

Mr Russell Hogan  
Mirvac Industrial Sub SPV Pty Limited  
Level 28, 200 George Street  
Sydney NSW 2000

EF19/1079  
SEAR 1295

Dear Mr Hogan,

**Secretary's Environmental Assessment Requirements (SEARs)  
Waste Disposal Facility - Bulk Earthworks (fill) Importation  
1669-1723 Elizabeth Drive, Badgerys Creek (Penrith LGA)**

Thank you for your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above development proposal. I have attached a copy of these requirements.

In support of your application, you indicated that your proposal is designated development under Part 4 of the *Environmental Planning and Assessment Act 1979*. In preparing the SEARs, the Department has consulted with the Environment Protection Authority (EPA), Department of Primary Industries (DPI), Office of Environment and Heritage (OEH) and Roads and Maritime Services (RMS). A copy of their requirements is attached.

Unfortunately, the Department of Industry – Natural Resources Access Regulator was unable to respond in time. You must undertake direct consultation with them and address their requirements in the EIS.

If any integrated approvals are identified before the Development Application (DA) is lodged, you must undertake direct consultation with the relevant agencies, and address their requirements in the EIS.

If your proposal contains any actions that could have a significant impact on matters of National Environmental Significance, then it will require an additional approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. If you have any questions about the application of the EPBC Act to your proposal, you should contact the Commonwealth Department of the Environment and Energy on (02) 6274 1111.

Should you have any further enquiries, please contact William Hodgkinson, Planning Services, at the Department on (02) 8725 1055 or via email at [william.hodgkinson@planning.nsw.gov.au](mailto:william.hodgkinson@planning.nsw.gov.au).

Yours sincerely



Chris Ritchie

Director

Industry Assessments

as delegate of the Planning Secretary

20/2/19.

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*.  
Schedule 3 of the *Environmental Planning and Assessment Regulation 2000*.

## Designated Development

<b>SEAR Number</b>	SEAR 1295
<b>Proposal</b>	Use of the site as a waste disposal facility, involving the importation of approximately 600,000m <sup>3</sup> of fill material, being virgin excavated natural material, excavated natural material and other "clean fill".
<b>Location</b>	1669-1723 Elizabeth Drive, Badgerys Creek (Lot 5 DP860456)
<b>Applicant</b>	Mirvac Industrial Sub SPV Pty Limited
<b>Date of Issue</b>	14/02/2019
<b>General Requirements</b>	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i> .
<b>Key Issues</b>	<p>The EIS must include an assessment of all potential impacts of the proposed development on the existing environment (including cumulative impacts if necessary) and develop appropriate measures to avoid, minimise, mitigate and/or manage these potential impacts. As part of the EIS assessment, the following matters must also be addressed:</p> <ul style="list-style-type: none"> <li>• <b>strategic context</b> – including: <ul style="list-style-type: none"> <li>– a detailed justification for the proposal and suitability of the site for the development;</li> <li>– a demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies;</li> <li>– strategic justification for the proposal with regards to the <i>Western Sydney Aerotropolis – Land Use and Infrastructure Implementation Plan – Stage 1: Initial Precincts</i>, and</li> <li>– a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out.</li> </ul> </li> <li>• <b>waste management</b> – including: <ul style="list-style-type: none"> <li>– details of the type, quantity and classification of waste to be received at the site;</li> <li>– details of waste handling including, transport, identification, receipt, stockpiling and quality control; and</li> <li>– the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>.</li> </ul> </li> <li>• <b>erosion and sediment control</b> – including: <ul style="list-style-type: none"> <li>– measures implemented to prevent any impact on adjoining properties and infrastructure from the cut and fill earthworks being undertaken;</li> <li>– measures implemented to mitigate potential impacts to South Creek; and</li> <li>– erosion and sediment control measures are to be consistent with the Landcom Blue Book, <i>Managing Urban Stormwater Soils and Construction (Vol 1 4<sup>th</sup> ed., 2004)</i>.</li> </ul> </li> <li>• <b>soil and water</b> – including: <ul style="list-style-type: none"> <li>– a description of local soils, topography, drainage and landscapes;</li> <li>– details of water usage for the proposal including existing and proposed</li> </ul> </li> </ul>

