

**DATE**

**5 OCTOBER 2023**

**CLIENT**

**COONAMBLE SHIRE COUNCIL**

**PROJECT**

**DEVELOPMENT ASSESSMENT OF DA007/2023 FOR AN EXTRACTIVE  
INDUSTRY (QUARRY), 1587-2015 GOORIANAWA ROAD, BLACK  
HOLLOW, NSW**

**DOCUMENT TITLE**

**SECTION 4.15 ASSESSMENT REPORT**



## 1. Introduction

Currajong Pty Ltd has been engaged by Coonamble Shire Council to undertake an assessment of DA007/2023 for the operation of an Extractive Industry (Quarry) located on Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818, 1587-2015 Goorianawa Road, Black Hollow.

DA007/2023 proposes the extraction of hard rock products from a greenfield quarry. The development proposes the extraction of 490,000 tonnes of material per annum for a period of up to five years, subject to the progress of the Inland Rail Project and associated road upgrade projects. A maximum volume of 2,450,000 tonnes of hard rock material will be extracted over the life of the proposal.

The proposal is located at 1587-2015 Goorianawa Road, Black Hollow, which is located in the Coonamble Local Government Area. The land, the subject of DA007/2023 is identified as Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818 (the site). The site is located approximately 25 kilometres south-west of Baradine, 43 kilometres north-west of Coonabarabran, 43 kilometres south-east of Coonamble and approximately 800 metres east of the proposed railway for the Inland Rail Project (IRP).

The site is freehold land owned by Mr Allan Thomas Deans and Velpark Pty Limited. Regional Group Australia (RGA) have reached agreement with the landowners to lease the quarry site and internal access roads to the IRP project alignment and to the Goorianawa Road. RGA is a company based in Dubbo, which operates quarries in Bland, Dubbo, Forbes and Parkes Local Government Areas.

All quarrying operations will be limited to a single envelope. Quarry activities involve the proposed extraction, processing and stockpiling of hard rock material on a partially timbered hill located towards the centre of Lot 57 DP 754246 and the north-east corner of Lot 2 DP 218818. Gravel access roads heading north / north-east and north-west of the quarry to the IRP alignment and Goorianawa Road will be constructed during the initial stages of the development.

The proposed extractive industry will involve:

- Conventional drill and blast techniques to extract the hard rock resource.
- Mobile plant to crush and screen the extracted material to produce a range of quarry products, including aggregates, railway ballast, road base and general fill.
- Loading and transportation of quarry products via the Site access road to the local road network.
- Surface water management infrastructure including sediment basins, diversion bunds and drains.
- Ancillary infrastructure, including temporary demountable Site office, amenities and workshop facilities.
- Progressive rehabilitation of the site to achieve a post extraction landform suitable for rural activities including but not limited to cattle grazing or cropping.

In accordance with the NSW Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and Environmental Planning and Assessment Regulation 2021, an Environmental Impact Statement (EIS) has been prepared by Groundwork Plus, dated March 2023. The EIS was prepared having regard to the Department of Planning Secretary's Environmental Assessment Requirements (SEARs) provided to the applicant on 21 June 2022, including the requirements of a number of government agencies.

The proposal is Regionally Significant Development as defined under State Environmental Planning Policy (Planning Systems) 2021 and EP&A Act 1979.

The EIS for the development proposal was publicly exhibited from 19 April 2023 to 19 May 2023 in accordance with the EP&A Regulation 2021 and the Coonamble Shire Council Community Participation Plan 2019. Neighbouring landowners were directly notified of the development proposal and invited to make written submissions by the end date of the exhibition period. Relevant government authorities were also invited to comment on the proposal, including the NSW Environment Protection Authority (EPA) and NSW Department of Primary Industries - Water who were nominated as an Integrated Approval Body for the purposes of obtaining the General Terms of Approval (GTAs) for the issue of an Environment Protection License (EPL) and Controlled Activity Approval for the proposed Black Hollow Quarry.



NSW Rural Fire Service, Department of Primary Industries (Ag), Transport for NSW, Heritage NSW, Department of Primary Industries (Siding Springs Observatory), Department of Planning and Environment (Biodiversity Conservation and Science Directorate), Department of Planning and Environment (Water), Department of Regional NSW (Mining, Exploration and Geoscience) and Essential Energy have all provided a response to the proposed development. The EPA also provided their GTAs for the proposed development. Three submissions were received from members of the public.

A review of submissions received as a result of exhibition has been undertaken and documented in this report.

A response letter from Groundwork Plus (representing the applicant) dated 16 June 2022 has also been tabled in this report, following the applicant's review of the issues raised in submissions. A further letter from the Groundwork Plus dated 5 June 2023 has also been received to discuss road impacts and mitigation strategies.

This assessment report aims to provide sufficient information to allow the Western Regional Planning Panel to make an informed decision on the proposal, having regard to the wide body of reports, studies and plans of the development that have been submitted with DA007/2023 in support of the proposal and the relevant matters for consideration under Section 4.15 of the EP&A Act 1979.

It is the findings of the assessment that the proposed development is permissible on the subject land which is zoned RU1 Primary Production under the Coonamble Local Environmental Plan 2011. There are no significant impacts associated with the development, with all identified impacts being able to be appropriately managed or mitigated to acceptable levels.

Conditional approval of DA007/2023 is recommended in accordance with the conditions listed at the end of the report.

## 2. Attachments

The assessment report includes the following attachments, which are separate to this report:

### Attachment 1: DA Documentation

Environmental Impact Statement prepared by Groundwork Plus dated March 2023, which included the following Appendices:

- Appendix 1 Secretary's Environmental Assessment Requirements
- Appendix 2 Coverage of Secretary's Environmental Assessment Requirements
- Appendix 3 ARTC Inland Rail Project Map
- Appendix 4 Site Office and Toilet
- Appendix 5 Resource Investigation
- Appendix 6 Road Transport Assessment
- Appendix 7 Biodiversity Development Assessment Report
- Appendix 8 Air Quality Impact Assessment
- Appendix 9 Noise and Vibration Impact Assessment
- Appendix 10 Surface Water Assessment
- Appendix 11 Ground Water Impact Assessment
- Appendix 12 Aboriginal Cultural Heritage Assessment Report
- Appendix 13 Historic Heritage Assessment Report

### Attachment 2: Submissions Received

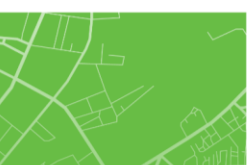
- NSW Environment Protection Authority.
- NSW Rural Fire Service.
- DPI Agriculture.
- DPI Siding Springs.



- DPE Biodiversity Conservation and Science Directorate.
- DPE Western Region Planning Office.
- DPI – Water.
- Department of Regional NSW – Mining Exploration and Geoscience.
- Transport for New South Wales.
- Heritage NSW.
- Tony Single - Landowner of 'Narratigah' 1184 Calga Road, Magometon.
- John and Mary Single – Occupants of 'Narratigah' 1184 Calga Road, Magometon.
- Wally and Helen Hunt – Landowner of 'Claremont' 1287 Goorianawa Road, Black Hollow.

**Attachment 3: Groundwork Plus Additional Information letters.**

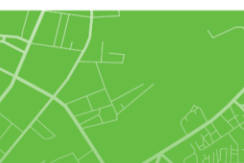
- Groundwork Plus letter dated 5 June 2023.
- Groundwork Plus letter dated 16 June 2023 (government submissions).
- Groundwork Plus letter dated 16 June 2023 (public submissions).



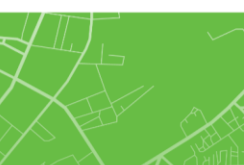
### 3. DA007/2023 Section 4.15 Assessment

The following table provides the assessment of DA007/2023 for an extractive industry (quarry) on Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818, 1587-2015 Goorianawa Road, Black Hollow.

1. Application Details	
DA No.	DA007/2023
Description of proposed development	<p>Operation of an Extractive Industry (Quarry), comprising:</p> <ul style="list-style-type: none"> <li>○ Extraction of a maximum of 490,000tpa for a period of 5 years.</li> <li>○ A maximum extraction volume of 2,450,000 tonnes over the life of the Proposal.</li> <li>○ Conventional drill and blast techniques to extract the hard rock resource.</li> <li>○ Mobile plant to crush and screen the extracted material to produce a range of quarry products, including aggregates, railway ballast, road base and general fill.</li> <li>○ Loading and transportation of quarry products via the Site access road to the local road network.</li> <li>○ Surface water management infrastructure including sediment basins, diversion bunds and drains.</li> <li>○ Ancillary infrastructure, including temporary demountable Site office, amenities and workshop facilities.</li> <li>○ Progressive rehabilitation of the Site to achieve a post extraction landform suitable for rural activities including but not limited to cattle grazing or cropping.</li> <li>○ Operational hours for standard activities between 6am to 6pm weekdays and 7am to 1pm on weekends. Blasting activities to occur between 9am and 3pm weekdays.</li> <li>○ Between 5 and 10 staff onsite at any one time.</li> </ul>
Applicant	Regional Group Australia Pty Limited
Landowner	Mr Allan Thomas Deans and Velpark Pty Limited
Landowner consent provided	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Category of development	<input checked="" type="checkbox"/> Regionally Significant Development <input type="checkbox"/> Local Development
	<input checked="" type="checkbox"/> Integrated Development <input type="checkbox"/> State Significant Development
	<input checked="" type="checkbox"/> Advertised Development <input checked="" type="checkbox"/> Designated Development
BCA Class	Class 5 and 10a Buildings, Type C Construction
Assessment comment	<p>The proposal is Regionally Significant Development as the development is for the operation of an extractive industry that meet the requirements for Designated Development under the EP&amp;A Regulation 2021, as per Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021. Accordingly, the application is to be tabled with the Western Regional Planning Panel for determination.</p> <p>The proposal is Designated Development as it triggers the thresholds for development of a type listed in Schedule 3 of the Environmental Planning and Assessment Regulation 2021, as the extractive industry proposes to extract that obtains more than 30,000 cubic metres of extractive material per year.</p> <p>The proposal is also Integrated Development as it will require the issue of an EPL from EPA under the NSW Protection of the Environment Operations Act 1977, as the extractive industry proposes to extract that obtains more than 30,000 tonnes of extractive material per year and a Controlled Activity Approval is required under the Water Management Act 2000 for the crossing of Salty Springs Creek by the internal access road.</p> <p>The proposal does not trigger the threshold for State Significant Development as it is not development of a type listed in Section 7 of Schedule 1 of the Planning Systems SEPP.</p> <p>In accordance with Part 4 of the EP&amp;A Act 1979 a Development Application (DA007/2023) has been lodged with Coonamble Shire Council for processing of the application to a point where it can be determined by the Western Regional Planning Panel.</p>

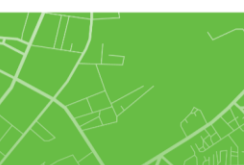


<b>2. Property Description</b>			
Property address	1587-2015 Goorianawa Road, Black Hollow, NSW 2828		
Location	Lat: -31.09819 Long: 148.823617		
Land Title	Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818		
Parish	Goorianawa and Quanda Quanda		
County	Leichhardt		
LGA	Coonamble		
Existing Use	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Applicable
Assessment comment	<p>The site of the proposed Black Hollow Quarry is freehold land that is described as Lots 14 and 57 DP 754216 and Lot 2 DP 218818, 1587-2015 Goorianawa Road, Black Hollow, NSW. The site is approximately 1275.39 hectares in area and has access to Goorianawa Road. The property is currently used for dryland farming activities, with livestock grazing and cropping being observed at the time of inspection of the site. The proposed quarry site is located towards the south of the site, with access obtained from the east via Goorianawa Road an unsealed public rural road, and internal access roads located to the north and west of the proposed quarry pit.</p> <p>An existing farm residence and associated rural outbuildings are located on the site, to the north-east of the proposed extractive industry operations, with access to Goorianawa Road. The geology of the site is defined by a single hill 500 metres in diameter which represent a residual basalt flow surrounded by, and inferred to overly, denuded sedimentary rock types. The EIS advises that the basalt resource is described as grey, finely crystalline and massive to highly fractured. Investigative drilling shows an average of 500 millimetres of overburden across the site comprising a very thin veneer of residual basaltic soil and cobbles.</p> <p>The subject land has been highly modified by historical farming practices and is largely cleared of mature vegetation, except for remnant native vegetation around rocky jump-ups, hills and watercourses. The EIS observes that habitat connectivity is generally poor in the local landscape where cropping and grazing activities occur. This limited connectivity does however connect the subject land to the expansive woodland habitat of the Warrumbungle National Park and beyond to the Pilliga Nature Reserve. No areas of outstanding biodiversity value, as identified under the BC Act, EPBC Act or FM Act occur within the assessment area.</p> <p>The site is not identified as flood prone land, nor is it known to contain any acid sulphate soils. The site is identified as bushfire prone land.</p>		
<b>3. Council Internal Referral</b>			
Date of internal referrals	Coonamble Shire Council has provided advice to Currajong Senior Planner, Brent Tucker to assist with the completion of this assessment report on engineering matters as required. Council staff have been responsible for the processing of the application.		
Assessment comment	Currajong Senior Planner, Brent Tucker has been engaged to undertake the assessment of DA007/2023 following completion of application acceptance and lodgement by Coonamble Shire Council. Brent is a qualified Town Planner with a Bachelor of Urban and Regional Planning from UNE and over 10 years regional planning experience.		
<b>4. Integrated Development Referral</b>			
Integrated approval body	NSW Environment Protection Authority (EPA) NSW Department of Primary Industries - Water		
Legislation	Protection of the Environment Operations Act 1997 (POEO Act 1997) Water Management Act 2000 (WM Act 2000)		
Assessment comment	The purpose of the Council referral notice sent to EPA was to obtain their General Terms of Approval for an EPL for the proposed extractive industry (quarry) to be issued under the POEO Act 1997.		





	The purpose of the Council referral notice sent to DPI Water was to obtain their General Terms of Approval for a Controlled Activity Approval for the proposed extractive industry (quarry) to be issued under the WM Act 2000.	
<b>5. Advertising and Neighbour Notification</b>		
Advertising	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Neighbour notification	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Notification to other affected party	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Start date of exhibition period	19 April 2023	
End date of exhibition period	19 May 2023	
Assessment comment	The advertising / notification of DA007/2023 was undertaken in accordance with the Coonamble Shire Council Community Participation Plan 2019. Eleven (11) government agency submissions and three (3) public submissions were received as a result of engagement and are detailed in Section 10.8 and Attachment 2 of this assessment report.	
<b>6. Additional Information</b>		
Additional information requested	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Date of Request	<p>On 26 May 2022 Coonamble Shire Council provided a letter to RGA via Groundwork Plus which provided copies of submissions received as a result of the exhibition of DA007/2023.</p> <p>On 31 May 2023 Coonamble Shire Council provided a letter to RGA via Groundwork Plus which requested additional information relating to engineering matters.</p>	
Date Received	<p>On 5 June 2023 Groundwork Plus provided a letter to Coonamble Shire Council providing a response to the engineering matters raised in Council's letter dated 31 May 2023. As a result of the letter and subsequent meetings with Council engineers, all road engineering requirements of Council have been satisfactorily addressed and reflected in the recommended conditions of consent.</p> <p>On 16 June 2023 Groundwork Plus provided a letter to Coonamble Shire Council that responded to the government agency submissions received as a result of exhibition of DA007/2023, as presented in Council's letter dated 26 May 2023. The responses provided in the Groundwork Plus letter have been taken into account in relation to the issues raised in government agency submissions (see Section 10.8 of this assessment report) and the recommended conditions of consent.</p> <p>In a separate Groundwork Plus letter dated 16 June 2023 to Coonamble Shire Council providing a response to the submissions received from members of the public, as presented in Council's letter dated 26 May 2023. The responses provided in the Groundwork Plus letter have been taken into account in relation to the issues raised in public submissions (see Section 10.8 of this assessment report) and the recommended conditions of consent.</p> <p>Following Council's briefing of the Development Application with the Western Regional Planning Panel Groundwork Plus provided an additional letter dated 26 September 2023. The letter provides further consideration of the visual impacts on receiver 2 to the north-west and detailed pertaining to the rehabilitation of the site upon completion of quarrying activities.</p>	
Assessment comment	The additional information requested from Coonamble Shire Council has been adequately addressed in the letters provided by Groundwork Plus and subsequent draft conditions of consent. RGA via Groundwork Plus have been provided with a copy of the draft conditions and consent. At this stage no major objections or issues have been raised by the applicant in relation to the assessment findings documented in this report and / or the draft conditions of consent listed in the recommendation.	



## 7. Site Inspection

Date of Site Inspection	Currajong Senior Planner Brent Tucker undertook an inspection of the site on 15 May 2023.
Assessment comment	<p>An inspection of the property, including the proposed quarry footprint and internal access roads area was conducted to determine the nature of the development area and the potential for impacts. The main quarry footprint is located centrally on the property, towards the north-west corner of Lot 2 DP 218818. The site has two distinct characteristics, comprising highly managed farm land that has been cleared for cropping purposes and farming infrastructure and four hills spaced across the site with varying amounts of native vegetation.</p> <p>Improvements on the site include an existing dwelling-house, farm sheds, silos, structures, rainwater tanks, roads, rural fences, utility services (electricity), farm dams and stormwater infrastructure. Vegetation present consists of planted landscaping around the existing homestead, isolated paddock trees, and hills that are partially or predominantly covered with native vegetation.</p>

## 8. Site History

Site history?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Heritage status	The subject land is not listed on the State Heritage Register or Coonamble Local Environmental Plan 2011 as containing any items of heritage significance. AREA Environmental and Heritage Consultants prepared a Historic Heritage Report and an Aboriginal Cultural Heritage Assessment to support the application. The Aboriginal Cultural Heritage Assessment states there are no items of historic heritage within the subject land.	
Relevant reference documents	N/A.	
Assessment comment	The subject land is not listed on the State Heritage Register or Coonamble Local Environmental Plan 2011 as containing any items of heritage significance. The AREA Historic Heritage Report and an Aboriginal Cultural Heritage Assessment advises an absence of heritage sites on the subject land. Heritage NSW have reviewed the DA documentation and have provided recommended conditions of consent.	

