



# **ANNEXURES**

**Ordinary Council Meeting  
Under Separate Cover  
Tuesday, 17 October 2023**



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# NETWASTE REGIONAL WASTE AND SUSTAINABLE MATERIALS STRATEGY 2023-2027



MARCH 17, 2023



DOCUMENT CONTROL					
Version	Description	Date	Author	Reviewer	Approver
0.5	Early Draft	22/12/2022	LC	JB	JB
1.0	Draft	8/2/2023	JB	LC	JB
2.0	Final Draft	2/3/2023	JB	JB/LC	JB
3.0	Final Copy	10/3/2023	JB	ACW	JB
4.0	Final Report - Draft	14/3/2023	JB	ACW	JB
5.0	Final Report	17/3/2023	JB		JB
Approval for Release					
Name	Position	File Reference			
Jonathan Beckett	Principal Consultant	Waste TW22135_NetWaste_Regional Waste and Sustainable Material Strategy 2023-2027_5.0			
Signature			 Digitally signed by Jonathan Beckett DN: O=Talis Consultants, CN=Jonathan Beckett, E=jonathan.beckett@talisconsultants.com.au Reason: I am approving this document Location: Hamilton, NSW Date: 2023-03-17 10:26:04 Foxit PhantomPDF Version: 10.0.1		
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## Acknowledgement

Preparation of this Strategy has been funded and supported by the NSW Environment Protection Authority through the Waste and Sustainable Materials Strategy 2041.

Information contained in this publication is based on knowledge and understanding at the time of writing (January 2023) and is subject to change.



## Acknowledgement of Country

NetWaste acknowledges the traditional custodians of the land and pays respect to Elders past, present and future.

We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.



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- APPENDIX A** Stakeholder Engagement
- APPENDIX B** Policy Context
- APPENDIX C** Regional Contracts
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## Acronyms Used

Abbreviation	Full Form
CCMAP	Climate Change Mitigation and Adaptation Plan
C&D	Construction and Demolition (Waste)
CDS	Container Deposit Scheme
C&I	Commercial and Industrial (Waste)
CRC	Community Recycling Centre
CSP	Community Strategic Plan
DWMC	Domestic Waste Management Charge
EPA	(NSW) Environment Protection Authority
EPL	Environment Protection Licence
EfW	Energy from Waste
FOGO	(Combined) Food Organics and Garden Organics
GO	Garden Organics
GHG	Greenhouse Gas (emissions)
IPART	Independent Pricing and Regulatory Tribunal
JO	Joint Organisation (of Councils)
LGA	Local Government Area
MRF	Material Recovery Facility
MSW	Municipal Solid Waste
OLG	Office of Local Government
PFAS	Per- and Poly-Fluoroalkyl Substances
RENEW	Regional Networks for Effective Waste Management
REZ	Renewable Energy Zone



ROC	Regional Organisation of Councils
RRC	Resource Recovery Centre
SAP	Special Activation Precinct
TPA	Tonnes Per Annum
VWG	Voluntary Waste Group
WAPP	Waste Aggregation Profile Project
WaSMS	(NSW) Waste and Sustainable Materials Strategy 2041



## Short Message to the Reader

The terms *waste* and *waste management* are used collectively herein to firstly describe all materials originally discarded, and secondly, their fate through various processing pathways such as disposal, recycling, and resource recovery.

This approach simplifies written explanations, using the term *residual waste* to expressly describe material disposed to landfill or managed by energy from waste (EfW) processes.

This Strategy and Action Plan have been prepared within a responsive and flexible approach to delivering the State's new Waste and Sustainable Materials Strategy 2041 (WaSMS), focusing on the first five-years of an overall 20-year planning horizon. Its approach aligns with both Stage 1 of the WaSMS and NSW EPA guidance material for development of regional strategies by regional voluntary waste groups (VWG).



## 1 About NetWaste

NetWaste is a voluntary regional waste group comprised of 25 Member Councils covering almost 40% of the state, stretching from Lithgow in the East, West to Broken Hill, and north up to the Queensland border.

### 1.1 Charter

The organisation provides a platform for member Councils to collectively pursue regional benefits and improve outcomes related to waste management for its members. This includes facilitating close regional cooperation, operational and kerbside services contracting, resource and knowledge sharing, and cultivating shared investment and planning infrastructure development opportunities.

### 1.2 Aim

NetWaste's aim is to establish a waste management model that ensures cost effective environmental best practice for participating NetWaste Councils, develops effective educational strategies that support this model, and undertakes ongoing projects as identified as part of the waste management planning process.

### 1.3 Function

Formed in 1995, NetWaste is part of the NSW Environment Protection Authority (EPA) funded Regional Networks for Effective Waste Management (RENEW) voluntary groups of Councils. The organisation provides a platform for member Councils to collectively pursue regional benefits and improve outcomes related to waste management.

NetWaste is built upon trust, collaboration and is both adaptive and responsive to change. Traditionally it has provided flexible solutions and support for member Councils within the following core areas:

- Education and awareness – development of a comprehensive Education Strategy delivered by a dedicated Environmental Learning Advisor, providing on-going, positive, and meaningful education initiatives;
- Procurement – provision of a variety of waste collection and processing contract opportunities, providing the benefits of contract administration, economies of scale, improved pricing and an expanded service offering for communities; and
- Knowledge sharing – dissemination of key information on waste-related matters in plain language, including policy updates and compliance-related matters.

NetWaste's goal is to set the benchmark for regional waste management through a range of strategic objectives, including:

- Reducing the amount of waste generated;
- Increasing resource recovery;
- Reducing greenhouse gas emissions;
- Delivering environmentally responsible waste management systems;



- Improving awareness of waste minimisation and resource recovery principles, and influencing behavioural change;
- Improving recycling and composting;
- Reducing litter and illegal dumping;
- Managing problem wastes;
- Facilitating information exchange and skills development; and
- Optimising procurement of grant funding.

More recently, NetWaste’s scope has evolved to also include advocating for meaningful change to state policy and the regulatory framework on behalf of its members.

### 1.4 Member Councils

Member Councils wish to express their on-going support for NetWaste, citing it as an invaluable organisation they rely on considerably to deliver their own waste management services. NetWaste’s regional contracting, dissemination of state policy and regulation, information and experience sharing, and its advocacy and leadership, were all reported as significant benefits by members.

### 1.5 Region

The NetWaste region is spread across 310,000 km<sup>2</sup> of New South Wales, encompassing almost 40% of the state (refer figure over). It has an estimated total population of approximately 320,000, including the following member Councils:

- |                   |              |                |
|-------------------|--------------|----------------|
| • Bathurst        | • Coonamble  | • Oberon       |
| • Blayney         | • Cowra      | • Orange       |
| • Bogan           | • Dubbo      | • Parkes       |
| • Bourke          | • Forbes     | • Walgett      |
| • Brewarrina      | • Gilgandra  | • Warren       |
| • Broken Hill     | • Lachlan    | • Warrumbungle |
| • Cabonne         | • Lithgow    | • Weddin       |
| • Central Darling | • Midwestern |                |
| • Cobar           | • Narromine  |                |



Figure 1-1 - NetWaste Region



## 2 Introduction

### 2.1 Statement of Document Purpose

NetWaste's *Regional Waste and Sustainable Materials Strategy 2023-27* (the Strategy) has been developed with a 20-year strategic delivery horizon, with a specific focus on the first five years. It hinges on a responsive, dynamic, and flexible delivery framework to improve waste services delivered and their performance within the region.

The Strategy and its accompanying Action Plan align with the strategic direction of the *NSW Waste and Sustainable Materials Strategy 2041- Stage 1: 2021-2027* (WaSMS)<sup>1</sup>, whilst retaining as much of the social, economic, and skills-based benefits of local transformation of waste as possible.

### 2.2 Stages of Strategy Development

Development of the Strategy was undertaken within the following primary stages. Information and data supporting their development may be found within the Appendices.

The primary stages are:

- Drivers for Change – A review of key policy in context of delivering positive change in regional waste management outcomes;
- Where are we today? - A review of current regional operations and services;
- Where do we want to get to? – A statement of intended or desired goals and outcomes; and
- How are we going to get there? – Development of the regional strategic direction to deliver positive change.

### 2.3 Strategy Delivery

The Strategy will be delivered by its supporting Action Plan introduced within Section 7. One of the Plan's core features is a quarterly review by the NetWaste Steering Committee, who will both describe delivery progress (status) of Actions, and as required, make amendments in light of the prevailing delivery environment.

Each May the Steering Committee will decide if the Plan and Strategy require updating. At this point the Committee will also decide about taking on any additional/replacement Actions from the "medium" and "Low" priority areas of the Action Plan.

Strategy delivery herein is not intimately linked to local government's Integrated Planning and Reporting (IP+R) framework given the Strategy reflects the voluntary status of NetWaste and its Steering Committee working at a regional level. However, it is hoped member Councils will subsequently develop their own Waste Strategies to support delivery of NetWaste's Strategy, and commitments made at this level may form part of each Council's own IP+R commitments/responsibilities.

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<sup>1</sup> The Strategy complies with the NSW EPA's guidance document *Taking a regional response to the Waste and Sustainable Materials Strategy*, February 2022

Ultimately the success of strategy delivery will depend not only on the work of NetWaste's Steering Committee, but also on building relationships and partnerships within a collaborative regional approach, and importantly, on member Councils preparing their own waste strategies which integrate into a regional approach.

## 2.4 Project Deliverables

NetWaste will be provided a Strategy document with a supporting Action Plan. The Action Plan will provide details of Actions to be undertaken to deliver desired positive change over an initial 5-year period. Actions will be grouped within Strategic Initiatives, within Action Areas; each Action Area supporting pre-determined Themes and Priority Areas identified by the NSW EPA as necessary to deliver the State's WaSMS.

It is intended NetWaste's Executive<sup>2</sup> review strategy delivery progress against the Action Plan each quarter, taking steps to correct or improve delivery based on an assessment and feedback mechanism. The Action Plan will similarly be flexible and dynamic in its structure, allowing NetWaste to move around within three nominated priority categories<sup>3</sup> over a 20-year delivery period in response to changing industry, market, funding, and political conditions.

## 2.5 Stakeholder Engagement

The Strategy and its Action Plan were developed within a close working relationship between Talis, the NetWaste Executive and member Councils.

Member Councils were engaged within development of the Strategy at four key touchpoints. These were:

- Request for Information – initial request for LGA-specific data and information;
- On-line sub-regional workshops – discussion and feedback on key issues relevant to each region;
- Face-to face Strategy Development workshop – discussion of prepared draft strategic objectives and group preparation of high level Actions to deliver these; and
- Face-to-face Strategy Delivery Workshop – discussion and feedback of draft Strategy and Action Plan.

Details of each consultation step and outcomes generated are summarised within **Appendix A**.

## 2.6 Source of Data for the Strategy

Following consultation with NetWaste following closure of the RFI period, it was agreed that as only 60% of Councils had responded, it would be preferable to instead use FY 19/20 data collected as part of the 2021 regional Waste Aggregation Profile Project (WAPP). This data set was not only complete,

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<sup>2</sup> Its Projects Coordinator, Executive Officer, and Steering Committee

<sup>3</sup> The Action Plan will be structured to include Actions within High Priority (First Five Years 2023-2027), Medium Priority (2028-2032) and Low Priority (2033 onwards to 2041) categories, providing NetWaste with the opportunity to adopt additional or alternative Actions from Medium and Low Priority categories within a flexible, adaptable approach to future environments

but its input and outcomes generated had also been reviewed and approved by individual Councils for their own local government areas (LGAs).

Member Councils confirmed this was still representative of their operations, although could in the future be impacted by either/both ongoing major state infrastructure projects (such as the Inland Rail) and significant regional developments (such as opening up of new mining areas).

### 3 Drivers for Change

Drivers for Change, or more commonly referred to, drivers for improvement in waste service delivery and operational performance, broadly include the framework of regulations, policies, strategies, and guidelines (Policy) at the local, regional, state, and national level, and a number of waste industry Guiding Principles. They influence and guide the development of new strategy by providing the context in which it needs to be developed and delivered. Their influence is therefore also reflected within the structure and composition of the Strategy's Action Plan introduced within Section 7.

It is important to recognize that the current Policy environment at both the national and state level is very much in a state of flux, with rapid changes occurring, especially on the climate change front. The full extent of recent changes on the local government sector remains to be seen, but it is generally understood that Councils will shoulder increased responsibilities and costs related to waste management.

Key Policy drivers for change are considered to include:

- National Waste Policy Action Plan (2019);
- NSW CE Policy Statement (2019);
- NSW DPIE Net Zero Plan Stage 1 (2020 – 2030);
- Recycling and Waste Reduction Bill (2020);
- COAG Response Strategy (2020);
- NSW DPIE Waste and Sustainable Materials (WaSM) Strategy (2021 – 2041);
- NSW EPA WaSM Program Funding (2021 onwards);
- NSW DPIE Plastics Action Plan (2021 – 2041);
- NSW DPIE Infrastructure Plan (2021 – 2041);
- NSW EPA Strategic Plan (2021 – 2024);
- NSW EPA Draft Delivery Plan (2021 – 2027); and
- NSW EPA EfW Infrastructure Plan (2021).

A summary of the combined direction of Policy is presented below, whilst a more detailed synopsis is presented within **Appendix B**.

#### 3.1 Summary of Policy

Key components of Policy assessed as influential for development of new Strategy are summarised below under common subject matter headings.

##### 3.1.1 Joint Procurement (sustainable procurement)

- Adoption of policy to improve recycled content procurement;
- Development of procurement targets for recycled content, including how they will be calculated, achieved, and audited;
- Reporting on progress in achieving procurement targets with recycled content, particularly those which have significantly increased use of recycled materials within infrastructure projects; and

- Facilitate joint council procurement of waste services.

### **3.1.2 Strategic Infrastructure, Planning, and Investment**

- Analysis and reporting of requirements for infrastructure capacity to process paper/cardboard, glass, plastics, and tyres;
- Building industry capacity to collect, recover, recycle, and remanufacture from waste;
- Identification of opportunities to increase uptake of recycled content within development of buildings and infrastructure, in particular plastics, rubber and glass;
- Create new job opportunities associated with new technologies;
- Invest in innovation and innovative processing technologies which lower the cost of renewable energy and/or emissions released (clean technology program); and
- Consider future, new waste streams associated with a low carbon economy, such as batteries and solar panels.

### **3.1.3 Avoid Generation of Waste**

- Support of programs for business and communities to avoid generation of waste and divert waste from landfill, particularly food waste, including community-based “repair” of waste;
- Delivery of targeted programs to businesses to identify and avoid waste generation, and increase efficiency of use of materials and their recovery from waste streams; and
- Reduce total waste per person by 10% by 2030.

### **3.1.4 Community Waste Awareness and Education Programs**

- Use of community education programs to reduce food waste, in particular;
- Improve quality of co-mingled MRF recyclates through a “whole-of-value chain” approach; and
- Foster behaviour change through education and engagement.

### **3.1.5 Circular Economy (CE)**

- Support and promotion of CE principles – support innovation, sustainable procurement, high quality consistent recycling, value organics, product stewardship, circular design, re-use and repair, and responsible packaging;
- Supporting and promotion of CE principles within businesses;
- Community and industry actively contribute to a CE;
- Leverage government purchasing power to stimulate local CE;
- Design for the multiple uses at the highest value– such as reuse, sharing, remanufacturing and refurbishment as preference to recycling;
- Advocacy to support best-practice CE mechanisms, such as product stewardship and responsible packaging design;
- Development of new markets for recovered, re-processed and re-manufactured commodities;
- Resilient systems and robust markets are available to keep waste materials circulating and to de-carbonise the NSW economy;
- Support reuse of crushed glass, particularly road construction and other civil works;

- Support growth of sustainable markets for high quality, processed organics;
- Support reuse and repair; and
- Explore more effective means to improve data reporting and sharing of information.

### **3.1.6 Better Waste Management and Resource Recovery**

- Leveraging existing regional development programs to support better waste management and resource recovery;
- Achieve 80% average recovery rate for all waste streams by 2030;
- Ensure the harmful impacts of waste are reduced and waste minimised;
- Promote landfill consolidation and environmental improvements plans;
- Support increased supply of higher-grade paper available for recycling (to replace non-recyclable packaging);
- Support higher grade tyre crumbing, tyre-derived fuel, and exploring processing tyre-derived polymers (TDP);
- Investigate landfill options past 2040 (when existing capacity exhausted); and
- Focus on landfill diversion options for problem wastes such as textiles.

### **3.1.7 Better Hazardous Waste Management**

- Better management of end-of-life disposal of products containing hazardous substances.

### **3.1.8 Divert Organics from Landfill**

- Delivery of kerbside FOGO collection for households and businesses;
- Support for organics processing facilities;
- Halve landfilled organic waste by 2030;
- Achieve net zero emissions from organic waste by 2030, including:
  - Separate collection of food and garden organics from all NSW households by 2030;
  - Separate collection of food waste from businesses that generate highest volumes – includes large supermarkets and hospitality, by 2025;
- Take action to reduce emissions and mitigate climate change impacts aligned with the principles in the NSW Net Zero Plan 2050;
- Increase uptake of landfill gas capture; and
- Create a carbon negative waste sector.

