

# Appendices

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# Appendix 1

## Director-General's Requirements

(Total No. of pages including blank pages = 12)

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## Development Assessment Systems and Approvals

## Mining Projects

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23-33 Bridge Street

GPO Box 39

SYDNEY NSW 2001

Mr Kevin Maloney  
Sutton Forest Quarries Pty Ltd  
PO Box R233  
ROYAL EXCHANGE NSW 1225

Dear Mr Maloney

**State Significant Development - Director-General's Requirements  
Sutton Forest Quarry Project (SSD-6334)**

The Director General's environmental assessment requirements (DGRs) for the preparation of an Environmental Impact Statement (EIS) for the proposed Sutton Forest Quarry Project are attached.

These requirements are based on the information you have provided to date and have been prepared in consultation with relevant government agencies. Their comments, which you should address appropriately in preparing the EIS, are also attached (see Attachment 2). Please note that the Department of Planning and Infrastructure 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 two years of the date of issue of these DGRs. The Department will review the EIS for the project carefully before putting it on public exhibition, and will require you to submit an amended EIS if it does not adequately address the DGRs.

I would particularly like to encourage you to consult broadly during the preparation of the EIS. Clear evidence must be presented to demonstrate that all issues raised during consultation (particularly issues raised by the community) have been addressed in the EIS.

Your development may require separate approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Department encourages you to confirm whether such an approval will be required as soon as possible (<http://www.environment.gov.au> or 6274 1111). If an EPBC Act approval is required, I would appreciate it if you would advise the Department accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary DGRs may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the development application and EIS for your 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 number of copies (hard-copy and CD-ROM) of the EIS required for review.

If you have any enquiries about these requirements, please contact Carl Dumpleton at the details listed above.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Kitto', followed by the date '7/2/14'.

David Kitto  
**Director**  
**Mining Projects**  
as delegate for the Director-General

## Director General's Environmental Assessment Requirements

### Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

#### State Significant Development

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| <b>Application Number</b>   | SSD 6334  |
| <b>Development</b>          | <p>Sutton Forest Quarry Project, which includes:</p> <ul style="list-style-type: none"> <li>establishment of a quarry to extract and process at a maximum rate up to 1.15 million tonnes per annum of sand, from a total resource of approximately 25 million tonnes;</li> <li>construction of site infrastructure and environmental controls;</li> <li>transportation of material off-site via public roads; and</li> <li>progressive rehabilitation of the site.</li> </ul>   |
| <b>Location</b>             | 13302 Hume Highway, Sutton Forest, approximately 20 kilometres southwest of Moss Vale   |
| <b>Applicant</b>            | Sutton Forest Quarries Pty Ltd  |
| <b>Date of Issue</b>        | 7 February 2014   |
| <b>General Requirements</b> | <p>The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In addition, the EIS must include a:</p> <ul style="list-style-type: none"> <li>detailed description of the development, including: <ul style="list-style-type: none"> <li>need for the proposed development;</li> <li>alternatives considered;</li> <li>likely components and staging of the development - including construction, operational stage/s and rehabilitation; and</li> <li>plans of any proposed building works;</li> </ul> </li> <li>consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments;</li> <li>a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment;</li> <li>detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> <li>a description of the existing environment, using sufficient baseline data;</li> <li>an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes; and</li> <li>a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage any significant risks to the environment; and</li> </ul> </li> <li>a statement of commitments, outlining all the proposed environmental management and monitoring measures included in the EIS.</li> </ul> <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>a detailed calculation of the capital investment value (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the proposal, including details of all the assumptions and components from which the CIV calculation is derived;</li> <li>a close estimate of the jobs that will be created by the development during the construction and operational phases of the development; and</li> <li>certification that the information provided is accurate at the date of preparation.</li> </ul> |

