

Environmental Assessment Requirements

State Significant Development

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application No.	SSD 18_9505
Proposal	<p>The McPhillamys Gold Project, which includes:</p> <ul style="list-style-type: none"> • developing an open cut mine and associated infrastructure to support the mine, including ore processing, stockpiling, tailings management and on-site water management infrastructure; • extracting and processing up to 7 million tonnes of ore a year for up to 15 years; • developing a water supply pipeline between the site and the Western Coalfield; • developing ancillary infrastructure, including site access and internal haul roads, workshop, stores, water supply, power supply and other minor site infrastructure; and • progressively rehabilitating the site.
Location	The proposed mine site is located 8 kilometres from Blayney, in the Blayney and Cabonne local government areas. The proposed water supply pipeline is located within the Blayney, Cabonne, Bathurst and Lithgow local government areas.
Applicant	Regis Resources Ltd
Date of Issue	19 December 2018
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> • a stand-alone executive summary; • a full description of the development, including: <ul style="list-style-type: none"> - the geological setting and resource to be extracted, demonstrating efficient resource recovery within environmental constraints; - the mine site and processing site layout and scheduling; - minerals processing; - surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); - a waste (overburden, tailings, etc.) management strategy; - a water management strategy; - a rehabilitation strategy; and - the likely interactions between the development and any other existing, approved or proposed mining related development in the vicinity of the sites; • a strategic justification of the development focusing on site selection and the suitability of the proposed sites; • a list of any approvals that must be obtained before the development may commence; • an assessment of the likely impacts of the development on the environment, focusing on the specific issues identified below, including: <ul style="list-style-type: none"> - a description of the existing environment likely to be affected by the development, using sufficient baseline data; - an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant laws, environmental planning instruments, guidelines, policies, plans and industry codes of practice;

	<ul style="list-style-type: none"> - a description of the measures that would be implemented to avoid, mitigate and/or offset the impacts of the development, and an assessment of: <ul style="list-style-type: none"> o whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented; o the likely effectiveness of these measures; and o whether contingency plans would be necessary to manage any residual risks; and - a description of the measures that would be implemented to monitor and report on the environmental performance of the development; • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>); and • the reasons why the development should be approved having regard to: <ul style="list-style-type: none"> - relevant matters for consideration under the <i>Environmental Planning and Assessment Act 1979</i>, including the objects of the Act and how the principles of ecologically sustainable development have been incorporated in the design, construction and ongoing operations of the development; - the biophysical, economic and social costs and benefits of the development; - the suitability of the sites with respect to potential land use conflicts with existing and future surrounding land uses; and - feasible alternatives to the development (and its key components), including the consequences of not carrying out the development. <p>While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p> <p>In addition to the matters set out in Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>, the development application must be accompanied by a signed report from a suitably qualified person that includes an accurate estimate of the capital investment value of the development (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>), including details of all the assumptions and components from which the capital investment value calculation is derived.</p>
Key Issues	<p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> • Land – including an assessment of: <ul style="list-style-type: none"> - the likely impacts of the development on the soils and land capability of the site and surrounds, and a description of the mitigation and management measures to prevent, control or minimise impacts of the development; - the likely agricultural impacts of the development, including identification of any strategic agricultural land; - the likely impact of the development on landforms (ie local topography), including the long term geotechnical stability of any new landforms proposed on site; and - the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements of Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>, paying particular attention to the agricultural land use in the region; • Water – including: <ul style="list-style-type: none"> - an assessment of the likely impacts of the development on the quantity and quality of surface, and groundwater, having regard to the <i>NSW Aquifer Interference Policy</i>; - an assessment of the hydrological characteristics of the site and downstream;