### **3.1.9 Reduce Litter**

- Reduce overall litter by 60% by 2030 and plastic litter by 30% by 2025; and
- Reduce cigarette butt litter in particular.

### **3.1.10 Avoid Plastic Waste**

- Eliminate single use plastics by 2025;
- Triple plastics recycling rate by 2030; and
- Accelerate transition to better plastic products.

### 3.1.11 Reduce Illegal Dumping and Waste Crime

- Reduce and prevent Illegal dumping.

### 3.1.12 Develop Energy from Waste

- Utilise non-combustion technology, particularly that derived from waste feedstock, producing energy on site for industrial and/or manufacturing purposes.

## 3.2 Policy Frameworks

### 3.2.1 National Framework

The National *Waste Policy – Less Waste, More Resources* was released by the Department of the Environment and Energy in 2018 and provides a framework for collective action by businesses, governments, communities, and individuals until 2030. The policy identifies the following seven targets:

- Ban the export of waste plastic, paper, glass, and tyres, commencing in the second half of 2020;
- Reduce total waste generated in Australia by 10% per person by 2030;
- 80% average resource recovery rate from all waste streams following the waste hierarchy by 2030;
- Significantly increase the use of recycled content by governments and industry;
- Phase out problematic and unnecessary plastics by 2025;
- Halve the amount of organic waste sent to landfill by 2030; and
- Make comprehensive, economy-wide, and timely data publicly available to support better consumer, investment, and policy decisions.

### 3.2.2 State Framework

The NSW government released the WaSMS Stage 1 as the first stage of a 20-year strategy focusing on the environmental benefits and economic opportunities to reduce waste, improve waste management, and increase material recycling.

The WaSM Strategy aims to reduce waste generated and increase recycling through adoption of the Targets outlined in **Figure 3-1**<sup>4</sup>.

the NSW government has also recently released the NSW Litter Prevention Strategy 2022–30 and the Illegal Dumping Prevention Strategy 2022-27, both of which underpin the WaSMS.

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<sup>4</sup> Source: *NSW Waste and Sustainable Materials Strategy 2041: Stage 1 – 2021-2027*



Figure 3-1 - NSW WaSMS Targets

To achieve the WaSMS targets of halving food waste to landfill and achieving net zero emissions from organics in landfill by 2030, the government will require the separate collection of:

- Food and garden organics from all NSW households by 2030; and
- Food waste from businesses that generate the highest volumes, including large supermarkets and hospitality businesses, by 2025.

Based on an assessment of waste and circular economy infrastructure needs over the next decade and beyond, the government has identified three key areas to focus on – residual waste, organics, and plastics. Recovery and recycling infrastructure will need to keep pace with demand and to support this, there will need to be investment in new and upgraded facilities from now to 2030 to prevent any shortfall in capacity.

Getting the right infrastructure in the right place will be critical to recover, reuse and extend the life of most materials. The *WaSMS Guide to Future Infrastructure Needs 2021* reviews the waste infrastructure requirements in NSW to underpin this change.

The NSW Government has also released the Energy From Waste (EfW) Infrastructure Plan. The Parkes Special Activation Precinct (SAP) has been identified as one of the priority locations to host a waste from energy facility, along with West Lithgow Precinct, Richmond-Valley Regional Jobs Precinct and Southern Goulburn Mulwaree Precinct.



The *NSW Plastics Action Plan* supports the *WaSM*. The *NSW Plastics Action Plan* will assist in delivering the following targets from the *WaSM Strategy*:

- Phase out problematic and unnecessary plastics by 2025;
- Reduce the total waste generated by 10% per person by 2030;
- Achieve an average 80% recovery rate of resources from all waste streams by 2030;
- Significantly increase the use of recycled content by government and industry;
- Reduce plastic litter items by 30% by 2025;
- Reduce the overall litter by 60% by 2030; and
- Triple the plastics recycling rate by 2030.

### 3.2.3 Regional Framework

The EPA funds the collaborative work of voluntary regional waste groups of councils in NSW to deliver regional waste strategies and coordinate regional projects and grants. There are 14 voluntary regional waste management groups across NSW, including NetWaste. These voluntary waste groups are represented by RENEW, whose primary goal is to highlight the differing issues and priorities across the state and implement better waste and resource recovery systems. Through coordinating and combining regional waste groups, RENEW works together to find solutions to waste issues, to improve recycling rates and initiate best practice waste management in NSW.

Regional Organisations of Councils (ROCs), sometimes called Voluntary Regional Organisations of Councils, are voluntary groupings of Councils in Australia and typically involve collaborative partnerships between neighbouring Councils in a particular region or area. Joint Organisations of Councils (JOs) are organisations formed to strengthen collaboration and engagement between State and local governments and improve infrastructure and service delivery to regional communities, with NSW having a network of 13 joint organisations across the state.

The NetWaste region covers four JOs. These organisations are intended to strengthen collaboration and engagement between State and local governments, with the aim of improving infrastructure and service delivery to regional communities. Each JO provides a possible partner for NetWaste to assist with delivery of the Strategy’s Actions. The Councils of Brewarrina, Coonamble and Dubbo stand alone, meaning they are not part of any JO or ROC.

**Table 3-1** provides a breakdown of the different JOs and their member Councils within the NetWaste region.

**Table 3-1 –NSW Joint Organizations including NetWaste Member Councils**

Central NSW Joint Organisation (CNSWJO)	
Bathurst Regional Council	Lachlan Shire Council
Blayney Shire Council	Oberon Council
Cabonne Council	Orange City Council
Cowra Council	Parkes Shire Council

Forbes Shire Council	Weddin Shire Council
Lithgow City Council	
<b>Orana Joint Organisation (OJO)</b>	
Bogan Shire	Narromine Shire
Gilgandra Shire	Warren Shire
Mid-Western Regional	Warrumbungle Shire
<b>Far South West Joint Organisation (FSWJO)</b>	
Broken Hill City	Central Darling Shire
<b>Far North West Joint Organisation (FNWJO)</b>	
Bourke Shire Council	Walgett Shire Council
Cobar Shire Council	

### 3.2.4 Local Framework

The *Local Government Act 1993* sets out the legal framework, governance, powers, and responsibilities of councils in New South Wales. The Act sets out the functions of Councils, including its service functions such as, providing community health, recreation, education and information services, environmental protection, and waste removal and disposal.

A *Community Strategic Plan (CSP)* is a key element within the integrated planning and reporting framework which all Councils in NSW have a legislative obligation to adhere to. This framework aims to streamline a council’s operations and optimise the use of resources. The CSP addresses four key questions for the community:

- Where are we now?
- Where do we want to be in ten years’ time?
- How will we get there?
- How will we know when we have arrived?

The implementation of the CSP is supported by a suite of integrated plans that include actions to support the strategies identified in the CSP. These include the following:

- Delivery program – a 4-year plan that sets out the strategies from the CSP that will be priorities for the current council term;
- Operational plan – an annual plan containing detailed actions from the Delivery program; and
- Resourcing strategy – a suite of key plans that support the implementation of the CSP, focusing on finances, workforce, and asset management.

Sustainable waste services are commonly included as a high-level entry within the Environment sections, or similar, within the regional CSPs.

JOs have a requirement for their own regional delivery plans, or Statement of Strategic Regional Priorities (SSRP). Not surprisingly, there exists common areas of interest between NetWaste’s new Strategy and SSRPs of JOs within the NetWaste region, which together will hopefully strengthen

NetWaste’s regional approach (for example, support for a regional circular economy, preparation of emissions reduction plans, and sustainable management of climate change).

Member Councils are in various stages of having a Waste and Resource Recovery Strategy/Plan outlining the strategic and operational direction for waste management within their Council. Where possible, these framework documents for each member Council were considered and utilised to inform and support the development of this regional Strategy.

### 3.3 Guiding Principles

The guiding principles presented below provide the basis for driving improved change within the waste management and resource recovery industry. The principles influence the approaches to facilitate greater diversion of waste from landfill, guide better practices and improve performance. The principles include the internationally recognised circular economy, waste hierarchy, along with state-based initiatives of net zero emissions and sustainable procurement. These principles form the basis upon which the Strategy has been developed.

#### 3.3.1 Circular Economy

NSW is transitioning to a circular economy over the next 20 years. A circular economy aims to 'close the loop on waste' by minimising what we throw away, and using and reusing our resources efficiently, making them as productive as possible. It is an alternative to the traditional linear economy (take, make, use, dispose), which refers to taking resources, making goods that are then bought and used to then be disposed of as waste, as shown in **Figure 3-2**.

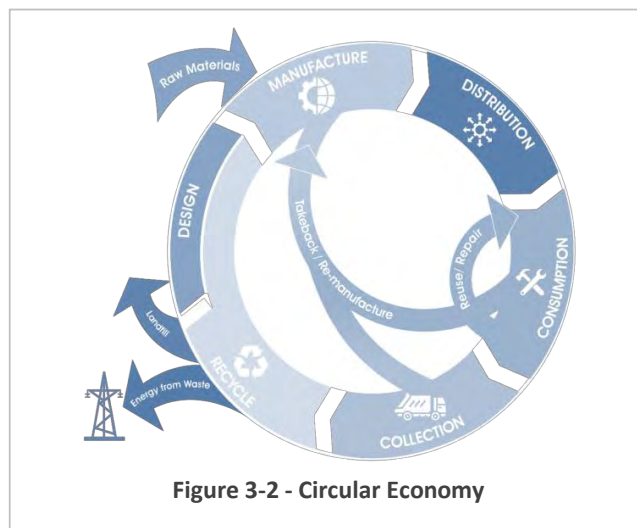


Figure 3-2 - Circular Economy

The *NSW Circular Economy Policy Statement* (NSW EPA, 2019) guides the ambition and approach to a circular economy and establishes seven principles to maximise the use and value of resources including:

- Sustainable management of all resources;
- Valuing resource productivity;
- Design out waste and pollution;
- Maintain the value of products and materials;
- Innovate new solutions for resource efficiency;
- Create new circular economy jobs; and
- Foster behaviour change through education and engagement.

Benefits of implementing a circular economy concept include job creation, reduction in carbon emissions and improved resource efficiency.

### 3.3.2 Waste Hierarchy

The waste management hierarchy is an internationally adopted principle and concept which lists waste management options in order of preference according to their sustainability and environmental impacts.



Figure 3-3 - Waste Management Hierarchy

The hierarchy has been adopted within the Strategy as the basis for classifying and assessing the various resource recovery options which are being considered to assist NetWaste to improve waste management across the region.

As shown in

Figure 3-3, options which achieve outcomes higher up the hierarchy are preferred over those located further down the hierarchy.

**Regional Circular Economy In Action!**

NetWaste recently engaged Allmould Plastics for Phase 1 of its Mobile Garbage Bin (MGB) recycling project in Bathurst, NSW.

Damaged and unrequired 240L kerbside bins are cleaned and disassembled at source, with the body of the bin shredded using a mobile granulating unit. The shredded material is then pelletized, extruded into bricks, and tested for re-purposing.

Products created include new MGBs, signage, meter boxes and urban furniture for parks and gardens.

NetWaste’s Projects Co-ordinator Antony Cullen-Ward enthusiastically notes: “NetWaste partnering with Allmould Plastics presents a unique opportunity to further hone circular economy principles within the regional area and come out with a 100% fully recyclable product.”



**3.3.3 Net Zero Emissions**

Climate change is affecting communities across Australia and across the globe. The NSW Government's *Net Zero Plan Stage 1: 2020-2030* is the foundation for the State's action on climate change and its goal to reach net zero emissions by 2050. It outlines the NSW Government’s plan to act and protect our future in collaboration with industry, communities, and households. Delivery of the Plan is aimed at growing the economy, creating jobs, and reducing emissions to ensure NSW is well placed to prosper in a low carbon world.

The Plan aims to deliver a 50% cut in emissions by 2030 compared to 2005 levels as the first stage to achieving net zero emissions by 2050. By reducing emissions, local Councils can help to increase the resilience of their communities and act as a catalyst for NSW to meet its net zero emissions goals. Supporting this Plan is the draft *Climate Change Policy* and its companion document, the draft *Climate Change Action Plan 2022–25*, which sets out the roadmap for how NSW will achieve net zero.

NSW Councils have a key role in the shift to net zero emissions as leaders, place makers and through their connection to local communities. Local Councils can support the transition through reducing

their own emissions across their operations and through the provision of essential services such as waste management, transport, planning and infrastructure for their residents and businesses.

Under the *Climate Change Action Plan*, Councils holding an environmental protection licence will be required to prepare climate change mitigation and adaptation plans (CCMAPs) and report on the effectiveness of their plans over time. The timing for the development and submission of these plans is to be determined.

### 3.3.4 Sustainable Procurement

Sustainable procurement takes into consideration the economic, environmental, social and governance impacts of any purchase with the four factors referred to as the quadruple bottom line and relate to a total purchase cost, and not just the upfront dollar expense.<sup>5</sup>

In terms of sustainable procurement practices, the following emphasise the entire life cycle of the product or service:

- Devising strategies that reduce demand and extend the life of the product;
- Planning what happens with a product at the end of the contract i.e., how will it be reused, recycled, treated, or disposed;
- Considering costs over the life of the product or service and policies in the planning process;
- Encouraging sustainable solutions and innovation in tenders; and
- Measuring and improving sustainability throughout the life of the procurement.

Approaching procurement sustainably allows Councils and the waste management and resource recovery industry to meet economic, environmental, social and governance requirements, while improving opportunities for a more circular system across the entire supply chain.

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<sup>5</sup> LGNSW, *Sustainable Procurement Guide*

## 4 NetWaste Current Strategic Direction

Councils within the NetWaste region vary greatly in terms of area, population served and remoteness. All of these factors influence the types of waste services provided to communities, as well as the ability of each Council to fund waste services.

### 4.1 NetWaste Governance and Structure

NetWaste's governance structure includes a Projects Coordinator (1 FTE), NetWaste Projects Support (0.4 FTE), NetWaste Administration (0.4 FTE), and a NetWaste Environmental Learning Advisor (1 FTE). All staff members are consumed by current workloads, already requiring additional resourcing to deliver key programs and projects.

All positions are dependent on annual funding from the NSW EPA, through the Waste Less, Recycle More initiative. For 2021/2022FY, NetWaste received a total of \$504,000 in funding.

Critically, going forward NetWaste will require additional human and financial resources to deliver quantum gains or benefits within the new regional Strategy.

### 4.2 NetWaste Strategic Direction

Given the shift in focus to a more sustainable approach to managing waste and the key role the waste sector can play in the circular economy, NetWaste has been actively working on progressing waste management outcomes for its member Councils, aligning its strategic direction to this shift.

This Strategy builds upon recent strategic work undertaken by NetWaste. Key documents which have developed this position include:

- Regional Waste Strategy 2017-2021;
- Strategic Recycling Plan and Addendum 1 2018-2023
- NetWaste member Council Response to Draft WaSMS 2020;
- Regional Waste Aggregation Profile 2021; and
- Regional Education Plan 2022-2027.

#### 4.2.1 Strategic Recycling Plan

NetWaste prepared a *Strategic Recycling Plan* in October 2018 to strengthen its economic resilience and underpin continued sustainable delivery of its regional dry recycling programs in response to China's National Sword policy. Subsequent to this plan being developed, there were significant changes to the national recycling framework, with the circular economy very much a focus of the government.

In response to a subsequent shift in policy, strategy, legislation, and grant funding available in response to the crisis, the NetWaste *Strategic Recycling Plan* was updated in November 2020 via Addendum 1. The update focused on a review of dry recycling and updating of the Strategic Recycling Action Plan. Key action areas of the updated action plan were:

- Increase regional independence and resilience;
- Develop processing and markets within a regional circular economy;

- Ensure financial viability of recycling services; and
- Increase dry recycling yield and quality.

#### 4.2.2 NetWaste Member Council Response to Draft WaSMS

In May 2020, NetWaste provided feedback to the NSW Government on its 20-year *Waste Strategy Issues Paper*. A summary of the feedback provided by NetWaste is provided below.