## 9. Contributions Planning

Section 7.11 Contributions Plan	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	There is no Section 7.11 Contributions Plan applying in the Coonamble Shire
Section 7.12 Contributions Plan	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	There is no Section 7.12 Contributions Plan applying in the Coonamble Shire
Section 64 Water DSP	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	The Black Hollow Quarry will not be connected to reticulated water. Onsite water storage dams will be used for operational procedures.
Section 64 Sewer DSP	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	The Black Hollow Quarry will not be connected to reticulated sewerage. An onsite pump out system will be used for the management of any sewage.
Name of plan(s)	Nil.		
Assessment comment	<p>The development proposal is not subject to any contribution's plans adopted by Coonamble Shire Council that would be relevant to the proposed quarry.</p> <p>Coonamble Shire Council has held several meetings with the applicant to arrive at a robust response to access and traffic issues raised in assessment work and submissions received as a result of the exhibition of DA007/2023. The road contribution figures included in the recommendations relating to the maintenance of the local road network in the Coonamble Local Government Area have been agreed upon by both Council and the applicant. Appropriate conditions have been included in the recommendation in this assessment report to address road upgrades and maintenance.</p> <p>The relevance of Section 64 DSP charges related to the proposal has been considered by Coonamble Shire Council, as the relevant water supply authority. As the development does not propose connection to</p>		

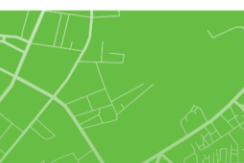




	Council's reticulated water or sewerage networks, the payment of Section 64 DSP charges is assessed not to apply.											
<b>10. Section 4.15 Evaluation Matters</b>												
<b>10.1. Section 4.15(1)(a)(i) Provision of any Environmental Planning Instrument</b>												
<b>Local Environmental Plans</b>												
Relevant EPI	Coonamble Local Environmental Plan 2011 (CLEP 2011)											
Land zoning	RU1 Primary Production											
Definition of proposal	<p>DA007/2023 seeks consent to establish an extractive industry producing a maximum of 490,000 tonnes of material per annum for a period of five (5) years to service the Inland Rail Project and associated road upgrade projects. A maximum of 2,450,000 tonnes would be extracted over the life of the quarry).</p> <p>Specifically, the proposal involves:</p> <ul style="list-style-type: none"> <li>• Extraction of a maximum of 490,000 tonnes per annum for a period of 5 years.</li> <li>• A maximum extraction volume of 2,450,000 tonnes over the life of the Proposal.</li> <li>• Conventional drill and blast techniques to extract the hard rock resource.</li> <li>• Mobile plant to crush and screen the extracted material to produce a range of quarry products, including aggregates, railway ballast, road base and general fill.</li> <li>• Loading and transportation of quarry products via the Site access road to primarily the rail alignment but also the local road network.</li> <li>• Surface water management infrastructure including sediment basins, diversion bunds and drains.</li> <li>• Ancillary infrastructure, including temporary demountable Site office, amenities and workshop facilities.</li> <li>• Progressive rehabilitation of the Site to achieve a post extraction landform suitable for rural activities including but not limited to cattle grazing or cropping.</li> <li>• Operational hours for standard activities between 6am to 6pm weekdays and 7am to 1pm on weekends. Blasting activities to occur between 9am and 3pm weekdays.</li> <li>• Between 5 and 10 staff onsite at any one time.</li> </ul> <p>Extractive Industry means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.</p> <p>The characterisation of the proposed development as an extractive industry is accurate having considered the plans and supporting documents submitted with the DA007/2023.</p>											
Is the development permissible in the zone?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No										
LEP Map evaluation	<p>An assessment of applicable maps in the CLEP 2011 is carried out below:</p> <table border="1"> <tr> <td>Land Application Map</td><td>Applicable, with all of the Coonamble LGA shown on the Land Application Map Sheet LAP-001</td></tr> <tr> <td>Land Zoning Map</td><td>Applicable, with all of the site shown as RU1 Primary Production on the Land Zoning Map Sheet LZN-009 and LZN-010</td></tr> <tr> <td>Lot Size Map</td><td>Applicable, with all of the site shown as 1000ha minimum allotment size on the Lot Size Map Sheet LSZ-009 and LSZ-010</td></tr> <tr> <td>Land Reservation Acquisition Map</td><td>Not applicable</td></tr> <tr> <td>Heritage Map</td><td>Not applicable</td></tr> </table>		Land Application Map	Applicable, with all of the Coonamble LGA shown on the Land Application Map Sheet LAP-001	Land Zoning Map	Applicable, with all of the site shown as RU1 Primary Production on the Land Zoning Map Sheet LZN-009 and LZN-010	Lot Size Map	Applicable, with all of the site shown as 1000ha minimum allotment size on the Lot Size Map Sheet LSZ-009 and LSZ-010	Land Reservation Acquisition Map	Not applicable	Heritage Map	Not applicable
Land Application Map	Applicable, with all of the Coonamble LGA shown on the Land Application Map Sheet LAP-001											
Land Zoning Map	Applicable, with all of the site shown as RU1 Primary Production on the Land Zoning Map Sheet LZN-009 and LZN-010											
Lot Size Map	Applicable, with all of the site shown as 1000ha minimum allotment size on the Lot Size Map Sheet LSZ-009 and LSZ-010											
Land Reservation Acquisition Map	Not applicable											
Heritage Map	Not applicable											



	Natural Resource - Biodiversity Map	Applicable, with part of the site shown as Terrestrial Biodiversity on the Terrestrial Biodiversity Map Sheet NRB-009 and NRB-010
	Natural Resource - Groundwater Vulnerability Map	Applicable, with part of the site shown as groundwater vulnerable on the Groundwater Vulnerability Map Sheet NRG-009 and NRG-010
	Natural Resource – Wetlands Map	Not applicable
	Natural Resource – Waterways Map	Not applicable
Special clauses identification	An assessment of the special provision clauses in the CLEP 2011 that are considered to potential / specially apply to the proposal is carried out below:	
	1.9 Application of SEPPs	Applicable
	1.9A Suspension of covenants	Applicable
	2.3 Zone Objectives and Land-use Table	Applicable
	2.6 Subdivision	Potential to apply but not applicable
	2.7 Demolition	Potential to apply but not applicable
	2.8 Temporary use of land	Potential to apply but not applicable
	2.9 Canal estate development	Potential to apply but not applicable
	4.1 Minimum Lot Size (MLS)	Potential to apply but not applicable
	4.1AA MLS community title	Potential to apply but not applicable
	4.1A Strata subdivisions in Zone RU1	Potential to apply but not applicable
	4.2 Rural subdivision	Potential to apply but not applicable
	4.3 Height of buildings	Not adopted
	4.4 Floor space ratio	Not adopted
	4.5 Calculations floor space ratio	Not adopted
	4.6 Exceptions to development standards	Potential to apply but not applicable
	5.4 Miscellaneous permissible uses	Potential to apply but not applicable
	5.6 Architectural roof features	Not adopted
	5.8 Conversion of fire alarms	Potential to apply but not applicable
	5.10 Heritage conservation	Potential to apply but not applicable
	5.11 Bush fire hazard reduction	Potential to apply but not applicable
	5.12 Infrastructure development	Potential to apply but not applicable
	5.14 Siding springs observatory	Applicable
	5.17 Artificial waterbodies	Not adopted
	5.21 Flood planning	Potential to apply but not applicable
	6.1 Terrestrial Biodiversity	Applicable
	6.2 Water Protection	Potential to apply but not applicable
	6.3 Wetlands	Potential to apply but not applicable
	6.4 Groundwater vulnerability	Potential to apply but not applicable
	6.5 Essential Services	Applicable
	6.7 Earthworks	Applicable



	6.8 Stormwater management	Not applicable
Special clause assessment	<p>A more detailed assessment of applicable special provision clauses and associated maps of the CLEP 2011 is carried out below:</p> <p><b>Clause 1.9 Application of SEPPs</b></p> <p>This clause allows for certain SEPPs listed in the CLEP 2011 to not apply. There are no SEPPs specifically listed in CLEP 2011. All current SEPPs apply to the proposal. An assessment of relevant SEPPs is carried out in later sections of this report.</p> <p><b>Clause 1.9A Suspension of Covenants, Agreements and Instruments</b></p> <p>Clause 1.9A provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions:</p> <ul style="list-style-type: none"> <li>○ A covenant imposed by the Council or that the Council requires to be imposed.</li> <li>○ Any relevant instrument within the meaning of 13.4 of the Crown Land Management Act 2016.</li> <li>○ Any conservation agreement within the meaning of the National Parks and Wildlife Act 1974.</li> <li>○ Any Trust agreement within the meaning of the Nature Conservation Trust Act 2001.</li> <li>○ Any property vegetation plan within the meaning of the Native Vegetation Act 2003.</li> <li>○ Any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995.</li> <li>○ Any planning agreement within the meaning of Subdivision 2 of Division 7.1 of the Act.</li> </ul> <p>The EIS prepared by Groundwork Plus dated March 2023 does not provide a specific assessment of the proposal against the Clause 1.9A of CLEP 2011. There do not appear to be any covenants, agreements or easement that particularly apply to the proposal. Search of the title relating to Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818 does not reveal any restriction on the site that would be prohibitive to the proposed development. Similarly, the proposed development does not impact on existing easement locations. The proposed development is assessed to be consistent with the requirements of Clause 1.9A.</p> <p><b>Clause 2.3 Zone Objectives and Land Use Table</b></p> <p>The subject is land is zoned RU1 Primary Production under CLEP 2011. Clause 2.3(2) of the CLEP 2011 requires the consent authority to have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p>The objectives for the RU1 Primary Production zone are repeated in full as follows:</p> <ul style="list-style-type: none"> <li>○ To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>○ To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>○ To minimise the fragmentation and alienation of resource lands.</li> <li>○ To minimise conflict between land uses within this zone and land uses within adjoining zones.</li> </ul> <p>The EIS prepared by Groundwork Plus dated March 2023 does not provide a detailed assessment of the proposal against the objectives for the RU1 Primary Production zone. An assessment of relevant matters confirms the development proposal is consistent with the zone objectives for the following reasons:</p> <ul style="list-style-type: none"> <li>○ The proposal is for the undertaking of an extractive industry (quarry) which will not preclude the use of the remainder of the subject land for primary production purposes.</li> <li>○ The EIS prepared by Groundwork Plus dated March 2023 and the supporting studies demonstrate the proposed development has been designed to minimise conflicts between land uses within the zone and land uses within adjoining zones.</li> </ul> <p><b>Clause 5.14 Siding Spring Observatory – maintaining dark sky</b></p> <p>Clause 5.14 of the CLEP 2011 establishes the referral requirements for developments within proximity of the Siding Spring Observatory and requires the consent authority consider whether the development is likely to adversely affect observing conditions at the Siding Spring Observatory, taking into account the following matters:</p> <ul style="list-style-type: none"> <li>○ the amount and type of light to be emitted as a result of the development and the measures to be taken to minimise light pollution,</li> <li>○ the impact of those light emissions cumulatively with other light emissions and whether the light emissions are likely to cause a critical level to be reached,</li> </ul>	

- whether outside light fittings associated with the development are shielded light fittings,
- the measures to be taken to minimise dust associated with the development,
- the Dark Sky Planning Guideline published in the Gazette by the Planning Secretary.

The proposed development has been referred to the Director of the Siding Spring Observatory, Associate Professor Chris Lidman who has advised that the proposal is located 30km northwest of the Siding Spring Observatory and therefore lies within the dark sky region surrounding the observatory. On the understanding that no lighting is involved in the development and that dust emissions during quarry operations at the location of the seven receptors noted in the proposal will be below the natural back, the observatory has no objections to the proposed development.

In considering the criteria under Clause 5.14(2) it is assessed the proposed development is not likely to adversely affect observing conditions at the Siding Spring Observatory given no lighting is proposed and therefore there will be no individual or cumulative impact, dust suppression measures are proposed and will be enforced as conditions of development consent and the proposal is general compliant with the Dark Sky Planning Guideline.

#### **Clause 6.1 Terrestrial Biodiversity**

Clause 6.1(3) of the CLEP 2011 requires the consent authority to consider of whether the proposal will have a detrimental impact on the following:

- The condition, ecological value and significance of the fauna and flora on the land.
- Any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna.
- Any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land.
- Any adverse impact on the habitat elements providing connectivity on the land.

Clause 6.1(4) requires the consent authority must not grant consent unless it is satisfied:

- That the development is designed, sited and will be managed to avoid any adverse environmental impact.
- That if impact cannot be avoided by adopting feasible alternatives, the development is designed, sited and will be managed to minimise that impact.
- That if impact cannot be minimized, the development will be managed to mitigate that impact.

A Biodiversity Development Assessment Report (BDAR) has been carried out by AREA Environmental and Heritage, dated March 2023. The BDAR has identified a study area of 26.59 hectares, with 21.36 hectares being native vegetation in poor condition and 5.23 hectares are used for cropping activities.

The BDAR advises clearing of native vegetation is associated with the access track and the quarry, in a poor condition state. Large trees would be mostly avoided, with the access track following an existing cleared alignment. The minimum lot size of the property is over 1,000 hectares, which indicates an area clearing threshold of two hectares. The vegetation clearing associated with this proposal exceeds this threshold under the NSW Biodiversity Offset Scheme (BOS), however no significant impacts on threatened species are assessed to apply.

Conditions are included in the recommendation, requiring the offset of the impacts of the proposal prior to commencement of vegetation removal at the quarry site.

#### **Clause 6.5 Essential Services**

Clause 6.5 states the consent authority must not grant consent to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:

- The supply of water.
- The supply of electricity.
- The disposal and management of sewage.
- Stormwater drainage or on-site conservation.
- Suitable road access.

There is currently limited infrastructure, utilities or services located at the site. Due to the relative isolation of the quarry site from urban areas, the augmentation of centralised power, telecommunications, reticulated water supply and sewerage is limited and / or cost prohibitive. In their letter dated 8 May 2023 Essential Energy has provided their general requirements for the proposal.

Like other extractive industry operations in Regional NSW, the Black Hollow Quarry is proposed to be operated using mobile plant and machinery, on-site storage and recycling systems as well as delivery and removal services. The EIS advises electricity would be sourced from diesel generators. Potable water would be sourced from rainwater tanks or a licensed water supplier. Water for dust suppression would be sourced from the sediment basin water storages for each quarry pit. Telecommunications would be provided by mobile phone. Sewage and wastewater would be via a pump out facility serviced by a licensed waste contractor. A small diesel tank may also be stored on site in a self-bunded container and in accordance with AS 1940-2017 The Storage and Handling of Flammable and Combustible Liquids.

Management of stormwater drainage is a particularly important component of the operation, as the storage of water can also help manage a number of peripheral issues such as securing water supplies for dust management and to respond to emergency bushfires. A Black Hollow Quarry Surface Water Assessment and Stormwater Management Plan have been prepared by Groundwork Plus, to manage stormwater to controlled sediment basins. Water from these water storages will be reused in quarry operations and for dust suppression purposes. The EIS advises the quarry should be self-sufficient with respect to surface water usage when developed. However, if external water supply is required, it is advised additional water would be sourced from external licensed water suppliers to meet the anticipated shortfalls for quarry operations.

The EIS and a Road Transport Assessment prepared by TTPP dated 24 October 2022 provides the mainstay of access considerations. In general, the proposal will utilise the existing vehicular access from Goorianawa Road, which is a local road controlled by Coonamble Shire Council. Assessment of the existing road access and wider road network reveals no safety, sight distance or asset condition issues subject to appropriate upgrades to the property access and adjoining road network as detailed in the conditions of consent.

It is assessed that the overall design of the Black Hollow Quarry has taken into consideration the requirements of Clause 6.5 to service the proposal, using a mix of mobile services, on-site surface water management and storage.

#### **Clause 6.7 Earthworks**

The main objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. Before granting development consent for earthworks, Clause 6.7(3) requires consideration of the following matters:

- The likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality.
- The effect of the proposed development on the likely future use or redevelopment of the land.
- The quality of the fill or the soil to be excavated, or both.
- The effect of the proposed development on the existing and likely amenity of adjoining properties.
- The source of any fill material and the destination of any excavated material.
- The likelihood of disturbing relics.
- The proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.

The proposal is expected to involve the extraction of approximately 2.45 million tonnes of hard rock material over the life of the Black Hollow Quarry within an area of approximately 28.14 hectares on the site.

The extent of earthworks has been documented in the EIS, including details of land disturbance, topsoil removal and bulk earthworks, extraction volumes, roadworks and drainage works. Quarry design and conceptual final landform can be seen on Figure 5 - Conceptual Final Land Form and Figure 6 - Conceptual Final Land Form (Cross Sections) and Figure 7 - Rehabilitation Management Plan of the EIS.

Extraction would use standard quarrying methodologies that involve clearing, topsoil and overburden stripping, drilling and blasting, extraction, processing and stockpiling with the final products sold for use in the construction industry. A Conceptual On-site Extractive Operations Diagram is included on page 11 of the EIS to show this process. A Surface Water Layout Plan is included in Figure 21 of the EIS.

The proposed quarry development is unlikely to affect the existing and likely amenity of adjoining properties. Adjoining properties are primarily used for agricultural purposes and are well setback / separated from quarry pit, processing areas and internal roads. The potential for dust and soil erosion impacts will be managed as per the EIS.

	<p>An Aboriginal Cultural Heritage Assessment Report has been prepared by AREA Environmental and Heritage Consultants, dated March 2023. The AREA report advises no heritage sites are located on the development site.</p> <p>It is considered that the proposed development has been designed to control and minimise any potential negative impacts that may arise during earthworks. It is assessed the proposed development and associated earthworks will not detrimentally impact drainage lines, soil stability, amenity of adjoining properties, heritage issues or any environmental sensitive areas.</p> <p>The quarry pit is not proposed to be refilled as the development would not generate enough waste material. Subsequently, the site would be left with a void that would be rehabilitated to function as livestock grazing and shelter areas. The balance of the property would also continue to be used for agricultural activities.</p>		
State Environmental Planning Policies			
Identification of relevant SEPPs	Name of SEPP	Applicability	
	SEPP (Biodiversity and Conservation) 2021	<input checked="" type="checkbox"/> Yes – See below for details.	<input type="checkbox"/> No
	SEPP (BASIX) 2004	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Exempt and Complying) 2008	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Housing) 2021	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Industry and Employment) 2021	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP No 65—Design Quality of Residential Apartment Development	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Planning Systems) 2021	<input checked="" type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Precincts – Regional) 2021	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Primary Production) 2021	<input checked="" type="checkbox"/> Yes – See below for details.	<input type="checkbox"/> No
	SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/> Yes – See below for details.	<input type="checkbox"/> No
	SEPP (Resources and Energy) 2021	<input checked="" type="checkbox"/> Yes – See below for details.	<input type="checkbox"/> No
	SEPP (Sustainable Buildings) 2022	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	SEPP (Transport and Infrastructure) 2022	<input checked="" type="checkbox"/> Yes – See below for details.	<input type="checkbox"/> No
SEPP assessment	<p>A more detailed assessment of applicable SEPPs is carried out below:</p> <p><b>SEPP – Biodiversity and Conservation 2021</b></p> <p>The Biodiversity and Conservation SEPP 2021 aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State and preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. Provisions protecting bushland, trees, heritage items, waterways, wetlands and koalas are included in the Biodiversity and Conservation SEPP 2021.</p> <p>A BDAR has been prepared by Area dated March 2023 which clearing of native vegetation is associated with the access track and the quarry. Large trees would be mostly avoided, with the access track following an existing cleared alignment. As the minimum lot size of the property is over 1,000 hectares, the vegetation clearing associated with the proposal exceeds this threshold under the BOS, however no significant impacts on threatened species or habitats are assessed to apply.</p> <p>The EIS advises the proposal design has changed during the assessment process, and the final design, specifically the alignment of the access road has avoided impact to native vegetation and minimised the fragmentation of native vegetation. No ecosystem credits would be required to be offset under the BOS as a result of the final quarry design / plans.</p> <p><b>SEPP – Planning Systems 2021</b></p> <p>The Planning Systems SEPP identifies significant development and infrastructure and confer functions on Regional Planning Panels to determine development applications.</p> <p>Pursuant to Schedule 1 of the Planning Systems SEPP, the proposed extractive industry operation does not constitute a State Significant Development as:</p>		





- No more than 490,000 tonnes of extractive material will be extracted per year.
- Site geological assessments estimates that the resource is approximately 4,450,000 tonnes.

The extraction will not be from an environmentally sensitive area of State significance.

The proposal is Regionally Significant Development as the development includes the undertaking of an extractive industry which meets the requirements for Designated Development under the EP&A Regulation 2021. Accordingly, the application is to be tabled with the Western Regional Planning Panel for determination.

#### **SEPP (Resilience and Hazards) 2021**

The provisions of the former SEPP No. 33 Hazardous and Offensive Development and SEPP No. 55 Remediation of Land were consolidated into this SEPP in March 2021.

The Resilience and hazards SEPP requires that a consent authority must consider the contamination potential of the land, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.