	<ul style="list-style-type: none"> - an assessment of the likely impacts of the development on aquifers, watercourses, riparian land, water-related infrastructure and systems and other water users, including impacts to water supply from Carcoar Dam, riparian and licensed water users, use and discharge of water during construction, commissioning and maintenance of the pipeline infrastructure; - 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 and transfer infrastructure and water storage structures, and measures to minimise water use; - demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP); - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant WSP or water source embargo; and - a detailed description of the proposed water management system (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts; - a description of construction erosion and sediment controls, how the impacts of the development on areas of erosion, salinity or acid-sulphate risk, steep gradient land or erodible soils types would be managed and any contingency requirements to address residual impacts; and - an assessment of the potential flooding impacts of the project; • Noise, Vibration and Blasting – including: <ul style="list-style-type: none"> - an assessment of the likely operational noise impacts of the development (including construction noise) in accordance with the <i>Noise Policy for Industry NSW</i>, and the <i>Voluntary Land Acquisition and Mitigation Policy</i>; - if a claim is made for specific construction noise criteria for certain activities, then this claim must be justified and accompanied by an assessment of the likely construction noise impacts of these activities in accordance with the <i>Interim Construction Noise Guideline</i>; - an assessment of the likely road noise impacts of the development in accordance with the <i>NSW Road Noise Policy</i>; and - an assessment of the likely blasting impacts of the development on people, animals, buildings and infrastructure, and significant natural features, having regard to the relevant ANZECC guidelines; • Air Quality – including: <ul style="list-style-type: none"> - an assessment of the likely air quality impacts of the development, including cumulative impacts from nearby developments, in accordance with the <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW</i>, and having regard to the NSW Government's <i>Voluntary Land Acquisition and Mitigation Policy</i>; and - an assessment of the likely greenhouse gas impacts of the development; - a description of the feasibility of measures that would be implemented to monitor and report on the emissions (including fugitive dust and greenhouse gases) of the development; • Biodiversity – including: <ul style="list-style-type: none"> - an assessment of the direct and indirect biodiversity impacts of the development throughout its life, and impacts on biodiversity values in the region, which: <ul style="list-style-type: none"> ○ for the open cut mine is assessed in accordance with the <i>Framework for Biodiversity Assessment</i>; and includes a strategy to offset any residual impacts in accordance with the <i>NSW Biodiversity Offsets Policy for Major Projects</i>; and ○ for the water supply pipeline is assessed in a Biodiversity Development Assessment Report in accordance with Section 7.9 of the <i>Biodiversity Conservation Act 2016 (NSW)</i>, the <i>Biodiversity Assessment Method</i>, and includes a strategy to offset any residual impacts in accordance with the <i>Biodiversity Conservation Act 2016 (NSW)</i>;
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	<ul style="list-style-type: none"> - an assessment of the likely impacts of the development on aquatic ecology and key Fisheries issues, including Aquatic Biodiversity and Key Fish Habitats; - an assessment of impacts to koalas and koala habitat in accordance with <i>State Environmental Planning Policy No. 44 – Koala Habitat Protection</i>; and - a detailed description of the proposed regime for minimising, managing and reporting on the biodiversity impacts of the development over time; <ul style="list-style-type: none"> • Heritage – including: <ul style="list-style-type: none"> - an assessment of the likely Aboriginal and historic heritage (cultural and archaeological) impacts of the development, including adequate consultation with Aboriginal stakeholders having regard to the <i>Aboriginal Cultural Heritage Consultation Requirements for Proponents</i> (OEH, 2010); and - an assessment of the impact on environmental heritage in accordance with the <i>NSW Heritage Manual</i>, including heritage conservation areas and State and local heritage items within and near the site, and detailed mitigation measures to offset potential impacts on Heritage values; • Traffic and Transport – including: <ul style="list-style-type: none"> - an assessment of the likely traffic and transport impacts of the development on the capacity, condition, safety and efficiency of the road network and any cumulative impacts of other developments in the locality; - an assessment of the site access routes (including Mid Western Highway and Great Western Highway) and site access points in accordance with the <i>Roads Act 1993</i>; and - a description of the measures that would be implemented to mitigate and / or manage potential traffic impacts including a schedule of all required road upgrades, road maintenance contributions, management of oversized and over mass traffic and other traffic control measures, developed in consultation with the relevant road authority (if required); • Hazards - including an assessment of the likely risks to public safety, paying particular attention to potential geochemical and bushfire risks, and storage, handling, transport and use of any dangerous goods; • Visual – including an assessment of: <ul style="list-style-type: none"> - the likely visual impacts of the development on private land in the vicinity of the development and key vantage points in the public domain, paying particular attention to any temporary and permanent modification of the landscape (eg overburden dumps, bunds, tailings facilities), and - the lighting impacts of the development; and • Waste Management – including: <ul style="list-style-type: none"> - a tailings risk assessment based on the tailings composition and identification, quantification and classification of the potential waste streams likely to be generated during construction and operation, including and not limited to non-production wastes, reagent materials and cyanide compounds; and - description of the measures to be implemented to store, manage, reuse, recycle and safely dispose of these materials in accordance with the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>, including and not limited to operational water by-products, adequate spill detection and clean up systems, suitable locations for disposal or reuse of spoil generated during construction; • Closure, Rehabilitation and Final Landform – including a Rehabilitation and Landscape Management Strategy providing: <ul style="list-style-type: none"> - a detailed overview of the final land-use and closure criteria for the development, including both the mine site and raw water pipeline; and - identification and discussion of opportunities to improve rehabilitation and environmental outcomes for existing disturbed areas within the project site; and • Socio-Economic – including an assessment of: <ul style="list-style-type: none"> - an assessment of the social impacts of the project, prepared in accordance with the <i>Social Impact Assessment Guideline for State Significant Mining, Petroleum Production and Extractive Industry Development (2017)</i>, including the likely impacts of the development on the local community,
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	<p>cumulative impacts (considering other mining developments in the locality), and consideration of workforce accommodation;</p> <ul style="list-style-type: none"> - an assessment of the likely economic impacts of the development, paying particular attention to: <ul style="list-style-type: none"> o the significance of the resource; o economic benefits of the project for the State and region; o the demand for the provision of local infrastructure and services; and o consideration of the need for a Voluntary Planning Agreement in relation to the demand for the provision of local infrastructure and services.
Consultation	<p>During the preparation of the EIS, you should consult with relevant local, State and Commonwealth Government authorities, infrastructure and service providers, community groups, Registered Aboriginal Parties (RAPs) affected landowners, and holders of existing mining and exploration authorities intersected by the proposed pipeline corridor. You must also establish a Community Consultative Committee for the project in accordance with the <i>Community Consultative Committee Guidelines for State Significant Projects</i>, and consult with the committee during the preparation of the EIS.</p> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.</p>
Further consultation after 2 years	<p>If you do not lodge a development application and an EIS for the development within 2 years of the issue date of these Environmental Assessment Requirements (EARs), you must consult further with the Secretary in relation to the preparation of the EIS.</p>