- Development of regional processing is key to increased diversion from landfill;
- It is essential the State recognises and understands the very significant role Local Government plays in waste management, resource recovery and recycling, and that the upcoming Strategy must support and develop this in consideration of regional feedback (such as that provided by NetWaste);
- The Federal and State Government's must demonstrate leadership for Local Government to be effective in increasing recycling;
- Waste management and recycling is a shared responsibility of Local Government with the State;
- Regional waste management and metropolitan waste services provided by Local Government are poles apart;
- Regional Waste Groups are essential to delivery of new State strategy and improvement in regional recycling;
- Funding is vital to deliver significant improvements in recycling at a regional level, which in turn supports circular economy principles, more jobs, and a stronger, more productive regional economy;
- NetWaste is supportive of regional waste-to-energy plants, to divert waste from landfill, retain valuable landfill space for future generations, manage waste where simply unsustainable to deliver new recycling initiatives, and utilise residual calorific value within waste;
- NetWaste is a large and diverse region with widely varying sizes and capabilities of its member Councils, relying heavily on regional information sharing, procurement, and action plans;
- The NetWaste region is collaborative and adaptive to change;
- Initiation of an EPA Liaison Officer/Development Officer to support regional funding delivery and regulatory communication in the future would be of great benefit to NetWaste Councils;
- NetWaste Councils do not support introduction of a Waste Levy, but do support application of a Levy onto manufacturers of products with end-of life disposal costs, in many cases worn by NetWaste Councils;
- Within Direction 1 (Generate Less Waste), increasing extended producer responsibilities, using waste education to minimise purchase of single-use items and/or packaging (particularly complex packaging), and prioritise Product Stewardship (such as high-volume agricultural waste), are the 3 most supported Actions by a modest 50-60% of member Councils;
- Within Direction 2 (Improve Collection and Sorting), standardising kerbside collection systems (to simplify and lower cost of education, before increasing reuse markets), increasing networks for management of problem wastes (low population and isolated communities would benefit more than providing a kerbside service at significant additional expense) and incentivising businesses to recycle more (C+I waste remains the lowest



recycled waste stream for NetWaste Councils and anecdotally, many NSW regional and rural Councils, whilst more pressure could be applied for waste sorting as DA conditions and the construction industry would benefit from its own audit/education to increase recycling), were the 3 most supported Actions, each by a modest 50-60% of member Councils;

- Within Direction 3 (Plan for Infrastructure), development of regional recycling hubs was highly supported by almost 90% of member Councils, and was similarly supported as the highest rated “ideal waste challenge which could be overcome by funding”, with transport subsidies and provision of greater business incentives for investment in regional infrastructure modestly supported by 60% of member Councils; and
- Within Direction 4 (Create End Markets), Greater influence by Government in procurement policy, grant funding to support regional initiatives (although to be much less onerous) and reduction of imported recycled materials were supported modestly by the group at 45-60% of member Councils.

#### 4.2.3 Waste Aggregation Profile

To support improved waste management outcomes, NetWaste commissioned a consultant in 2021 to prepare a Waste Aggregation Profile (WAP) to bring together data from its member Councils waste and resource recovery programs.

The project involved three stages, as follows:

- *Stage 1* - identified waste received, processed and its management for each of the member Councils using FY2020 NSW EPA reporting data provided by each Council;
- *Stage 2* - surveyed Waste Officer responses regarding concepts such as development opportunities within the region and perceived strengths, weaknesses, opportunities, and threats associated with current services; and
- *Stage 3* – involved a series of workshop sessions of Councils within a sub-regional approach, testing the needs and approach by each to the possible future role of NetWaste.

The project resulted in the creation of a regional waste profile, with the overarching general recommendation being that NetWaste develop future strategy, programs, and services with sub-regional zones to better target varying needs and requirements of Councils across the region.

Recommendations from the WAP Project for NetWaste and its member Councils are included below:

#### NetWaste Strategy Development and Delivery

- Provide stakeholder engagement within member Councils to support NetWaste strategy, programs and services developed;
- Use WAP Report Recommendations to advise development of next RWS strategic initiatives and harness opportunities delivered by the 20YWS, focusing particularly on greater kerbside yields, improving site security and site supervision within the region, and sorting self-haul waste;
- Request additional funding from the NSW EPA to deliver new, targeted programs and services, and explore human resourcing options to deliver these;
- Evaluate Council-contribution funding models to deliver more targeted, sophisticated services and programs if additional government funding is not forthcoming;
- Closely monitor greater Sydney’s requirements for waste disposal, WtE and waste processing as populations increase over the next 20 years, considering possible

infrastructure development within the NetWaste region to increase its resilience, self-reliance, and income;

- Seek and provide member Councils with regular updates of the impacts governments' combined initiatives to develop onshore sorting and processing are having in NSW, particularly in regard to prices paid for recyclates and prices charged for kerbside processing;
- Make representation to government for transport subsidies to support the feasibility of recycling within isolated parts of the region;
- Evaluate the risk and business case for expanding operations of the NetWaste region's Council-owned MRFs;
- Explore options for sub-regional infrastructure asset sharing as a mechanism to decrease operational, environmental, and financial risk;
- Develop/Deliver further waste awareness and education modules, at least focussing on greater separation of waste streams at the kerbside and within self-haul waste, able to be variously used by all member Councils according to their local services, programs and needs; and
- Develop policy templates for member Councils to assist development of local circular economies, such as Purchasing Policy.

#### **NetWaste Service Delivery**

- Maintain existing services and programs, which are unanimously supported, appreciated, and considered of great benefit by member Councils;
- Encourage increased sharing of experience, skills, and consulting services between member Councils; and
- Adopt a sub-regional zone approach to tailor programs and services according to the distinct needs of Councils within these zones, also considering options for additional funding to deliver more targeted services should government financial support not be forthcoming.

#### **NetWaste Programs**

##### Waste Disposal

- Review the region's requirements for waste disposal over the next 40 years, at least considering landfill availability/development and innovative technology options (such as WtE);
- Continue to plan for closure of higher-risk and/or near-capacity landfills, focussing on developing centrally located, higher engineered sites with security and supervisory control; and
- Councils make themselves aware of future regional development projects and the impact these will have on both remaining landfill capacity and opportunities to develop circular economy programs.

#### Site Management

- Review the relative benefits of Council-provided/managed services in comparison to those provided by contractors, giving member Councils some point of reference to evaluate the relative cost and performance of these services within their individual LGAs; and
- Deliver increased security and supervision of waste sites, restricting access and better recording waste streams received.

#### Site Operations

- Provide operational and site risk assessment, mitigation and regulatory compliance services for Councils requesting assistance; and
- Review options for on-site sorting of self-haul waste to increase resource recovery, development of a regional circular economy and increase the remaining useful life of landfill assets.

#### Improved Resource Recovery and Recycling

- Evaluate provision of additional kerbside organics collection and regional processing;
- Evaluate sorting self-haul waste on sites;
- Improve kerbside yields of dry recycling and FOGO to at least rest of state, preferably higher; and
- Aid with delivery of new infrastructure improvements, including grant applications and funding acquittal.

#### Fees and Charges

- Review regional fees and charges for receipt of waste and options to manage between-LGA movement of non-domestic waste, at least ensuring these meet whole-of-life (WoL) expenses and are fairly apportioned between domestic and non-domestic waste received.

#### Waste and Recycling Data

- Make representation to the NSW EPA to over-haul reporting of waste data into a form which is neither onerous nor repetitive, and which encourages the proactive use of data in strategic decision making and monitoring performance of new initiatives;
- Continually build on the WAP data base and its functionality, re-running new calculations as required and updating with current data as it becomes available;
- Consider options for a more centralised recording of waste data and reporting, encouraging more pro-active use of data in assessments of service delivery;
- Generally, increase granularity of waste data collected by reviewing options for improved volume-to-weight conversion factors and greater detail of waste streams received; and
- Audit waste streams to quantify and qualify calculated diversion from landfill/resource recovery estimates.

### Regional Circular Economy

- Make representation to government for additional funding to support the development, launch and at least early-stage functioning of a regional circular economy;
- Develop a Regional Circular Economy Development Plan with input from a regional task force; and
- Evaluate linked regional waste receipt and reuse data platforms to support and encourage growth of a regional circular economy.

#### 4.2.4 Regional Education Plan

NetWaste retained a consultant to develop a regional education plan in 2022. The plan, titled *Our Backyard. Our Stuff. Our Responsibility. Education Strategy 2022 – 2027* expands on, extends, and refines the actions, approaches, and energies of the former waste education strategy. It considers the evolving context of waste management and community attitudes, capacities, and expectations, and offers innovative and non-traditional approaches to education and engagement. The plan contains specific, strategic NetWaste education and engagement actions for the next five years.

The plan was developed after extensive consultation and research, recognizing the communities across the region are diverse and there is a need to consider the differences within and between communities and that a one size fits all approach is not appropriate. Developing the plan involved getting a clear picture of what has gone before and what's happening now in order to create a new benchmark about what people are doing, what they know, what they need, and what moves them.

Moving forward and building on its accomplishments, NetWaste will continue to educate, support, facilitate and advocate on behalf of all member Councils to allow them to meet the community's expectations and enable them to respond to a changing legislative environment in a flexible manner.

## 5 Where are we now?

### 5.1 Regional Profile

The diversity in size, budgets, and waste management practices of Councils within NetWaste presents challenges for both development of region-wide programs of equal benefit to all and ability of smaller Councils to deliver positive change.

Waste management services and practices vary greatly within the region. Larger, more densely populated Councils in the east tend to provide a more fulsome range of waste services, with dedicated staff resources to plan and deliver these services. More western Councils typically have much lower populations and are much larger geographically, with waste management responsibilities at these Council's often shared by Officers with a wide range of other responsibilities.

All waste data is sourced from the Waste Aggregation Profile Project data set.

#### 5.1.1 Waste Managed by Member Councils

**Table 5-1** provides an overview of some of the key metrics of the different member Councils in the NetWaste region. In particular, these provide an indication of the population, area, and population density differences between the member Councils.

**Table 5-1 – Overview of Member Councils**

Member Council	Area (km <sup>2</sup> )	Population (Number)	Population Density (Head/km <sup>2</sup> )	Households (Number)	Median Age (Years)	Median Wage (\$/Year)
<b>WAP Sub-Regional Zone 1</b>						
Bathurst Regional Council	3,818	43,653	11.43	15,942	38.3	51,713
Dubbo Regional Council	7,535	55,518	7.37	19,279	36.2	50,967
Orange Council	284	43,736	153.88	16,183	36.7	53,210
<b>WAP Sub-Regional Zone 2</b>						
Blayney Council	1,525	7,508	4.92	2,763	42.7	48,593
Cowra Council	2,809	12,753	4.54	5,081	46.9	41,888
Cabonne Council	6,022	13,760	2.28	4,913	43.7	46,486
Forbes Council	4,710	9,383	1.99	3,563	41.7	45,221
Gilgandra Council	4,832	4,319	0.89	1,598	46.4	37,516
Lithgow Council	4,512	20,854	4.62	10,238	46.2	48,138
Mid-Western Regional Council	8,752	25,704	2.94	9,638	41.6	47,928
Narromine Council	5,262	6,448	1.23	2,221	40.3	43,436
Oberon Council	3,625	5,664	1.56	2,038	46.8	49,086
Parkes Council	5,958	14,453	2.43	5,401	40.3	45,044
Warrumbungle Council	12,372	9,254	0.748	3,400	49.9	37,093

Weddin Council	3,415	35,89	1.05	1,500	51.3	37,236
<b>WAP Sub-Regional Zone 3</b>						
Brewarrina Council	19,162	1,488	0.08	473	39.1	47,151
Bogan Council	14,600	2,481	0.17	923	39.9	46,304
Bourke Council	41,598	2,417	0.06	774	36.3	54,440
Broken Hill Council	170	17,661	103.82	7,308	43.3	52,921
Central Darling Council	53,492	1,760	0.03	591	42.3	44,778
Cobar Council	45,575	4,098	0.09	1,409	36.9	-
Coonamble Council	9,916	3,834	0.39	1,303	38.8	40,111
Lachlan Council	14,968	6,149	0.41	2,191	40.8	-
Walgett Council	22,308	5,590	0.25	1,660	44.1	37,949
Warren Council	10,754	2,586	0.24	936	46.6	42,600

This table highlights the differences in population and its density, which significantly impacts each Council’s budget size and area over which infrastructure and services are provided. Generally, the further west, the greater resourcing issues faced by Council’s and their Officers.

**Table 5-2** outlines total municipal solid waste (MSW), commercial and industrial waste (C&I) and construction and demolition waste (C&D) managed by each member Council within the NetWaste sub-regional areas introduced within the WAP project.

**Table 5-2 – Waste Managed by Member Councils**

Member Council	Waste Managed <sup>6</sup> (tonnes, FY19/20)		
	MSW	C & I	C & D
<b>Sub-regional Zone 1</b>			
Bathurst Regional Council	24,643	18,491	8,051
Dubbo Regional Council	26,491	29,549	40,418
Orange Council	41,993	16,696	8,312
<b>Zone 1 Totals</b>	<b>88,542</b>	<b>64,736</b>	<b>56,781</b>
<b>Sub-regional Zone 2</b>			
Blayney Council	4,073	1,558	721
Cowra Council	18,560	1,068	2,874
Cabonne Council	8,502	152	6
Forbes Council	15,629	858	9,996
Gilgandra Council	3,097	92	359
Lithgow Council	23,044	8,314	24,528
Mid-Western Regional Council	19,741	8,866	3,541
Narromine Council	10,426	3,887	11

<sup>6</sup> Represents the combined total tonnages collected by both Council and contractor operations, and processed/managed both inside and outside the LGA

Oberon Council	2,317	2,368	2,836
Parkes Council	12,926	713	13,923
Warrumbungle Council	4,236	444	0
Weddin Council	1,841	903	1,702
<b>Zone 2 Totals</b>	<b>124,060</b>	<b>29,223</b>	<b>60,497</b>
<b>Sub-regional Zone 3</b>			
Brewarrina Council	1,143	922	0
Bogan Council	2,348	88	23
Bourke Council	2,158	342	41
Broken Hill Council	15,416	3,446	52,446
Central Darling Council	2,085	15	20
Cobar Council	1,225	1,475	97
Coonamble Council	3,532	1,292	140
Lachlan Council	7,388	916	520
Walgett Council	4,425	2,583	1,945
Warren Council	4,006	669	423
<b>Zone 3 Totals</b>	<b>43,726</b>	<b>11,748</b>	<b>55,655</b>
<b>Waste Stream Totals</b>	<b>256,328<sup>7</sup></b>	<b>105,707</b>	<b>172,933</b>
<b>Total NetWaste All Steams</b>	<b>534,968</b>		

MSW contributes 46% of all waste managed by local government within the NetWaste region. This presents opportunity for gains through more extensive awareness and education programs. C&D waste is generally managed by member Councils themselves, with opportunity for greater diversion through processing to higher market specifications.

### 5.1.2 Waste Diverted from Landfill

Table 5-3 shows the diversion rate of waste from landfill for each Member Council<sup>8</sup>. As can be seen, there is a significant range in diversion rates achieved, with the highest being 66% and the lowest being 0%, with an overall weighted<sup>9</sup> regional average of 39%.

Table 5-3 – Member Council’s Diversion Rates (FY19/20)

Member Council	Diversion Rate (%)
<b>Sub-regional Zone 1</b>	
Bathurst Regional Council	28
Dubbo Regional Council	35
Orange Council	53
<b>Zone 1 Numerical Average</b>	<b>39</b>
<b>Sub-regional Zone 2</b>	
Blayney Council	18
Cowra Council	56
Cabonne Council	35
Forbes Council	53

<sup>7</sup> Includes 12,098 tonnes per annum (tpa) regional collections from the Container Deposit Scheme (CDS)

<sup>8</sup> The diversion rate calculation includes kerbside recycling, clean and separated self-haul items for recycling, resource recovery, processing of kerbside organics and beneficial reuse of specific waste streams on-site at waste facilities

<sup>9</sup> On a mass basis

Gilgandra Council	64
Lithgow Council	40
Mid-Western Regional Council	34
Narromine Council	55
Oberon Council	18
Parkes Council	66
Warrumbungle Council	14
Weddin Council	24
<b>Zone 2 Numerical Average</b>	<b>40</b>
<b>Sub-regional Zone 3</b>	
Brewarrina Council	5
Bogan Council	31
Bourke Council	17
Broken Hill Council	35
Central Darling Council	4
Cobar Council	7
Coonamble Council	0
Lachlan Council	38
Walgett Council	33
Warren Council	12
<b>Zone 3 Numerical Average</b>	<b>18</b>
<b>NetWaste Regional Weighted Average</b>	<b>39%</b>

Interestingly, the numerical average diversion rate is very similar for sub-regional zones 1 and 2, whilst Zone 3’s diversion rate is less than half of these. This much lower diversion rate reflects issues of isolation, lack of market opportunity, lower tonnages, and lower budgets for improved site services. The diversion rate within Zone 2 is quite variable and generally Councils are performing on a similar level to those within Zone 1.

### 5.1.3 Regional SWOT Analysis

A SWOT<sup>10</sup> analysis was conducted during the WAP project in 2021 and is still considered relevant for consideration during the development of the Strategy. The perceived strengths, weaknesses, opportunities, and threats reported by member Councils are detailed below.

#### Strengths

- Being a member of NetWaste, with access to its programs and services;
- Providing and managing own waste collection and processing services;
- Having long-term waste service contracts in place;
- Having an extensive network of waste sites with significant operational space accessible to the community; and
- Having significant waste infrastructure and/or significant remaining landfill useful asset life.

