



OUT19/16444

Ms Genevieve Lucas  
Planning and Assessment Group  
NSW Department of Planning, Industry and Environment

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Dear Ms Lucas

**Hanson Tweed Sand Plant Expansion (SSD-10398) (Tweed Shire)**

I refer to the above matter that was distributed to the Department of Primary Industries (DPI) for comment on Monday 25 November 2019.

DPI has reviewed the proposal and has the following comments for consideration.

DPI is concerned with the protection and growth of agricultural industries and the resources upon which these industries depend. The subject land, as noted, is identified as Important Farmland (Regionally Significant Farmland), under the Northern Rivers Farmland Protection Project dated 2005. This is considered a highly important resource for agriculture on the NSW North Coast.

The farmland is part of a large contiguous agricultural land unit. Contiguity is important as it provides the opportunity for farmers to upscale or consolidate operations and reduces potential land use conflict risk that can impact on agricultural activities.

It is acknowledged that 'Extractive industries' is a permitted land use within the RU1 primary production and RU2 Rural Landscape zones under the Tweed Local Environmental Plan (LEP). However, given the size and nature of the extraction, and proposed final landform, DPI Agriculture requires adequate assessment of the impact from the loss of this resource in perpetuity and potential impacts on surrounding agricultural resources and operations, including the Australian Bay Lobster Facility.

DPI provides the following environmental assessment requirements for consideration by the proponent in consideration of the above comments:

<b>Issue and desired outcome</b>	<b>Detail / Requirement</b>
<b>Site Suitable for development</b>	<ul style="list-style-type: none"> <li>• Detail that the land use is consistent with strategic plans and zone requirements</li> <li>• Complete a Landuse Conflict Risk Assessment (LUCRA) to identify potential landuse conflict, in particular relating to separation distances and management practices to minimise odour, dust and noise from sensitive receptors. A LUCRA is described in the DPI Land Use Conflict Risk Assessment Guide.</li> <li>• Include a map to scale showing the above operational and infrastructure details including separation distances from sensitive receptors.</li> </ul>
<b>Consideration for impacts to agricultural resources and land</b>	<ul style="list-style-type: none"> <li>• Describe the current and potential <i>Important Agriculture Land</i> on the proposed development site and surrounding locality including the land capability and agricultural productivity.</li> <li>• Demonstrate that all significant impacts on current and potential agricultural developments and resources can be reasonably avoided or adequately mitigated.</li> <li>• Consider possible cumulative effects to agricultural enterprises and landholders.</li> <li>• Detail the expected life span of the proposed development</li> <li>• Detail intentions of existing cane drains and any associated impacts/mitigation requirements</li> </ul>
<b>Suitable and secure water supply</b>	<ul style="list-style-type: none"> <li>• Estimated water demand and water availability should be clearly outlined in the proposal. The source of water and any sanitisation methods to be detailed in the application.</li> <li>• Outline any impacts to water use from agriculture and mitigation measures if required.</li> </ul>

<b>Surface &amp; Groundwater protected</b>	<ul style="list-style-type: none"> <li>Proposed development design, operation and by-product management should be undertaken to avoid nutrient and sediment build up and minimise erosion, off site surface water movement and groundwater accession.</li> <li>The proposal should detail how design and operation will be undertaken for by-product management in accordance with best practice to prevent excess build-up of nutrients and salts in the soil profile and increase the risk of leaching. A monitoring program should be developed.</li> </ul>
<b>Biosecurity Standards met</b>	<ul style="list-style-type: none"> <li>Include a biosecurity (pests and weeds) risk assessment outlining the likely plant, animal and community risks.</li> <li>Develop a biosecurity response plan to deal with identified risks as well as contingency plans for any failures. Including monitoring and mitigation measures in weed and pest management plans.</li> </ul>
<b>Suitable traffic movements</b>	<ul style="list-style-type: none"> <li>Consideration of the route for movements needs to be taken into account so that impacts on sensitive receptors are minimised (eg noise, dust, volume of traffic). This should include consideration of Travelling Stock Reserves<sup>1</sup> (TSR) and the movement of livestock or farm vehicles along / across the affected roads</li> </ul>
<b>Visual amenity achieved</b>	<ul style="list-style-type: none"> <li>Amenity impacts are assessed and any necessary response to mitigate visual impacts is described and illustrated.</li> </ul>
<b>Land stewardship met</b>	<ul style="list-style-type: none"> <li>Develop Rehabilitation and Decommissioning/Closure Plans that describes the design criteria of the final landuse and landform along with the expected timeline for the rehabilitation program.</li> <li>Outline monitoring and mitigation measures to be adopted for rehabilitation remedial actions.</li> </ul>
<b>Adequate consultation with community</b>	<ul style="list-style-type: none"> <li>Consult with relevant agencies such as on the design, construction and operation of the proposed infrastructure.</li> <li>Consult with the owners / managers of affected and adjoining neighbours and agricultural operations in a timely and appropriate manner about; the proposal, the likely impacts and suitable mitigation measures or compensation.</li> <li>Establish a complaints register that includes reporting and investigating procedures and timelines, and liaison with Council in relation to complaint issues.</li> </ul>

<b>Contingency and Environmental Management Plan developed</b>	<ul style="list-style-type: none"> <li>Contingency plans should be developed to enable the operation to deal with emergency situations. Commitment to the preparation of an Emergency Management plan that outlines procedures and responsibilities for responding to extreme climatic conditions.</li> </ul>
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For more information on this advice please contact Selina Stillman, Agricultural Land Use Planning Officer on 0412 424397.

Yours sincerely



Cassandra McNamara  
Manager, Coordination  
**DPIE DPI – Strategy & Policy**  
9 December 2019