The EIS advises that a review of aerial imagery shows that the proposed quarry footprint, has been used only for either cropping or grazing activities with no other structures or infrastructure evident. Therefore, it is unlikely that the proposed quarry footprint has been subject to activities that might cause land contamination.

#### **SEPP (Resources and Energy) 2021**

The Resources and Energy SEPP 2021 recognises the importance of mining, petroleum production and extractive industries to NSW and aims to provide for the proper management and the orderly development of land containing minerals, petroleum products and extractive materials. The SEPP aims to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management of these resources.

Chapter 2, Part 2.3 of the Resources and Energy SEPP 2021 outlines the matters for consideration with any development proposal for extractive industries. The SEPP requires a consideration of a number of matters prior to determining an application for an extractive industry, as follows:

Section 2.16 of the SEPP lists the non-discretionary development standards for mines, that if the proposal meets, a consent authority cannot impose more onerous standards. The proposed development is not for a mine and therefore no further assessment of Section 2.16 is required.

Section 2.17 of the SEPP provides several matters that a consent authority must consider before determining a development application to determine compatibility of the proposed quarry with surrounding land-uses, as follows:

- (a) *(i) the existing uses and approved uses of land in the vicinity of the development, and*  
*(ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land-use trends, are likely to be the preferred uses of land in the vicinity of the development, and*  
*(iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and*
- (b) *evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and*
- (c) *evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).*

Having regard to the above, the proposed quarry is located within a larger rural holding (Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818), which comprises a rural holding of 1275.39 hectares. The quarrying operations would be well-contained within the property. Surrounding land-uses are predominantly broad-acre farming enterprises and associated isolated dwellings. The closest residence not associated with Northwood activities is located approximately 1.8 kilometres south-east of the proposed quarry operational area. The EIS confirms the proposed quarry expansion can be operated without resulting in significant impacts on nearby land-uses, including nearby dwellings. EPA have issued their GTAs for the proposed Black Hollow Quarry, and conditions have been incorporated into the recommendations to control noise, vibration, dust, groundwater, and waterway issues to acceptable levels. Taking into consideration the location, proposed quarry operations, mitigating measures and draft conditions, the proposed quarry is considered to be compatible with surrounding land-uses.

Section 2.18 of the SEPP requires consideration of any applicable voluntary land acquisition and mitigation policy provisions. The proposed development is not subject to any voluntary land acquisition.

Section 2.19 of the SEPP requires consideration of the compatibility of development proposal on land in the vicinity of existing mines etc. or of land containing mineral or extractive resources. This provision is to ensure that these resources are not sterilized by incompatible development on surrounding land and is a matter for Council to consider. A review of the MinView online database confirms there are several base / precious metal occurrences in the region. However, there are no other mines, petroleum production facilities or extractive industries within immediate proximity to the proposed Black Hollow Quarry. Singles Pit is located 6.5 north of the site and the Ralston Quarry is located 16 kilometres south of the site. The proposed development will not have a significant impact on the current or future extraction of minerals or extractive materials from adjoining lands, nor will it be incompatible with the existing approved uses. It is considered the appropriate positioning of numerous quarry sites along the IRP alignment is beneficial to reduce the potential for over consuming resources from a singular site and reducing the length of haulage routes to deliver construction resources. The area is not identified in any environmental planning instrument as a location of significant resources of minerals, petroleum or extractive materials. It is assessed the quarry is a compatible land-use in the locality, as it does not impact on high value agricultural land or any known valuable resources. In addition, the land comprising the proposed development is not the subject of a mining lease granted pursuant to the *Mining Act 1992*.

Section 2.20 of the SEPP requires the consent authority to consider whether or not consent should be issued subject to conditions aimed to ensure the development is undertaken in an environmentally responsible manner. The conditions issued must ensure the following:

- That impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable.
- That impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable.
- That greenhouse gas emissions are minimised to the greatest extent practicable.

The EIS provides a thorough examination of all of the above criteria. A Black Hollow Quarry Surface Water Assessment and Stormwater Management Plan has been prepared by Groundwork Plus to manage drainage and soil stability in the locality.

A Biodiversity Development Assessment Report (BDAR) has been prepared to assess the impacts of the proposal on biodiversity and the proponents' offset obligations under the NSW Government's Biodiversity Offset Scheme. An assessment of potential greenhouse gas emissions is provided in the EIS. The EIS details the mitigation strategies to minimise greenhouse gas emissions and states the emissions from the quarry are minimal in the overall context of national emissions. EPA has issued their GTAs for the proposed quarry, including conditions to control air quality to acceptable levels.

Section 2.21 of the SEPP requires consideration as to whether the proposed resource recovery is efficient. Modern equipment and best practice management principles will be used in the operation of the proposed quarry to ensure recovery is efficient and economically viable. The EIS states the proposal would generate minimal waste rock due to the quality of the rock available. Overburden and topsoil material will be re-used on-site for bunding and rehabilitation purposes. Wastes generated from the site office and amenities can be suitably controlled as conditions.

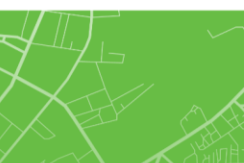
Section 2.22 of the SEPP requires consideration as to whether consent should contain conditions to:

- Require that some or all of the transport materials in connection with the development is not to be by public road.
- Limit to preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools.
- Require the preparation and implementation, in relation to the development, of a code of conduct relating to the transport of materials on public roads.

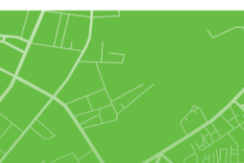
The EIS indicates that haulage of materials would be via the Inland Rail corridor and the public road network. Material leaving the site would be via Goorianawa Road. Haulage hours are to be restricted to avoid haulage in school bus times and no haulage will be undertaken on State Roads or Tooraweenah Road. The EIS and various submissions have highlighted the need for a Drivers Code of Conduct to be prepared. Conditions have also been included in regard to road haulage transport operations and road network upgrades and maintenance requirements.

The applicant proposes that the material haulage operations will be conducted directly to the Inland Rail corridor for haulage up and down the corridor access road. The Inland Rail project, SSI-9487 received approval on 21 February 2023. As a means of illustrating how the proposed Black Hollow Quarry will interact with the Inland Rail Project, Groundwork Plus have provide a Concept Site Layout Plan showing the

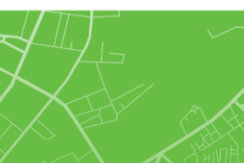
	<p>location of the proposed quarry operations and haulage routes directly to the Inland Rail Project alignment, where material can then be transported directly to the rail construction site.</p> <p>Section 2.23 requires consideration of conditions aimed at ensuring the rehabilitation of land that will be affected by the development. A conceptual final landform and rehabilitation plan are included in the EIS. Upon closure of the quarry pit rehabilitation works will be undertaken to enable the final pit landform to be utilised for agricultural purposes, predominantly livestock grazing and water storage. The final landform will be revegetation to reduce any potential visual and amenity impacts. Conditions are included in the recommendation to ensure rehabilitation is undertaken in accordance with the EIS documentation.</p> <p>It is assessed the proposed quarry complies with the relevant provisions of State Environmental Planning Policy (Resources and Energy) 2021.</p> <p><b><u>SEPP (Transport and Infrastructure) 2021</u></b></p> <p>The Transport and Infrastructure SEPP seeks to protect and facilitate appropriate infrastructure. Clause 2.48 of SEPP Infrastructure requires consideration of electricity supply requirements, where the development is:</p> <ul style="list-style-type: none"> <li>○ the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</li> <li>○ development carried out within or immediately adjacent to an easement for electricity purposes or substation, or within 5 metres of an exposed overhead electricity power line.</li> <li>○ Development involving the installation of a swimming pool within 30m of a structure supporting an overhead transmission line, or within 5m of an overhead electricity power line.</li> <li>○ Development involving or requiring the placement of power lines underground.</li> </ul> <p>The proposal is not within or immediately adjacent to any of the above infrastructure. There are no aspects of the development proposal that impacts on electricity supply services, as per Clause 2.48 requirements.</p> <p>Schedule 3 of the Transport and Infrastructure SEPP requires any development with over 200 or more motor vehicles to be referred to Transport for NSW (TfNSW) for comment. The proposed development is not identified in Schedule 3 of the SEPP as traffic generating development to be referred to the Roads and Maritime Services. Referral advice has been sought from TfNSW, which is dealt with in more detail in other sections of this report.</p> <p>Clause 2.98 of the Transport and Infrastructure SEPP requires the consent authority to consider whether any development proposal on land that is in or immediately adjacent to a rail corridor is:</p> <ul style="list-style-type: none"> <li>○ Likely to have an adverse effect on rail safety.</li> <li>○ Involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains.</li> <li>○ Involves the use of a crane in air space above any rail corridor.</li> <li>○ Located within 5 metres of an exposed overhead electricity powerline that is used for the purpose of railways or rail infrastructure facilities.</li> </ul> <p>At this stage there is no dedicated rail corridor within close proximity to the proposed Black Hollow Quarry. However, the proposed Inland Railway is to be constructed and operated within close proximity to the proposed Black Hollow Quarry site, as per State Significant Infrastructure (SSI) Application No SSI-9487 which was approved on 21 February 2023.</p> <p>The Black Hollow Quarry EIS states that the quarry would supply construction materials to the Inland Rail project and associated road projects. The EIS advises it is anticipated that access to the Inland Rail corridor would be directly available from the internal access roads located upon the site. The Black Hollow Quarry Road Transport Assessment, prepared by TTPP dated 24 October 2023 advises the proposal-generated haulage traffic would utilise the public road network for the delivery of materials to road construction upgrade sites within proximity of the quarry. Given the location of Singles Pit and Ralston Quarry to the north and south of the subject site respectively the extent of material haulage via the public road network will be limited.</p> <p>It is assessed that the requirements of the Infrastructure SEPP to consult with road and rail authorities has been satisfied. Conditions have been included in the recommendation to ensure all relevant road and rail authorities will have input into the final details of allowing temporary access only onto the proposed Inland Railway corridor.</p>
<b>10.2. Section 4.15(1)(a)(ii) Provision of any proposed Environmental Planning Instrument</b>	
<b>Draft Local Environmental Plans</b>	



	No draft instruments have been identified which contain provisions likely to be of relevance to the determination of DA007/2023.		
<b>Draft State Environmental Planning Policies</b>			
	No draft instruments have been identified which contain provisions likely to be of relevance to the determination of DA007/2023.		
<b>10.3. Section 4.15(1)(a)(iii) Provision of any Development Control Plan</b>			
There are no development control plans that apply to the subject land, or to the operation of extractive industries in the Coonamble Shire.			
DCP assessment	There are no development control plans that apply to the subject land, or to the operation of extractive industries in the Coonamble Shire.		
<b>10.4. Section 4.15(1)(a)(iia) Any planning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4</b>			
	No planning agreements or draft planning agreements have been prepared in relation to DA007/2023.		
<b>10.5. Section 4.15(1)(a)(iv) The Regulations</b>			
Identification of relevant provisions	Regulation Clause	Applicability	
	Clause 61(1) – Demolition	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 61(2) – Subdivision Orders	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 61(3) – Dark Sky Planning Guidelines	<input checked="" type="checkbox"/> Yes – See below for details.	<input type="checkbox"/> No
	Clause 61(4) – Manor / Multi Dwellings Housing	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 62 – Consideration of fire safety	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 63 – Temporary Structures	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 64 – Upgrade of buildings	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 65 – Sydney Opera House	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 66 – Contributions plans for Sydney	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 67 – Modification or surrender of development or existing use right	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
	Clause 68 – Voluntary surrender of development consent	<input type="checkbox"/> Yes – See below for details.	<input checked="" type="checkbox"/> No
EP&A Regulation assessment	<p>A more detailed assessment of applicable provisions in the EP&amp;A Regulation 2021 is carried out below:</p> <ul style="list-style-type: none"> <li>Clause 61 Dark Sky Planning Guidelines - The subject land is located within the Coonamble Local Government area. The proposed development has been referred to the Siding Spring Observatory for comment. The Director of the observatory responded, on the understanding that no lighting is involved in the development and that dust emissions during quarry operations at the location of the seven receptors noted in the proposal will be below the natural back, the observatory has no objections to the proposed development. As no lighting is proposed as part of the proposal the detailed criteria under Part 3 and Part 4 of the Guideline does not apply. Conditions of consent limiting operational hours of the quarry and ongoing management measures for the suppression of dust are proposed to prevent any adverse impacts from the development on the operation of the Siding Spring Observatory.</li> </ul>		
<b>10.6. Section 4.15(1)(b) The Likely Impacts of the development, including environmental impacts both on both the natural and built environments, and social and economic impacts in the locality</b>			



Site requirements assessment	Boundary clearances	<input checked="" type="checkbox"/> Complies	<input type="checkbox"/> Does not comply	
	Front Building Setback	<input checked="" type="checkbox"/> Complies	<input type="checkbox"/> Does not comply	
	Site coverage	<input checked="" type="checkbox"/> Complies	<input type="checkbox"/> Does not comply	
	There are no specific development controls applicable to the operation of an Extractive Industry (quarry) that establish minimum boundary setbacks of site area controls. The proposal does not represent an over development of the site. The design of the proposal has adequately demonstrated provision for site office buildings, vehicle access and movement, onsite utilities, stormwater and waste disposal.			
Easements assessment	Are there any existing easements?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	Are any easements encroached?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	Are easements proposed / required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	The plans of the proposed development prepared by Groundwork Plus does not show any easements on the site. There is no warrant for easements.			
Consolidations	Are consolidations proposed?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	Are consolidations required?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	Are works clear of other services / utilities?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
	All excavation of material will occur on Lot 57 DP 754246. Lot 2 DP 218818 will contain a sediment basin. Internal access roads will traverse Lot 57 DP 754246 and Lot 14 DP 754216. No consolidation of allotments is required all works are structures are assessed to be clear of private and public utility and service locations and the quarry will have an operational lifespan of five (5) years upon which the land will continue to be used for primary production purposes and appropriate rehabilitation will be undertaken.			
Section 4.15 Assessment Considerations				
Context and setting	What is the relationship to the regional and local context in terms of:			
	The scenic qualities and features of the landscape?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The character and amenity of the locality and streetscape?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The scale (bulk, height, mass) form, character, density and design of development in the locality?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The previous and existing land-uses and activities in the locality?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	What are the potential impacts on adjacent properties in terms of:			
	Relationship and compatibility of adjacent land-uses	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Sunlight access (overshadowing)	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Visual and acoustic privacy	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Views and Vistas	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The proposed Black Hollow Quarry is located on a rural property (Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818) which has an area of approximately 1,275 hectares and is situated at Black Hollow, a rural area in Central West NSW. The property is currently used for dryland farming activities (predominantly livestock grazing and cropping).			





The proposed quarry site is located towards the centre of the site, with access proposed from Goorianawa Road. The total area of proposed quarry activities, including processing and stockpile areas, sediment basins and access roads is approximately 28.14 hectares. The existing farm residence and associated rural outbuildings are located on the site, to the north-east of the proposed extractive industry operations, with access to Goorianawa Road.

The land-uses surrounding the proposal primarily include agricultural livestock grazing and cropping activities. A number of isolated private dwellings and associated outbuildings and infrastructure are located on nearby farming properties. Nearby farms and associated dwellings are shown on the Conceptual Site Layout Plan in Figure 3 of the EIS.

The Stage 1 project area is on a low rise in the southern section of the site. Stage 1 has a north-easterly aspect, which by virtue of the surrounding topography is screened from surrounding residences. The Stage 2 project area extends from the lower to upper slope of a small hill known as Tenandra Hill, located in the northern section of the site. Based on the elevation and aspect of this landscape, Stage 2 quarry operations may have some visibility to residents from the south and the west.

A visual amenity assessment has been undertaken in Section 5.8 of the EIS. The assessment work advises the proposed quarry footprint is anticipated to only be visible to Receptor 3 to the north-west of the site at a distance of approximately 3km. The proposal will not be visible from the alignment of Goorianawa Road. As a result of a submission from the owner of sensitive receptor 2, Groundwork Plus have provided an additional letter dated 16 June 2023 and a subsequent letter dated 26 September 2023 which state:

*'The Applicant maintains that the design of the Quarry has reduced and minimised the visual impact to district views to the greatest extent practicable and is further reduced by the shortness of the life of the Quarry of only 5 years on the following basis. The location of the Quarry has been determined by the analysis of several site constraints including the landowners homestead to the East, significant native vegetation, and cultural heritage items to the South and West and access required to the rail alignment and disturbed areas for stockpiling that are separated from watercourses to the North and East. Initially less complex conventional designs seeking to extract the Western face of the hill in a linear fashion were considered and drilling undertaken. Early stakeholder input was considered. Having received that feedback, to minimise visual amenity impacts the Applicant ruled out the less complex conventional design on the Western face of the hill in favour of shifting the extraction area to the Northern face of the hill whilst still maintaining appropriate separation distances from Salty Springs Creek. Based on the constraints presented in the site analysis the design response included retention of a peninsula of land to the west of the extraction area that would act as a visual screen to the operations from the North-West direction. By adopting this more complex design visibility of the extraction area floor and majority of the benches are therefore reduced. It should also be noted that the peak of the hill has been avoided to prevent obvious visual intrusions to the skyline affecting district views from neighbouring properties.'*

Groundwork Plus as part of the additional information provided on 26 September 2026 have provided three dimensional illustrations indicating the potential visual impact of the quarry site during operation and upon remediation. The images as shown below are prepared from the internal access road within the subject site, looking from a north-western perspective to the south-east.

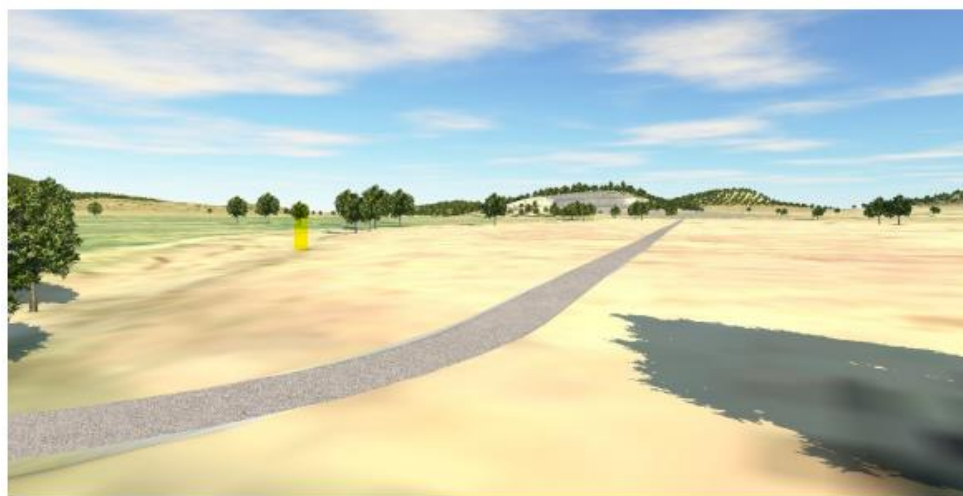


Figure 1: Conceptual Quarry View



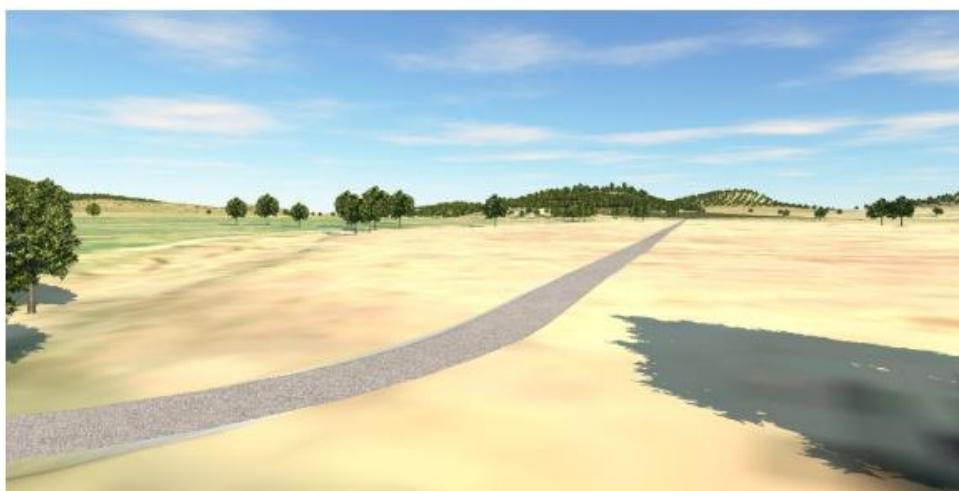


Figure 2: Rehabilitated Quarry View

The quarry site is located in a rural area that is well screened / distanced from nearby towns, dwellings, farms and roads. The proposed development is considered compatible with the surrounding area and will have minimal impact on adjacent properties and land-uses, such as interruptions of important views and vistas, visual and acoustic privacy and the like. The size, bulk and scale of the proposed quarrying works are acceptable. Appropriate setbacks have been achieved to adjoining boundaries and the nature of the proposed use is unlikely to create unacceptable land-use conflict risks with neighbouring agricultural uses. Sunlight access, visual and acoustic privacy impacts on adjoining land are not likely to be significant issues. The proposed development is assessed to be acceptable in terms of context and setting considerations.