<sup>10</sup> Strengths, Weaknesses, opportunities, Threats – derived from a member Council workshop session



### Weaknesses

- The isolated nature of LGAs, which contributes significantly to increased transport costs and reduces the opportunity to access recycling markets and processors;
- A lack of waste education and policies to drive recycling initiatives;
- Limited budget for improvements to operational and infrastructure development to increase recycling and revenue received;
- Tied to long-term, sometimes poorly performing contracts in which generally unable to negotiate terms;
- A lack of local or regional alternatives to both process recyclable waste streams and market recyclates;
- A generally poor understanding and support for recycling by the community;
- A lack of in-house expertise, particularly operational risk assessment, management, and mitigation;
- Unsupervised waste sites and frequent out-of-LGA use with very low recycling rates; and
- A lack of ability to control the amount of waste generated and therefore managed.

### Opportunities

- Sub-regional processing hubs, particularly for organics, with subsidized road transport;
- Increasing the processing capacity of Council-owned MRFs;
- Delivering new and innovative technologies to reduce the amount of waste sent to landfill, particularly Energy from Waste (EfW);
- Delivering operational risk mitigation strategies, increasing regulatory compliance, and increasing efficiency of waste operations; and
- Extending kerbside waste collection services, particularly for organics.

### Threats

- Market-place dominance of a relatively few, large recycling service providers and the rising cost of their services; and
- Push-back by local communities regarding development of significant waste processing infrastructure, including EfW.

## 5.2 Current Waste Management Services and Infrastructure

### 5.2.1 Kerbside Waste Management Services

The current (FY22/23) kerbside waste services provided in each member Council is shown in **Table 5-4**. The proposed year of implementation of FOGO is also noted for those Councils yet to roll out a program.

Table 5-4 - Member Council Kerbside Collection Services (FY22/23)

Member Council		General Waste	Recycling	FOGO
<b>Sub-Regional Zone 1</b>				
Bathurst Council	Regional	✓	✓	✓
Dubbo Council	Regional	✓	✓	✓
Orange Council		✓	✓	✓
<b>Sub-Regional Zone 2</b>				
Blayney Council		✓	✓	
Cowra Council		✓	✓	
Cabonne		✓	✓	
Forbes Council		✓	✓	✓
Gilgandra Council		✓	✓	
Lithgow Council		✓	✓	Developing a FOGO implementation plan
Mid-Western Council	Regional	✓	✓	✓
Narromine Council		✓	✓	✓
Oberon Council		✓	✓	
Parkes Council		✓	✓	✓
Warrumbungle Council		✓	✓	
Weddin Council		✓	✓	
<b>Sub-Regional Zone 3</b>				
Brewarrina Council		✓		
Bogan Council		✓	✓	
Bourke Council		✓		
Broken Hill Council		✓		
Central Darling Council		✓		
Cobar Council		✓		

Coonamble Council	✓		
Lachlan Council	✓	✓	
Walgett Council	✓		
Warren Council	✓		

All Zone 1 and 2 Councils have kerbside waste and recycling services, whilst most Zone 3 have a waste service only. A combined food organics and garden organics (FOGO) kerbside service is provided by all Zone 1 Councils, variously provided by Zone 2 Councils (some of whom are investigating or in readiness to deliver a new service), but not all by Zone 3 Councils. Similar issues are faced by these Zone 3 Councils as those presented for low landfill diversion rates within this zone.

### 5.2.2 NetWaste Member Waste Infrastructure

**Table 5-5** provides an overview of the different waste management infrastructure owned by each of the 25 NetWaste member Councils.

**Table 5-5 – Member Council Waste and Resource Recovery Infrastructure**

Sub-Regional Zone	Member Council	Waste and Resource Recovery Infrastructure	Landfill	RRC <sup>11</sup>	Organic Processing	Transfer Station	CRC <sup>12</sup>	Tip Shop
WAP 1	Bathurst Regional Council	College Road Waste Management Centre			✓	✓	✓	✓
		Hill End Waste Facility	✓					
		Sofala Transfer Station				✓		
		Sunny Corner Transfer Station				✓		
		Trunkey Transfer Station				✓		
		Rockley Transfer Station				✓		
	Dubbo Regional Council	Whylandra Waste and Recycling Centre	✓	✓	✓		✓	
		Wellington Transfer Station	✓	✓				
		Ballimore Transfer Station				✓		
		Eumungerie Transfer Station				✓		
		Geurie Transfer Station				✓		
		Stuart Town Transfer Station				✓		
		Toongi Transfer Station				✓		
	Orange Council	Ophir Road Resource Recovery Centre	✓	✓			✓	✓
Euchareena Road Resource Recovery Centre		✓		✓				
WAP 2	Blayney Council	Blayney Waste Facility	✓					✓
	Cowra Council	Materials Recycling Facility		✓				✓
		Cowra Community Recycling Centre					✓	
		Woodstock Transfer Station				✓		
		Gooloogong Transfer Station				✓		
	Cabonne Council	Canowindra Waste Management Facility	✓			✓		
		Cargo Waste Management Facility	✓			✓		
		Cumnock Waste Management Facility	✓			✓		
Eugowra Waste Management Facility		✓			✓			

<sup>11</sup> Resource Recovery Centre

<sup>12</sup> Community Recycling Centre

Sub-Regional Zone	Member Council	Waste and Resource Recovery Infrastructure	Landfill	RRC <sup>11</sup>	Organic Processing	Transfer Station	CRC <sup>12</sup>	Tip Shop	
		Manildra Waste Management Facility and Community Recycling Centre	✓			✓	✓		
		Molong Green Waste Facility		✓		✓			
		Yeoval Waste Management Facility	✓			✓			
	Forbes Council	Forbes Recycling and Waste Depot	✓					✓	
		Bedgerebong Landfill	✓						
		Garema Landfill	✓						
		Ootha Landfill	✓						
	Gilgandra Council	Gilgandra Waste facility	✓					✓	✓
		Carlginda Enterprises			✓				
	Lithgow Council	Lithgow Solid Waste Facility							
		Portland landfill	✓						
		Capertee landfill	✓						
		Angus Place Transfer Station					✓		
		Glen Davis Transfer Station					✓		
		Hampton Transfer Station					✓		
		Meadow Flat Transfer Station					✓		
		Tarana Transfer Station					✓		
	Mid-Western Regional Council	Mudgee Waste Facility	✓				✓	✓	✓
		Gulgong Waste Facility	✓						
		Kandos Waste Facility	✓						
		Gulgong Transfer Station					✓		
		Kandos Transfer Station					✓		
		Bylong Transfer Station					✓		
Cooyal Transfer Station						✓			
Goolma Transfer Station						✓			
Hargraves Transfer Station						✓			
Home Rule Transfer Station						✓			
Ilford Transfer Station						✓			
Lue Transfer Station						✓			
Queen Pinch Road Transfer Station						✓			
Ulan Transfer Station						✓			
Windeyer Transfer Station					✓				

Sub-Regional Zone	Member Council	Waste and Resource Recovery Infrastructure	Landfill	RRC <sup>11</sup>	Organic Processing	Transfer Station	CRC <sup>12</sup>	Tip Shop
		Wollar Transfer Station				✓		
	Narromine Council	Narromine Waste Management Facility	✓					
		Trangie Waste Management Facility	✓					
		Tomingley Waste Transfer Station					✓	
	Oberon Council	Oberon Council Waste Depot and Recycling Centre	✓					
		Black Springs Waste Transfer Station					✓	✓
		Burruga Waste Transfer Station					✓	
	Parkes Council	Parkes Waste Facility	✓					✓
		Peak Hill Waste and Recycling Transfer Station					✓	
		Alectown Waste Depot					✓	
		Bogan Gate Waste Depot					✓	
		Gunningbland Waste Depot					✓	
		Trundle Waste Depot					✓	
		Tullamore Waste Depot					✓	
	Warrumbungle Council	Coonabarabran Landfill	✓	✓				
		Materials Handling Centre						
		Baradine Transfer Station					✓	
		Binnaway Transfer Station					✓	
		Coolah Transfer Station					✓	
		Dunedoo transfer station					✓	
		Mendooran transfer Station					✓	
		Ulamambri Transfer Station					✓	
	Weddin Council	Grenfell Waste Depot	✓					
Caragabal Solid Waste Depot		✓						
Quandialla Solid Waste Depot		✓						
WAP 3	Brewarrina Council	Brewarrina Landfill	✓					
		Angledool Landfill	✓					
		Goodooga Landfill	✓					
		Nyngan Landfill	✓					

Sub-Regional Zone	Member Council	Waste and Resource Recovery Infrastructure	Landfill	RRC <sup>11</sup>	Organic Processing	Transfer Station	CRC <sup>12</sup>	Tip Shop
	Bogan Council	Hermidale Landfill	✓					
		Girilambone Landfill	✓					
		Coabah Landfill	✓					
	Bourke Council	Bourke Waste Facility	✓					
		Byrock Landfill	✓					
		Enngonia Landfill	✓					
		Fords Bridge Landfill	✓					
		Louth Landfill (privately owned, council agreement to use)	✓					
		Wanaaring Landfill	✓					
		Broken Hill Council	Broken Hill Waste Management Facility	✓			✓	✓
	Central Darling Council	Ivanhoe Landfill	✓					
		Menindee Landfill	✓					
		Sunset Strip Landfill	✓					
		Tilpa Landfill	✓					
		Whitecliffs Landfill	✓					
		Wilcannia Landfill	✓					
	Cobar Council	Cobar Waste Depot	✓					
	Coonamble Council	Coonamble Waste Management Facility	✓					
		Gulargambone Transfer station					✓	
		Quambone Waste Facility					✓	
		Coonamble Community Recycling Centre (not yet operational)						✓
	Lachlan Council	Burcher Waste Facility	✓					
		Condobolin Waste Facility	✓					
		Lake Cargelligo Waste Facility	✓					
		Tottenham Waste Facility	✓					
		Tullibigeal Waste Facility	✓					
	Walgett Council	Walgett Landfill	✓					
		Lightning Ridge Landfill	✓					
		Collarenebri Landfill	✓					
		Rowena Landfill	✓					
Burren Junction Landfill		✓						
Come By Chance Landfill		✓						
Carinda Landfill		✓						
Grawin Landfill	✓							

Sub-Regional Zone	Member Council	Waste and Resource Recovery Infrastructure	Landfill	RRC <sup>11</sup>	Organic Processing	Transfer Station	CRC <sup>12</sup>	Tip Shop
	Warren Council	Ewenmar Waste Facility	✓					

All residual mixed waste is disposed within landfills owned/managed by member Councils.

Four Councils – Gilgandra, Warrumbungle, Cowra, and Mid-Western – have their own material recovery facilities (MRFs) to process self-haul and kerbside recycling, with Gilgandra also processing Bogan’s recycling and Cowra also processing Weddin’s as well as the central west CDS collection. The balance of the region’s recycling is managed by one of two commercial services located within the greater Sydney region. Seven member Councils participate within a regional collection and processing contract, aggregating recycling at Orange before transport to greater Sydney.

### 5.2.3 Private Sector Waste Infrastructure

Private sector waste infrastructure plays an important role in delivering member Council waste services. Garden Organics (GO) are generally processed on-site at waste facilities by member Councils and with beneficial, on-site re-use. FOGO is processed by contractors in Dubbo, Orange, and Blayney for specific member Councils. Details of contracting are provided in greater detail within section 5.4.

The following privately owned and/or operated infrastructure are utilized by NetWaste member Councils to process their FOGO or recyclables:

**Table 5-6 – Private Waste Processing Infrastructure Utilised by Member Councils**

Member Council	Recycling	FOGO
<b>Sub-Regional Zone 1</b>		
Bathurst Regional Council	Visy, Sydney	ANL, Blayney
Dubbo Regional Council	Visy, Sydney	JR Richards, Dubbo
Orange Council	Visy, Sydney	JR Richards, Cabonne
<b>Sub-Regional Zone 2</b>		
Blayney Council	Visy, Sydney	
Cowra Council	(Council MRF)	
Cabonne	Visy, Sydney	
Forbes Council	Visy, Sydney	ANL, Blayney
Gilgandra Council	(Council MRF)	
Lithgow Council	Visy, Sydney	
Mid-Western Regional Council	(Council MRF)	JR Richards, Dubbo



Narromine Council	Visy, Sydney	JR Richards, Dubbo
Oberon Council	Visy, Sydney	
Parkes Council	Visy, Sydney	ANL, Blayney
Warrumbungle Council	(Council MRF)	
Weddin Council	(Use a Council MRF)	
<b>Sub-Regional Zone 3</b>		
Brewarrina Council		
Bogan Council	(Use a Council MRF)	
Bourke Council		
Broken Hill Council		
Central Darling Council		
Cobar Council		
Coonamble Council		
Lachlan Council	Visy, Sydney	
Walgett Council		
Warren Council		

In addition to the processing facilities, the private sector also provides contracted kerbside collection to many of the NetWaste Member Councils for residual waste, recycling, and FOGO; some under a regional contract<sup>13</sup>, some under single-Council contracting arrangements.

### 5.3 Waste Generation Projections

#### 5.3.1 Waste Projections

Waste projections were developed for each of the three sub-regional zones for the years 2022 to 2042, based on the 2019/2020 Waste Aggregation Profile data set<sup>14</sup>.

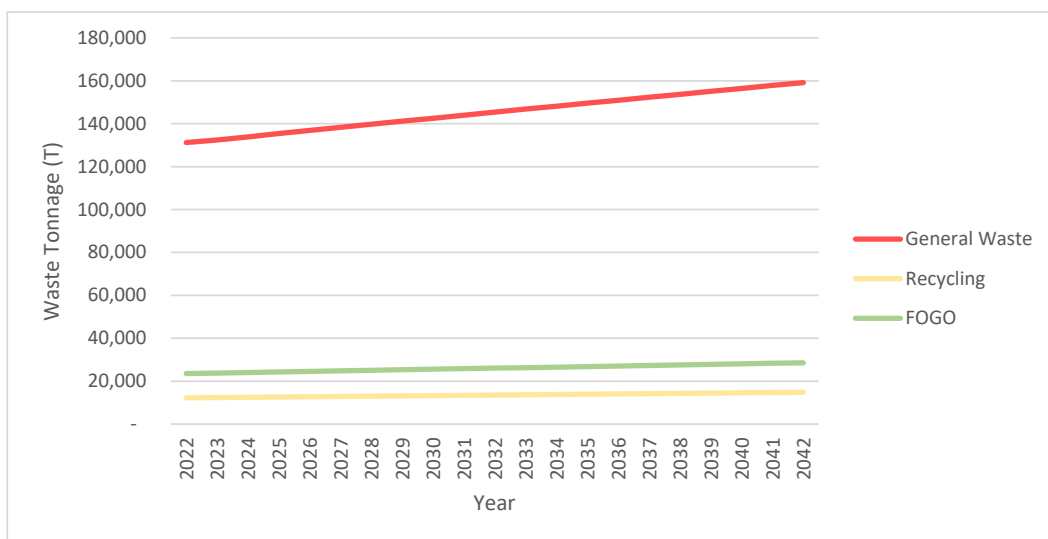
<sup>13</sup> Regional Waste Services Contract - 9 Councils initially involved in a regional tender for mix of domestic waste, recycling and organics collection and processing services. Concludes April 3, 2026

<sup>14</sup> Increases in FOGO tonnage is related to population growth only and not increased participation and program maturity. In addition, any tonnage associated with any future state significant projects has also not been included

For simplicity, the projections assume that member Councils in sub-regional Zones 2 and 3 that do not currently have a FOGO service in place will implement this service in 2030<sup>15</sup>. All member Councils in sub-regional zone 1 already have FOGO services in place.

Figure 5-1, Figure 5-2 and Figure 5-3 show total projections for sub-regional zones 1, 2 and 3 for disposal, recycling, and organics. Table 5-7 shows the projected net increase in the overall tonnage generated in the NetWaste region for each waste stream between current (2022) and 2042, at the end of the 20-year planning horizon.

