement of the proposed rehabilitation methodologies presented in the plans provided. Under the conditions of a mining authorisation granted under the *Mining Act 1992*, the Resources Regulator requires the holder to adopt a risk-based approach to achieving the required rehabilitation outcomes.

The applicability of the controls to achieve effective and sustainable rehabilitation is to be determined based on site-specific risk assessments conducted by the authorisation holder. An authorisation holder may also be directed by the Resources Regulator to implement further risk control measures required to achieve effective rehabilitation outcomes during the life of the mine.

REGULATORY REQUIREMENTS IF APPROVED

The proponent will be required to comply with rehabilitation requirements under the mining authorisations prior to the commencement of the works associated with the proposal.

The Resources Regulator may undertake assessments of the mine operators' proposed mining activities under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* and Regulation as well as other WHS regulatory obligations.

BACKGROUND

The Mining Act Inspectorate within the Resources Regulator undertake risk-based compliance and enforcement activities in relation to obligations under the *Mining Act 1992*. This includes undertaking assessment and compliance activities in relation to mine rehabilitation activities and determination of security deposits. To ensure consistency, the Regulator requests the opportunity to review a copy of the draft development consent prior to any approval of the project.

The Mine Safety Inspectorate within the Resources Regulator is responsible for ensuring the mine operators' compliance with the Work Health and Safety (WHS) legislation, in particular the effective management of risks associated with the principal hazards as specified in the *Work Health and Safety (Mines and Petroleum Sites) Regulation 2022*.

CONTACT

Should you require any further information or clarification, please contact the Regulator on 1300 814 609 (Press Option 2 Press Option 5) or email nswresourcesregulator@service-now.com.

Yours sincerely,

Dwaine Jones

Acting Chief Inspector of Mines

Resources Regulator

Department of Planning, Housing and Infrastructure (Major Projects)
Locked Bag 5022
Parramatta NSW 2124

Your reference: SSD-76210271
Our reference: DA20240927003980-SEARS-1

ATTENTION: James McDonough

Date: Wednesday 9 October 2024

Dear Sir/Madam,

State Significant Development – Extractive Industry
Request for Secretary's Environmental Assessment Requirements
Pittman Quarry (SSD-76210271), 65//DP752473, 903//DP1061259, 904//DP1061259, 5//DP1102521

Reference is made to correspondence dated 26/09/2024 seeking input regarding the preparation of Secretary's Environmental Assessment Requirements for the above State Significant Development in accordance with the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the information provided and advises that a bush fire assessment report shall be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provisions of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Allyn Purkiss
Manager Planning & Environment Services
Built & Natural Environment

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

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

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

Transport for NSW

08 October 2024

File No: NTH24/00713/001
Your Ref: SSD-76210271

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

Attention: James McDonough

SSD-76210271 - Secretary's Environmental Assessment Requirements for Pittman Quarry - Blind Creek Road & Springvale Road Elderslie

I refer to your email of 25 September 2024 requesting input from Transport for NSW to the Secretary's Environmental Assessment Requirements (SEARs) for the abovementioned development proposal.

Roles and Responsibilities

Our key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Future Transport Strategy*.

Hunter Expressway (6011) and Wine Country Drive (HW9) are classified State roads, Elderslie Road (RR453) is a classified Regional road and all other roads within the site location are local roads. Council is the roads authority for these roads except for Hunter Expressway, in accordance with Section 7 of the *Roads Act 1993*.

Transport for NSW Response

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

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

If you have any further enquiries regarding the above comments, please do not hesitate to contact Tim Chapman, Development Services Case Officer on 0412274356, or the undersigned on 1300 207 783 or via email at: development.north@transport.nsw.gov.au

Yours faithfully,

Liz Smith
Manager Development Services
Community and Place | Region North
Regional & Outer Metropolitan
Transport for NSW

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

ATTACHMENT A - Requested considerations for SEAR - Traffic Impact Assessment

For context, this attachment must be read with TfNSW letter of 08 October 2024, reference number **NTH24/00713/001.**

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

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

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

- A map of the proposed transport route/s identifying all public roads proposed to obtain access from the classified (State) road/s to the development site.
- The total impact of existing and proposed development on the road network with consideration for a 10 year horizon.
  - Identify Annual Average Daily Traffic (AADT) volumes with percentage heavy vehicles along the transport route/s and diagrammatically demonstrate AM and PM peak hour movements at key intersections.
  - Background traffic data from published sources and/or recent survey data. The source of data and any assumptions are to be clearly explained and justified, including the growth rate applied to the future horizon. Due to the impact of COVID-19 on travel patterns, traffic counts undertaken at this time may not be representative of normal volumes. Alternative approaches to understanding the impact of COVID-19 on traffic patterns should be discussed with TfNSW.
  - The volume and distribution of existing and proposed trips to be generated by the construction, operational and decommission phases of the development. This should identify the maximum daily and hourly demands generated by the development, particularly where they coincide with the network peak hour.
  - The type and frequency of design vehicles accessing the development site.