Access, transport and traffic

Focusing on whether the development proposal provides accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and determining impacts (if any).

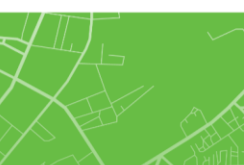
Travel demand?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Dependency on motor vehicles?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Traffic generation and the capacity of the local and arterial road network?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Conflicts within and between transport modes?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Vehicle parking spaces?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant

The subject land is located on Goorianawa Road. Access to the proposed quarry is located on the eastern boundary of the site, midway along the frontage of Lot 14 DP 754216 to Goorianawa Road. All traffic is proposed to enter and leave the site via Goorianawa Road, and then onto other roads in the wider road network.

A mix of vehicle types would be used for product haulage, typically truck and trailer combinations, and B-doubles. It is acknowledged in the EIS that a restriction on Type 1 A-doubles exists during school bus hours within the Coonamble LGA. Accordingly, the applicant has confirmed that the proposal only seeks approval for the use of truck and dog trailers for use on the public road network to ensure safe and compliant operations. Type 1 A-double road train configurations will not be used.

The EIS indicates the traffic generation would be:

- 20 light vehicle trips per day; and
- 264 heavy vehicle trips per day (maximum 22 heavy vehicle trips per hour).



The EIS states that the traffic generation would coincide with construction activity for the Inland Rail project. The Black Hollow Quarry Road Transport Assessment, prepared by TTPP dated 24 October 2022 advises the proposal-generated haulage traffic would travel either to the north via Goorianawa Road and then onto Baradine Goorianawa Road and Munns Road, or to the south via Goorianawa Road and then onto Tooraweenah Road. It is assumed that the workforce would all commute travel from Coonamble in light vehicles.

The EIS advises the existing access from the site to Goorianawa Road would be upgraded to form a Basic Auxiliary Left (BAL) and Basic Auxiliary Right (BAR) to accommodate heavy vehicle movements. No other road upgrade measures are proposed in the EIS to provide additional capacity to accommodate the proposal, as the existing approved heavy vehicle routes are considered by the applicant to be of an adequate standard to accommodate the proposal.

The EIS states a Traffic Management Plan (TMP) and Driver Code of Conduct would be developed subject to development consent for the proposal. The EIS notes the ARTC have been consulting with impacted local government authorities during the planning of the Inland Rail project, and that Coonamble Shire Council would have been informed that ARTC will take on the burden of maintaining the local road network during delivery of the IRP. The additional information letter provided by Groundwork highlights the road maintenance arrangements under the Narromine to Narrabri Section of the Inland Rail project approval (SSI-9487) that included the following condition:

*E113 Before any road is used by a heavy vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for subject roads and bridges. A copy of the Road Dilapidation Report must be provided to the relevant road authority(ies) and landowners within one (1) month of completion of the road dilapidation survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the CSSI for endorsement by the roads authority.*

*E114 The Road Dilapidation Report shall provide measures to ensure: (a) roads deemed unsafe for the use of heavy vehicles are upgraded and repaired prior to use; (b) roads used can safely accommodate heavy vehicle haulage based on volume, types and duration of use; and (c) road repair is undertaken periodically before and during construction. Where the road is not up to standard due to condition, width, pavement type, and road geometry, the Proponent must upgrade the road to a service level equal to (or better than) the level it was being maintained immediately prior to construction before heavy haulage commences, at no cost to the owner.*

*E115 If damage to roads occurs as a result of the construction of the CSSI, the Proponent must, within six months of the completion of construction (or one month for private and Forestry Corp managed roads), either (at the landowner or relevant road authority's discretion): (a) rectify the damage to restore the road to at least the condition it was in at the time of the dilapidation survey in Condition*

*E113; or (b) compensate the relevant road authority(ies) and landowner for the damage so caused. The amount of compensation may be agreed with the relevant road authority(ies) and landowners, but compensation must be paid even if no agreement is reached; or (c) where other agreements are in place, leave, maintain or remunerate for damages to these roads in accordance with these agreements. Damage to roads that affects road safety or trafficability as a result of the construction of the CSSI must be rectified by the Proponent as soon as practicable after the damage is identified, at no cost to the owner.*

In addition, the EIS states that it is expected that traffic noise impacts associated with the proposed quarry and haulage operations will meet the criterion in the NSW Road Noise Policy.

The proposed development has been referred to TfNSW who have provided the following observations, comments and recommendations:

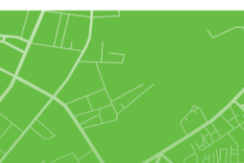
- The proposed development is not to use any classified (State) road as their haulage route for operational traffic. If operational traffic in the future does impact the classified (State) road network, a new development application (DA) will need to be lodged.
- A Traffic Management Plan (TMP) and a Driver Code of Conduct (DCC) is required.

A single submission was received from the public, an adjoining landowner with vehicle access to Goorianawa Road, concerned about the impact of the proposed haulage operations on local roads. The submission included comments about the current condition of roads not being able to safely accommodate existing and proposed new traffic. It was also highlighted the potential for conflict between the increased traffic use and livestock grazing on adjoining allotments.

Groundwork Plus has provided two letters dated 16 June 2023 that respond to all of the issues raised in submissions received from government agencies and private landowners regarding access and traffic. In

	<p>these letters the applicant has provided more detailed information on how the proposed Black Hollow Quarry will interact with the Inland Rail project and local road network during operational phases of the quarry.</p> <p>Agreement has been reached between the applicant and Coonamble Shire Council for the following road upgrades.</p> <ul style="list-style-type: none"><li>o <b>Internal access roads</b> - to meet the requirements of Planning for Bush Fire Protection 2019.</li><li>o <b>Access on Goorianawa Road</b> - to upgrade the existing property access to Goorianawa Road to form a Basic Auxiliary Left (BAL) and Basic Auxiliary Right (BAR) to a rural unsealed standard as per the Austroads Guide to Road Design 2017 and to the satisfaction of Coonamble Shire Council prior to the commencement of haulage operations on the local road network.</li><li>o <b>Goorianawa Road</b> - to upgrade Goorianawa Road to a rural unsealed standard as per the Austroads Guide to Road Design 2017 and the Austroads Guide to Pavement Technology Part 6, and to the satisfaction of Coonamble Shire Council prior to the commencement of haulage operations on the local road network.</li></ul> <p>In addition to the above road work improvements, agreement has been reached between the applicant and Coonamble Shire Council for the following road maintenance regime:</p> <ul style="list-style-type: none"><li>o <b>Road Maintenance Contribution</b> - Heavy vehicle contribution of \$0.63/tonne, subject to annual indexation by Sydney CPI. Payments would be made on a quarterly basis based on the amount of material hauled on the local road network from the anniversary of commencement on the local road network.</li></ul> <p>In addition to the above road work improvements and road maintenance regime, agreement has been reached between the applicant and Coonamble Shire Council on the following road management plans / strategies:</p> <ul style="list-style-type: none"><li>o <b>Traffic Management Plan</b> - prior to the commencement of haulage operations.</li><li>o <b>Driver Code of Conduct</b> - prior to the commencement of haulage operations.</li><li>o <b>Haulage Limits</b> - maximum daily number of truck movements not exceeding 264 truck movements (total in and out of the premises). Conditions of consent will also be imposed prohibiting any haulage of extracted material along Tooraweenah Road. Haulage of material is to be undertaken from the nearest borrow pit to the respective worksite, with Singles Pit and Ralston Quarry able to utilised for works north or south of the site.</li><li>o <b>School Bus Time Limits</b> - minimization and wherever possible avoidance of haulage operations coinciding with local student school bus pick-up and drop-off times and locations.</li></ul> <p>Conditions are included in the recommendation requiring road upgrades (identified above) prior to the commencement of haulage operations. By completing these works in preparation for haulage operations, Council (as the local road authority) is confident that it will avoid situations where there is simultaneous large scale road reconstruction and haulage operations being undertaken, which could be further exacerbated by wet weather, harvest and school bus times.</p> <p>Conditions are also included in the recommendation requiring payment of the contribution for the maintenance of local roads affected by material haulage on a quarterly basis based on the amount of material hauled on the local road network. With the receipt of quarterly contributions, Council is confident that it will be able to maintain local roads used by haulage trucks from the Black Hollow Quarry to a rural unsealed standard as per the Austroads Guide to Road Design 2017 and the Austroads Guide to Pavement Technology Part 6.</p> <p>Conditions are also included in the recommendation requiring preparation of a Traffic Management Plan and a Driver Code of Conduct as well as limiting haulage operations as detailed above.</p>			
Public domain	Focusing on how development proposal interacts with the public domain.			
	Public recreational opportunities in the locality?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Amount, location, design, use and management of public spaces in and around the development?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Pedestrian linkages and access between development and public areas?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant

	<p>The development proposal is assessed to have a negligible impact on the public domain in terms of:</p> <ul style="list-style-type: none"> <li>Public recreational opportunities in the locality.</li> <li>Amount, location, design, use and management of public spaces in and around the development.</li> <li>Pedestrian linkages and access between the development and public areas.</li> </ul> <p>The proposed development will not compromise the use and enjoyment of public and private recreational opportunities in the locality. The subject land is located in a rural area of the Coonamble Shire, with public land in proximity of the site limited to adjoining public roads. Suitable road and site access are proposed and will be implemented as conditions of consent.</p>			
Utilities	Focusing on the demands of the development proposal and any impacts on utility supply.			
	Utility needs of the development – water supply, sewer supply, electricity and gas?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Availability and capacity of utilities?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Environmental impact?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>There is currently limited infrastructure, utilities or services located at the site. Due to the relative isolation of the quarry site from urban areas, the augmentation of centralised power, telecommunications, reticulated water supply and sewerage is not proposed. The Black Hollow is proposed to be operated using mobile plant and machinery, on-site storage and recycling systems as well as delivery and removal services.</p> <p>The EIS advises electricity would be sourced from diesel generators. Potable water would be sourced from on-site water storages or a licensed water supplier. Water for dust suppression would also be sourced from sediment basins located at the quarry site. Telecommunications would be provided by mobile phone. Sewage and wastewater would be managed via a pump out facility serviced by a licensed waste contractor. A small diesel tank may also be stored on site in a self-bunded container and in accordance with AS 1940-2017 The Storage and Handling of Flammable and Combustible Liquids.</p> <p>The proposed quarry site is not within or immediately adjacent to overhead powerlines that could pose a safety risk. In their response dated 8 May 2023 Essential Energy provided their general requirements for the proposal.</p> <p>It is assessed that the overall design of the Black Hollow Quarry has taken into consideration the utility service requirements of the proposal, using a mix of mobile services, on-site surface water management and storage systems and the existing road network to support the proposed quarry and haulage operations.</p>			
Heritage	Focusing on how the development proposal affects the heritage significance of the property or adjacent properties.			
	The heritage significance of items, landscapes, areas, places, relics and practices?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The historic, scientific, social, aesthetic, anthropological, cultural, spiritual, archaeological (Aboriginal, non-Aboriginal and underwater) significance?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Aboriginal, non-Aboriginal and natural heritage?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Is any heritage study, conservation planning, conservation management plan or statement of heritage impact required?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
	The subject land is not identified in Schedule 5 of the CLEP 2011 as containing any items of heritage significance.			



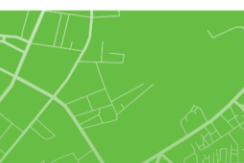
	<p>AREA Environmental and Heritage Consultants have prepared a Historic Heritage Report, dated February 2023, assessing the potential for non-Aboriginal heritage impacts. The report confirms no items of non-Aboriginal heritage significance are identified on the National and Commonwealth Heritage List, the Australian Heritage Database (including the World Heritage and Register of the National Estate), the State Heritage Register (SHR) of CLEP 2011. The report recommends standard management controls including adoption of the unexpected finds protocol which will be implemented as conditions of consent.</p> <p>AREA Environmental and Heritage Consultants have prepared an Aboriginal Cultural Heritage Assessment, dated March 2023, assessing the potential Aboriginal heritage impacts. A search of the Aboriginal Heritage Information Management System (AHIMS) database shows that the subject land does not contain any previously recorded items of Aboriginal cultural heritage significance. Inspection of the site by AREA Environmental and Heritage revealed two Aboriginal sites, Black Hollow Culturally Modified Tree 01 (CMT 01) and Black Hollow Isolate Find 01 (IF 01), were recorded during the survey but are outside the subject land and will be avoided by the proposal. The AREA Environmental and Heritage Report identifies the social, aesthetic, historic and scientific significance of the two items as low. Recommendations of the AREA Environmental and Heritage Consultants report will be imposed as conditions of consent.</p> <p>On the basis, the proposed development is assessed to have an acceptable impact in terms of Aboriginal and built heritage.</p>														
Other land resources	<p>Focusing on whether the development proposal would have an effect on conserving and using valuable land resources.</p> <table border="1"> <tr> <td>Productive agricultural land?</td><td><input checked="" type="checkbox"/> Acceptable</td><td><input type="checkbox"/> Unacceptable</td><td><input type="checkbox"/> Not Relevant</td></tr> <tr> <td>Mineral and extractive resources?</td><td><input checked="" type="checkbox"/> Acceptable</td><td><input type="checkbox"/> Unacceptable</td><td><input type="checkbox"/> Not Relevant</td></tr> <tr> <td>Water supply catchments?</td><td><input checked="" type="checkbox"/> Acceptable</td><td><input type="checkbox"/> Unacceptable</td><td><input type="checkbox"/> Not Relevant</td></tr> </table> <p>The proposal will alter the topography and soil resource as a result of the disturbance activities. In their letter dated 3 May 2023, DPI Agriculture provided advice on how the proposal should be strengthened in line with the requirements for considering agricultural land-use, including site rehabilitation and weeds / disease and feral animal management.</p> <p>The EIS advises proposal is largely contained within the 'Chocolate Soils' soil type area, the description of which accords well with observations made during the site inspections and resource investigations. Quarry activity will be limited to the area mapped as Land Capability Class 6, and not in areas of highly productive agricultural land. Internal access roads will be located on land identified as Class 3 – which has moderate limitations and is capable of containing high impact land uses. Class 3 land requires careful management of limitations for cropping and grazing to avoid land and environmental degradation.</p> <p>The EIS confirms the site is not mapped as containing Biophysical Strategic Agricultural Land (BSAL) which is normally characterised of areas of higher quality soil and water resources capable of sustaining productive levels of agriculture. BSAL is mapped within the wider allotment to the north of the Site. The Proposal will not impact on mapped BSAL.</p> <p>The siting and design of internal access roads has been undertaken with the landowner to limit any potential impacts on farming operations.</p> <p>Appropriate mitigation measures are proposed in the EIS to manage the potential land resource impacts, including an Environmental Management Plan, Stormwater Management Plan, Erosion and Sediment Control Plan and Rehabilitation Plan.</p> <p>The proposed development will not affect any water supply catchments.</p>			Productive agricultural land?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	Mineral and extractive resources?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	Water supply catchments?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
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Water supply catchments?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant												
Water	<p>Focusing on whether the development proposal would impact on the conservation of water resources and the water cycle systems.</p> <table border="1"> <tr> <td>The water needs of the development?</td><td><input checked="" type="checkbox"/> Acceptable</td><td><input type="checkbox"/> Unacceptable</td><td><input type="checkbox"/> Not Relevant</td></tr> <tr> <td>Use of water saving devices, for example, toilets, faucets, washing and irrigation equipment?</td><td><input type="checkbox"/> Acceptable</td><td><input type="checkbox"/> Unacceptable</td><td><input checked="" type="checkbox"/> Not Relevant</td></tr> </table>			The water needs of the development?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	Use of water saving devices, for example, toilets, faucets, washing and irrigation equipment?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant				
The water needs of the development?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant												
Use of water saving devices, for example, toilets, faucets, washing and irrigation equipment?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant												

Water supply sources?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Treatment, reuse and disposal of wastewater and runoff?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Drainage, flow regimes, folding on-site, up and downstream and in the catchment floodplain?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Groundwater tables?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Tidal influences?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
Water quality and pollution of water bodies including groundwater?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
Water management plans and monitoring?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
<p>The EIS advises the site is situated above geological units that are managed by the Water Sharing Plan for the NSW Murray Darling Basin Porous Rock Groundwater Sources. The site is situated within the Gunnedah-Oxley Basin MDB groundwater management unit.</p> <p>The site is not located in a flood prone area identified by Council. The EIS advises the likelihood of a flood inundating the site is low.</p> <p>A Surface Water Assessment (SWA) was prepared for the proposal by Groundwork Plus Pty Ltd and is presented as Appendix 10 of the EIS. It is proposed to manage the quarry areas by diverting all surface water to a sediment basin within quarry development envelope as shown on Figure 21 of the EIS. The sediment basins are proposed to be used for the treatment of surface water and also for reuse into quarry operations. The sediment basins are proposed to be designed, constructed and operated to retain the disturbed area runoff at the site in accordance with DECC (2008) Managing Urban Stormwater - Soils and Construction (Volume 2E).</p> <p>Other mitigation measures are also proposed in the EIS to manage surface waters, including an Environmental Management Plan, Stormwater Management Plan, Erosion and Sediment Control Plan and a Rehabilitation Plan.</p> <p>The proposal does not include the extraction of groundwater or any operations likely to impact on the quality of groundwater.</p> <p>The site is not within any area mapped as groundwater vulnerable land under the Coonamble Local Environmental Plan 2011.</p> <p>The EIS identifies a number of bores from the Water NSW database, with three bores located on the site. Two bores are located within 500 metres of the quarrying site which indicate groundwater below 260 AHD.</p> <p>The EIS advises groundwater appears to exist within shale and sandstone lenses of the Pilliga Sandstone and the regional water table appears to be less than 260m AHD in the vicinity of the proposed extraction area. The maximum proposed depth of extraction of material will be to RL 300 AHD. The EIS confirms based on the standing water level data provided in the work summary forms for the registered groundwater works, the proposed excavation will not extend beneath the regional water table and the applicant does not anticipate intercepting groundwater system.</p> <p>The EIS advises a search has been undertaken to determine if any shallower aquifers exist in close proximity to the site as these may be more susceptible to impacts from site operations, including investigative drilling during the resource investigation conducted by Groundwork Plus which did not encounter groundwater.</p> <p>The post extraction land-form will be free draining pit floors that will be rehabilitated to be suitable for continuing rural activities, predominately livestock grazing and water management.</p>			