Figure 5-1 – Sub-Regional Zone 1 Waste Projections



<sup>15</sup> Waste audit data was used to determine the amount of FOGO available in the residual waste stream and an assumption was made that 50% of this material would be moved over from the residual waste stream into the FOGO stream

Figure 5-2 – Sub-Regional Zone 2 Waste Projections



Figure 5-3 – Sub-Regional Zone 3 Waste Projections

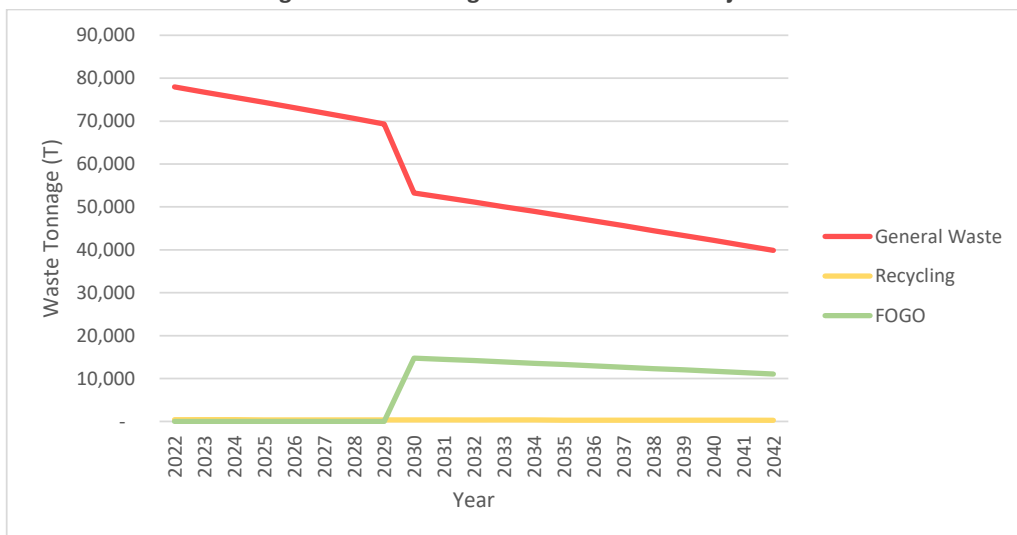


Table 5-7 - Projected Net Increase in Tonnage for Each Waste Stream between 2022 and 2042

Waste Stream	2022 (Tonnes)	2042 (Tonnes)	Net Increase (Tonnes)
General waste	327,555	335,492	7,937
Recycling	30,732	34,271	3,539
FOGO	28,233	33,520	5,287

Collectively, over the 20-year planning horizon, it is projected that NetWaste member Councils will need to manage an additional 2% residual waste, 12% of recycling and 19% of FOGO. Member

Councils currently provide their own landfill<sup>16</sup>, but additional capacity for processing kerbside recycling and FOGO will be required, particularly within the Zone 1 area, which has a predicted 13% population growth over the next 20 years. Whilst Zones 2 and 3 have projected nett population stagnation or decline over this period, whilst FOGO generation and hence collection/processing will increase due to the 2030 mandate.

### 5.4 Regional Contracts

NetWaste facilitates regional contracts that help both reduce costs and increase accessibility for remote areas for resource recovery. By undertaking regional procurement NetWaste can implement and replicate recycling and diversion measure to replicate services found in metropolitan centres.

Currently, member Councils can opt to participate in the following regional waste collection and processing contracts delivered by NetWaste:

- Domestic kerbside collection and processing;
- Scrap metal collection;
- Used motor oil collection;
- Processing of recycling;
- Processing of garden organics, wood, and timber; and
- Environmental monitoring of licensed landfills.

Details of these regional contracts are summarised below with details provided within **Appendix C**.

**Table 5-8 – Details of Participation within Regional Contracts**

<b>Initiative/Project</b>	<b>Description</b>	<b>Participating Member Councils<sup>17</sup></b>
Regional Waste Collection and Processing Contracts	Processing of Garden Organics and Wood and Timber Contract	17
	Central Regional Domestic Waste and Recycling Contract	9
	Dubbo – Narromine Joint Recycling Contract	2
	Collection of Scrap Metal (ancillary E-Waste Collection)	19 (11)
	Collection of Used Motor Oil	24
	Collection and Recycling of Tyres	15
	Collection and Recycling of Mattresses	11
	Household Chemical Cleanout	17 <sup>18</sup>

<sup>16</sup> During the strategy consultation process member Councils stated their preference to self-manage waste disposal but showed an interest in a regional approach to managing disaster waste

<sup>17</sup> As of November 2022

<sup>18</sup> 2022

	CRC Servicing	14
	Regional Environmental Monitoring of Licensed Landfills	8

The most significant contract, the 10-year Regional Domestic Waste and Recycling Contract, expires April 2026, and work on the next contract period is required to commence within the Strategy’s delivery period. Other contracts are more reiterative in nature and for various shorter term periods but demonstrate the extensive involvement by member Councils within a wide range of joint services contracting.

### 5.5 Regional Initiatives

In addition, NetWaste has also been successful in attracting a range of grants which provided opportunities to implement additional regional or sub-regional waste and resource recovery related projects.

Projects undertaken by NetWaste have involved a variety of stakeholders and collaborators and have resulted in significant waste and resource capacity, improvements, and performance within the region. They vary in nature and reach significantly, depending on the targeted issue and participating member Councils.

**Table 5-9** details current contracts managed/delivered by NetWaste and the number of participating member Councils.

**Table 5-9 - NetWaste Regional Initiatives**

Initiative/Project	Description	Participating Member Councils
Illegal Dumping program including asbestos management and education plan	Funding for illegal dumping clean-ups	Bourke, Lachlan, Walgett, Cabonne, Central Darling, Narromine, and Brewarrina
	Set up of surveillance cameras and drone filming to identify illegal dumping	
Regional WAP project	All Councils involved in providing data, with the report submitted to all Councils	All member Councils
Local Government Organics Collection	Collection contract for FOGO, with a 10-year term	Bathurst, Forbes, Parkes, Dubbo, Orangs, Mid-Western and Narromine
Organics infrastructure funding	NSW Government Organics Infrastructure (Large and Small) Program – for FOGO processing	Broken Hill, Dubbo
Landfill Consolidation and Environmental Improvements Program		Bathurst, Blayney, Dubbo, Forbes, Lithgow, Narromine, Oberon Council and Parkes
Litter		New Litter Policy released from the EPA – Regional

		Asbestos Investigation Project
Communication and Education Campaigns	Litter campaigns	Bathurst, – ‘Hey Tosser’ Brewarrina - anti-litter educational and enforcement program using ‘Hey Tosser’ signage and advertising. Dubbo City Council – ‘Bin Your Butts and Bat for the Macquarie River’ Lithgow City Council – Lithgow Litter Prevention Program, targeting cigarette butt litter and general litter at roadside stops. NetWaste – Roadside litter, ‘Cover Your Load’, aiming to reduce litter from uncovered loads.
	Love Food Hate Waste	Bathurst, Blayney, and Orange
Waste2Art	A community art exhibition and competition aimed at educating, informing, and challenging the way society looks at waste	11 Councils conducted localised Waste to Art exhibitions, with the Regional Exhibition held at Lithgow City Council
Put Your Food in Too Pledge	Online initiative aimed at increasing uptake in the FOGO program	Available to all 25 members
Workshops or training organized by NetWaste	FOGO workshops offered by the EPA	Available to all 25 members

NetWaste’s broader achievements include involvement and support for its member Councils within a wide range of support programs and initiatives from landfill consolidation programs to organics collection/processing improvements and important community waste awareness and education programs.

## 5.6 Previous Achievements

The following provides a high-level overview of key NetWaste achievements under its former *Regional Waste Strategy* (2017 – 2021).

### 5.6.1 Engagement

NetWaste has audited their engagement in regard to education and have employed a social media company to manage their Facebook page, which has seen a 4,000% increase in overall social media

activity. COVID-19 unfortunately brought a large amount of engagement to a halt. NetWaste has employed a dedicated Environmental Learning Advisor who will look to reinvigorate education and stakeholder engagement activities for NetWaste.

In addition to education, NetWaste provides a collaborative platform in which participating member Councils meet four times a year and attend a Regional Waste Forum.

### 5.6.2 Waste Operations, Infrastructure and Services

NetWaste provides advice on landfill operations and contacts in relation to plant, equipment, and consultancy services. They also facilitate training and disseminate EPA training information and workshops through to Council Officers and contacts. In addition, NetWaste also looks for opportunities with waste infrastructure, such as signage and hardware, to encourage further resource recovery and source separation at landfill sites.

### 5.6.3 Problem Wastes

NetWaste does extensive work related to managing problem wastes, running the annual Household Chemical Clean Out, whereby residents are encouraged to drop off small amounts of household chemicals generally found around the home which are difficult to dispose of. Poisons, chemicals, toxics, acids, and alkalis as well as paint and gas bottles are all welcome as part of the free service

NetWaste also promote the Network of up to 14 Community Recycling Centres (CRCs) sites across the Central West, with advertising and promotion through TV and online.

### 5.6.4 Resource Recovery

NetWaste conducts separate meetings in regard to contract management of kerbside recycling and waste services offered to 9 Councils. Performance of kerbside recycling and resource recovery is discussed, as well as service requirements and education, in order to improve diversion rates.

The Joint Recycling Committee meets four times a year and discuss the performance of the service provider and services provided. NetWaste also look at holistic ways into collecting more recyclable material and networking services into rural and remote Councils.

### 5.6.5 Litter and Illegal Dumping

NetWaste actively promotes NSW State litter campaigns focused on litter education such as “Don’t be a Tosser”, Clean up Australia Day, and “Bin your Butts” and support the EPA’s Local Litter Check program, which is focused on data collection, with pre and post litter surveys conducted after infrastructure and signage installation at litter hot spots. NetWaste has also assisted in asbestos clean ups in the Walgett Shire.

## 5.7 Regional Issues and Challenges

Herein, *Challenges* are considered to be those that member Councils have the ability to directly influence and change the outcome of, whilst *Issues* are considered to be those that impact member Councils which they do not have the ability to directly influence or change the outcome of.

During the preparation of this Strategy, member Councils were engaged and consulted to understand their issues and challenges they are facing, described below.

### 5.7.1 Issues

#### *Isolation*

Moving east to west, the availability of local waste processing facilities becomes more limited. Distances to transport materials for processing or to reach end-markets becomes greater, and with this greater distance, more expensive. At the same time, the more western Councils have lower populations and an associated lower rate-based income.

In addition to the higher costs to provide waste services, the remoteness of some of NetWaste's Member Councils to urban and regional centres means they face a number of additional different waste management issues, including:

- Lower waste budgets - the lack of budget means that many Member Councils, particularly those in sub-regional Zone 3, provide only general waste collection, no recycling or FOGO;
- Tremendous regional variation in service delivery – in part due to both a lack of local waste processing options and long, and therefore expensive, road haulage to markets, and to the lack of budget to provide additional waste services. For example, some western Councils only have kerbside waste, no recycling or FOGO;
- Reduced economies of scale – given the vast distance between them, many communities are not able to pool their resources to realise efficiencies to collect, process and dispose of waste;
- Expectations for waste services to the community - isolated Councils have significant flux of professionals - such as police and teachers - often with city-based expectations of kerbside waste services. When Councils are not able to provide these services, frustration can result;
- Lack of waste management services and facilities – some western Councils may provide a self-haul GO service at the local landfill, but have no means to process it onsite due to lack of shredder contractors to site, posing a fire risk. The material is usually left to degrade naturally and then used on-site for ground cover to support growth of vegetation and slow water movement down from heavy rain events. Another example is the lack of return and earn vending machines rolled out under the CDS;
- Diminishing interest by service providers – outside of metropolitan and larger regional areas, the number of waste management service providers for collection and processing is much lower. This can have the effect of creating monopolies, which ultimately impacts the price as there is effectively no competition during the procurement process; and
- Staffing levels - the more western Councils also tend to have minimal levels of staffing, with staff responsible for multiple areas, not just waste.

#### *Varying size of Councils*

With varying sizes of LGA's comes varying responsibilities of Waste Officers throughout the NetWaste region, with many having multiple responsibilities in addition to waste, which translates into less time available to dedicate to waste management duties, and hence less experience gained and opportunities for professionalism development specific to waste.

The large difference in the size of Member Councils means smaller populations are serviced by the vast majority of Members, which directly impacts that rate-based income that these Councils have available to undertake operational and capital improvement works for waste management.



### *Recent and Emerging Waste Policy*

There are a number of policy and legislative initiatives which significantly impact the management of waste within the region. Briefly, these include:

**Climate Change Policy:** In February 2023 the Policy and Action Plan were finalised. The Policy and its Action Plan 2023-2026<sup>19</sup> are intended to support the existing framework, strategies, and policies for NSW to reach its target of a 50% reduction in greenhouse gas emissions (GHG emissions) by 2030 and net zero emissions by 2050. If fully adopted, member Councils with Environment Protection Licences (EPLs) will be subject to additional requirements to support Policy, including survey participation, the preparation and implementation of climate change mitigation and adaptation plans (CCMAPs) and the updating of pollution incident response management plans to specifically consider climate-related risks. CCMAPs will require the licence holders to demonstrate that they have considered how they can minimise their greenhouse gas emissions and exposure to climate risk. Mitigation measures are those actions taken to reduce and curb greenhouse gas emissions, while adaptation measures are based on reducing vulnerability to the effects of climate change. The impact of these and compliance required are only starting to be understood<sup>20</sup>.

There is also a shift towards the Circular Economy and an emphasis on removing organics from the general waste stream and harnessing the opportunities that this presents in terms of creating renewable energy and improving resource recovery.

Despite this, more “pull through” policy and market mechanisms (that is, real product value) is required rather than “push through (that is, policy unsupported by commercial value). The legislative space will continue to evolve over the coming years, with Councils being at the forefront of these changes. Staying abreast of the changes and the resulting requirements and implications is paramount for Member Councils.

**PFAS Policy:** per- and poly-fluoroalkyl substances are manufactured chemicals used in products that resist heat, oil, stains, and water. Now a world-wide issue, particularly as lower levels of detection are possible, PFAS environmental contamination and risks to human health are quickly impacting eligible materials criteria for FOGO composting in NSW. For example, cardboard packaging such as pizza boxes, wrappers, bags, and bowls now cannot be processed with organics. This has significant impact on the fate of food-contaminated cardboard packaging which was previously processed with organics when too “dirty” to be recycled, pushing all to disposal unless more innovative solutions are not found. Major supermarkets preparing to move away from plastic to paper packaging have put these initiatives on hold, contributing more waste to landfill.

The current NetWaste regional position on PFAS is that Councils participating in organics kerbside collection are to conduct their collections as normal with no reference to compostable fibrous material as an input (other than compostable liners if applicable).

The messaging from the EPA centres around the clear use of the acronyms such as FO (food organics) GO (Garden Organics) and FOGO (Food & Garden Organics). The EPA has informed all voluntary regional waste groups (VRWGs) that their contracted processor takes the risk in regard to the inputs.

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<sup>19</sup> The three key pillars of the Policy are Inform and Plan (by the NSW EPA), Mitigate greenhouse gas emissions, and Adapt to build resilience to a changing climate

<sup>20</sup> The NSW EPA are yet to prepare a guideline for preparing CCMAPs

Councils are therefore to reinforce messaging in their chosen collection service as food and or garden organics only – no paper or paper products.

**Rate-Based Pricing Policy:** The Independent Pricing and Regulatory Tribunal, NSW (IPART) decides each year whether or not to set a maximum percentage ('waste peg') by which NSW councils can increase their domestic waste management (DWMC) annual charges.

For the foreseeable future IPART adopted the NSW Office of Local Government (OLG) approach to regulating DWMC through it providing further guidance ("pricing principles") to LG and investigating those possibly imposing unjustifiably high charges on their communities, although increases in general rates charges for LG across NSW are now variously limited in consideration of their population growth.

This provides relief to LG who were very much not in favour of rate peg being applied specifically to the DWMC component of rate charges, which could have significantly impacted waste service delivery.

**Emergency Waste Management Plans:** Emergency Waste Management Plans (EWMP) outline key roles and responsibilities, communication processes, key actions and decision points, guidance on specific temporary arrangements, scalable response processes, and data collection and reporting with relation to waste generated by disasters. They may also be supported by a more strategic plan which assesses risks and builds resilience to these events.

From July 1, 2023, the Australian Government's Disaster Ready Fund will take over as the primary fund, providing \$1Bn over five years.

#### ***Emergence of Monopolies***

A growing monopoly of operational services, particularly for processing co-mingled kerbside recycling collections exists in NSW. This proved itself to be a significant issue once the effects of China's *National Sword* policy were felt in Australia.

#### ***Greater Sydney Waste Trends***

It is reported that greater Sydney will require additional putrescible landfill capacity in excess of 500,000 tpa by 2030 and that its putrescible landfills are likely to reach capacity within the next 15 years<sup>21</sup>. Whilst EfW and additional recycling are being proposed, NetWaste member Councils are aware they may be approached to provide additional and significant waste disposal capacity within the next 20 years.

#### ***Government Engagement with out-of-metro Councils***

Development of any new government policy requires extensive and meaningful consultation with all stakeholders, to ensure different experiences and perspectives are considered and incorporated in new policies. It also requires adequate funding to support implementation and deliver change. Mechanisms need to be put in place that incentivise businesses to establish outside of the most populous urban centres, supporting local government in their advancement of their waste management goals and services.

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<sup>21</sup> WaSMS 2041

Anecdotally, many regional and rural Councils describe themselves as “end of pipe” waste managers; effectively having to manage a widening array of waste types within what is still a highly disposable economy. NetWaste believes it is in an ideal position to support real change in waste management, but requires more consultation and interaction and effective partnerships with government to deliver real change.