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| <b>Key Issues</b> | <p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> <li>• <b>Land Resources</b> – including a detailed assessment of the potential impacts on: <ul style="list-style-type: none"> <li>- soils and land capability (including land contamination);</li> <li>- landforms and topography;</li> <li>- land use, including conservation and recreational use; and</li> <li>- agricultural resources and/or enterprises in the local area, including: <ul style="list-style-type: none"> <li>o any change in land-use arising from requirements for biodiversity offsets; and</li> <li>o a detailed description of the measures that would be implemented to avoid and/or minimise the potential impacts of the project on agricultural resources and/or enterprises;</li> </ul> </li> </ul> </li> <li>• <b>Water Resources</b> – including: <ul style="list-style-type: none"> <li>- detailed assessment of potential impacts on the quality and quantity of existing surface and ground water resources including the impacts on: <ul style="list-style-type: none"> <li>o existing user entitlements, affected licensed water users and basic landholder rights;</li> <li>o groundwater-dependent and riparian ecology; and</li> <li>o regional water supply infrastructure; and</li> </ul> </li> <li>- 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;</li> <li>- a detailed consideration of maintenance of an adequate buffer between all excavations and the highest predicted groundwater table;</li> <li>- identification of any licensing requirements or other approvals under the <i>Water Act 1912</i> and/or <i>Water Management Act 2000</i>;</li> <li>- 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) or water source embargo; and</li> <li>- a detailed description of the proposed water management system, water monitoring program and other measures to mitigate surface and groundwater impacts;</li> </ul> </li> <li>• <b>Biodiversity</b> – including: <ul style="list-style-type: none"> <li>- measures taken to avoid, reduce or mitigate impacts on biodiversity;</li> <li>- accurate estimates of proposed vegetation clearing;</li> <li>- a detailed assessment of potential impacts of the development on any: <ul style="list-style-type: none"> <li>o terrestrial or aquatic threatened species or populations and their habitats, endangered ecological communities and groundwater dependent ecosystems, paying particular attention to the indirect impacts on the threatened ecological communities and threatened flora associated with Long Swamp; and</li> <li>o regionally significant remnant vegetation, or vegetation corridors, with particular consideration to the <i>Illawarra Regional Environmental Plan No 1</i>;</li> </ul> </li> <li>- a comprehensive offset strategy to ensure the development maintains or improves biodiversity values in the medium to long term;</li> </ul> </li> <li>• <b>Heritage</b> – including: <ul style="list-style-type: none"> <li>- an Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must: <ul style="list-style-type: none"> <li>o demonstrate effective consultation with Aboriginal communities in determining and assessing impacts, and developing and selecting mitigation options and measures; and</li> <li>o outline any proposed impact mitigation and management measures (including an evaluation of the effectiveness and reliability of the measures); and</li> </ul> </li> <li>- a Historic heritage assessment (including archaeology) which must: <ul style="list-style-type: none"> <li>o include a statement of heritage impact (including significance assessment) for any State significant or locally significant historic heritage items; and</li> <li>o outline any proposed mitigation and management measures (including an evaluation of the effectiveness and reliability of the measures);</li> </ul> </li> </ul> </li> </ul> |
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|                            | <ul style="list-style-type: none"> <li>• <b>Traffic &amp; Transport</b> – including: <ul style="list-style-type: none"> <li>- accurate predictions of project-related traffic and a detailed assessment of the potential impacts of project-related traffic on the capacity, safety and efficiency of road networks, including modelling to predict queue lengths and intersection performance; and</li> <li>- a detailed description of the measures that would be implemented to upgrade and/or maintain the capacity, efficiency and safety of effected roads and intersections over the life of the project, including concept plans for any proposed works;</li> </ul> </li> <li>• <b>Air Quality</b> – including a quantitative assessment of potential: <ul style="list-style-type: none"> <li>- construction and operational impacts;</li> <li>- reasonable and feasible mitigation measures to minimise dust emissions; and</li> <li>- monitoring and management measures;</li> </ul> </li> <li>• <b>Noise</b> – including a quantitative assessment of potential: <ul style="list-style-type: none"> <li>- construction, operational and transport noise impacts;</li> <li>- off-site road noise impacts;</li> <li>- reasonable and feasible mitigation measures, including evidence that there are no such measures available other than those proposed; and</li> <li>- monitoring and management measures;</li> </ul> </li> <li>• <b>Visual</b> – including: <ul style="list-style-type: none"> <li>- a detailed assessment of the: <ul style="list-style-type: none"> <li>o changing landforms on site during the various stages of the project; and</li> <li>o potential visual impacts of the project on private landowners in the surrounding area as well as key vantage points in the public domain; and</li> </ul> </li> <li>- a detailed description of the measures that would be implemented to minimise the potential visual impacts of the project;</li> </ul> </li> <li>• <b>Waste</b> – including: <ul style="list-style-type: none"> <li>- accurate estimates of the quantity and nature of the potential waste streams of the development, including waste fines from processing; and</li> <li>- a description of measures that would be implemented to minimise production of other waste, and ensure that that waste is appropriately managed;</li> </ul> </li> <li>• <b>Greenhouse Gases</b> – including: <ul style="list-style-type: none"> <li>- a quantitative assessment of potential Scope 1, 2 and 3 greenhouse gas emissions;</li> <li>- a qualitative assessment of the potential impacts of these emissions on the environment; and</li> <li>- an assessment of reasonable and feasible measures to minimise greenhouse gas emissions and ensure energy efficiency;</li> </ul> </li> <li>• <b>Hazards</b> – paying particular attention to public safety and bushfires;</li> <li>• <b>Social &amp; Economic</b> – including an assessment of the: <ul style="list-style-type: none"> <li>- potential impacts on local and regional communities, including impacts on social amenity;</li> <li>- a detailed description of the measures that would be implemented to minimise the adverse social and economic impacts of the project, including any infrastructure improvements or contributions and/or voluntary planning agreement or similar mechanism; and</li> <li>- a detailed assessment of the costs and benefits of the development as a whole, and whether it would result in a net benefit for the NSW community; and</li> </ul> </li> <li>• <b>Rehabilitation</b> – including the proposed rehabilitation strategy for the site, having regard to the key principles in the <i>Strategic Framework for Mine Closure</i>, including: <ul style="list-style-type: none"> <li>- rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria;</li> <li>- nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and</li> <li>- the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region.</li> </ul> </li> </ul> |
| <b>Plans and Documents</b> | The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental</i>  |