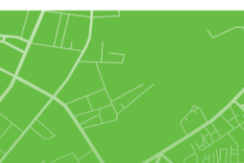
	The Department of Primary Industries - Water have issued their GTAs for the proposed quarry, which require the applicant to obtain a controlled activity approval for the crossing of Salty Springs Creek. The GTA's from DPI – Water have been included in the conditions of consent.		
Soils	Focusing on whether the development proposal would have an effect on soil conservation, erosion and sedimentation.		
	Soil qualities – erodibility, permeability, expansion/contraction, fertility/productivity, salinity, acidity, contaminants?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Instability – subsidence, slip, mass movement?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input checked="" type="checkbox"/> Not Relevant
	Proposed movement, formation, use and management of soils?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Soil erosion and degradation?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Sedimentation and pollution of water bodies?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Use of highly fertile/productive soils and topsoils?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input checked="" type="checkbox"/> Not Relevant
	Remediation of contaminated soils?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Management of acid sulfate soils?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input checked="" type="checkbox"/> Not Relevant
	<p>The proposal is expected to involve the extraction of approximately 2.45 million tonnes of hard rock material over the life of the Black Hollow Quarry within an area of approximately 28.14 hectares on the site.</p> <p>The extent of earthworks has been documented in the EIS, including details of land disturbance, topsoil removal and bulk earthworks, extraction volumes, roadworks and drainage works. Quarry design and conceptual final landform can be seen on Figure 5 - Conceptual Final Land Form and Figure 6 - Conceptual Final Land Form (Cross Sections) and Figure 7 - Rehabilitation Management Plan of the EIS.</p> <p>Extraction would use standard quarrying methodologies that involve clearing, topsoil and overburden stripping, drilling and blasting, extraction, processing and stockpiling with the final products sold for use in the construction industry. A Conceptual On-site Extractive Operations Diagram is included on page 11 of the EIS to show this process. A Surface Water Layout Plan is included in Figure 21 of the EIS.</p> <p>The proposed quarry development is unlikely to affect the existing and likely amenity of adjoining properties. Adjoining properties are primarily used for agricultural purposes and are well setback / separated from quarry pit, processing areas and internal roads. The potential for dust and soil erosion impacts will be managed as per the EIS.</p> <p>An Aboriginal Cultural Heritage Assessment Report has been prepared by AREA Environmental and Heritage Consultants, dated March 2023. The AREA report advises no heritage sites are located on the development site.</p> <p>It is considered that the proposed development has been designed to control and minimise any potential negative impacts that may arise during earthworks. It is assessed the proposed development and associated earthworks will not detrimentally impact drainage lines, soil stability, amenity of adjoining properties, heritage issues or any environmental sensitive areas.</p> <p>The quarry pit is not proposed to be refilled as the development would not generate enough waste material. Subsequently, the site would be left with a void that would be rehabilitated to function as livestock grazing and shelter areas. The balance of the property would also continue to be used for agricultural activities.</p>		
Air and microclimate	Focusing on whether the development proposal is going to affect air quality and microclimatic conditions.		

	Existing air quality and pollution problems?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	The microclimate, prevailing meteorological conditions and topography?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Emissions of dust, particulates, odours, fumes, gases and pollutants?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Measures to prevent and mitigate air pollution?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>An Air Quality Impact Assessment (AQIA) has been prepared for the proposal by Northstar Air Quality Pty Ltd and is presented in Appendix 8 of the EIS. This assessment work was undertaken in accordance with the NSW EPA approved CALPUFF atmospheric dispersion model. The work involved modelling of site establishment and operating scenarios, using a quantitative dispersion modelling approach, performed in accordance with the relevant NSW guidelines.</p> <p>The EIS notes the continual application of water to large areas is likely to be unmanageable in periods of water shortage. For example, there may be periods when water may not be readily available and haul road watering may be restricted and low silt aggregate may be used along internal haul roads, in conjunction with a lowering of vehicle speeds, to result in similar off-site impacts.</p> <p>The results of the air quality modelling assessment work indicate that during the construction phase, and operation, the relevant air quality criteria can be achieved.</p> <p>In addition to the AQIA, the EIS notes that an Environmental Management Plan is proposed to be prepared, using the Trigger Action Response Plan (TARP) method to respond to visible dust generated from the quarry site and / or certain wind conditions. A range of actions would be adopted to reduce visible dust generation, until such time as the adopted trigger levels have reduced, including:</p> <ul style="list-style-type: none"> <li>– Dust control on drill rig.</li> <li>– Application of water and chemical suppressants on haulage routes (internal).</li> <li>– Application of water sprays on materials crushing operations.</li> <li>– Application of water sprays on materials screening operations.</li> <li>– Retention of particulate matter within the pit for activities occurring in the pit.</li> <li>– Covering loads with a tarpaulin.</li> <li>– Limit load sizes to ensure material is not above the level of truck sidewalls.</li> <li>– Minimising travel speeds and distances.</li> </ul> <p>The EIS makes reference / commitments to the development of other management plans (e.g. Erosion and Sediment Control Plan, Stormwater Management Plan, Driver Code of Conduct, Traffic Management Plan) which can be used as a means of controlling dust. The EIS also notes off-site haulage for the development will be carried out by contractors associated with the Inland Rail Project and would be subject to the management plans and conditions of approval of the Inland Rail project.</p> <p>The EPA have assessed the AQIA and proposed mitigation measures in the EIS and have issued their GTAs for the proposed quarry, which are incorporated into the recommended conditions.</p>			
Flora and fauna	Focusing on the effects of the development proposal on biodiversity.			
	Protection and management of critical habitats: threatened species, populations, ecological communities or other habitats: and other protected species – see any recovery plans or threat abatement plans under Threatened Species Conservation Act?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Adjacent wilderness areas and national parks – see any conservation agreements and plans	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant

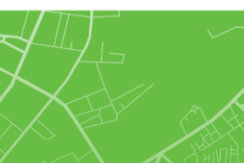


	of management under the National Parks and Wildlife Act?			
	Wildlife corridors and remnant vegetation?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The relationship of vegetation to soil erosion/stability and water cycle?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Weeds, feral animal activity, vermin and disease?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Disturbance to native fauna and habitats?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The amount and location of vegetation disturbance and clearance?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	New vegetation – species selection, placement and purpose?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>A detailed Biodiversity Development Assessment Report (BDAR) has been carried out by AREA Environmental and Heritage. The BDAR has identified a study area of 26.59 hectares, with 21.36 hectares being native vegetation in poor condition and 5.23 hectares are used for cropping activities.</p> <p>Four Plant Community Types were mapped on the subject land, all in poor condition. These include:</p> <ul style="list-style-type: none"> <li>– PCT56 - Poplar Box - Belah woodland on clay-loam soils on alluvial plains of northcentral NSW.</li> <li>– PCT145 - Western Rosewood - Wilga - Wild Orange - Belah low woodland of the Brigalow Belt South Bioregion and eastern Darling Riverine Plains Bioregion.</li> <li>– PCT202 - Fuzzy Box woodland on colluvium and alluvial flats in the Brigalow Belt South Bioregion (including Pilliga) and Nandewar Bioregion.</li> <li>– PCT228 - Semi-mesic woodland on basalt hills of the dry subtropical climate zone, north-western slopes of NSW.</li> </ul> <p>The EIS identifies that the design of the quarry and associated internal access roads has taken into account existing native vegetation. Large trees would be mostly avoided, with the access track following an existing cleared alignment. As the minimum lot size of the property is over 1,000 hectares, the vegetation clearing associated with the proposal exceeds this threshold under the BOS, however no significant impacts on threatened species or habitats are assessed to apply.</p> <p>The EIS advises the proposal design has changed during the assessment process, and the final design, specifically the alignment of the access road has avoided impact to native vegetation and minimised the fragmentation of native vegetation. No ecosystem credits or threatened species credits would be required to be offset under the BOS as a result of the final quarry design / plans. No candidate serious and irreversible impacts were identified.</p> <p>Three trees have been assessed under the Scattered Tree streamlined assessment. A credit requirement would be required for removal of these trees.</p>			
Waste	Focusing on waste management impacts and issues.			
	Solid, liquid and gaseous wastes and litter?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The generation, collection, storage and disposal of waste?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Recycling and composting waste?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Vermin controls and contaminants such as pathogens and bacteria?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	An assessment of waste generation and potential impacts is documented in Section 5.9 of the EIS.			

	<p>The EIS states the proposal would generate minimal waste rock due to the quality of the rock available. Overburden and topsoil material will be re-used on site for bunding and rehabilitation purposes.</p> <p>Wastes generated from the site office, sheds and amenities can be suitably controlled. The EIS advises other waste generated by the proposal is likely to be moderate and can be managed appropriately and assuming adherence to industry standard waste management measures, such as the waste management strategies listed on pages 112 and 113 of the EIS, and repeated below:</p> <ul style="list-style-type: none"> <li>• Appropriate waste receptacles must be provided for the segregation and storage for waste.</li> <li>• All waste will be segregated on-Site and disposed of with specific licensed waste services providers at suitably licensed facilities.</li> <li>• Waste storage areas would be more than 150m from mapped bushfire prone land.</li> <li>• Bins and waste storage areas must be maintained so they are free of vermin.</li> <li>• Littering is not permitted. All work Sites must be free of litter, including cigarette butts.</li> <li>• No waste is to be burnt on Site.</li> <li>• Hydrocarbons and hazardous materials are to be stored in bunded, impervious areas undercover in accordance with the relevant Australian Standard, including AS1940 – The Storage and Handling of Flammable and Combustible Liquids</li> <li>• All waste streams are to be removed off Site by a licensed waste contractor to a lawful point of disposal.</li> </ul> <p>EPA have assessed the EIS and proposed waste management strategies, and have issued their GTAs for the proposed quarry, which are incorporated into the recommended conditions.</p>																						
Energy	<p>Focusing on the implications of the development proposal on energy supply and the need to conserve energy and be energy efficient.</p> <table border="1" data-bbox="389 1003 1474 1503"> <tr> <td data-bbox="389 1003 783 1077">Energy needs of the development.</td><td data-bbox="783 1003 932 1077"><input checked="" type="checkbox"/> Acceptable</td><td data-bbox="932 1003 1110 1077"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1003 1474 1077"><input type="checkbox"/> Not Relevant</td></tr> <tr> <td data-bbox="389 1077 783 1272">Measures to save energy – passive design, solar lighting and heating, natural ventilation, shading elements, insulation, high thermal mass building materials, energy efficient appliances and machinery?</td><td data-bbox="783 1077 932 1272"><input checked="" type="checkbox"/> Acceptable</td><td data-bbox="932 1077 1110 1272"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1077 1474 1272"><input type="checkbox"/> Not Relevant</td></tr> <tr> <td data-bbox="389 1272 783 1346">The use of renewable and non-polluting energy sources?</td><td data-bbox="783 1272 932 1346"><input checked="" type="checkbox"/> Acceptable</td><td data-bbox="932 1272 1110 1346"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1272 1474 1346"><input type="checkbox"/> Not Relevant</td></tr> <tr> <td data-bbox="389 1346 783 1420">Energy needs in producing building/structural materials?</td><td data-bbox="783 1346 932 1420"><input type="checkbox"/> Acceptable</td><td data-bbox="932 1346 1110 1420"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1346 1474 1420"><input checked="" type="checkbox"/> Not Relevant</td></tr> <tr> <td data-bbox="389 1420 783 1503">Energy use by products and waste?</td><td data-bbox="783 1420 932 1503"><input checked="" type="checkbox"/> Acceptable</td><td data-bbox="932 1420 1110 1503"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1420 1474 1503"><input type="checkbox"/> Not Relevant</td></tr> </table> <p>There is currently limited infrastructure, utilities or services located at the site. Due to the relative isolation of the quarry site from urban areas, the augmentation of centralised power, is not proposed or required. The EIS advises electricity would be sourced from diesel generators. A small diesel tank may also be stored on site in a self-bunded container and in accordance with AS 1940-2017 The Storage and Handling of Flammable and Combustible Liquids. Appropriate traffic haulage measures have been proposed to limit the extend of haulage via the public road network. On this basis, the proposed development is assessed to have an acceptable impact in terms of energy.</p>			Energy needs of the development.	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	Measures to save energy – passive design, solar lighting and heating, natural ventilation, shading elements, insulation, high thermal mass building materials, energy efficient appliances and machinery?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	The use of renewable and non-polluting energy sources?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	Energy needs in producing building/structural materials?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant	Energy use by products and waste?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
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Energy use by products and waste?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant																				
Noise and vibration	<p>Focusing on whether the development proposal would generate offensive noise pollution or vibration.</p> <table border="1" data-bbox="389 1783 1474 1989"> <tr> <td data-bbox="389 1783 783 1917">Ambient noise levels in the locality and prevailing meteorological conditions – wind speed/direction and temperature inversions?</td><td data-bbox="783 1783 932 1917"><input checked="" type="checkbox"/> Acceptable</td><td data-bbox="932 1783 1110 1917"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1783 1474 1917"><input type="checkbox"/> Not Relevant</td></tr> <tr> <td data-bbox="389 1917 783 1989">Noise generated from the development?</td><td data-bbox="783 1917 932 1989"><input checked="" type="checkbox"/> Acceptable</td><td data-bbox="932 1917 1110 1989"><input type="checkbox"/> Unacceptable</td><td data-bbox="1110 1917 1474 1989"><input type="checkbox"/> Not Relevant</td></tr> </table>			Ambient noise levels in the locality and prevailing meteorological conditions – wind speed/direction and temperature inversions?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant	Noise generated from the development?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant												
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Noise generated from the development?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant																				



	Vibration from development and its effect on the surrounding area?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Noise and vibration mitigation measures and management?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>A Noise and Vibration Impact Assessment (NVIA) has been prepared for the proposal by Muller Acoustic Consulting Pty Ltd (MAC) and is presented in Appendix 9 of the EIS. This assessment work was undertaken in accordance with the EPA Noise Policy for Industry 2017, NSW Road Noise Policy 2011, NSW Interim Construction Noise Guideline 2009 and the Australian and New Zealand Environment Council Technical basis for guidelines to minimise annoyance due to blasting overpressure on ground vibration. The work involved predictive noise modelling to assess the potential impacts of noise emissions from overburden stripping, drilling, blasting, haulage trucks and the new aggregate plant. The results of the predictive modelling shows that compliance with the noise and vibration limits can be achieved under normal operating hours.</p> <p>The EIS advises construction activities will generally be completed within the standard hours for construction activities from Monday to Friday, with works on Saturday only as required and during limited hours. There is no out-of-hours construction work proposed. Blasting would typically occur once per month but possibly up to once a week during peak periods. Blasting will not occur on weekends.</p> <p>EPA have assessed the NIA and proposed mitigation measures and have issued their GTAs for the proposed quarry, which are incorporated into the recommended conditions. On this basis, the proposed development is assessed to have an acceptable impact in terms of noise and vibration.</p>			
Natural hazards	Focusing on any risks to people, property or biophysical environment.			
	Geologic / soil instability – subsidence, slip, mass movement?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Flooding, tidal inundation?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Bushfire Risk?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>The EIS has taken into consideration comments raised by the Department of Primary Industries, Rural Fire Service (RFS), Council and the EPA as part of the SEARs in relation to natural hazards. The site is not flood prone or prone to landslip. There is no evidence to of sulphide-bearing material in or around the quarry sites. The subject land is identified as bushfire prone. The proposed development has been assessed against Chapters 1 and 8 of Planning For Bushfire Protection 2019 (BPP). It is considered that the bush fire hazard associated with the proposal would be acceptable and would not significantly contribute to raising the risk of bush fires impacting the community, property or environmental assets subject to the implementation of appropriate bushfire protection measures. In this regard conditions of consent have been imposed requiring the internal access roads to be constructed generally in accordance with the requirements as detailed in Table 7.4A of BPP, onsite rainwater tanks and appropriate storage of onsite fuels.</p>			
Technological hazards	Focusing on whether there are any risks to people, property or biophysical environment.			
	Industrial and technological Hazards	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Land contamination and remediation?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Building fire risk?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>The EIS has taken into consideration comments raised by the Department of Primary Industries, RFS, Council and the EPA as part of the SEARs in relation to technological hazards. Investigation of past use and visual inspection of the property reveals no evidence of contamination associated with the storage of oils and chemicals and operation of machinery, and from an existing waste dump on the quarry site.</p>			
	Focusing on whether the development provides safety and security throughout.			



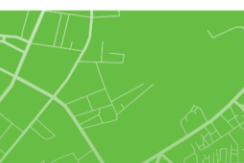
Safety, security and crime prevention through environmental design	Risk assessment and potential for accident, injury and criminal activity, particularly in residential areas and commercial / shopping centres?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Measures used for safety, security and crime prevention such as situational measures and environmental design?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Natural surveillance and visibility in public areas, including active uses on adjacent ground floors and building frontages/edges, and lighting?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Maintaining the condition and use of public areas, reinforcing territoriality and reducing fear of crime?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Access controls and activity management?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Target hardening and target removal?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	In relation to public safety risks associated with unauthorised access to the site, the site is fenced, gates would be locked when not in use and appropriate signage alerting the public to the quarry would be placed at the entrance to the access to the proposal. In addition, the landowner's residence is located within the site and there has been no known history of unauthorised access to the site. As a result, public safety risks associated with unauthorised access to the site are considered to be low. A number of operational management plans will be prepared including a driver code of conduct and emergency management plan in addition to access upgrades to ensure ongoing operations are undertaken in a safe manner. The proposal does not pose a safety security or crime prevention risk.			
Social impact in the locality	Focusing on the social impacts, benefits and costs of the development proposal.			
	The health and safety of the community?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Social cohesion?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Community structure, character, values and beliefs?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	A sense of place and community?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Community facilities and links?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	The interaction between new development and the community?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Social equity, social-economic groups and the disadvantaged?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Social displacement?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	Social change management?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	An assessment of potential social impacts of the proposed development has been undertaken with regards to scoping methodology outlined in the Social Impact Assessment Guideline (2017) (SIA Guideline), published by the Department of Planning and Environment. The findings of the social impact assessment are recorded in Table 27 of the EIS. In general, the social impact assessment concludes the proposed			



	development will support the ongoing development of infrastructure in Coonamble and will provide high quality products for the construction of the IRP Project which will benefit the Central West Region, the State and National interests.		
Economic impact in the locality	Focusing on the economic impacts, benefits and costs of development proposal.		
	Employment generation?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Economic income?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Existing and future businesses?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Property values as indicator of environmental impacts?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	It is the findings of this assessment that the proposed development will result in positive impacts on the local economy throughout the operation of the quarry, through employment opportunities and the supply of high-quality quarry products to the IRP Project and local road network. The proposed development has been proposed to provide a valuable resource to facilitate large infrastructure projects in the Coonamble Shire, specifically the IRP Project and will therefore support the development of the local economy. The quarry site will be rehabilitated for use for agricultural purposes, including livestock grazing and water storage for livestock management; therefore not diminishing the long term economic capacity of the site. Rehabilitation through the revegetation of the site will reduce any potential visual impacts from adjoining properties. Given the distance of the quarry from the nearest sensitive receiver, proposed rehabilitation measures, siting of the IRP alignment between the quarry and the nearest sensitive receiver as well as the number of environmental and business considerations which determine land value it is considered there will be no direct loss of land value to adjoining properties as a direct result of the proposed development.		
Site design and internal design	Focusing on any design sensitive issues / conditions and site attributes.		
	Size, shape and design of allotments, easements and roads?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	The proportion of site covered by buildings?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	The positioning of buildings?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	The size (bulk, height, mass), form, appearance and design of buildings?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	The amount, location, design, use and management of private and communal open space?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input checked="" type="checkbox"/> Not Relevant
	Landscaping?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	How would the development affect the health and safety of the occupants in terms of:		
	Lighting, ventilation and insulation?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Building fire risk – prevention and suppression?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input type="checkbox"/> Not Relevant
	Building materials and finishes?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input checked="" type="checkbox"/> Not Relevant
	A common wall structure and design?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable <input checked="" type="checkbox"/> Not Relevant