### ***Policy Immaturity***

With the implementation of any new policy comes a lag in the supports required to effect meaningful change. This is particularly relevant with regards the recent shift in the waste sphere, with expanded waste management and climate change responsibilities falling to Councils without the necessary funding and/or infrastructure and staff resources in place to implement initiatives.

All levels of government procurement, from local to national, need to implement support sustainable mechanisms that encourage innovation, drive increased recovery of more materials and close the loop on current waste systems and practices. This, over time, will see the gradual shift to a circular economy.

## **5.7.2 Challenges**

### ***Funding for NetWaste***

Councils believe that they and voluntary regional waste groups are being asked to do more with less resources within the waste management space. NetWaste advises the bulk of its financial and human resources are focused on contract development, tendering and administration, and waste awareness and education. These activities are extremely important and valuable to NetWaste Member Councils, however there is little time available for strategic planning and on the ground support to Councils. Despite this, member Councils feel their need for support will grow over time with ever increasing compliance requirements, particularly those related to climate change.

### ***Increasing Cost of Providing Resource Recovery Services***

The commercial value of some materials diverted from landfill, particularly recyclables, is decreasing. Currently, glass is an example of this – processors are getting very little return, with the material essentially worthless from a monetary perspective at this point in time. It is also very heavy, therefore very expensive to collect. The lower value of recyclable materials collected by Councils is leading to less revenue being generated, with the difference being borne by rate-supported budgets. The general failure by local government generally to negotiate a shared return from the CDS and the impact of China’s National Sword policy have similarly affected the nett cost to local government of providing a kerbside recycling service.

In addition, the delivery of FOGO services across the state in response to the NSW government’s mandate for domestic populations to be serviced by 2030 is adding further cost to local government.

### ***Natural Disasters and Emergencies***

Natural disasters such as storms, floods and bushfires are occurring with increasing frequency and intensity and the prediction is that this pattern will continue in the future. Multiple jurisdictions are involved in responses to these events, with Councils playing an important role in both the initial emergency response and clean-up and recovery effort.

Communities impacted by a natural disaster can see significant amounts of material sent to landfill as part of the recovery. In some cases, the landfill or access to the facility may also be impacted. Regular waste collection services may be impacted, with processing facilities or transport routes also being affected.

It is important to have a management plan in place in response to natural disasters that outlines waste management roles and responsibilities for key organizations and how waste will be managed. It is also critical that mitigation plans are in place in cases where the landfill or transfer station sites are not accessible.

The global COVID-19 pandemic saw a fundamental shift in the lives of people all around the world. People were and continue to work from home on mass, mask wearing became the norm in many instances and the use of single use PPE and other items skyrocketed. In addition, buy, swap and sell opportunities all but disappeared. All of these had an impact on where waste was being generated, the type of waste and amount of it. It remains to be seen how this trend will evolve as communities become more used to living with the virus and things such as mask mandates and work from home orders become a thing of the past.

CNSWJO<sup>22</sup> recently reported that they and seven other JOs recently received funding from the NSW Reconstruction Authority under the Disaster Risk Reduction Fund, and that part of this work will be looking at disaster waste management.

### **Clean Energy development**

As regional areas are developed, the potential for short and long-term waste disposal increases. Some Member Councils are facing a new issue with emerging waste streams that are associated with large, regional infrastructure projects, for example, those that are within the state's Renewable Energy Zones (REZ). One of the five REZs earmarked for NSW is the Central-West Orana REZ, which is located in the NetWaste region around Dubbo. This significant undertaking will see the construction of renewable energy generation and transmission infrastructure, such as solar and wind farms. It is anticipated that by the mid-2020's the REZ will provide enough power to run 1.4 million homes and at its peak, will support approximately 3,900 construction jobs in the region.

Surrounding Councils have expressed concern around managing not only the waste generated as a result of the construction activities within the REZ, but also the longer-term disposal requirements associated with solar panels, batteries and wind turbines that have reached the end of their useful life. Disposal of these components will have a significant impact on the lifespan of local landfills.

In addition to REZs, some regional areas are also locations for state significant development projects, such as the Inland Rail project - a freight rail line connecting Melbourne and Brisbane.

From a waste perspective, regional Clean Energy including solar and wind development<sup>23</sup> are impacting member Councils in a number of ways<sup>24</sup>, including –

- Perversely, the very Councils isolated most by distance or limited by resources are the ones facing greatest pressure to manage waste from these developments;

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<sup>22</sup> March 2023

<sup>23</sup> Going circular in clean energy – Issues Paper, January 2023, NSW State Government

<sup>24</sup> Excluding development within the Parkes Special Activated Precinct (SAP)

- A significant portion of hardware is manufactured in China, and Australia, let alone LG, has no control over the readiness of hardware for reuse within a local circular economy;
- It is generally cheaper to replace damaged hardware than fix it, generating more waste;
- Little consideration to waste generation during construction of the clean energy development, and to local management of damaged, broken or end-of life hardware is reported by member Councils with clean energy developments within their LGAs;
- Waste from clean energy technologies is growing e.g., Australia's battery waste is growing at 20% per annum;
- Collection services are limited in Australia due to geography, size of recycling market etc. Problems also with storage especially batteries and lack of separation and sorting for end of use products e.g., solar panels and batteries;
- Rapid innovation of clean energy technologies works against recycling. Technology is constantly evolving to be cheaper and more efficient but this means there's caution in capital investment for recycling as products change and challenges arise in harvesting valuable materials; and
- Australia lags behind Europe and US in recycling and reuse of some of these products; industry reports the problem will likely be exacerbated given the relatively short useful asset life of wind turbine blades and batteries, and take-up of rooftop solar, pushing much to landfill.

In addition to new track, upgrades to existing rail lines will be undertaken in the NetWaste region. Construction works, as well as the provision of temporary accommodation for workers will contribute to increased waste disposal requirements in the short-term.

Building booms in regional areas for affordable housing are also another significant source of materials requiring disposal. Often, these materials are not source separated prior to being landfilled as its generally not cost effective to do so, consuming valuable landfill capacity.

## 6 Where do we want to get to?

In consideration Sections 4. *Current Strategic Direction* and 5. *Where are we now*, and in context of Section 3. *Drivers for Change* and input/feedback from member Councils during the engagement process, a strategic vision and objectives for the Strategy were proposed to guide NetWaste to where its desired strategic position.

### 6.1 Strategic Vision

*To maximise beneficial outcomes for member Councils through a collaborative, innovative and adaptive approach to waste management.*

### 6.2 Strategic Objectives

Strategic Objectives proposed for the Strategy are as follows:

- Reduce generation of regional waste;
- Increase regional resource recovery;
- Investigate and deliver innovative management solutions for problem wastes;
- Support Climate Change policy;
- Support development of regional waste management infrastructure requirements;
- Limit the impact of waste management on the natural and built environment;
- Support member Councils deliver waste management services in line with their community's changing needs and expectations;
- Support member Councils deliver sustainable procurement outcomes;
- Facilitate regional collaboration for improved waste management planning and investment; and
- Investigate and support innovative circular economy mechanisms and solutions.

## 7 How are we going to get there?

### 7.1 Action Areas

Four, broad Action Areas were developed to deliver the strategic Objectives. Within each, a number of Strategic Initiatives with more detailed individual Actions are described within the supporting Action Plan. These Areas and their included Initiatives and Actions address Drivers for Change introduced within Section 3.

These Action Areas are:

- Avoid and Reduce Regional Waste;
- Increase Regional Resource Recovery;
- Support Sustainable Regional Waste Operations; and
- Increase Regional Resilience.

A short description of these Areas and some examples of their critical Strategic Initiatives are presented below.

#### **Avoid and Reduce Regional Waste:**

This Area concentrates on reducing delivery of materials as waste from the broader residential and business community by minimising its initial generation.

In 2018-19, Australian households generated 12.4 million tonnes of waste – a 5% increase since 2016-17 – representing 16% of the total waste generated. Households continue to generate the highest proportion of plastic and organic waste, with over half of household waste being food and garden organics. They are also responsible for generating 47% of all plastics, 72% of all glass and nearly 90% of all textiles<sup>25</sup>. In New South Wales, the total waste generated per capita has risen over the past number of years from 2.43 tonnes (2015–16) to 2.65 tonnes (2020–21)<sup>26</sup>.

Avoiding the creation of waste and reducing the amount of waste produced is at the top/the highest priority in the waste management hierarchy. It also strongly supports development of a Circular Economy as a guiding principle. Central to reducing the amount of waste generated is shifting everyday behaviours through actions such as:

- Selecting items with no or minimal packaging;
- Avoiding disposable goods or single-use items;
- Buying products that are re-usable, repairable, refillable, recycled or recyclable; and
- Using leftover food rather than throwing it away.

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<sup>25</sup> Australian Bureau of Statistics, Waste Account, Australia, Experimental Estimates for the 2018-19 financial year, Waste Account, Australia, Experimental Estimates, 2018-19 financial year | Australian Bureau of Statistics (abs.gov.au)

<sup>26</sup> NSW Environment Protection Authority, waste performance data, Waste performance data (nsw.gov.au)

Local Government can be more involved in supporting community initiatives to minimise materials being shared and/or redistributed within communities, whilst education programs can be effective in making the community more aware of the impact of their purchasing decisions.

#### **Increase Regional Resource Recovery:**

Resource recovery retains resources within the productive economy and sits mid-level Recycle and Recover components of the Waste Hierarchy. It also supports development of a Circular Economy and Net Zero Emissions guiding principles. Resources may be recovered by sorting mixed waste and/or reuse/reprocessing clean, sorted waste.

Recovering resources from waste not only reduces landfill disposal but also reduces raw material requirements for products that would otherwise rely on virgin materials as an input. In this way, the loop is closed, supporting a circular economy.

Materials found in MSW for recovery include plastics, cardboard/paper, aluminium, glass, metal and food and garden organics, whilst reuse of materials from processes such as deconstruction of mattresses also support recovery.

China's "National Sword" policy has impacted the global market for recyclable material, including the recyclable material that is currently collected in NSW. It has forced governments and industry to rethink how recyclables are managed. This has resulted in a necessary shift to onshore resource recovery, which has posed several challenges, including the overall lack of processing capacity, leading to the stockpiling of material, a decline in the value of recycled materials and limited local demand for these materials. Compounding these challenges are the rising processing costs, which are borne directly by Councils and their ratepayers.

NetWaste's new Strategy will consider how the region can contribute to an average recovery rate of 80% for all streams by 2030 and continue to reduce organic waste sent to landfill by 50%.

#### **Support Sustainable Regional Waste Operations:**

This Area encompasses initiatives dealing with regional and joint procurement, effective and sustainable waste services, regulatory compliance, support for climate change and resilience initiatives, infrastructure planning and technology assessments. In part it includes the base point of the Waste Hierarchy, waste disposal, also supporting Net Zero Emissions and Sustainable Procurement guiding principles.

*Joint Procurement* - The NSW EPA have just launched a \$16m service for councils to join together for procurement of waste services. It includes a dedicated EPA team to provide support to councils wanting to gain benefit from collaboration, including access to funding, market data and analysis, and an online library of guidance material ([www.epa.nsw.gov.au/your-environment/waste/local-council-operations/joint-procurement-facilitation-service](http://www.epa.nsw.gov.au/your-environment/waste/local-council-operations/joint-procurement-facilitation-service)).

*Effective and Sustainable Waste Services* - A core function of Councils is the delivery of effective and sustainable waste services to residents. Waste services need to protect human health and the environment. Councils are faced with ever increasing costs to run these services, impacted by a number of variables, including declining revenue from the sale of recyclables, ever-increasing waste management responsibilities due to legislative requirements and higher community expectations for a comprehensive suite of waste services. At the same time, some communities are experiencing



negative growth, meaning the rate base is contracting, placing more pressure on finances. Services provided also need to be financially sustainable.

*Climate Change* - the NSW Department of Planning, Industry and Environment stated "In FY2019, an estimated 2.5 million tonnes of organic waste (such as food organics, garden organics, timber, and textiles) was sent to landfill. Emissions from organic waste decomposing in landfill make up more than 2% of total net annual emissions in NSW. Increased diversion of organics from landfill and processing technologies like composting and anaerobic digestion, a process that can produce renewable energy, are an important first step towards reducing emissions from waste."<sup>27</sup> To support this, Government has committed to:

- Net zero emissions from organic waste by 2030, as laid out in the NSW Net Zero Plan Stage 1: 2020–2030; and
- Develop a new measure of the emissions performance of our waste and materials management which track performance across the lifecycle of materials.

Compliance with climate change action and resilience requirements such as CCMAPs for holders of EPLs are another example.

*Household Problem Wastes* - Household problem wastes are potentially harmful household products such as cleaning products, paints, pesticides, herbicides, pool chemicals and solvents. They also include items such as gas bottles, fire extinguishers, paints, fluorescent lights, smoke detectors, motor and other oils, as well as car and household batteries. These materials require special treatment and processing to ensure the safety of humans and to protect the environment.

The NSW Government currently runs two collection services for the disposal of problem wastes from households:

- Chemical CleanOut events – are hosted in communities and allow householders to drop off up to a maximum of 20 litres or 20 kilograms of a single item. Business-related and commercial quantities of chemicals are not accepted at events. Events in regional NSW are organised by voluntary regional waste groups; and
- Community Recycling Centres - are permanent drop-off centres that allow householders to drop off problem wastes at these centres year-round, free of charge.

Expired or unwanted medication can be returned to local pharmacies for free and safe disposal. There are currently 14 CRC's in the NetWaste region. Given that not all Councils in the NetWaste region have a CRC, the safe and proper disposal of problem wastes can pose a real challenge for householders and Councils.

#### **Increase Regional Resilience:**

This final Area supports and develops the central core of NetWaste. It includes its commitment to advocate and improve the operating environment for its member Councils, to foster and facilitate collaboration, knowledge sharing and regional procurement, regional planning for management of emergency (disaster) waste and increasing regional resilience to climate change risk, and support for

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<sup>27</sup> Department of Planning, Industry and Environment NSW Waste and Sustainable Materials Strategy 2041 Stage 1: 2021-2027

development of a regional circular economy. It supports regional waste awareness and education initiatives delivered separately by NetWaste's Education Plan.

Joint Organisations within the NetWaste region may already have advocacy plans and policy in place which may be useful to collaborate on. It is more likely these will exist within previously mentioned over-lapping or areas of joint interest, such as climate change, emissions reduction and circular economy. In the future, EfW may similarly require a more regional approach beyond that of the current Parkes SAP.

*Natural Disasters* - Natural disasters such as storms, floods and bushfires are occurring with increasing frequency and intensity and the prediction is that this pattern will continue in the future. Multiple jurisdictions are involved in responses to these events, with Councils playing an important role in both the initial emergency response and clean up/recovery effort. In some cases, the landfill or access to the facility may also be impacted. It is important to have a management plan in place that outlines waste management roles and responsibilities for key organizations and how waste will be managed. It is also critical that mitigation plans are in place in cases where the landfill or transfer station sites are not accessible.

*Advocacy* - A coordinated approach and united voice to advocate on waste management issues impacting member Councils is becoming increasingly important, and advocacy and strengthening of the cooperation and interaction with national, state and regional (JO) government is core to NetWaste's new Strategy.

## 7.2 Strategy Delivery

### 7.2.1 Strategy Action Plan

The Strategy will be delivered by the Strategy Action Plan. This Plan is aligned with the WaSMS Themes, WaSMS Priority Areas, and the Strategic Objectives developed, and outlines the Strategic Initiatives and more detailed Actions required to deliver positive change. A copy may be found within **Appendix D**.

The Plan has intentionally been designed to be flexible and adaptable, with NetWaste and member Councils easily able to pivot and adapt the Plan to respond to unforeseen policy changes or external factors, pressures etc.

Whilst the developed Strategy focuses on an initial five-year period, the Action Plan extrapolates the strategic intent over a longer 20-year period in line with WaSMS 2041. This approach is delivered by a High, Medium, or Low priority rating for each Initiative, providing both guidance for completion within the first 5-year/Strategy period (High) and in-built flexibility to undertake more or different Initiatives (Medium and Low) in response to external factors/pressures and/or increased internal resourcing.

The Plan will be utilised by the NetWaste Steering Committee during their scheduled quarterly meetings to track progress on the actions and make proactive management decisions. It will be reviewed on an annual basis to ensure the document remains aligned with any major policy or regulatory changes.

Within each review period delivery of each Action being delivered will be assessed against state targets and stated Measurements of Success. The latter may be updated at any time by NetWaste.

An annual anniversary review by the Steering Committee in May each year will determine if both the Strategy and its Action Plan require updating in consideration of new regional initiatives afoot and/or prevailing waste industry conditions. Depending on resources available, NetWaste may also elect at this point to take on additional/replacement Actions from the “Medium” or “Low” priority groupings.

### 7.2.2 Strategy Delivery Partners

Strategy delivery will rely on building relationships and partnerships within a regional collaborative approach. It is considered this will be essential to deliver larger, more complex Actions such as supporting growth of a regional circular economy and advanced resource recovery within a sub-regional hub concept.