	<p>water licencing requirements in accordance with the <i>Water Act 1912</i> and/or the <i>Water Management Act 2000</i>;</p> <ul style="list-style-type: none"> <li>- an assessment of potential impacts on floodplain and stormwater management and any impact to flooding in the catchment;</li> <li>- a detailed site water balance;</li> <li>- an assessment of potential impacts on the quality and quantity of surface and groundwater resources;</li> <li>- details of the proposed stormwater and wastewater management systems (including sewage), water monitoring program and other measures to mitigate surface and groundwater impacts;</li> <li>- characterisation of the nature and extent of any contamination on the site and surrounding area; and</li> <li>- a description and appraisal of impact mitigation and monitoring measures.</li> </ul> <ul style="list-style-type: none"> <li>• <b>traffic and transport</b> – including: <ul style="list-style-type: none"> <li>- a traffic impact assessment in accordance with Roads and Maritime Services guidelines;</li> <li>- details of road transport routes and access to the site;</li> <li>- road traffic predictions for the development during the proposed works and operation;</li> <li>- an assessment of impacts to the safety and function of the road network and the details of any road upgrades required for the development; and</li> <li>- plans demonstrating how all vehicles associated with the proposed works and operation awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network.</li> </ul> </li> <li>• <b>air quality and odour</b> – including: <ul style="list-style-type: none"> <li>- a quantitative assessment of the potential air quality, dust and odour impacts of the development in accordance with relevant Environment Protection Authority guidelines. This is to include the identification of existing and potential future sensitive receivers and consideration of approved and/or proposed developments in the vicinity; and</li> <li>- a description and appraisal of air quality impact mitigation and monitoring measures.</li> </ul> </li> <li>• <b>hazards and risk</b> – including: <ul style="list-style-type: none"> <li>- an assessment of the risk of bushfire, including addressing the requirements of <i>Planning for Bush Fire Protection 2006</i> (RFS) or its replacement. Any proposed Asset Protection Zones must not adversely affect environmental objectives (e.g. buffers);</li> <li>- any geotechnical limitations that may occur on the site and if necessary, appropriate design considerations to address this; and</li> <li>- an assessment of flood risk on the site. The assessment should determine: the flood hazard in the area; address the impact of flooding on the proposed development, and the development's impact (including filling) on flood behaviour of the site and adjacent lands; and address adequate egress and safety in a flood event.</li> </ul> </li> <li>• <b>noise and vibration</b> – including: <ul style="list-style-type: none"> <li>- a quantitative assessment of noise and vibration impacts during the proposed works and from transport in accordance with relevant Environment Protection Authority guidelines. This is to include the identification of existing and potential future sensitive receivers and consideration of approved and/or proposed developments in the vicinity;</li> <li>- details and justification of the proposed noise mitigation and monitoring measures; and</li> <li>- specify the times of operation for all phases of the development and for all noise producing activities.</li> </ul> </li> <li>• <b>biodiversity</b> – including: <ul style="list-style-type: none"> <li>- assessment of biodiversity impacts in accordance with the <i>Biodiversity Assessment Method</i> and documented in a Biodiversity Development Assessment Report (BDAR).</li> </ul> </li> <li>• <b>contamination</b> – including:</li> </ul>
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	<ul style="list-style-type: none"> <li>- a detailed assessment of the extent and nature of any contamination of the soil, groundwater and marine sediments.</li> <li>• <b>heritage</b> – including Aboriginal (preparation of an Aboriginal Cultural Heritage Assessment Report) and non-Aboriginal cultural heritage items and values of the site and surrounding area in accordance with the relevant Office of Environment and Heritage guidelines.</li> <li>• <b>visual</b> – including an impact assessment at private receptors and public vantage points with consideration given to Elizabeth Drive and its role as a key boulevard traversing the Aerotropolis and as a potential road link into Western Sydney Airport.</li> </ul>
<b>Environmental Planning Instruments and other policies</b>	<p>The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to:</p> <ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Infrastructure) 2007;</i></li> <li>• <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009;</i></li> <li>• <i>State Environmental Planning Policy No 33 – Hazardous and Offensive Development;</i></li> <li>• <i>State Environmental Planning Policy No 55 – Remediation of Land;</i></li> <li>• <i>Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997);</i></li> <li>• <i>A Metropolis of Three Cities;</i></li> <li>• <i>Western City District Plan;</i></li> <li>• <i>Western Sydney Aerotropolis – Land Use and Infrastructure Implementation Plan – Stage 1: Initial Precincts;</i></li> <li>• <i>Penrith Local Environmental Plan 2010;</i> and</li> <li>• relevant development control plans and section 7.11 plans.</li> </ul>
<b>Guidelines</b>	<p>During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at <a href="http://planning.nsw.gov.au">planning.nsw.gov.au</a> under Development Proposals/Register of Development Assessment Guidelines. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.</p>
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the:</p> <ul style="list-style-type: none"> <li>• Environment Protection Authority;</li> <li>• Office of Environment and Heritage;</li> <li>• Department of Primary Industries;</li> <li>• Department of Industry;</li> <li>• Department of Planning and Environment – Aerotropolis Activation</li> <li>• Roads and Maritime Services;</li> <li>• WaterNSW;</li> <li>• Rural Fire Service;</li> <li>• Fire &amp; Rescue NSW;</li> <li>• Penrith City Council;</li> <li>• Liverpool City Council; and</li> <li>• the surrounding landowners and occupiers that are likely to be impacted by the proposal.</li> </ul> <p>Details of the consultation carried out and issues raised must be included in the EIS.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge an application under Section 4.12(8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.</p>