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|   | <i>Planning and Assessment Regulation 2000</i> . These documents should be included as part of the EIS rather than as separate documents.   |
| <b>Consultation</b>                       | <p>During the preparation of the EIS, you must consult with relevant local, State and Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with the:</p> <ul style="list-style-type: none"> <li>• Commonwealth Department of the Environment;</li> <li>• Office of Environment and Heritage (including the Heritage Branch);</li> <li>• Environment Protection Authority;</li> <li>• Division of Resources and Energy within the Department of Trade and Investment, Regional Infrastructure and Services;</li> <li>• Department of Primary Industries (including the NSW Office of Water, NSW Forestry, Agriculture and Fisheries sections, Catchments and Lands (Crown Lands Division));</li> <li>• NSW Health;</li> <li>• Transport for NSW (including the Centre for Transport Planning, Roads and Maritime Services);</li> <li>• South East Local Land Services; and</li> <li>• <b>Wingecarribee Shire Council</b>.</li> </ul> <p>The EIS must:</p> <ul style="list-style-type: none"> <li>• describe the consultation process used and demonstrate that effective consultation has occurred;</li> <li>• describe the issues raised by public authorities, service providers, community groups and landowners;</li> <li>• identify where the design of the development has been amended in response to issues raised; and</li> <li>• otherwise demonstrate that issues raised have been appropriately addressed in the assessment.</li> </ul> |
| <b>Further consultation after 2 years</b> | If you do not lodge a DA and an EIS for the development within 2 years of the issue date of these DGRs, you must consult further with the Director-General in relation to the requirements for lodgement.   |
| <b>References</b>                         | The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.  |

## ATTACHMENT 1 Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.bookshop.nsw.gov.au>

<http://www.publications.gov.au>

## Policies, Guidelines & Plans

| Risk Assessment |   |
|-----------------|---|
|                 | AS/NZS 4360:2004 Risk Management (Standards Australia)  |
|                 | HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)                                   |
| Land Resources  |   |
|                 | Draft Agricultural Impact Assessment Guidelines 2011 (DP&I)   |
|                 | Agfact AC25: Agricultural Land Classification (NSW Agriculture)   |
|                 | Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)                        |
| Water Resources |   |
| Surface Water   | 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)            |
|                 | National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)         |
|                 | Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)  |
|                 | State Water Management Outcomes Plan  |
|                 | Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources 2011   |
|                 | NSW Government Water Quality and River Flow Objectives (DECC)   |
|                 | Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)   |
|                 | Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries.                       |
|                 | Managing Urban Stormwater: Treatment Techniques (DECC)  |
|                 | Managing Urban Stormwater: Source Control (DECC)  |
|                 | Floodplain Development Manual (DIPNR)   |
|                 | Floodplain Risk Management Guideline (DECC)   |
|                 | A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)   |
|                 | Technical Guidelines: Bunding & Spill Management (DECC)   |
|                 | National Guidelines for Sewerage Systems - Effluent Management (ANZECC 1997)  |
|                 | Office of Water Guidelines for Controlled Activities (2012)   |
| Groundwater     | National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)                |
|                 | NSW State Groundwater Policy Framework Document (DLWC, 1997)  |
|                 | NSW State Groundwater Quality Protection Policy (DLWC, 1998)  |
|                 | NSW State Groundwater Quantity Management Policy (DLWC, 1998)   |
|                 | Murray-Darling Basin Groundwater Quality. Sampling Guidelines. Technical Report No 3 (MDBC)                                   |
|                 | Murray-Darling Basin Commission. Groundwater Flow Modelling Guideline (Aquaterra Consulting Pty Ltd)                          |
|                 | Guidelines for the Assessment & Management of Groundwater Contamination (DECC, 2007)  |