Partnerships may include resource sharing with member Councils and/or regional organisations of Councils such as JOs and RENEW. Resources shared could include financial contributions, industry knowledge and experience, new technology status and human resources. For example, the region’s wider delivery of the mandated kerbside FOGO service could benefit from community waste awareness and education resources to support this initiative from the NSW EPA, fellow RENEW voluntary waste groups, or possibly regional JOs.

NetWaste may also wish to share its regional data/information with potential industry partners from WAPs updated annually. Summary waste data and information regarding current management practices may take the form of a “prospectus” for regional investment.

Local Government NSW (LGNSW) plays a significant role in administering resources for voluntary waste groups such as NetWaste, including financial support for delivery of regional strategies and procurement of regional services.

### 7.2.3 Strategy Resourcing

In delivering each Action it is assumed NetWaste will firstly review financial and human resources available over the considered delivery timeframe, in particular calculating additional resources required to deliver that Action.

NetWaste is currently reviewing its baseline funding and resourcing to deliver the new Strategy, and is fully supported by Action 4.1.1 as a “high” priority.

### 7.2.4 Sub-Regional Zones

NetWaste intends to increase its communication and participation with member Councils, planning quarterly meetings within each sub-regional zone. During these quarterly meetings NetWaste and member Councils will agree on delivery of Actions from the Plan, thereby hopefully increasing member Council appetite to participate and deliver positive change.

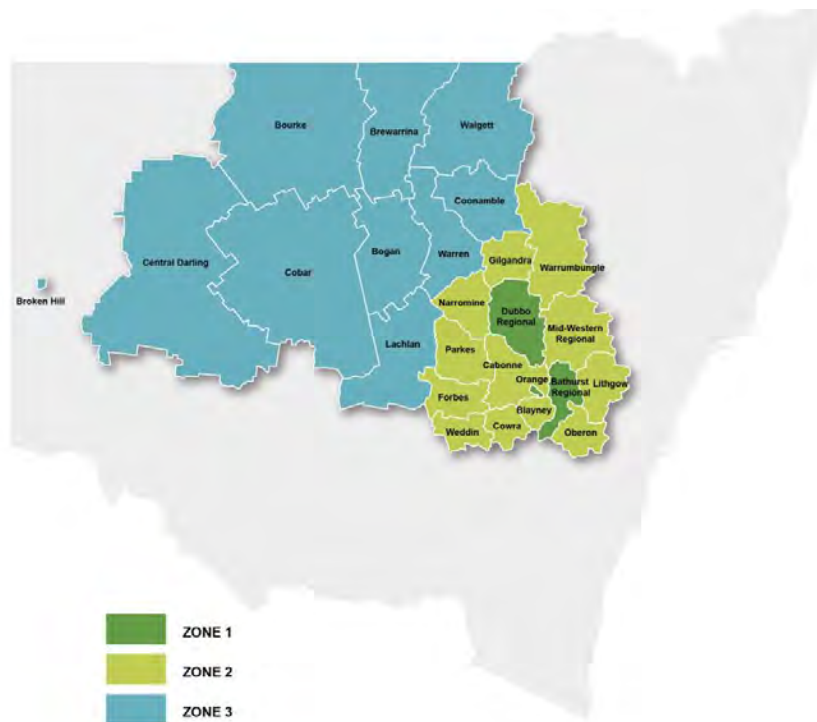
The benefits of this approach are considered to include:

- Assistance with fair apportionment of funding and human resources;
- Encouragement for mini “working parties” to deliver projects within smaller areas;
- A more targeted delivery of projects in line with member Councils’ own strategic direction;
- Greater opportunity for further collaboration between member Councils’;

- Provision of opportunity for member Councils to participate more – more so for those who at times feel isolated by the relevance of broader, regional projects; and
- Opportunity for alignment of training/initiation for project delivery.

The sub-regional zones are described below, and supported by a regional map illustrating this geographic division within **Figure 7-1**

- Zone 1 South-East - is comprised of the 3 Councils with the largest populations - Dubbo Regional Council, Orange City Council and Bathurst Regional Council.
- Zone 2 Central - is comprised of 12 Councils – Blayney, Cabonne, Cowra, Forbes, Gilgandra, Lithgow, Mid-Western, Narromine, Oberon, Parkes, Warrumbungle and Weddin LGAs.
- Zone 3 North-West – is comprised of 10 Councils – Bourke, Brewarrina, Bogan, Broken Hill, Central Darling, Cobar, Coonamble, Lachlan, Walgett, and Warren LGAs.



**Figure 7-1 - Sub-regional Zones of the NetWaste Region**

# **APPENDIX A**

## Stakeholder Engagement

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## Information Provided by NetWaste

NetWaste provided a number of strategic and planning documents to support development of the new Strategy. These documents supported the development of the Strategy's strategic direction, providing additional regional context for the initial Request for Information from member Councils.

## Request for Information (RFI)

A Request for Information (RFI) was issued to member Councils on September 28, 2022, requesting the following information related to current waste management and recycling practices across the region:

### STRATEGIC

- Current Waste Strategy, Plans, and Waste Policies;
- Waste data:
  - EPA WARR Survey Return FY 2021-22;
  - EPA Annual Waste Report for each site operated/managed by Council FT 2021-22; and
  - Kerbside and/or self-haul waste audit data (excluding those provided under contract through NetWaste).

### WASTE CONTRACTS

- Details of current kerbside collection services and contracts (excluding those provided under contract through NetWaste) AND/OR Details of kerbside collection services provided in-house by Council;
- Joint commercial undertakings afoot between or amongst member Councils;
- Kerbside FOGO service delivery position (if service not already being delivered); and
- Details of waste sites, making clear if owned/managed by Council or if utilised under contract by Council.

### WASTE PROCESSING

- Details of waste processing/management infrastructure and location (such as LFs, TSs, MRFs, ORFs etc.) owned/managed by Council and/or under contract to it to manage waste received and collected – please nominate ownership and unused capacity (tonnes per annum);
- Remaining useful asset life of landfills owned/managed by Council;
- Plans to consolidate landfills and/or improve their environmental performance; and
- Specific problem and/or hazardous wastes managed by Council.

Just over half of the member Councils provided a response to the RFI. For those which responded key findings were:

- Most Councils have a strategy or plan in place to guide the management of waste;
- Almost all provided information on current waste contracts and joint commercial undertakings afoot between or amongst member Councils;
- All advised on the status of kerbside FOGO service delivery position;
- All provided high level details of waste sites, identifying whether they are owned/managed by Council or if utilised under contract by Council;
- All provided high level details of waste processing/management infrastructure, for example, landfills, transfer stations and MRFs and whether they are owned/managed by Council and/or under contract to it to manage;
- All provided information on the remaining useful asset life of landfills owned/managed by Council; and
- Almost all provided details on any plans to consolidate landfills and/or improve their environmental performance.

In consultation with NetWaste, it was agreed to abandon use of the partial data set returned within the current RFI and instead use the complete, more robust data set from the 2021 WAPP within the Strategy's development. This data set contains responses from all member Councils, which was also reviewed and endorsed separately by each member Council for their own LGA.

### Online Strategy Development Workshops

Four strategy development workshops were held online with Waste Officers from member Councils. Workshops were voluntary and held between November 8 to 11, 2022, with participation from Officers from the three Waste Aggregation Profile Project (WAPP) sub-regional zones and NetWaste's Projects Coordinator.

The workshops were a chance for Officers to provide feedback on specific industry and regional issues, as well as put forward opinions how NetWaste as an organisation can best serve its members going forward.

Zone 1 South-East: comprises the 4 Councils with the largest populations - Dubbo Regional Council, Orange City Council, and Bathurst City Council.

Zone 2 Central: comprises 12 Councils – Blayney, Cabonne, Cowra, Forbes, Gilgandra, Lithgow, Mid-Western, Narromine, Oberon, Parkes, Warrumbungle and Weddin LGAs.

Zone 3 North-West: comprises 10 Councils – Bourke, Brewarrina, Bogan, Broken Hill, Central Darling, Cobar, Coonamble, Lachlan, Walgett, and Warren LGAs.

## Discussion Area Outcomes from Workshops

### STRATEGIC OUTLOOK - MEET INFRASTRUCTURE NEEDS

- Regional procurement for waste services:
  - Realize economies of scale;
  - Attract more market competition; and
  - Develop service contracts.
- Role of NetWaste moving forward:
  - Advocacy (for zone 1 Councils, lesser for zone 2, none for zone 3);
  - Assist in integrating climate change and other regulatory policies, plans, strategies etc;
  - Educational support;
  - Strategic support, as opposed to operational/project support (zone 3);
  - Exploring regional processing hubs;
  - Regional transport opportunities presented by new inland rail system;
  - Advocating and educational support for single use materials, specifically plastics and tied to the new ban;
  - Potential opportunity for planning and operational documentation e.g., landfill management plans; and
  - Developing local and regional solutions e.g., for glass recycling.
- Data Management:
  - Support for providing aggregated data (zone 1 only).
- Support for Council funding to support NetWaste activities – would need to determine an equitable funding formula.
- Adequate staff resourcing is a key issue for zone 3.

### RESOURCE RECOVERY/CIRCULAR ECONOMY - REDUCE CARBON EMISSIONS

- Recognize government policies, plans and strategies for climate change and the need to integrate these into Council plans, strategies etc. moving forward.
- Problematic waste:
  - Solar panels and wind turbines – during construction and at end of life; and
  - Mine waste didn't seem to be an issue.
- Circular economy initiatives need to be addressed wholistically across Councils, not by just one department/area.

### REGIONAL DEVELOPMENT

- Landfill capacity:
  - done on an individual Council basis; and
  - no support for regionalization of capacity – current or future.
- Regional projects:
  - Inland rail project;
  - Solar panel and wind farms – in all zones;
  - Parks Special Activation Precinct -
    - EFW
    - Plastics and e-waste recycling; and



- Building boom in regional areas for affordable housing.

## General Outcomes from Workshops

A general summary of feedback was:

- All identified specific problem and/or hazardous wastes managed by Council, with the top problem wastes being:
  - Asbestos;
  - Mattresses;
  - Animal carcasses; and
  - Solar panels and wind turbines were identified as emerging wastes that will need to be dealt with in the near future
- There was a recognition, given staff resourcing issues and increasing state government requirements around waste and climate change, that higher order strategic support is required. For example, integrating future climate change legislative requirements;
- The current regional procurement approach for waste services was seen as extremely valuable to all Councils;
- Planning for and implementing FOGO services poses real challenges for some Councils;
- Support for accessing grants and advocating for Councils on waste and climate change matters is required;
- On-going support for waste-related education is needed;
- Current threats identified include:
  - The declining value of recyclable materials impacting costs e.g., glass;
  - The rollout and expansion of the state-wide container deposit scheme has impacted the revenue generated for Councils;
  - On-going issues with finding markets for the sale of materials collected in the yellow bin;
  - Limited availability of service providers in the marketplace for waste collection and processing;
- Current opportunities identified include:
  - Exploring regional processing hubs;
  - Leveraging regional transport opportunities presented by the new inland rail system;
  - Development of current and future planning and operational documentation e.g., landfill management plans, waste management plans and future disaster waste management plans;

- Recognition of the importance that not one size fits all for Member Councils. There are considerable variations in rate bases, revenue streams and staffing levels between the different Councils;
- There was high-level support for Councils to contribute funds to support NetWaste;
- Integration of climate change considerations and circular economy principles is in its infancy across all Member Councils;
- Collection, analysis, and management of waste data is an on-going issue faced by all Member Councils;
- A local approach, whereby each Council is responsible for managing landfill capacity was seen as the most appropriate approach, as opposed to at the regional level;
- There are a couple of regionally significant projects – the inland rail project and the Parkes Special Activation Precinct – that will impact landfill disposal requirements and how waste is managed. Regional housing booms will also contribute to increased disposal requirements;
- No significant waste processing infrastructure was identified as coming online within the region in the near future;
- At least one regional energy zone is being developed in the region. This will impact future disposal requirements once the infrastructure is at the end of its useful life; and
- Both staff and financial resourcing is a key issue faced by members.

### Specific Suggestions from Workshops

During consultation, member Councils provided the following as potential Actions that would assist and improve waste and resource recovery services and infrastructure within the region. In particular, the following were raised:

- Improve regional waste infrastructure – including exploring regional processing hubs for recyclables and organics and regional transport opportunities presented by the new inland rail system;
- Improve management of problem wastes;
- Advocate for improved policy development, additional funding to support resource recovery initiatives and climate change requirements;
- Expand the mandate for regional voluntary waste groups to also include strategic planning support to Member Councils, including support for climate change;
- Improve financial and environmental sustainability for waste services;
- Support a regional circular economy – for example, developing local and regional solutions for glass recycling;
- Co-ordinate planning and management for regional disasters;
- Continue to deliver an effective community waste education program;
- Continued regional procurement for waste services – to realize economies of scale, attract increased market competition and to develop and administer service contracts;

- Look at alternative sources of funding to support NetWaste activities; and
- Regional waste disposal capacity study.

### Strategy Direction Workshops

In response to data and information received from member Councils, a review of current regional performance, and policy, strategy, and regulation underpinning the waste industry in NSW, a draft strategic direction was prepared and workshopped with member Councils and the NetWaste Steering Committee at the first workshop on 23<sup>rd</sup> November 2022 in Orange. It was conducted over a full morning's session, receiving input and feedback to a draft Vision, set of Strategic Objectives, and Action Areas.

Waste Officers were provided with a Waste Strategy Roadmap prior to the workshop, showing all strategy-development sourcing material available from which to consider the way forward.

The workshop commenced with a short PowerPoint presentation re-iterating the strategy development process and timelines for delivery of each component. The workshop then considered and discussed draft strategic material presented, before either agreeing on a final outcome or providing input for Talis to later consolidate and update.

Once these were discussed and amended by the group, some initial Actions and priorities were then formulated and recorded.

A final workshop was held in Orange on the 9<sup>th</sup> March 2023 for the Steering Committee and all member Councils. The workshop was also attended by the CNSWJO, who had earlier provided some written feedback as well. All member Councils were provided a final draft copy of the Strategy and Action Plan documents some days prior, which had previously been reviewed and updated by the Steering Committee.

Following the workshop both documents were updated and finalised in line with feedback discussed and agreed upon.

# **APPENDIX B**

## Policy Context

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## National Framework

The Commonwealth Government has limited constitutional powers to engage directly in domestic waste management issues. This responsibility largely rests with State, territory, and local governments. The role of the Commonwealth Government has evolved in recent years as it has taken an increasingly strategic involvement in waste policy development.

## National Waste Policy

The National Waste Policy – *Less Waste, More Resources* was released by the Department of the Environment and Energy in 2018 and provides a framework for collective action by businesses, governments, communities, and individuals until 2030.

The policy identifies five overarching principles underpinning waste management in a circular economy, including:

- Avoid waste;
- Improve resource recovery;
- Increase use of recycled material and build demand and markets for recycled products;
- Better manage material flows to benefit human health, the environment, and the economy; and
- Improve information to support innovation, guide investment and enable informed consumer decisions.

The policy guides continuing collaboration between all Australian governments, businesses, and industry. It does not remove the need for governments, businesses, and industries to implement tailored solutions in response to local and regional circumstances.

## National Plastics Plan

Australia's *National Plastics Plan*, released on 4th March 2021 aims to drive a closed loop supply chain on plastics and address plastic waste in a multi-pronged way, proposing wide-ranging initiatives such as plastic-free beaches, new labelling guidelines, eliminating expanded polystyrene consumer packaging fill and food and beverage containers, and greater consistency in kerbside bin collections.

Actions to achieve these goals under the plan will:

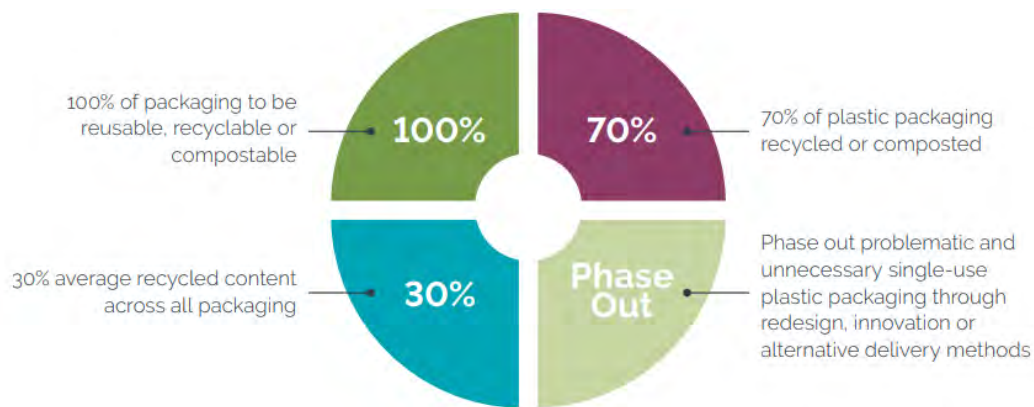
- Phase out the most problematic plastics between July and December 2022 and introduce National Packaging Targets by 2025;
- Work to make beaches and oceans free of plastic;
- Introduce legislation to ensure Australia takes responsibility for its plastic waste;
- Invest to increase recycling capacity;
- Research to find new recycling technologies and alternatives to unneeded plastic; and
- Support the community to help Australia's recycling efforts.