Our ref V15/3876-3#40 & OUT19/2078

William Hodgkinson  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

William.Hodgkinson@planning.nsw.gov.au

Dear William

**Re: Request for input into the Secretary's Environmental Assessment Requirements (SEARs) for Site Filling (Waste Disposal Facility) at 1669-1723 Elizabeth Drive, Badgerys Creek**

Thank you for your letter of 16 January 2019 seeking the Department of Industry – Lands & Water's (DoI – Lands & Water) comments on the SEARs request for the above designated development proposal.

DoI – Lands & Water has reviewed the supporting documentation and provides the following comments for the Secretary's Environmental Assessment Requirements (SEARs). Further details can be found in Attachment A.

It is recommended that the EIS be required to include, if relevant:

- Annual volumes of surface water and groundwater proposed to be taken by the activity (including through inflow and seepage) from each surface and groundwater source as defined by the relevant water sharing plan.
- Assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project).
- The identification of an adequate and secure water supply for the life of the project. Confirmation that water can be sourced from an appropriately authorised and reliable supply. This is to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.

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- An assessment of impediment to surface or groundwater flow, and potential flood impacts.
- Full technical details and data of all surface and groundwater modelling.
- Proposed surface and groundwater monitoring activities and methodologies.
- Proposed management and disposal of produced or incidental water
- Details of the final landform of the site, including final void management (where relevant) and rehabilitation measures.
- Assessment of any potential cumulative impacts on water resources, and any proposed options to manage the cumulative impacts.
- Consideration of relevant policies and guidelines.
- A statement of where each element of the SEARs is addressed in the EIS (i.e. in the form of a table).

Please contact Ellie Randall, Water Regulation Officer (Wollongong) on (02) 4224 9745 or [ellie.randall@nrar.nsw.gov.au](mailto:ellie.randall@nrar.nsw.gov.au) if you have further enquiries regarding this matter.

Yours sincerely



**Alison Collaros**  
Manager Licensing and Approvals (East)  
Natural Resources Access Regulator  
Department of Industry –Water

**15 February 2019**

**Dol – Lands & Water General Assessment Requirements for linear infrastructure projects**

The following detailed assessment requirements are provided to assist in adequately addressing the assessment requirements for this proposal.