	Access and facilities for the disabled?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Likely compliance with the Building Code of Australia?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>The EIS and Additional Information letter dated 16 June 2023 rationalises the design of the proposed quarry and associated internal access road. The EIS states the location of the Quarry has been determined by the analysis of several site constraints including the landowners homestead to the east, significant native vegetation, and cultural heritage items to the south and west and access required to the rail alignment and disturbed areas for stockpiling that are separated from watercourses to the north and east. Initially less complex conventional designs seeking to extract the western face of the hill in a linear fashion were considered and drilling undertaken. Early stakeholder input was considered. Having received that feedback, to minimise visual amenity impacts the Applicant ruled out the less complex conventional design on the western face of the hill in favour of shifting the extraction area to the northern face of the hill whilst still maintaining appropriate separation distances from Salty Springs Creek. Based on the constraints presented in the site analysis the design response included retention of a peninsula of land to the west of the extraction area that would act as a visual screen to the operations from the north-west direction. By adopting this more complex design visibility of the extraction area floor and majority of the benches are therefore reduced. It should also be noted that the peak of the hill has been avoided to prevent obvious visual intrusions to the skyline affecting district views from neighbouring properties.</p> <p>It is assessed the proposed Black Hollow Quarry design has taken into consideration the existing site features of the land and drainage patterns. The development proposal has been designed to minimise impacts on the environment and road network, as well as nearby isolated dwellings.</p>			
Construction	Focusing on the impacts of construction activities.			
	The environmental planning issues listed above?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Site safety?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Focusing on the ways in which construction activities would be managed to minimise impacts.			
	Environmental protection measures?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Site safety measures?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Staging construction?	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	<p>There are minor construction works associated with the proposed development. All works within the public road reserve for the construction of an appropriate property access will be subject to a Section 138 Roads Act approval and have been supported by conditions of consent under this application. The installation of the site office and associated amenities will be undertaken in accordance with the relevant requirements of the Building Code of Australia and will be regulated through the issuance of a Construction Certificate. The subject site is appropriately fenced to maintain site security from the public. It is assessed the proposed risk mitigation measures proposed in the EIS are acceptable.</p>			
Cumulative impacts	Focusing on whether any identified impacts have potential to act in unison to create larger / cumulative impacts.			
	Individual impacts so close in time that the effects of one are not dissipated before the next (time crowded effects)?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Individual impacts so close in space that the effects overlap (space crowded effects)?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant

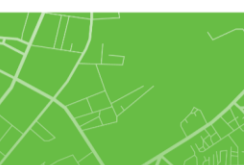


	Repetitive, often minor impacts eroding environmental conditions (nibbling effects)?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	Different types of disturbances interacting to produce an effect which is greater or different than the sum of the separate effects (synergistic effects)?	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>The documentation in support of DA007/2023 provides a thorough assessment of all potential impacts and proposed mitigation strategies. It is considered there will be no significant negative impacts as a result of the proposed Black Hollow Quarry. Cumulative impact assessment is generally a measure of the following matters:</p> <ul style="list-style-type: none"> <li>○ The alignment of the project with the strategic planning framework for the area, having regard to any relevant legislation, plans, policies or guidelines.</li> <li>○ The project and other potentially relevant future projects that may be developed over the same time period as the project.</li> <li>○ The key matters that could be materially affected by the cumulative impacts of these projects including important natural resources, cultural significance resources, key infrastructure and industries, sensitive land-use zones, local communities and threatened species.</li> <li>○ An assessment of the likely cumulative impacts has been completed and documented as follows:</li> </ul> <p>The proposed development is located within a RU1 Primary Production zone that specifically permits extractive industries. The proposed development is assessed to be consistent with the relevant matters for consideration under CLEP 2011, the relevant Coonamble Development Controls and Policies and other relevant SEPPs and standards. Environmental impact assessments have been completed for the proposed development (detailed in previous sections of this report) and no significant cumulative impacts have been identified. Overall, the EIS states the proposal includes positive contributions which counterbalance the potential negative impacts. As such the proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.</p>			
<b>10.7. Section 4.15(1)(c) The suitability of the site for the development</b>				
The locality	Are the constraints posed by adjacent developments prohibitive?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Would development lead to unmanageable transport demands and are there adequate transport facilities in the area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Will the locality contain adequate recreational opportunities and public spaces for new occupants?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Relevant
	Are utilities and services available to the site and adequate for the development?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Relevant
	Is the air quality and microclimate appropriate for the development?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Are there hazardous land-uses or activities nearby?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Are ambient noise levels suitable for the development?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Is the site critical to the water cycle in the catchment?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Relevant
The site is zoned RU1 Primary Production on which an extractive industry quarry is permissible with consent. The proposed quarry is considered suitable for the site given the quarrying envelope features appropriate				

	setbacks from neighbouring dwellings, requires minimal clearance of significant vegetation and has suitable transport networks through the local road network and adjoining rail infrastructure. The proposed development is not overly constrained by natural hazards or adjacent land-uses and will be supported by onsite services, therefore not leading to an uneconomic impact on reticulated services. It is assessed that the site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land.			
Site attributes	Is the site subject to natural hazards including flooding, tidal inundation, subsidence, slip, mass movement, and bushfires?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Is the proposal compatible with conserving the heritage significance of the site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Are the soil characteristics on the site appropriate for development?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Is development compatible with protecting any critical habitats or threatened species, populations, ecological communities and habitats on the site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Is the site prime agricultural land and will development prejudice future agricultural production?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Relevant
	Will development prejudice the future use of the site for mineral and extractive resources?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Relevant
	The assessment of the proposed development generally concludes that the site attributes of the land are suitable for the proposed development. Environmental impacts are within acceptable limits, subject to appropriate conditioning of the consent.			

#### 10.8. Section 4.15(1)(d) any submissions made in accordance with the Act or the Regulations

Neighbour notification	Was the proposal required to notified in accordance with the Coonamble Community Participation Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Commencement Date	19 April 2023	
	End Date	19 May 2023	
	The advertising / notification of DA007/2023 was undertaken in accordance with the Coonamble Shire Council Community Participation Plan 2019. Neighbouring landowners were directly notified of the development proposal and invited to make a written submission by the end date of the exhibition period.  Three submissions were received from neighbouring landowners as detailed below.		
Advertisement	Was the proposal required to exhibited in accordance with the Coonamble Community Participation Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Commencement Date	19 April 2023	
	End Date	19 May 2023	
	Notice of DA007/2023 was placed on the Coonamble Shire Council website and the NSW Planning Portal on 19 April 2023 in accordance with the Coonamble Shire Council Community Participation Plan 2019. Three submissions were received as a result of the public consultation / exhibition process as detailed below.		
Public submissions	Did Council receive any submissions as a result of the public consultation process?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No



	Have the issues raised in public submissions been properly considered in the assessment process?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Can the issues raised in public submissions be resolved through appropriate conditioning of the consent?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	<p>Three submissions were received as a result of the public consultation / exhibition process and are addressed as follows:</p> <p><b>Public Submission 1: W &amp; H Hunt, 1287 Goorianawa Road, Black Hollow “Claremont” (adjoining land owner)</b></p> <p>The submitter outlines they object to the proposed development as set out below:</p> <p>The assumed traffic generation on the Goorianawa Road is delightfully vague, but at best, substantial.</p> <p>The Goorianawa-Mt. Tenandra road is unfenced and runs throughout the length of “Claremont”, which is my property. As this is the main Baradine- Gulargambone Road which then travels on to Dubbo, it is already subjected to considerable heavy traffic most days. The road surface cannot cope with this existing traffic, with a stretch of very bad corrugation, and other soft spots which just break up. More heavy trucks on this road, as is anticipated in the Proposal, would be a disaster. Moreover, I spent a small fortune at the beginning of last year installing 4 new wide grids, which are so good that (much to my distress) most trucks don't feel the need to slow down to cross them. I would be more than angry to see my money wasted as the grids fell apart under the impact of many more heavy vehicles crossing them without taking proper care. As I said, the road is unfenced, and cattle graze in the paddocks. Most times, they are away from the road, but not always, and I have no confidence that these large gravel trucks, whose drivers aim to complete their trip in the shortest possible time, would be sufficiently aware of the behaviour of any stock which may be on the road, which may result in unnecessary fatalities.</p> <p><b>Assessment Response:</b></p> <p>In relation to the issues raised about road impacts and traffic safety, Council has corresponded with the applicant to arrive at a robust suit of road upgrades, road maintenance contributions and road management strategies as a means of mitigating traffic impacts throughout quarry operations. Council has raised the issues of public safety of all road users, including local traffic, heavy traffic, school buses, mail run contractors, tourists, and livestock movement.</p> <p>Groundwork Plus has provided a letter dated 16 June 2023 that responds to all of the issues raised in submissions received from government agencies and private landowners regarding access and traffic. The letter clarifies how the proposed Black Hollow Quarry will interact with the Inland Rail project and local road network during the quarry operations as follows:</p> <p><i>The Environmental Impact Statement (EIS) for the Inland Rail Narramine to Narrabri Project (the Project) identified that Goorianawa Road would be part of the road network used to transport materials, equipment and people to the construction alignment of the Project. On 21 February 2023 the Project was approved by the Minister for Planning.</i></p> <p><i>The Quarry is proposed to operate only to supply materials to the Project and associated road upgrade projects. As such, the Quarry will not result in any new or additional traffic impacts not already anticipated to occur because of the Project.</i></p> <p><i>The Project approval (SSI-9487) dated 21 February 2023, includes the following conditions which places the obligation for maintenance of roads used by the Project for construction related heavy vehicle movements on the Proponent of the Project (i.e ARTC):</i></p> <p><i>E113 Before any road is used by a heavy vehicle for the purposes of construction of the CSSI, a Road Dilapidation Report must be prepared for subject roads and bridges. A copy of the Road Dilapidation Report must be provided to the relevant road authority(ies) and landowners within one (1) month of completion of the road dilapidation survey and at least two weeks before the road is used by heavy vehicles associated with the construction of the CSSI for endorsement by the roads authority.</i></p> <p><i>E114 The Road Dilapidation Report shall provide measures to ensure: (a) roads deemed unsafe for the use of heavy vehicles are upgraded and repaired prior to use; (b) roads used can safely accommodate heavy vehicle haulage based on volume, types and duration of use; and (c) road repair is undertaken periodically before and during construction. Where the road is not up to standard due to condition, width, pavement type, and road geometry, the Proponent must upgrade the road to a service level equal to (or better than)</i></p>		

the level it was being maintained immediately prior to construction before heavy haulage commences, at no cost to the owner.

*E115 If damage to roads occurs as a result of the construction of the CSSI, the Proponent must, within six months of the completion of construction (or one month for private and Forestry Corp managed roads), either (at the landowner or relevant road authority's discretion): (a) rectify the damage to restore the road to at least the condition it was in at the time of the dilapidation survey in Condition*

*E113; or (b) compensate the relevant road authority(ies) and landowner for the damage so caused. The amount of compensation may be agreed with the relevant road authority(ies) and landowners, but compensation must be paid even if no agreement is reached; or (c) where other agreements are in place, leave, maintain or remunerate for damages to these roads in accordance with these agreements. Damage to roads that affects road safety or trafficability as a result of the construction of the CSSI must be rectified by the Proponent as soon as practicable after the damage is identified, at no cost to the owner.*

*On that basis, the Applicant is confident that the heavy vehicle traffic generated by the Quarry will not detrimentally impact the condition and safety of Goorianawa Road because those matters are regulated by the conditions of consent for the Project and the obligation placed on the Proponent.*

Irrespective of the requirements of the IRP Project approval SSI-9487, agreement has been reached between the applicant and Coonamble Shire Council for the following road upgrades.

- **Internal access roads** - to meet the requirements of Planning for Bush Fire Protection 2019.
- **Access on Goorianawa Road** - to upgrade the existing property access to Goorianawa Road to form a Basic Auxiliary Left (BAL) and Basic Auxiliary Right (BAR) to a rural unsealed standard as per the Austroads Guide to Road Design 2017 and to the satisfaction of Coonamble Shire Council prior to the commencement of haulage operations on the local road network.
- **Goorianawa Road** - to upgrade Goorianawa Road to a rural unsealed standard as per the Austroads Guide to Road Design 2017 and the Austroads Guide to Pavement Technology Part 6, and to the satisfaction of Coonamble Shire Council prior to the commencement of haulage operations on the local road network.

In addition to the above road work improvements, agreement has been reached between the applicant and Coonamble Shire Council for the following road maintenance regime:

- **Road Maintenance Contribution** - Heavy vehicle contribution of \$0.63/tonne, subject to annual indexation by Sydney CPI. Payments would be made on a quarterly basis based on the amount of material hauled on the local road network from the anniversary of commencement on the local road network.

In addition to the above road work improvements and road maintenance regime, agreement has been reached between the applicant and Coonamble Shire Council on the following road management plans / strategies:

- **Traffic Management Plan** - prior to the commencement of haulage operations.
- **Driver Code of Conduct** - prior to the commencement of haulage operations.
- **Haulage Limits** - maximum daily number of truck movements not exceeding 264 truck movements (total in and out of the premises). Conditions of consent will also be imposed prohibiting any haulage of extracted material along Tooraweenah Road. Haulage of material is to be undertaken from the nearest borrow pit to the respective worksite, with Singles Pit and Ralston Quarry able to be utilised for works north or south of the site.
- **School Bus Time Limits** – minimization and wherever possible avoidance of haulage operations coinciding with local student school bus pick-up and drop-off times and locations.

Conditions are included in the recommendation requiring road upgrades (identified above) prior to the commencement of haulage operations. By completing these works in preparation for haulage operations, Council (as the local road authority) is confident that it will avoid situations where there is simultaneous large scale road reconstruction and haulage operations being undertaken, which could be further exacerbated by wet weather, harvest and school bus times.

Conditions are also included in the recommendation requiring payment of the annual contribution for the maintenance of local roads affected by material haulage in either Stage 1 or 2 operations. With the receipt of annual contributions, Council is confident that it will be able to maintain local roads used by haulage trucks from the Black Hollow Quarry to a rural unsealed standard as per the Austroads Guide to Road Design 2017 and the Austroads Guide to Pavement Technology Part 6.



Conditions are also included in the recommendation requiring preparation of a Traffic Management Plan and a Driver Code of Conduct as well as limiting haulage operations as detailed above.

In relation to the comments made about the positive socio-economic impacts of the proposal being flawed, it is the findings of this assessment that the proposed development will result in positive impacts on the local economy through local employment opportunities and the supply of high-quality quarry products to the region. The proposal would provide a range of specialist / high quality products for the local market in the long term and the Inland Rail Project and associated road projects in the short term and will therefore support the development of the local economy.

**Public Submission 2: T Single, 1184 Calga Road, Magometon “Narratigah” (adjoining landowner)**

The submitter outlines they object to the proposed development as set out below:

Narratigah is referred to as Receptor 3. Page 110 of the EIS states

*The visibility of the proposed quarry footprint from nearby receptors is limited greatly by the surrounding topography as shown in the Conceptual Site Layout Plan. The proposed quarry footprint is anticipated to only be visible to Receptor 3 to the northwest of the Site at a distance of approximately 3km. It is anticipated that as the proposed quarry footprint is over only a portion of hill and orientated to the north, the visibility from Receptor 3 is likely to be reduced. It is also noted from site analysis, a large tract of vegetation separates buildings at Receptor 3 and the site. The Proposal will not be visible to any of the other identified nearby sensitive receptors or from the alignment of Goorianawa Road. Therefore, the design of the Proposal has reduced and minimized the visual amenity impact to the greatest extent practicable and is further reduced by the shortness of the life of the quarry of only 5 years.*

Neither the landowner or the proponent of the quarry have contacted or consulted me about the DA prior to the submission of the EIS. I strongly dispute the assertion the visibility of the proposed quarry footprint from the Narratigah is greatly reduced. I dispute the design of the proposal has “reduced and minimized the visual amenity impact to the greatest extent practicable”. The northern orientation of the quarry does not reduce visual impact from Receptor 3 (the existing residence or the New Residence) nor does a large tract of vegetation reduce the view. In addition the working, loading and accumulating area will be in full sight on the western side of the hill shown in the diagram on Page 102 of the EIS.

Impact

The impact on our visual amenity will be serious and significant and there will be a substantial devaluation of Narratigah as a result of the same. The EUS does not address rehabilitation that gives us back our visual amenity but, rather, seeks to downplay the impact on our visual amenity.

**Assessment Response:**

The proposed Black Hollow Quarry is located on a rural property (Lot 14 DP 754216, Lot 57 DP 754246 and Lot 2 DP 218818) which has an area of approximately 1,275 hectares and is situated at Black Hollow, a rural area in Central West NSW. The property is currently used for dryland farming activities (predominantly livestock grazing and cropping).

The proposed quarry site is located towards the centre of the site, with access proposed from Goorianawa Road. The total area of proposed quarry activities, including processing and stockpile areas, sediment basins and access roads is approximately 28.14 hectares. The existing farm residence and associated rural outbuildings are located on the site, to the north-east of the proposed extractive industry operations, with access to Goorianawa Road.

The land-uses surrounding the proposal primarily include agricultural livestock grazing and cropping activities. A number of isolated private dwellings and associated outbuildings and infrastructure are located on nearby farming properties. Nearby farms and associated dwellings are shown on the Conceptual Site Layout Plan in Figure 3 of the EIS.

The Stage 1 project area is on a low rise in the southern section of the site. Stage 1 has a north-easterly aspect, which by virtue of the surrounding topography is screened from surrounding residences. The Stage 2 project area extends from the lower to upper slope of a small hill known as Tenandra Hill, located in the northern section of the site. Based on the elevation and aspect of this landscape, Stage 2 quarry operations may have some visibility to residents from the south and the west.

A visual amenity assessment has been undertaken in Section 5.8 of the EIS. The assessment work advises the proposed quarry footprint is anticipated to only be visible to Receptor 3 to the north-west of the site at a distance of approximately 3km. The proposal will not be visible from the alignment of Goorianawa Road. As a result of a submission from the owner of sensitive receptor 2, Groundwork Plus have provided an additional letter dated 16 June 2023 and a subsequent letter dated 26 September 2023 which state:

*'The Applicant maintains that the design of the Quarry has reduced and minimised the visual impact to district views to the greatest extent practicable and is further reduced by the shortness of the life of the Quarry of only 5 years on the following basis. The location of the Quarry has been determined by the analysis of several site constraints including the landowners homestead to the East, significant native vegetation, and cultural heritage items to the South and West and access required to the rail alignment and disturbed areas for stockpiling that are separated from watercourses to the North and East. Initially less complex conventional designs seeking to extract the Western face of the hill in a linear fashion were considered and drilling undertaken. Early stakeholder input was considered. Having received that feedback, to minimise visual amenity impacts the Applicant ruled out the less complex conventional design on the Western face of the hill in favour of shifting the extraction area to the Northern face of the hill whilst still maintaining appropriate separation distances from Salty Springs Creek. Based on the constraints presented in the site analysis the design response included retention of a peninsula of land to the west of the extraction area that would act as a visual screen to the operations from the North-West direction. By adopting this more complex design visibility of the extraction area floor and majority of the benches are therefore reduced. It should also be noted that the peak of the hill has been avoided to prevent obvious visual intrusions to the skyline affecting district views from neighbouring properties.'*

Groundwork Plus as part of the additional information provided on 26 September 2026 have provided three dimensional illustrations indicating the potential visual impact of the quarry site during operation and upon remediation. The images as shown below are prepared from the internal access road within the subject site, looking from a north-western perspective to the south-east.