- Details of the road geometry and alignment along the identified transport route/s, including existing formations, crossings, intersection treatments and any identified hazards. This should include;
  - Available sight distances at intersections and bridges along the proposed transport routes and any constraint to achieving the required sight distance for the posted speed limit.
  - An assessment of turn treatment warrants in accordance with the Austroads Guide to Traffic Management Part 6 and Austroads Guide to Road Design Part 4A for intersections along the identified transport route/s, identifying the existence of the minimum basic turn treatments and addressing the need for any warranted higher order treatments.
  - Swept path analysis demonstrating the largest design vehicle entering and leaving the development, and moving in each direction through intersections along the proposed transport route/s.

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

Where road safety concerns are identified at a specific location along the proposed haulage routes, TfNSW suggests that the TIA be supported by a targeted Road Safety Audit undertaken by suitably qualified persons in accordance with the Austroads Guidelines.

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

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

Department of Climate Change, Energy, the Environment and Water

Our ref: OUT24/15059

James McDonough

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

James.mcdonough@dpie.nsw.gov.au

26 September 2024

Subject: **Pittman Quarry - SSD-76210271**

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

Dear James,

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

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

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

Yours sincerely

Alistair Drew
Project Officer, Water Assessments, Knowledge Division
Department of Climate Change, Energy, the Environment and Water

Attachment A

Water Take and Licensing

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
1	A detailed and consolidated site water balance.	
2	Description of all works/activities that may intercept, extract, use, divert or receive surface water and/or groundwater. This includes the description of any development, activities or structures that will intercept, interfere with or remove groundwater, both temporary and permanent.	NSW Aquifer Interference Policy, section 3 & 5 of the *Water Management Act 2000*, Water Sharing Plans Clause 24 of the *Water Management (General) Regulation 2018* Groundwater Guidelines- https://www.industry.nsw.gov.au/water/licensing-trade/major-projects
3	Details of all water take for the life of the project and post closure where applicable. This is to include water taken directly and indirectly (including through inflow and seepage), and the relevant water source where water entitlements are required to account for the water take. If the water is to be taken from an alternative source confirmation should be provided by the supplier that the appropriate volumes can be obtained.	Section 3 & 5 of the *Water Management Act 2000*, Water Sharing Plans Section 2 of the NSW Aquifer Interference Policy provides explanation of water take for aquifer interference activities
4	Details of Water Access Licences (WALs) held to account for any take of water where required, or demonstration that WALs can be obtained prior to take of water occurring. This should include an assessment of the current market depth where water entitlement is required to be purchased. Any exemptions or exclusions to requiring approvals or licenses under the *Water Management Act 2000* should be detailed by the proponent.	Water Sharing Plans Sections 3, 5, 60A & 60I of the *Water Management Act 2000* WAL must nominate a work to satisfy s60D of the *Water Management Act 2000* and this is completed by a dealing application under s71W of the *Water Management Act 2000* Exemptions or exclusions information: ○

		○ Clause 21-23, 34-50, sch.1 and 4 *Water Management Regulation 2018* ○ Sections 4.41 and 5.23 of the *EP&A Act 1979* ○ FAQs - Where can I take water without a water access licence?

Water Impacts

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
5	A description of groundwater conditions that provides an understanding of groundwater level across the site under a range of wet and dry conditions.	NSW Aquifer Interference Policy Groundwater Guidelines
6	The development of a thorough groundwater conceptual model with supporting cross section and extraction mining depth supported by field data.	NSW Aquifer Interference Policy Groundwater Guidelines
7	Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, groundwater dependent ecosystems, and ground water levels; including measures proposed to reduce and mitigate these impacts.	*Water Management Act 2000* Part 1, Division 1, Section 5(2d; 4c) & Part 3 Div 2 Sect 97 *Water Management Act 2000* Part 1, Division 1, Section 5(4a;5a; 6a; 7a; 8a)) NSW Aquifer Interference Policy Groundwater Guidelines
8	Proposed surface and groundwater monitoring activities and methodologies and details of a proposed water management plan.	Groundwater Guidelines NSW Water Quality and River Flow Objectives Australian and New Zealand fresh and marine water quality guidelines (ANZG 2018)

Assessment against Policy and Guidelines

No.	Assessment Requirement	Relevant Policy/Guideline/Legislation
9	Identification and impact assessment of all works/activities located on waterfront land including an assessment against Guidelines for Controlled Activities on Waterfront Land (NRAR 2018).	Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
10	Assessment of project against relevant policies and guidelines	Water Sharing Plans, Floodplain Management Plans, NSW Aquifer Interference Policy, Guidelines for Controlled Activities on Waterfront Land (NOW 2012), Groundwater Guidelines