For further information, visit the Dol – Lands & Water website,  
<https://www.industry.nsw.gov.au/water/licensing-trade/approvals>

**Key Relevant Legislative Instruments**

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

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

*Water Management Act 2000 (WMA 2000)*

Key points:

- Volumetric licensing in areas covered by water sharing plans
- Works within 40m of waterfront land
- SSD & SSI projects are exempt from requiring water supply work approvals and controlled activity approvals as a result of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*.
- No exemptions for volumetric licensing apply as a result of the *EP&A Act*.
- Basic landholder rights, including harvestable rights dams
- Aquifer interference activity approval and flood management work approval provisions have not yet commenced and are regulated by the *Water Act 1912*
- Maximum penalties of \$2.2 million plus \$264,000 for each day an offence continues apply under the *WMA 2000*

*Water Act 1912 (WA 1912)*

Key points:

- Volumetric licensing in areas where no water sharing plan applies
- Monitoring bores
- Aquifer interference activities that are not regulated as a water supply work under the *WMA 2000*.
- Flood management works
- No exemptions apply to licences or permits under the *WA 1912* as a result of the *EP&A Act*.
- Regulation of water bore driller licensing.

*Water Management (General) Regulation 2011*

Key points:

- Provides various exemptions for volumetric licensing and activity approvals

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- Provides further detail on requirements for dealings and applications.

*Water Sharing Plans* – these are considered regulations under the *WMA 2000*

*Access Licence Dealing Principles Order 2004*

*Harvestable Rights Orders*

### **Water Sharing Plans**

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

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

The EIS is required to:

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

### **Relevant Policies and Guidelines**

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

- NSW Guidelines for Controlled Activities on Waterfront Land (NOW, 2012)
- NSW Aquifer Interference Policy (NOW, 2012)
- Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW, 2012)



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- Australian Groundwater Modelling Guidelines (NWC, 2012)
- NSW State Rivers and Estuary Policy (1993)
- NSW Wetlands Policy (2010)
- NSW State Groundwater Policy Framework Document (1997)
- NSW State Groundwater Quality Protection Policy (1998)
- NSW State Groundwater Dependent Ecosystems Policy (2002)
- NSW Water Extraction Monitoring Policy (2007)

DoI Lands & Water policies can be accessed at the following links:

<https://www.industry.nsw.gov.au/water/what-we-do/legislation-policies>

<https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities>

An assessment framework for the NSW Aquifer Interference Policy can be found online at:

<https://www.industry.nsw.gov.au/water/licensing-trade/approvals/major-projects>

### Licensing Considerations

The EIS is required to provide:

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

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

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

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licensed but any capacity of the total of all storages/dams on the property greater than the MHRDC may require a licence.

For more information on Harvestable Right dams, including a calculator, visit:  
<https://www.waternsw.com.au/customer-service/water-licensing/basic-water-rights/harvestable-rights-dams/maximum-harvestable-right-calculator>

### **Dam Safety**

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

See [www.damsafety.nsw.gov.au](http://www.damsafety.nsw.gov.au) for further information.

### **Surface Water Assessment**

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

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

### **Groundwater Assessment**

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

- The known or predicted highest groundwater table at the site.
- Works likely to intercept, connect with or infiltrate the groundwater sources.

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- Any proposed groundwater extraction, including purpose, location and construction details of all proposed bores and expected annual extraction volumes.
- Bore construction information is to be supplied to DoI Lands & Water by submitting a “Form A” template. DoI Lands & Water will supply “GW” registration numbers (and licence/approval numbers if required) which must be used as consistent and unique bore identifiers for all future reporting.
- A description of the watertable and groundwater pressure configuration, flow directions and rates and physical and chemical characteristics of the groundwater source (including connectivity with other groundwater and surface water sources).
- Sufficient baseline monitoring for groundwater quantity and quality for all aquifers and GDEs to establish a baseline incorporating typical temporal and spatial variations.
- The predicted impacts of any final landform on the groundwater regime.
- The existing groundwater users within the area (including the environment), any potential impacts on these users and safeguard measures to mitigate impacts.
- An assessment of groundwater quality, its beneficial use classification and prediction of any impacts on groundwater quality.
- An assessment of the potential for groundwater contamination (considering both the impacts of the proposal on groundwater contamination and the impacts of contamination on the proposal).
- Measures proposed to protect groundwater quality, both in the short and long term.
- Measures for preventing groundwater pollution so that remediation is not required.
- Protective measures for any groundwater dependent ecosystems (GDEs).
- Proposed methods of the disposal of waste water and approval from the relevant authority.
- The results of any models or predictive tools used.