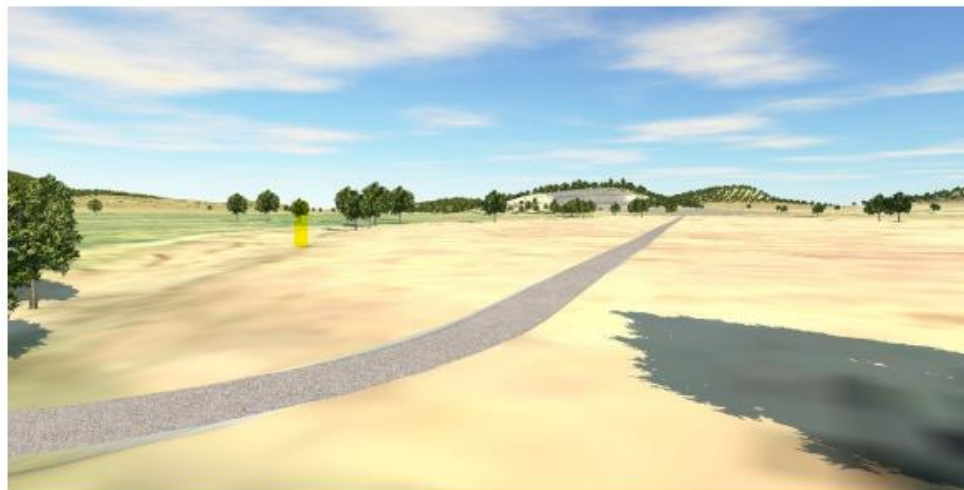


Figure 3: Conceptual Quarry View

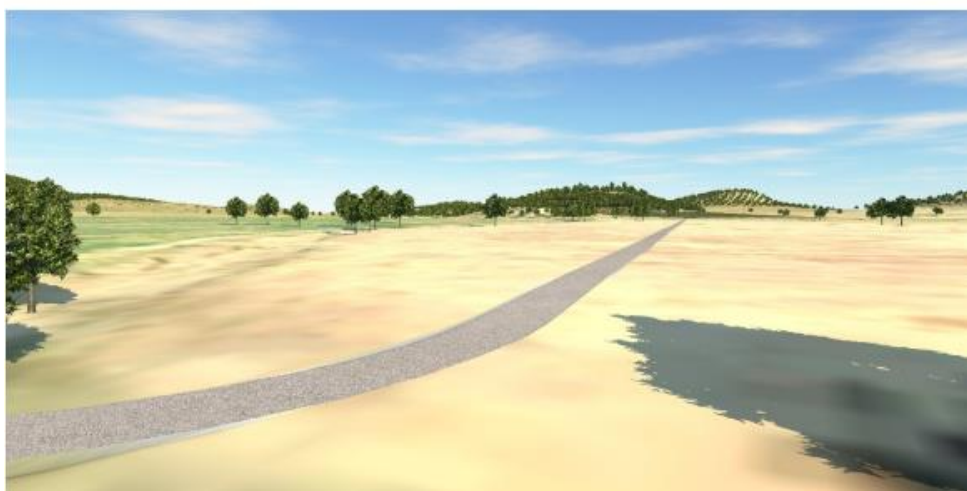


Figure 4: Rehabilitated Quarry View



The quarry site is located in a rural area that is well screened / distanced from nearby towns, dwellings, farms and roads. The proposed development is considered compatible with the surrounding area and will have minimal impact on adjacent properties and land-uses, such as interruptions of important views and vistas, visual and acoustic privacy and the like. The size, bulk and scale of the proposed quarrying works are acceptable. Appropriate setbacks have been achieved to adjoining boundaries and the nature of the proposed use is unlikely to create unacceptable land-use conflict risks with neighbouring agricultural uses. Sunlight access, visual and acoustic privacy impacts on adjoining land are not likely to be significant issues.

The proposed quarrying operations are time limited for a maximum period of five years. Upon completion of the quarrying activities rehabilitation of the site will be undertaken. Material from the quarry will be utilised to construct the inland rail alignment approved under SSI-9487 which will be positioned between the quarry site and the dwellings identified as sensitive receiver 2 as shown on the below image.



The Applicant has advised that the following draft conditions were suggested to the submitters to further minimise and mitigate the potential visual amenity impacts of the development:

- The Applicant must construct a 3m high visual amenity bund within the western edge of the stockpiling area footprint. The bund is to extend from Setout Point 1 to Setout Point 4 as shown on the Conceptual Quarry Development Plan (Drawing No 2611 DRG 005 R3), prepared by Groundwork Plus. The bund is to be constructed prior to commencement of operation of the Quarry. The bund is to be seeded with a pasture grass mix prior to commencement of operation of the Quarry. The bund and pasture grasses are to be maintained for the duration of the operation of the Quarry.
- The Quarry development shall be carried out in a staged manner which seeks to minimise visual amenity impacts to the greatest extent practical. These draft conditions (or similar) would help minimise the visual impacts of the stockpiling areas, haul road and progressive development of the Quarry.

It is considered the quarry design, proposed mitigation measures and site rehabilitation works are appropriate to reduce any likely visual impacts. Conditions of consent requiring the application to provide a visual amenity bund have been included.

**Public Submission 3: J & M Single, 1184 Calga Road, Magometon "Narratigah" (adjoining landowner)**

The objection is consistent with the objection by T Single (above). The objection from J & M Single. The objection provides additional details of the consultation between landowners and the proponent during the preparation of the EIS.

**Assessment Response:**

The key matters raised in the objection have been addressed in the assessment response to submission 2 above.

Submissions from public authorities	Was the DA required to be referred to any public authorities or agencies?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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DA007/2023 was publicly advertised and relevant government authorities were also invited to comment on the proposal.

NSW Rural Fire Service, Department of Primary Industries (Ag), Transport for NSW, Heritage NSW, Department of Primary Industries (Siding Springs Observatory), Department of Planning and Environment (Biodiversity Conservation and Science Directorate), Department of Planning and Environment (Water), Department of Regional NSW (Mining, Exploration and Geoscience) and Essential Energy have all provided a response to the proposed development raising no objections subject to conditions.

**Authority Submission 1: NSW Environment Protection Authority**

The NSW EPA has provided advice that it is able to issue an environment protection licence for the proposal under the Protection of the Environment Operations Act 1997, subject to conditions.

**Assessment Response:**

The EPA GTAs / conditions have been included in the recommendation to this report to address noise and vibration, dust, erosion and sediment control and site-wide water management risks.

**Authority Submission 2: NSW Rural Fire Service**

The NSW RFS provided a submission to the proposed development, dated 8 May 2023. The NSW RFS noted the intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this the RFS have requested a condition of consent stipulating a minimum 10,000 litre water supply be provided adjoining the site buildings with a Storz fitting.

**Assessment Response:**

The applicant has advised they have no objection to provide an onsite fire fighting water supply consistent with the NSW RFS requirements. Conditions of consent will be imposed requiring the installation of the tank.

**Authority Submission 3: DPI Agriculture**

We have undertaken a review based on the supplied requirements to the proposal and recommend the following is considered when assessing the proposed quarry project:

- Weed management as well as pest and disease impact are not fully addressed. Hence a weed, pest and disease management plan is required as part of the Environmental Management Plan to deal with these issues on and adjacent to the quarry site that may impact on adjacent agricultural land uses.
- Community consultation particularly with landholders in the vicinity has not been demonstrated. Ideally a communication plan to show how local landholders, and other interested parties can be meaningfully informed of the proposal's operations requires attention.

**Assessment Response:**

The applicant has provided a response to the submission which states:

Advised by letter dated 3 May 2023, that the Environmental Management Plan should deal with weed, pest and disease management measures. The Applicant holds no objection to that requirement. The letter also suggests that community consultation with landholders in the vicinity has not been demonstrated, however as stated in the EIS, the Applicant has confirmed that the landowner spoke with surrounding landowners prior to lodgement of the development application. Furthermore, that only three (3) submissions from the public were received from the community during the public notification period suggests that the public do not hold significant objections to the Black Hollow Quarry.

Conditions of consent have been imposed requiring the preparation of an Environmental Management Plan incorporating weed, pest and disease management. Public engagement has been undertaken in accordance with the Coonamble Community Participation Plan 2019 and the Environmental Planning and Assessment Act 1979. It is assessed the EIS and supporting studies demonstrate the proposed development will not adversely impact on the agricultural capacity or amenity of adjoining landowners' properties or the subject site.

**Authority Submission 4: DPI Siding Springs**

The Siding Springs Observatory has advised the development is located within 30 kilometres of the Siding Springs Observatory and sits in the dark sky region. On the understanding that no lighting is involved in the development and dust emissions during quarrying operations at the seven receptors noted in the proposal will be below the natural background the observatory has no objection to the development.



**Assessment Response:**

Noted. Conditions of consent will be imposed limiting daylight hours consistent with the EIS negating any need for lighting.

**Authority Submission 5: DPE Biodiversity Conservation and Science Directorate**

While the Biodiversity Development Assessment Report (BDAR) adequately addresses the requirements for a BDAR under the Biodiversity Assessment Method (BAM) there is one significant oversight. The BDAR does not provide evidence to substantiate the categorization of Category 1 land on the subject site. We strongly encourage council to seek clarification of the land categorisation assessment and mapping of the subject site.

**Assessment Response:**

The applicant provided an amended Biodiversity Development Assessment Report dated 5 June 2023. The amended BDAR appropriately classifies Category 1 Vegetation in accordance with the Native vegetation regulatory map method statement 2002, identifying grazing native vegetation, grazing modified pastures and cropping land uses.

The DPE BSC Directorate did not raise any other objections in to the findings of the BDAR. Conditions of consent consistent with the findings of the revised BDAR have been imposed.

**Authority Submission 6: DPE Western Region Planning Office**

I wish to advise that the DPE – Western Region Planning Office does not have any comments to make in relation to the proposed development as:

- The proposed development is permissible with consent.
- The designated development process is being undertaken and SEARS have been issued as the guide for the preparation of the DA and EIS.
- The development application assessment process will take its course.

**Assessment Response:**

Noted. The documentation submitted in support of the application and EIS is consistent with the SEARS.

**Authority Submission 7: DPI Water**

The NSW DPI Water has provided advice that the proponent is to obtain a controlled activity approval in accordance with the Water Management Act 2000.

**Assessment Response:**

The DPI Water GTAs / conditions have been included in the recommendation to this report to address potential impacts on watercourses.

**Authority Submission 8: Department of Regional NSW – Mining Exploration and Geoscience**

MEG-GNSW has reviewed the EIS and note that Macquarie Geotechnical Pty Ltd has conducted investigations and therefore the geology is of the resource and the suitability of the material for its intended purpose is well understood.

In order to assist in the collection of construction material production data the proponent should be required to provide annual production data for the subject site to MEG as a condition of any new or amended development consent.

**Assessment Response:**

The applicant has provided a response advising they are familiar with the reporting form and procedure as detailed in the MEG submission, and they have no objections to providing the annual extraction data.

**Authority Submission 9: Transport for New South Wales**

TfNSW has reviewed the information and has no objections to the proposed development.

Traffic generation during the operational stage of the quarry is summarised below.

- 20 light vehicle trips per day (peak hour 10 light vehicle trips per hour) on most days when haulage is internal to the N2N Inland Rail Project construction area.

- 20 light and 94 heavy vehicle trips per day (peak hour 10 light and 8 heavy vehicle trips per hour) on an average day when haulage is external to N2N Inland Rail Project construction.
- 20 light and 264 heavy vehicle trips per day (peak hour 10 light and 22 heavy vehicle trips per hour) on a peak day when haulage is external to N2N Inland Rail Project construction.

The proposed development is not to use any classified (State) road as their haulage route for operational traffic. If operational traffic in the future does impact the classified (State) road network, a new development application (DA) will need to be lodged.

A Traffic Management Plan (TMP) and a Driver Code of Conduct (DCC) is required.

**Assessment Response:**

Extracted material from the quarry will be taken either directly to the IRP alignment or via the public road network to road work upgrade locations within proximity of the site. The applicant has proposed to undertake a Traffic Management Plan and Driver Code of Conduct in the EIS and has no objections to the submission from TfNSW. Conditions of consent have been imposed prohibiting haulage along Tooraweenah Road and further afield on any classified roads.

**Authority Submission 10: Heritage NSW**

We provide the following advice to Council: Documentation provided by the applicant in support of this application states there are no known Aboriginal objects within the subject land. On the basis of this information an Aboriginal Heritage Impact permit would not be required.

Heritage NSW supports the proposal for a cultural heritage induction for workers. If Council considered approving the development, Heritage NSW have provided recommended conditions of consent for Aboriginal cultural heritage matters.

**Assessment Response:**

The submission does not raise any objections to the proposed development. The applicant has confirmed in a response to the authority submissions that they have no objections to the recommended conditions of consent from Heritage NSW.

**Authority Submission 11: Essential Energy**

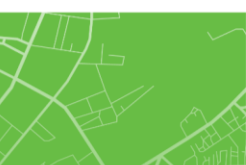
As the plans provided do not show the distances from Essential Energy's infrastructure and the development, there may be a safety risk. A distance of 10m from the nearest part of the development to Essential Energy's infrastructure (measured horizontally) is required to ensure that there is no safety risk. If any works are planned to take place within the standard nominated easement widths of 10m for the powerlines compliance with section 7.2.12 (see below) of the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure is required. A formal "Request to Encroach" application must be submitted to Essential Energy for review prior to undertaking any works.

Essential Energy makes the following general comments:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;
- Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure;
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app [essentialenergy.com.au/lookupandlive](https://essentialenergy.com.au/lookupandlive)

**Assessment Response:**

The applicant has provided a response advising they have no objection to the comments and requirements from essential energy. The Essential Energy Network Information Portal identifies that there is a 22kV powerline servicing the homestead on the site (refer image below). The Black Hollow Quarry is not located within 10m of that 22kV powerline.





10.9. Section 4.15(1)(e) the public interest			
Public interest considerations	Are there any Federal, State or Local Government and/or Community Interests?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Do any policy statements from Federal or State Governments have relevance?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Are there any relevant planning studies and strategies?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Is there any management plan, planning guideline, or advisory document that is relevant?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Are there any credible research findings, which are applicable to the case?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Have there been relevant issues raised in public meetings or inquiries?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Are there any outstanding public submissions that have not been properly assessed?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	Will the health and safety of the public be affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>The proposed extractive industry is permitted in the RU1 Primary Production Zone. There are no policy statements from either Federal or State Government that are specific to this proposal, nor any planning studies or strategies. There is no management plan, planning guideline or advisory document that is applicable to the development. There are no covenants, easements, or agreements that affect the proposal.</p> <p>The Black Hollow Quarry is proposed to provide a high-quality resource to enable the construction of the Inland Rail Project. Natural resources are required to facilitate the construction of the inland rail alignment between Narromine and Narrabri and local road networks to support construction traffic. It is considered the use of high-quality localised materials is of the public interest to reduce environmental impacts and financial costs associated with excessive haulage.</p>			
11. Summary			
LEP	Does the proposal comply with CLEP 2011?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
SEPPs	Does the proposal comply with relevant SEPPs?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
DCPs	Does the proposal comply with the Coonamble DCP?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	Is a variation proposed to any of the above planning instruments?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Contributions	Are contribution payments required?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Public interest	Has the assessment properly considered the public interest?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Matters for consideration	Is the proposal likely to be of acceptable environmental impact?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
12. Recommendation			
Recommendation	<input type="checkbox"/> That consent be granted unconditionally.		
	<input checked="" type="checkbox"/> That consent be granted subject to the conditions in this assessment report.		
	<input type="checkbox"/> That consent be refused for the reasons specified in Section 12 of this assessment report.		



Assessment Officer	Brent Tucker, BURP UNE, Senior Planner at Currajong Pty Ltd.
Determination	Development Application DA007/2023 is to be determined by the Western Regional Planning Panel at a future date.
Date of recommendation	5 October 2023

### 13. Reasons for the Decision

The reasons for recommendation	<p>Development Application No. DA007-2023 has been assessed using current procedures developed by Coonamble Shire Council and other resource information. This includes:</p> <p>The requirements of Section 4.15(1) of the Environmental Planning and Assessment Act 1979 which states:</p> <p><b>Section 4.15(1) Matters for consideration – general</b></p> <ul style="list-style-type: none"> <li>– In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application: <ul style="list-style-type: none"> <li>(a) the provisions of: <ul style="list-style-type: none"> <li>(i) any environmental planning instrument, and</li> <li>(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</li> <li>(iii) any development control plan, and</li> <li>(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and</li> <li>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)</li> </ul> </li> <li>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality.</li> <li>(c) the suitability of the site for the development.</li> <li>(d) any submissions made in accordance with this Act or the regulations.</li> <li>(d) the public interest.</li> </ul> </li> <li>– The requirements of Coonamble Local Environmental Plan 2011.</li> <li>– The requirements of Coonamble Shire Development Control Plan.</li> </ul>
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### 14. Recommended Conditions of Consent (see overleaf)



## Approved Development

### A. Approved Plans and Documentation

1. The development shall be carried out in accordance with:
  - a) The development application DA007/2023 submitted to Coonamble Shire Council on 11 April 2023.
  - b) The approved stamped Environmental Impact Statement prepared by Groundwork Plus, dated March 2023.
  - c) The approved stamped Aboriginal Cultural Heritage Report prepared by AREA Environmental and Heritage, dated March 2023.
  - d) The approved stamped Historic Heritage Report, prepared by AREA Environmental and Heritage Consultants, dated February 2023.
  - e) The approved stamped Black Hollow Quarry Road Transport Assessment prepared by The Transport Planning Partnership, dated 24 October 2022.
  - f) The approved stamped Black Hollow Quarry Air Quality Impact Assessment prepared by Northstar Air Quality, dated 16 September 2022.
  - g) The approved stamped Black Hollow Quarry Noise Impact Assessment prepared by Muller Acoustic Consulting, dated September 2022.
  - h) The approved Black Hollow Quarry Surface Water Assessment prepared by Groundwork Plus, dated December 2022.
  - i) The approved Black Hollow Groundwater Impact Assessment prepared by Ground Doctor Pty Ltd, dated November 2022.
  - j) The approved stamped Site Office Plan No. MS-200108-101 and M/F Toilet Plan No. MS-200305-B20-101, prepared by MBS Modular Building Systems.
  - k) The approved stamped letters from Groundwork Plus letter dated 5 June 2023 and 16 June 2023.
  - l) The approved stamped Biodiversity Development Assessment Report prepared by AREA Environmental and Heritage, dated March 2023.except as varied by the conditions listed herein or as marked in red on the plans. A current and approved copy of the approved stamped by Coonamble Shire Council is to be maintained on site for constructional and reference purposes.
2. Should any conflict exist between the abovementioned documents, the most recent document or revision supersedes the conflict, except where superseded by any conditions of consent or the conditions of an in-force Environment Protection Licence issued by the NSW Environment Protection Authority, or a controlled activity approval issued by the Department of Primary Industries - Water.
3. The proponent, or any subsequent proponent, must apply for and hold an in-force Environment Protection Licence issued by the NSW Environment Protection Authority prior to and while undertaking any scheduled activity listed under Schedule 1 of the *Protection of the Environment Operations Act 1997*.
4. The proponent, or any subsequent proponent, must comply with any additional requirements imposed by an in-force Environment Protection Licence issued by the NSW Environment Protection Authority, as varied from time to time.