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|                                | Any relevant Water Sharing Plan for groundwater and surface water resources   |
|                                | NSW Aquifer Interference Policy (2012)  |
| <b>Biodiversity</b>            |   |
|                                | Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECCW 2009)         |
|                                | Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DECC 2004) |
|                                | Guidelines for Threatened Species Assessment (DoP 2005)   |
|                                | BioBanking Assessment Methodology and Credit Calculator Operational Manual (DECCW 2008)                               |
|                                | The Threatened Species Assessment Guideline – The Assessment of Significance (DECC 2007)                              |
|                                | NSW State Groundwater Dependent Ecosystem Policy (DLWC)   |
|                                | Policy & Guidelines - Aquatic Habitat Management and Fish Conservation (NSW Fisheries)                                |
|                                | State Environmental Planning Policy No. 44 – Koala Habitat Protection   |
|                                | Principles for the Use of Biodiversity Offsets in NSW (OEH)   |
| <b>Heritage</b>                |   |
| <i>Aboriginal</i>              | Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DEC 2005)                    |
|                                | The Burra Charter (The Australia ICOMOS charter for places of cultural significance)                                  |
| <i>Historic</i>                | NSW Heritage Manual (NSW Heritage Office)   |
|                                | The Burra Charter (The Australia ICOMOS charter for places of cultural significance)                                  |
| <b>Traffic &amp; Transport</b> |   |
|                                | Guide to Traffic Generating Development (RTA)   |
|                                | Road Design Guide (RTA)   |
| <b>Air Quality</b>             |   |
|                                | Protection of the Environment Operations (Clean Air) Regulation 2002  |
|                                | Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DEC)                                      |
|                                | Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)   |
| <b>Greenhouse Gases</b>        |   |
|                                | National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))                                  |
|                                | Guidelines for Energy Savings Action Plans (DEUS)   |
| <b>Noise</b>                   |   |
|                                | NSW Industrial Noise Policy (DECC)  |
|                                | Environmental Noise Management – Assessing Vibration: a technical guide (DEC)   |
|                                | NSW Road Noise Policy (DECCW)   |
| <b>Waste</b>                   |   |
|                                | Waste Classification Guidelines (DECC)  |
| <b>Hazards</b>                 |   |
|                                | 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                                     |

**Rehabilitation**

Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)

Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)

Strategic Framework for Mine Closure (ANZMEC-MCA)

**Socio-Economic**

Draft Economic Evaluation in Environmental Impact Assessment (DoP)

Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)

NSW Government Guidelines for Economic Appraisal 2007



Planning &  
Environment

Planning Services  
Resource Assessments

Contact: Lauren Evans  
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Paul Ryall  
RW Corkery & Co  
PO Box 239  
Brooklyn NSW 2083

Dear Mr Ryall

**Sutton Forest Quarry Project (SSD 6334)  
Environmental Assessment Requirements**

I refer to your letter dated 19 January 2018. The Department understands that the submission of the Environmental Impact Statement (EIS) for the Sutton Forest Quarry Project has been delayed to allow further consultation with Roads and Maritime Services. You have indicated that you intend to seek the Department's agreement that the Secretary's Environment Assessment Requirements (SEARs), issued on 7 February 2014, can be relied upon beyond 31 January 2018.

The Department has reviewed the SEARs issued on 7 February 2014, as amended by the Department's letter dated 11 September 2017, and is satisfied that they can be relied upon for the completion of the EIS, provided that both the EIS and development application are submitted by 7 March 2018. However, the current SEARs will be subject to the following adjustment:

- the Noise Impact Assessment must be prepared in accordance with the *Noise Policy for Industry* (2017).

If the EIS is not submitted by 7 March 2018, you will need to consult further with the Secretary. It is likely that the current SEARs will be fully revised to reflect contemporary requirements. In particular, the Department notes that under the transitional arrangements for the Department's *Social impact assessment guideline for State significant mining, petroleum production and extractive industry development* (2017), any EIS submitted on or after 8 March 2018 must follow the new guideline.

If you have any further enquiries, please contact Lauren Evans.

Yours sincerely

Howard Reed  
Director  
Resource Assessments  
as delegate of the Secretary

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