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

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

### **Groundwater Dependent Ecosystems**

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

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

### **Watercourses, Wetlands and Riparian Land**

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

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

### **Landform rehabilitation**

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

- Justification of the proposed final landform with regard to its impact on local and regional surface and groundwater systems;

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- A detailed description of how the site would be progressively rehabilitated and integrated into the surrounding landscape;
- Outline of proposed construction and restoration of topography and surface drainage features if affected by the project; and
- An outline of the measures to be put in place to ensure that sufficient resources are available to implement the proposed rehabilitation.

### **Consultation and general enquiries**

General licensing enquiries can be made to Advisory Services: [nrar.enquiries@nrar.nsw.gov.au](mailto:nrar.enquiries@nrar.nsw.gov.au), +61 9338 6600.

Assessment or state significant development enquiries, or requests for review or consultation should be directed to the Strategic Stakeholder Liaison Unit, [water.referrals@nrar.nsw.gov.au](mailto:water.referrals@nrar.nsw.gov.au).

A consultation guideline and further information is available online at:  
<https://www.industry.nsw.gov.au/water/licensing-trade/approvals>



Office of  
Environment  
& Heritage

DOC19/55330

William Hodgkinson  
Senior Environmental Assessment Officer, Industry Assessments  
NSW Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Dear Mr Hodgkinson

**Request for Input – Filling Works (Waste Disposal Facility), 1669-1723 Elizabeth Drive,  
Badgerys Creek (SEAR 1295)**

I refer to the Department of Planning and Environment's (DPE) email received 16 January 2019 requesting advice from the Office of Environment (OEH) on the Secretary's Environmental Assessment Requirements (SEARs) for proposed filling works at 1669-1723 Elizabeth Drive, Badgerys Creek.

OEH notes that the proposed development seeks to cut and fill the site to facilitate the future development of the site for employment purposes. OEH considers the proposal to be peremptory given that strategic planning for the Aerotropolis is currently underway but the subject land has not been rezoned. Further, significant work is currently being undertaken by Infrastructure NSW and the Greater Sydney Commission on the South Creek Precinct, which includes the subject site.

OEH's recommended SEARs relating to biodiversity, Aboriginal cultural heritage, water and floodplain risk management are provided at Attachment 1.

If you have any queries regarding this matter, please contact Dana Alderson on 8837 6304 or [dana.alderon@environment.nsw.gov.au](mailto:dana.alderon@environment.nsw.gov.au).

Yours sincerely

*S. Harrison 08/02/19*

**SUSAN HARRISON**  
Senior Team Leader Planning  
Greater Sydney  
Communities and Greater Sydney

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Level 2, 10 Valentine Ave Parramatta NSW 2150  
Tel: (02) 9995 5000 Fax: (02) 9995 6900  
ABN 30 841 387 271  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

## Attachment 1 – OEH recommended SEARs for proposed Filling Works (Waste Management Facility), 1669-1723 Elizabeth Drive, Badgerys Creek (SEAR 1295)

### Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 using the Biodiversity Assessment Method 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, unless OEH and DPE determine that the proposed development is not likely to have any significant impacts on biodiversity values.
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.
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 submitted with all spatial data associated with the survey and assessment as per Appendix 10 of the BAM.

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*.

### Aboriginal cultural heritage

5. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW (DECC 2010), and guided by the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) and consultation with OEH regional branch officers.
6. Consultation with Aboriginal people must be undertaken and documented in accordance with the Aboriginal cultural heritage consultation requirements for proponents 2010 (DECCW). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
7. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the ACHAR must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to OEH.

8. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the development to formulate appropriate measures to manage unforeseen impacts.

Note that a due diligence report is not an acceptable assessment. An ACHAR must be prepared.

## Water and Soils

9. The EIS must map the following features relevant to water and soils including:
- Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map)
  - Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method)
  - Wetlands as described in s4.2 of the Biodiversity Assessment Method
  - Groundwater
  - Groundwater dependent ecosystems
  - Proposed intake and discharge locations.
10. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
- Existing surface and groundwater
  - Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations
  - 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
  - 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
  - Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>.
11. The EIS must assess the impacts of the development on water quality, including:
- 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
  - Identification of proposed monitoring of water quality
  - Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan).
12. The EIS must assess the impact of the development on hydrology, including:
- Water balance including quantity, quality and source
  - 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.