Attachment 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Land	
	Primefact 1063: Infrastructure proposals on rural land (DPI)
	Australian Soil and Land Survey Handbook (CSIRO)
	Guidelines for Surveying Soil and Land Resources (CSIRO)
	The land and soil capability assessment scheme: second approximation (OEH)
Water	
Water Sharing Plans	Water Sharing Plan for the Belubula Regulated River Water Source 2012
	Water Sharing Plan for the Lachlan Unregulated Rivers and Alluvial Groundwater Sources 2012
	Water Sharing Plan for the NSW Murray Darling Basin Fractured Rock Groundwater Sources 2011
Groundwater	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	NSW Aquifer Interference Policy 2012 (NOW)
	Australian Groundwater Modelling Guidelines 2012 (Commonwealth)
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	Guidelines for the Assessment & Management of Groundwater Contamination (EPA)
Surface Water	NSW State Rivers and Estuary Policy (NOW)
	NSW Government Water Quality and River Flow Objectives (EPA)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Use of Reclaimed Water (ARMCANZ/ANZECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)
	Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
Flooding	NSW Guidelines for Controlled Activities (NOW)
	Floodplain Development Manual (OEH)
	Floodplain Risk Management Guideline (OEH)
Biodiversity	
	Framework for Biodiversity Assessment (OEH)
	Biodiversity Assessment Method (OEH)
	Threatened Species Assessment Guidelines (OEH)
	Biosecurity Act 2015
	Policy and Guidelines for Fish Habitat Conservation and Management (DPI)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (DPI)
	NSW Biodiversity Offsets Policy for Major Projects, Fact Sheet: Aquatic Biodiversity

Heritage	<p>Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW)</p> <p>Code of Practice for Archaeological Investigations of Objects in NSW (OEH)</p> <p>Guide to investigating, assessing and reporting on aboriginal cultural heritage in NSW (OEH)</p> <p>Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECCW)</p> <p>NSW Heritage Manual (OEH)</p>
Noise, Vibration and Blasting	<p>Voluntary Land Acquisition and Mitigation Policy: For State Significant Mining, Petroleum and Extractive Industry Developments (DPE)</p> <p>NSW Noise Policy for Industry (EPA)</p> <p>Interim Construction Noise Guideline (EPA)</p> <p>NSW Road Noise Policy (EPA)</p> <p>Environmental Noise Management – Assessing Vibration: a Technical Guideline (DEC)</p> <p>Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure and Ground Vibration (ANZECC)</p>
Air Quality	<p>Voluntary Land Acquisition and Mitigation Policy: For State Significant Mining, Petroleum and Extractive Industry Developments (DPE)</p> <p>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (EPA)</p> <p>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)</p> <p>National Greenhouse Accounts Factors (Commonwealth)</p>
Transport	<p>Guide to Traffic Generating Developments (RTA)</p> <p>Road Design Guide (RMS) & relevant Austroads Standards</p> <p>Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development</p>
Hazards	<p>Australian Dangerous Goods Code</p> <p>Australian Standard 4452 Storage and Handling of Toxic Substances</p> <p>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</p> <p>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</p>
Socio-Economic	<p>Social Impact Assessment Guideline: For State Significant Mining, Petroleum Production and Extractive Industry Development (DPE)</p>
Resource	<p>Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)</p>
Waste	<p>Waste Classification Guidelines (EPA)</p> <p>Protection of the Environment Operations (Waste) Regulation 2014</p> <p>Environmental Guidelines: Solid Waste Landfills (EPA)</p> <p>Tailings Management – Leading Practice Sustainable Development Program for the Mining Industry (Australian Government)</p>
Rehabilitation	<p>Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)</p> <p>Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)</p> <p>Strategic Framework for Mine Closure (ANZMEC-MCA)</p> <p>Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)</p>

Environmental Planning Instruments

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Rural Lands) 2008

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No 33 – Hazardous and Offensive Development

Blayney Local Environmental Plan 2012

Cabonne Local Environmental Plan 2012

Bathurst Regional Local Environmental Plan 2014

Lithgow Local Environmental Plan 2014

Attachment 2
Agency Requirements