### B. Approved Hours of Operation

5. The hours of operation are:
  - **Extraction and processing:** 6am to 6pm Monday to Friday and 7am to 1pm Saturdays.
  - **Truck loading and dispatch:** 6am to 6pm Monday to Friday and 7am to 1pm Saturdays.
  - **Blasting:** 9am to 3pm Monday to Friday.

No operations are permitted on Sundays or Public Holidays.

### C. Prior to Commencement

6. The following management plans specific to the Black Hollow site and surrounds must be prepared and finalised prior to commencement of any surface disturbance:
  - a) Environmental Management Plan.
  - b) Bushfire Management Plan.
  - c) Traffic Management Plan.
  - d) Stormwater Management Plan.
  - e) Erosion and Sediment Control Plan.

- f) Waste Management Plan.
- g) Final Land Form Plan.
- h) Rehabilitation Management Plan.

The required management plans must adequately deal with all mitigation measures documented in the Black Hollow Environmental Impact Statement prepared by Groundwork Plus Pty Ltd, dated March 2023 and other conditions in this consent and submitted to Coonamble Shire Council for approval. The management plans must be implemented during operation of the quarry and haulage operations. All personnel are to be inducted to be aware of all management plans in place for the site, with current copies to be maintained on site for reference purposes.

7. Prior to commencement of any surface disturbance, the Aboriginal artefacts site (Black Hollow Culturally Modified Tree CMT 01 and Black Hollow Isolate Find IF 01) shall be properly demarcated with perimeter fencing and warning signage to ensure artefacts remain in place and unharmed by the proposal, and in accordance with the AREA Environmental and Heritage Aboriginal Cultural Heritage Report, dated March 2023.
8. The Applicant must construct a 3m high visual amenity bund within the western edge of the stockpiling area footprint. The bund is to extend from Setout Point 1 to Setout Point 4 as shown on the Conceptual Quarry Development Plan (Drawing No 2611 DRG 005 R3), prepared by Groundwork Plus. The bund is to be constructed prior to commencement of operation of the Quarry. The bund is to be seeded with a pasture grass mix prior to commencement of operation of the Quarry. The bund and pasture grasses are to be maintained for the duration of the operation of the Quarry.
9. Prior to the commencement of any haulage operations, the Proponent is to prepare and implement a Driver Code of Conduct for the task of transporting materials on public roads. The Driver Code of Conduct shall include, among other things, the minimization and wherever possible avoidance of haulage operations coinciding with local student school bus pick-up and drop-off times and locations. The Driver Code of Conduct is required to be approved by Coonamble Shire Council prior to implementation and implemented for the life of the development.
10. Prior to the commencement of any haulage operations, the Proponent is to upgrade the existing property access to Goorianawa Road to form a Basic Auxiliary Left (BAL) and Basic Auxiliary Right (BAR) to the satisfaction of Coonamble Shire Council, including the provision / maintenance of Safe Intersection Sight Distance in accordance with Part 4A of the Austroads Guide to Road Design prior to the commencement of any haulage operations on the local road network.
11. Prior to the commencement of any haulage operations on the local road network, a road condition audit along Goorianawa Road is to be undertaken to demonstrate the road geometry has the capability of safely accommodating two design vehicles passing each other along all sections of the Goorianawa Road intended to be used for haulage operations, including curves / bends and intersections. Any areas highlighting non-compliance are to be programmed for upgrading by the Proponent prior to any haulage of material from the quarry.
12. Prior to the commencement of any haulage operations on the local road network, detailed engineering drawing(s) shall be prepared for the road works required to be undertaken in accordance with Condition 11, for approval by Coonamble Shire Council.
13. The Proponent must install a meteorology station on-site in accordance with AS3580.14.
14. Prior to locating any prefabricated buildings onto the site, the person having the benefit of this consent:
  - a) Shall appoint a Principal Certifying Authority (PCA).
  - b) Shall ensure a Construction Certificate is issued by the PCA.
  - c) Shall notify Council of their intention to commence the site works, at least 2 days prior to commencement of work.
15. Prior to the commencement of any work on the site, a Construction Certificate is to be obtained from either Council or an Accredited Certifier, certifying that the proposed footings for prefabricated buildings are in accordance with this consent and the applicable standards.
16. In accordance with the Biodiversity Development Assessment Report (BDAR) prepared by AREA Environmental and Heritage for the development, the class and number of species credits must be retired to offset the residual biodiversity impacts of the development. Evidence of the retirement of credits (either by payment to the Biodiversity Conservation Fund or securing the Biodiversity Offset Management Plan) must be provided to Council prior to the commencement of the development.

**Table 26 Ecosystem credit class and matching credit profile**

Ecosystem credit	Attributes shared with matching credits						
	PCT name	PCT vegetation class	PCT vegetation formation	Associated TEC or EC	Offset trading group (BAM Section 10.2, Tables 4 & 5)	Hollow bearing trees present ?	IBRA subregion (in which proposal is located)
3	Poplar Box - Belah woodland on clay-loam soils on alluvial plains of north-central NSW	Floodplain Transition Woodlands	Grassy Woodlands	Nil	Floodplain Transition Woodlands - $\geq 70\%$ - $<90\%$ cleared group	Yes	Pilliga , Bogan-Macquarie, Castlereagh-Barwon, Inland Slopes, Kerrabee, Liverpool Plains, Liverpool Range, Pilliga Outwash and Talbragar Valley. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site.

#### D. During Works

17. All internal access roads shall comply with the following requirements of section 7.4 of Planning for Bush Fire Protection 2019 including as follows:
  - a) A minimum carriageway width of 4 metres.
  - b) A minimum vertical clearance of 4 metres to any overhanging obstruction, including tree branches.
  - c) A turning circle with a minimum 12 metre outer radius.
  - d) Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress.
  - e) The minimum distance between the inner and outer curves is 6 metres.
  - f) The crossfall does not to exceed 10 degrees.
  - g) Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.
18. Any damage caused to public roadways, table drains, utility installations and the like by reason of construction / quarry operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Proponent.
19. No lighting is permitted to be installed at the quarry site, including no security lighting, without prior written approval from Coonamble Shire Council.

#### E. Prior to Commencement of Use and Operational Conditions

20. The Proponent is to obtain an Occupation Certificate in accordance with the *Environmental Planning and Assessment Act 1979*, from the Principal Certifying Authority prior to occupation of prefabricated buildings.
21. Prior to the issue of an Occupation Certificate, a rural address marker must be clearly displayed at the entrance to the property in accordance with Coonamble Shire Council's Engineering Specifications and Australian Standard 4819:2003.
22. The Proponent shall pay a quarterly monetary contribution to Coonamble Shire Council for local road maintenance, as per the following agreed road maintenance contributions rate:

Contribution Agreement Subject	Per annum rate
Road maintenance	\$0.63 cents per tonne

The quarterly contribution will be accompanied by a report from the Proponent verifying the actual tonnages of material transported from the quarry site via public roads. The quarterly contribution and report shall be provided within one month of the anniversary of the commencement of haulage on the local road network. The agreed road maintenance contributions rate set out above will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS).

The process for calculating and collecting the contribution will generally be as follows:



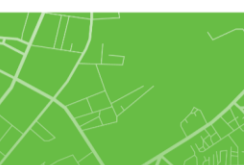
- i) Identify the quantity of material extracted / processed as at the end of the reporting quarter.
  - ii) Identify the quantity of material (tonnes) transported from the site onto the public road network as at the end of the reporting quarter.
  - iii) Identify the quantity of material (tonnes) transported from the site via any new rail corridor as at the end of the reporting quarter.
  - iv) Subtract 3 from 2 to calculate the actual annual contribution, as adjusted by Sydney CPI.
23. Extraction and processing activities, as defined by the Black Hollow Quarry Environmental Impact Statement prepared by Groundwork Plus Pty Ltd dated March 2023, are limited to no more than 490,000 tonnes extracted or processed per annum.
24. The Proponent, or any subsequent proponent, must operate the meteorology station on-site that measures and records air temperature at 2 metres, air temperature at 10 metres, wind direction at 10 metres, wind speed at 10 metres, sigma theta, rainfall and relative humidity.
25. The Proponent must keep a record of the amount of material extracted, processed and sold to consumers, in tonnes, on a per day or per week basis, or both.
26. Any record required to be kept in accordance with any conditions of approval issued by Coonamble Shire Council, the General Terms of Approval or the conditions of an in-force Environment Protection Licence issued by the NSW Environment Protection Authority must be retained for a minimum of four (4) years.
27. The maximum daily number of truck movements must not exceed 264 truck movements (total in and out of the premises).
28. No haulage of extracted material is permitted along Tooraweenah Road.

#### **F. Prescribed Conditions**

29. The work must be carried out in accordance with the requirements of the Building Code of Australia.
30. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - c) stating that unauthorised entry to the site is prohibited.
- Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
31. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
- a) protect and support the adjoining premises from possible damage from the excavation, and
  - b) where necessary, underpin the adjoining premises to prevent any such damage.

#### **G. General Terms of Approval - Environment Protection Authority**

32. Pursuant to Section 4.46 of the NSW Environmental Planning and Assessment Act 1979 the General Terms of Approval issued by the NSW Environment Protection Authority are included in Attachment A.
33. Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:
- a) The development application DA007/2023 submitted to Coonamble Shire Council on 5 April 2023.
  - b) Any environmental impact statement 'Black Hollow Quarry Environmental Impact Statement' dated March 2023 and prepared by Groundwork Plus relating to the development.





**H. General Terms of Approval – NSW Department of Primary Industries - Water**

34. Pursuant to Section 4.46 of the NSW Environmental Planning and Assessment Act 1979 the General Terms of Approval issued by the NSW Department of Primary Industries are included in Attachment B.



## Attachment A – EPA CONDITIONS

### Administrative conditions

#### A1. Information supplied to the EPA

**A1.1** Except as expressly provided by these general terms of approval, works and activities must be carried out in accordance with the proposal contained in:

- a) the development application DA007/2023 submitted to Coonamble Shire Council on 5 April 2023.
- b) any environmental impact statement 'Black Hollow Quarry Environmental Impact Statement' dated March 2023 and prepared by Groundwork Plus relating to the development.

#### A2. Fit and Proper Person

**A2.1** The applicant must, in the opinion of the EPA, be a fit and proper person to hold a licence under the Protection of the Environment Operations Act 1997, having regard to the matters in s.83 of that Act.

### Limit conditions

#### L1. Pollution of waters

**L1.1** Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.

#### L2. Concentration limits

**L2.1** For each discharge point or utilisation area specified in the table/s below, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentrations limits specified for that pollutant in the table.

**L2.2** Where a pH quality limit is specified in the Table, the specified percentage of samples must be within the specified ranges.

**L2.3** To avoid any doubt, this condition does not authorise the discharge or emission of any other pollutants.

#### Point 1

#### Water and Land

Pollutant	Units of measure	50% concentration limit	90% concentration limit	3DGM concentration limit	100% concentration limit
(Data provided as example only)					
Oil and Grease	mg/L			-	10
pH	pH			-	6.5-8.5
Total suspended solids	mg/L				50

#### L3. Waste

**L3.1** The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.



- L3.2** This condition only applies to the storage, treatment, processing, reprocessing or disposal of waste at the premises if it requires an environment protection licence under the Protection of the Environment Operations Act 1997.

#### **L4. Noise limits**

##### **Hours of operation**

- L4.1** All construction work at the premises must only be conducted between 6am to 6pm Monday to Friday and 7am to 1pm Saturdays
- L4.2** Activities at the premises, other than construction work, may only be carried on between 6am to 6pm Monday to Friday and 7am to 1pm Saturdays.
- L4.3** This condition does not apply to the delivery of material outside the hours of operation permitted by condition L6.4 or L4.2, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior
- a) notification is provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.
- L6.7** The hours of operation specified in conditions L4.1 and L4.2 may be varied with written consent if the EPA is satisfied that the amenity of the residents in the locality will not be adversely affected.

#### **L5. Blasting**

##### **Overpressure**

- L5.1** The airblast overpressure level from blasting operations at the premises must not exceed 120dB (Lin Peak) at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.2** The airblast overpressure level from blasting operations at the premises must not exceed 115dB (Lin Peak) at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

##### **Ground vibration (ppv)**

- L5.3** Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 10mm/sec at any time at any noise sensitive locations. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.
- L5.4** Ground vibration peak particle velocity from the blasting operations at the premises must not exceed 5mm/sec at any noise sensitive locations for more than five per cent of the total number of blasts over each reporting period. Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

##### **Time of blasting**

- L5.5** Blasting at the premises may only take place between 9:00am-3:00pm Monday to Friday. Blasting is not permitted on public holidays.
- L5.6** Blasting outside of the hours specified in L7.5 can only take place with the written approval of the EPA.
- L5.7** The airblast overpressure and ground vibration levels in conditions L7.1 to L7.4 do not apply at noise sensitive locations that are owned by the licensee or subject to a private agreement, relating to airblast overpressure and ground vibration levels, between the licensee and landowner.

##### **Frequency of blasting**



**L5.5** Blasting at the premises is limited to 1 blast each day on which blasting is permitted.

#### **Operating conditions**

##### **O1. Dust**

**O1.1** Activities occurring at the premises must be carried out in a manner that will minimise emissions of dust from the premises.

**O1.2** Trucks entering and leaving the premises that are carrying loads must be covered at all times, except during loading and unloading.

#### **Monitoring and recording conditions**

##### **M1 Monitoring records**

**M1.1** The results of any monitoring required to be conducted by the EPA's general terms of approval, or a licence under the Protection of the Environment Operations Act 1997, in relation to the development or in order to comply with the load calculation protocol must be recorded and retained as set out in conditions M1.2 and M1.3.

**M1.2** All records required to be kept by the licence must be:

- a) in a legible form, or in a form that can readily be reduced to a legible form;
- b) kept for at least 4 years after the monitoring or event to which they relate took place; and produced in a legible form to any authorised officer of the EPA who asks to see them.

**M1.3** The following records must be kept in respect of any samples required to be collected: the date(s) on which the sample was taken;

- a) the time(s) at which the sample was collected; the point at which the sample was taken; and
- b) the name of the person who collected the sample.

##### **M2. Requirement to monitor concentration of pollutants discharged**

**M2.1** For each monitoring/ discharge point or utilisation area specified below (by a point number), the applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

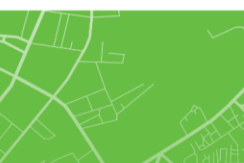
##### **Point 1 Water and Land**

Pollutant	Units of measure	Frequency	Sampling Method
(Data provided as example only)			
Oil and grease	mg/L	during any discharge	grab sample
pH	pH	during any discharge	grab sample
Total suspended solids	mg/L	during any discharge	grab sample

##### **M3. Testing methods - concentration limits**

**M3.1** Monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area required by condition M3 must be done in accordance with:

- a) the Approved Methods Publication; or



- b) if there is no methodology required by the Approved Methods Publication or by the general terms of approval or in the licence under the Protection of the Environment Operations Act 1997 in relation to the development
- c) or the relevant load calculation protocol, a method approved by the EPA in writing before any tests are conducted,
- i)

unless otherwise expressly provided in the licence.

*Ground vibration levels should not be measured with the longest dimension of the foundations of a building or structure away from such building or structure.*

## **Reporting conditions**

### **R1. Annual Returns**

**R1.1** The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load-based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.

## **Mandatory Conditions for all EPA licences Administrative conditions**

### **Other activities**

(To be used on licences with ancillary activities)

This licence applies to all other activities carried on at the premises, including:

- a) extractive activities
- b) crushing, grinding or separating

### **Operating conditions**

Activities must be carried out in a competent manner

Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

### **Maintenance of plant and equipment**

- a) All plant and equipment installed at the premises or used in connection with the licensed activity: must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

### **Monitoring and recording conditions**

#### **Recording of pollution complaints**

The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

The record must include details of the following:

- a) the date and time of the complaint;
- b) the method by which the complaint was made;
- c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
- d) the nature of the complaint;
- e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
- f) if no action was taken by the licensee, the reasons why no action was taken.
- j)



The record of a complaint must be kept for at least 4 years after the complaint was made. The record must be produced to any authorised officer of the EPA who asks to see them.

#### **Telephone complaints line**

The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence. The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint. This condition does not apply until 3 months after this condition takes effect.

#### **Reporting conditions**

##### **Annual Return documents**

What documents must an Annual Return contain?

The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

- a) Statement of Compliance; and
- b) Monitoring and Complaints Summary.

A copy of the form in which the Annual Return must be supplied to the EPA accompanies this licence. Before the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

##### **Period covered by Annual Return**

An Annual Return must be prepared in respect of each reporting, except as provided below:

Note: The term “reporting period” is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Where this licence is transferred from the licensee to a new licensee,

- a) the transferring licensee must prepare an annual return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an annual return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an annual return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence – the date from which notice revoking the licence operates.

##### **Deadline for Annual Return**

The Annual Return for the reporting period must be supplied to the EPA by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the ‘due date’).

##### **Notification where actual load can not be calculated**

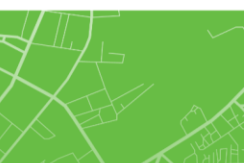
(Licences with assessable pollutants)

Where the licensee is unable to complete a part of the Annual Return by the due date because the licensee was unable to calculate the actual load of a pollutant due to circumstances beyond the licensee’s control, the licensee must notify the EPA in writing as soon as practicable, and in any event not later than the due date.

The notification must specify:

- a) the assessable pollutants for which the actual load could not be calculated; and
- b) the relevant circumstances that were beyond the control of the licensee.

##### **Licensee must retain copy of Annual Return**





The licensee must retain a copy of the annual return supplied to the EPA for a period of at least 4 years after the annual return was due to be supplied to the EPA.

#### Certifying of Statement of Compliance and Signing of Monitoring and Complaints Summary

Within the Annual Return, the Statement of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or
- b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

A person who has been given written approval to certify a Statement of Compliance under a licence issued under the Pollution Control Act 1970 is taken to be approved for the purpose of this condition until the date of first review this licence.

#### Notification of environmental harm

Note: The licensee or its employees must notify the EPA of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

Notifications must be made by telephoning the EPA's Pollution Line service on 131 555.

The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

#### Written report

Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence,

and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request. The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event; and
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event;
- g) any other relevant matters.

The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

#### General conditions

Copy of licence kept at the premises or on the vehicle or mobile plant

A copy of this licence must be kept at the premises or on the vehicle or mobile plant to which the licence applies. The licence must be produced to any authorised officer of the EPA who asks to see it. The licence must be available for inspection by any employee or agent of the licensee working at the premises or operating the vehicle or mobile plant.



## Attachment B – Department of Primary Industries – Water

- TC-G001** Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
- TC-G004** A. This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA007/2023 provided by Council to Department of Planning and Environment—Water.
- B. Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment—Water, must be notified in writing to determine if any variations to the GTA will be required.
- TC-G005** A. The application for a controlled activity approval must include the following plan(s): i. Site plans indicating the demarcation of waterfront land, designated riparian corridors, and identifying any areas of encroachments and offsets ii. Construction watercourse crossing design plans; iii. Erosion and sediment control plans; iv. Vegetation management plan to treat disturbed areas on waterfront land
- B. The plan(s) must be prepared in accordance with Department of Planning and Environment—Water 's guidelines located on the website <https://www.dpie.nsw.gov.au/water/licensing-and-trade/approvals/controlledactivity-approvals/what/guidelines>





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