### **Floodplain Risk Management**

13. The flood impact assessment should be based on Penrith City Council's up-to-date flood study i.e. Updated South Creek Flood Study (Worley Parsons, January 2015), to ensure the assessment provides a sound understanding of flood behaviour for existing and developed scenarios.
14. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
  - a. Flood prone land
  - b. Flood planning area, the area below the flood planning level
  - c. Hydraulic categorisation (floodways and flood storage areas)
  - d. Flood hazard.
15. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
16. 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 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.
17. Modelling in the EIS must consider and document:
  - a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
  - b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
  - c. 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, hazard categories and hydraulic categories.
  - d. Relevant provisions of the NSW Floodplain Development Manual 2005.
18. 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. Consistency with any Rural Floodplain Management Plans
- d. Compatibility with the flood hazard of the land
- e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land
- f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site
- g. 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
- h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council
- i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council
- j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of 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 NSW SES
- k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)

## Memorandum

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**To:** William Hodkinson      Senior Environmental Assessment Officer, Industry Assessments

**From:** Lance Collison      Senior Planning Officer, Aerotropolis Activation  
**Phone:** 9860 1536  
**Email:** lance.collison@planning.nsw.gov.au

**Date:** 5 February 2019      **CM9 Ref:**

**Re:** **Request for Input: Filling Works (Waste Disposal Facility) 1669-1723 Elizabeth Drive, Badgerys Creek – SEAR 1295**

### COMMENTS

#### Western Sydney Aerotropolis LUIIP

The site is located within the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan (LUIIP) boundary and straddles the Badgerys Creek Precinct and South Creek Precinct. The LUIIP outlines principles for planning for each precinct. Badgerys Creek Precinct is identified for employment generating uses while South Creek Precinct has been identified for open space, recreation facilities and infrastructure, with minimal residential and employment uses.

It is noted that the proposed fill is contained within the Badgerys Creek portion of the site. Detailed planning for Badgerys Creek Precinct is not proposed to be undertaken until after 2020. Filling in anticipation of obtaining consent for their Elizabeth Enterprise Precinct' could be premature.

During the exhibition of the Stage 1 LUIIP, the proponent lodged a submission which outlined a proposal for their proposed 'Elizabeth Enterprise Precinct' which comprises of a larger landholding on and adjacent to this site however the details are not contained in the SEARs request.

#### Insufficient detail

As the SEARs request contains very few details of the proposed future development, it is difficult to determine whether the eventual development will be consistent with the vision for Badgerys Creek Precinct and whether the development would be compatible with the future surrounding uses.

It is also unclear from the SEARs request what planning pathway the proponent intends to follow to seek approval for their development, i.e. whether this will a development application or planning proposal followed by a subsequent development application. If the proponent intends to lodge a Planning Proposal, consideration must be given to the Section 9.1 Direction '7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan' which applies to all land within the Western Sydney Aerotropolis. The Direction requires that any speculative or early planning proposals are consistent with the Stage 1 LUIIP.

## Memorandum

The Aerotropolis Activation team recommend that the SEARs require details of the future proposal, including details of the expected planning pathway, to be contained in the subsequent Environmental Impact Statement.

### Visual Impact

Filling appears to be wholly contained within the Badgerys Creek Precinct portion of the site, above the Probable Maximum Flood level. Fill up to 7m in height is substantial and Elizabeth Drive will be a key entry boulevard traversing the Aerotropolis and is a potential road link into Western Sydney Airport. Concern is raised in relation to the visual impact of a large amount of fill being able to be seen from the road. It is noted that the proponent has indicated that a visual impact assessment will accompany the Environmental Impact Statement.

### Wildlife Attraction

The National Airspace Safety Framework Guideline C indicates that for a putrescible waste facility has a high wildlife attraction risk and non-putrescible waste facility has a moderate wildlife attraction risk. As the site is within an 8km radius of Western Sydney Airport the action required for both is "mitigate". The applicant should address mitigation measures in accordance with Guideline C in the subsequent Environmental Impact Statement.

### ACTION REQUIRED

That Industry Assessments:

- **note** Aerotropolis Activation's concerns with the proposal, and require further details, as outlined in this memo, be contained in the subsequent Environmental Impact Statement.

**Lance Collison**  
**Aerotropolis Activation**



5 February 2019

Roads and Maritime Reference: SYD19/00080/01 (A25645931)  
DP&E Reference: SEAR 1295

Director  
Department of Planning and Environment  
Industry Assessments  
GPO Box 39  
SYDNEY NSW 2001

Attention: **William Hodgkinson**

Dear Sir/Madam

**PROPOSED WASTE DISPOSAL FACILITY – 1669-1723 ELIZABETH DRIVE, BADGERYS CREEK**

Reference is made to your correspondence dated 16 January 2019 requesting Roads and Maritime Services (Roads and Maritime) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment (EA) requirements.

Roads and Maritime requires the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections on Elizabeth Drive, and the need/associated funding for upgrading or road improvement works (if required).
2. Details of the cumulative impact of the construction traffic from this development and the surrounding development should be assessed.
3. Details of the proposed site access and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).
4. Detailing vehicle circulation, proposed number of car parking spaces and compliance with the appropriate parking codes.
5. Details of light and heavy vehicle movements (including vehicle type and likely arrival and departure times).
6. To ensure that the above requirements are fully addressed, the transport and traffic study must properly ascertain the cumulative study area traffic impacts associated with the development

**Roads and Maritime Services**

(and any other known proposed developments in the area). The traffic analysis/modelling needs to consider the impact on Elizabeth Drive for the duration of the works because traffic growth in this area is expected to increase more quickly than standard growth rates.

This process provides an opportunity to identify a package of traffic and transport infrastructure measures required to support future development. Regional and local intersection and road improvements, vehicular access options for adjoining sites, public transport needs, the timing and cost of infrastructure works and the identification of funding responsibilities associated with the development should be identified.

7. A strip of land has previously been dedicated as Public Road by private subdivision (DP 240718), along the Elizabeth Drive frontage of the subject property, as shown by yellow colour on the attached Aerial – “X”. Roads and Maritime has also previously resumed and dedicated a strip of land as road along the Elizabeth Drive frontage of the subject property, as shown by grey colour on the attached Aerial – “X”.

All buildings and structures, together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Elizabeth Drive boundary.

The applicant is advised that the subject Property is within a broad investigation area for the long term widening of Elizabeth Drive. The investigations have not yet advanced to the stage where options have been defined and accordingly it is not possible at this date to identify if any part of the subject property would be required to accommodate this proposal however there is the potential that the frontage of the site may be impacted.

Further information on the project can be obtained from contacting Kate Lunney (Roads and Maritime Project Development Manager) on 1800 865 503 or email [Elizabethdrive@rms.nsw.gov.au](mailto:Elizabethdrive@rms.nsw.gov.au).

Any inquiries in relation to this Application can be directed to Malgy Coman on 8849 2413 or [development.sydney@rms.nsw.gov.au](mailto:development.sydney@rms.nsw.gov.au).

Yours sincerely



Pahee Rathan  
**A/Senior Land Use Assessment Coordinator**  
**North West Precinct**







DOC19/37884-1

William Hodgkinson  
Snr Environmental Assessment Officer  
Industry Assessments, DPE  
GPO Box 39  
SYDNEY NSW 2001

**EMAIL**

Dear Mr Hodgkinson

**Filling works – 1669-1723 Elizabeth Drive, Badgerys Creek – SEAR 1295**

I refer to your email dated 16 January 2019 to the Environment Protection Authority (**EPA**) in relation to a request for SEARs for the land application of fill material at 1669-1723 Elizabeth Drive, Badgerys Creek (**the Site**).

The proposal involves the importation and land application of approximately 600,000 cubic metres of fill material, being virgin excavated natural material (VENM), excavated natural material and other suitable exempted material. The filling works are to prepare the Site for future development of the Elizabeth Enterprise Precinct.

Based on the information provided, the EPA does not believe the proposed works trigger environment protection licensing under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act). Therefore, the EPA will not be providing SEARs for this proposal.

The EPA would like to remind the Applicant of the following:

- The Applicant must ensure that it obtains and retains records of all material entering and being land applied at the Site, including the material's classification, certification (VENM), quantities, and details of where each type of material is being land applied at the Site;
- The Applicant should read each resource recovery order carefully to ensure that it complies with all aspects of that exemption, and retains all records as required by that exemption;
- If at any time the Applicant's activities at the Site triggers licensing under the POEO Act, it must notify the EPA immediately;
- The Applicant should note that even though the activities may not trigger licensing under the POEO Act, the Applicant must still comply with other provisions of the POEO Act such as section 120 in relation to water pollution and section 126 relating to air pollution.

Please note that the EPA has not assessed or commented on biodiversity or Aboriginal cultural heritage issues, as these areas are the responsibility of the Office of Environment and Heritage.

If you have any questions regarding this matter, please don't hesitate to contact Deanne Pitts on 9995 5752.

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5555

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Yours sincerely

A handwritten signature in black ink, appearing to be 'CF' followed by a large, stylized loop and a trailing flourish.

30 January 2019

**CELESTE FORESTAL**  
**Unit Head Waste Compliance**  
**Environment Protection Authority**



## Department of Primary Industries

OUT19/741

18 January 2019

William Hodgkinson  
GPO Box 39  
SYDNEY NSW 2001  
[william.hodgkinson@planning.nsw.gov.au](mailto:william.hodgkinson@planning.nsw.gov.au)

Dear Mr Hodgkinson

**SEAR's Request – Filling Works (Waste Disposal Facility) 1669-1723 Elizabeth Drive,  
Badgerys Creek – SEAR 1295**

Thank you for the opportunity to provide Secretary Environmental Assessment Requirements (SEAR) for the above proposal as per your correspondence dated 17 January 2018.

The NSW Department of Primary Industries (NSW DPI) Agriculture is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend. Important issues are the potential impact on limited agricultural resources and the ability to rehabilitate the land to enable continued agricultural investment.

NSW DPI Agriculture provides SEARs (Attachment 1) and a range of publications to assist consent authorities, community and proponents in addressing the recommended SEARs (Attachment 2).

Should you require clarification on the information contained in this response, please contact Agricultural Land Use Planning Officer, John Galea on 02 88387520.

Yours sincerely

pp

Lilian Parker  
**Acting Manager**  
**Agricultural Land Use Planning**

## Attachment 1: SEARs Recommendations

Issue and desired outcome	Detail / Requirement
Site Suitable for development	<ul style="list-style-type: none"> <li>Detail that the proposal 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>
Consideration for impacts to agricultural resources and land	<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> </ul>
Bushfire risk identified and managed	<ul style="list-style-type: none"> <li>Risk assessment level and mitigation plan developed to address bush fire risk.</li> </ul>
Suitable and secure water supply	<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>
Surface & Groundwater protected	<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>
Biosecurity Standards met	<ul style="list-style-type: none"> <li>Include a biosecurity (pests, weeds and disease) risk assessment outlining the likely plant, animal and community risks as per guidelines in Attachment 2.</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, disease and pest management plans.</li> <li>Details of adequate fencing to keep livestock out.</li> </ul>
Suitable traffic movements	<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>
Visual amenity achieved	<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>
Land stewardship met	<ul style="list-style-type: none"> <li>Develop Rehabilitation and Decommissioning/Closure Management Plans that outlines the rehabilitation objectives and strategies. This includes, but is not limited to, describing the design criteria of the final landuse and landform, indicators to be used to guide the return of the land back to agricultural production, 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>

Issue and desired outcome	Detail / Requirement
Adequate consultation with community	<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>
Contingency and Environmental Management Plan developed	<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 bushfire threats and possible mass mortality events which might result from extreme climatic conditions, routine or emergency animal disease outbreaks.</li> </ul>

## Attachment 2: Guidelines for assessment

Title	Location
Land Use Conflict Risk Assessment Guide	<a href="http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/lucra">www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/lucra</a>
Agricultural Issues for Extractive industry Development	<a href="http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/extractive-industries">http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/extractive-industries</a>
Agricultural Issues for Landfill Developments	<a href="http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/landfill-developments">http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/landfill-developments</a>
Infrastructure Proposals on Rural Land	<a href="http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/infrastructure-proposals">http://www.dpi.nsw.gov.au/content/agriculture/resources/lup/development-assessment/infrastructure-proposals</a>