**Australian Packaging Covenant Organisation (APCO) – 2025 Targets**

The Australian Packaging Covenant Organisation (APCO) is the entity in charge of managing and administering the Australian Packaging Covenant (the Covenant), which is a document that sets out how governments and businesses share responsibility for managing the environmental impacts of packaging in Australia.

The Covenant is agreed between the APCO, representing industry participants in the packaging supply chain, and commonwealth, State, and territory governments, and endorsed by environment ministers.

In 2018 Australia established the 2025 National Packaging Targets. These targets have been established to create a new sustainable pathway for the way packaging is managed in Australia.



**Figure: 2025 National Packaging Targets**

*Australian Packaging Covenant - National Waste Policy (environment.gov.au)*

These targets will require a complete and systematic change in the way we create, collect, and recover product packaging. Targets will apply to all packaging that is made, used, and sold in Australia and are in line with broader sustainable packaging shifts that are taking place globally. These shifts are aiming to reduce the volume of material entering landfill, improve recycling rates, and increase the use of recycled material in future packaging.

The *Australian packaging consumption and recycling data 2018–19* report (APCO, 2021) shows improvements to packaging sustainability in a range of areas including a reduction in the volume of plastic (-6 percent) and an increase in the volume of recyclable packaging on market. Challenges continue to be the recycling rate of plastics, as whilst the recovery rate increased from 16 percent to 18 percent, significant progress is still required to meet the 2025 Target of 70 percent.

**Emissions Reduction Fund**

The Emissions Reduction Fund aims to reduce emissions by providing incentives for businesses, landowners, State and local governments, community organisations and individuals to adopt new practices and technologies. Legislation to implement the Emissions Reduction Fund came into effect on 13 December 2014.

There are many activities which are eligible to earn Australian Carbon Credit Units (ACCUs) under the scheme. One ACCU is earned for each tonne of carbon dioxide equivalent (tCO<sub>2</sub>-e) stored or avoided

by a project. ACCUs can be sold to generate income, either to the Government through a carbon abatement contract, or on the secondary market. The potential waste management activities that may earn ACCUs include the introduction of a new or expanded purpose-built facility for processing solid waste that would have otherwise gone to landfill, to process commercial, industrial, construction, demolition and/or Class I or II municipal solid waste or utilize an enclosed composting facility. Councils and/or private industry that undertake these types of projects in accordance with the approved emissions reduction methods can then sell the resulting ACCUs to the Clean Energy Regulator or an alternate buyer on the secondary market. Council may consider the benefits of this approach within its longer-term strategic direction.

### Waste Export Ban

In March 2020, the Australian, State and territory governments, and the Australian Local Government Association agreed to regulate the export of waste glass, plastic, tyres, and paper while building Australia's capacity to generate high value recycled commodities and associated demand. The *Recycling and Waste Reduction Act 2020* and new rules made under the Act set out the export controls for each type of regulated waste material. Exporters need to hold a waste export licence and declare each export in line with the phased implementation dates below:

- All waste glass banned by 1 January 2021;
- Waste plastics banned between July 2021 and July 2022;
- All whole tyres including baled tyres banned by December 2021; and
- Mixed paper and cardboard banned by 2024.

Waste glass, regulated since January 2021 is either that recovered from an industrial, commercial, or domestic activity or a by-product of an industrial, commercial, or domestic activity. Phase one of the plastic exports rules, operational since July 2021, limit the export of waste plastics to that sorted into single resin or polymer type or processed with other materials into processed engineered fuel. From 1 July 2022 you cannot export plastic that has only been sorted - all plastics will need to be sorted and processed.

### State Framework

The NSW State framework provide the objectives, requirements, and directions for the management of waste. The legislation describes the requirements for transporting, storing, processing, managing, recovering, and disposing of waste and recyclable material.

#### NSW Waste and Sustainable Materials Strategy 2041

In June 2021, the NSW government released the *NSW Waste and Sustainable Materials Strategy 2041: Stage 1 – 2021-2027* (WaSM) as the first stage in a 20-year plan that focuses on the environmental benefits and economic opportunities to reduce waste, improve its management, and increase material recycling. The NSW WaSM 2041 sets a long-term vision for managing waste, planning for infrastructure, reducing carbon emissions, and refocusing the way NSW produces, consumes, and recycles products and materials. The WaSM updates NSW's priorities for waste and resource recovery to reflect the *NSW Circular Economy Policy Statement*, the *Net Zero Plan Stage 1:2020–2030* and the *National Waste Policy Action Plan*.

To compliment the first stage of WaSM, the government also released the *NSW Plastics Action Plan* which sets out how problematic plastic materials will be phased out and the *NSW Waste and Sustainable Materials Strategy: A guide to future infrastructure needs* which sets out the investment pathway required to meet future demand for residual waste management and recycling.

WaSM makes the case for change on the basis that NSW creates around one-third of Australia's total waste, and this is forecasted to grow from 21 million tonnes to nearly 37 million tonnes by 2041. At current rates of generation and recycling, the residual waste landfills servicing Greater Sydney are likely to reach capacity within the next 15 years. The non-residual landfills will reach capacity within the current decade. In some regional areas landfill capacity is also likely to expire this decade.

Demand for recycled materials, particularly from the household and commercial waste streams, has steadily contracted with the closure of export markets. This has led to an oversupply of recycled materials and a corresponding decline in value, particularly for poorly sorted or hard-to-recycle paper and plastic.

In response to this the resource recovery industry has started to transition to more resilient business models, focused on value-adding and the production of high-quality, well-sorted recycled materials. As the prices for recycled material have declined but the cost of sorting and processing has increased, costs for councils, ratepayers and businesses are also under pressure.

In 2014, NSW set a target for landfill diversion of 75 percent of all waste by 2021. However, as of 2019/20, it had only reached 65 percent. Construction and demolition (C&D) recycling had performed the best at a rate close to 80 percent, followed by commercial and industrial recycling at 53 percent. Municipal solid waste diversion (mostly household waste) had plateaued at just over 46 percent (NSW EPA, 2020). WaSM was positioned as an opportunity to refocus efforts and target investment where it is most needed.

The WaSM aims to reduce waste generated and increase recycling through adoption of the Targets outlined in the below figure.





**Figure: NSW WaSM Targets**

(Source: NSW Waste and Sustainable Materials Strategy 2041: Stage 1 – 2021-2027)

The State government has also committed to:

- Developing a NSW regional litter prevention strategy before June 2023;
- Reporting annually on the progress towards meeting these targets prior to a review of WaSM in 2027;
- Establishing new indicators to track the progress of infrastructure investment and cost of waste services; and
- Developing a new measure of the emissions performance of waste and materials management which tracks performance across the lifecycle of materials.

### **Mandating FOGO separation for all households and some businesses**

Both the WaSM and the accompanying infrastructure needs guide focus on better management of organic waste. In 2019 an estimated 2.5 million tonnes of organic waste (such as food organics, garden organics, timber, and textiles) was sent to landfill. Emissions from organic waste decomposing in landfill make up more than 2 percent of total net annual emissions in NSW. Methane emissions from the decomposition of organic material in landfills can last up to 25 years in the atmosphere. WaSM indicates that increased diversion of organics from landfill and processing technologies like composting and anaerobic digestion are an important first step towards reducing emissions from waste.

The amount of organic material going to landfill can be reduced by collecting it separately and processing it at specialised organic waste facilities. WaSM recognises that many councils already provide a separate bin to collect garden organics from households and some (less than a third) also collect food organics.

Other organic material, like textiles and timber, finds its way into household bins. Audits of residential kerbside residual waste bins in the waste levy area in NSW show that:

- The proportion of food and garden organics waste overall was 41 percent in 2019; and
- Councils that provided a separate food and garden organics collection service had a far lower proportion of these materials in the residual waste bin (25 percent) compared to councils with only garden organics (41 percent) or no organics collection (54 percent).

To achieve the WaSM targets of halving food waste to landfill and achieving net zero emissions from organics in landfill by 2030, the government will require the separate collection of:

1. Food and garden organics from all NSW households by 2030; and
2. Food waste from businesses that generate the highest volumes, including large supermarkets and hospitality businesses, by 2025.

The government has committed to consulting with councils, businesses, and service providers on the best way to transition to these new arrangements, including the need for phasing in new or grandfathering existing contracts, managing the different needs of high-density housing, and working with service providers to ramp up processing capacity.

To help with the transition, the NSW Government will invest \$65 million over five years from 2023. The funding will support the rollout of new collection services, the development of more processing capacity and a state-wide education campaign that will help households adjust to the changes and improve their recycling habits.

### **Infrastructure Needs**

The transition to the source-separated collection of food and garden organics from households and source-separated collection of food organics from selected businesses will significantly increase the volume of clean organics entering the recycling system. Accordingly, there needs to be a corresponding capacity to reprocess this material.

Based on an assessment of waste and circular economy infrastructure needs over the next decade and beyond the government has identified three key areas to focus on – residual waste, organics, and plastics.

Recovery and recycling infrastructure will need to keep pace with demand and to support this there will need to be investment in new and upgraded facilities from now to 2030 to prevent any shortfall in capacity.

WaSM sets out three priority areas:

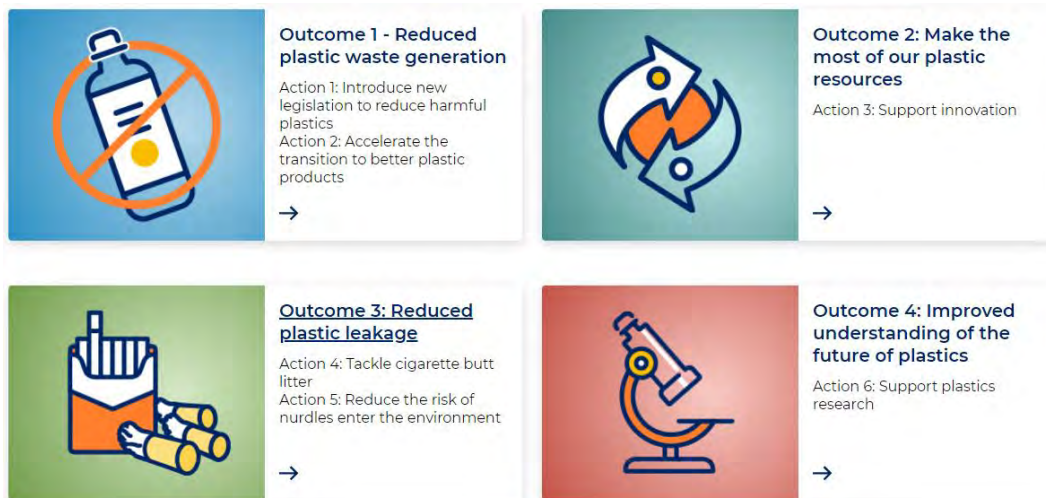
1. Meeting future infrastructure and service needs as waste volumes grow;
2. Reducing carbon emissions through better waste and materials management; and
3. Building on work to protect the environment and human health from waste pollution.

Getting the right infrastructure in the right place will be critical to recover, reuse and extend the life of most materials. The *WaSM Guide to Future Infrastructure Needs 2021* reviews the waste infrastructure requirements in NSW to underpin change.

While investment will largely be driven by industry, the NSW Government will play a role to help investment in the right place at the right time. WaSM indicates that, commencing in 2021 the Government will undertake feasibility assessments and engage with the community, local government and business about the infrastructure investment needed to meet the demands. It will undertake a coordination role to attract the right investment at the right time. The early priority will be to ensure there is a pipeline of residual waste management infrastructure, but it will also target complementary recycling and reprocessing infrastructure to help meet capacity gaps. This will involve coordinating functions across government, such as investment attraction, planning, environmental licensing, and grant funding.

### **Plastics Action Plan**

The *NSW Plastics Action Plan* supports the *NSW Waste and Sustainable Materials Strategy 2041*. The NSW Plastics Action Plan outlines a variety of actions to address plastic across all elements of the plastic lifecycle (production, consumption, disposal, and recycling) including the following:



**Figure: NSW Plastics Action Plan Actions**

(Source: [www.dpie.nsw.gov.au/our-work/environment-energy-and-science/plastics-action-plan](http://www.dpie.nsw.gov.au/our-work/environment-energy-and-science/plastics-action-plan))

There are four outcomes that will achieve better management of plastics, reduce the impacts on the environment and make the most of these resources, the outcomes are supported by six actions.

**NSW Energy from Waste Infrastructure Plan**

The *NSW Waste and Sustainable Materials Strategy 2041* commits to the adoption of a strategic approach to the role of thermal energy recovery from waste to ensure it protects human health and the environment and supports the transition to a circular economy. The recently released *NSW Energy from Waste Infrastructure Plan 2041* guides strategic planning for future thermal energy from waste facilities and outlines how the NSW Government will facilitate the establishment and operation of energy from waste infrastructure to manage genuine residual waste.

*Waste can be thermally treated to recover the embodied energy in that material. The energy can be recovered as heat or as a solid, liquid, or gaseous fuel. These outputs can be used to generate electricity or used directly in machinery, vehicles, and industrial processes (NSW Government, 2021, pg. 2).*

Energy proposals must represent the most efficient use of the resource, adequately manage the risks of harm to human health or the environment, and maximise the environmental, social, and economic benefits to communities.

‘Eligible waste fuels’ including biomass and residues are listed in Part 3 of the Policy Statement and defined in the Eligible Waste Fuels Guidelines. These are excluded from this Plan and continue to be permitted across NSW where they comply with planning and regulatory frameworks.

The plan aligns with the *20-Year Vision for Regional NSW*. Thermal energy from waste facilities only be established, or permitted to operate, in key, identified priority infrastructure areas or by the exception listed as follows:

- West Lithgow Precinct;
- Parkes Special Activation Precinct;
- Richmond Valley Regional Jobs Precinct;
- Southern Goulburn Mulwaree Precinct; or
- At facilities that use waste, or waste-derived, feedstock to replace less environmentally sound fuels (including coal or petroleum-based fuels) thermally treated (or approved to be thermally treated) at the site, and the energy produced from the waste is used predominantly to power the industrial and manufacturing processes on-site, rather than exporting that energy to the grid.

The Parkes Special Activation Precinct and West Lithgow Precinct<sup>28</sup> are located within the NetWaste region and may pose opportunities for the member councils.

## Local Framework

### *Local Government Act 1993*

The *Local Government Act 1993* sets out the legal framework, governance, powers, and responsibilities of councils in New South Wales. Guiding principles for councils include:

- Carrying out functions in a way that provides the best possible value for residents and ratepayers;
- Planning strategically for the provision of effective and efficient services to meet the diverse needs of the local community;
- Working co-operatively with other councils and the State government to achieve desired outcomes for the local community; and
- Working with others to secure appropriate services for local community needs.

Councils may provide goods, services, and facilities, and carry out activities, appropriate to the current and future needs within their local community and of the wider public. The *Act* sets out the functions of councils, including its service functions such as, providing community health, recreation, education and information services, environmental protection, and waste removal and disposal. A council must also levy an annual charge for the provision of domestic waste management services for each parcel of rateable land for which the service is available.

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<sup>28</sup> West Lithgow Precinct was removed from the gazetted map but remains a priority infrastructure area.

# **APPENDIX C**

## Regional Contracts

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**REPORT TO** NETWASTE COUNCILS (STEERING COMMITTEE)

**FROM** NETWASTE PROJECTS COORDINATOR

**DATE** 4<sup>th</sup> November 2022

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**REGIONAL CONTRACTS UPDATE**

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Please refer to attached participation table regarding each Council's involvement in respective contract arrangements.

**Collection of Used Motor Oil Contract**

**Aim:** Facilitate collection of used motor oil from collection centres across NetWaste region

**Contractor:** Cleanaway Waste Management Ltd

**Contract Commenced:** 19 September 2020

**Initial Contract Term Expiry** (2 years + 2 x 12 month extensions)

**Current Expiry:** 19<sup>th</sup> September 2022 first extension complete (all Councils)

**Collection of Scrap Metal Contract**

**Aim:** Facilitate collection of scrap metal from collection centres across NetWaste region

**Contractor:** Sims Metal Management – Subcontractor for collection McCabe Transport

**Contract Commenced:** 1 September 2021

**Initial Contract Term Expiry** (2 years + 2 x 12 month extensions)

**Current Expiry:** 1<sup>st</sup> September 2023

***E-waste recycling option – currently shredded at St Marys Depot service to continue – trial underway regarding co-reg participation and further recovery from E-cycle Solutions – Looking at Lithgow, Bathurst, Orange, Forbes, Parkes, Blayney, Oberon with infrastructure and transport pilot***

**Processing of Garden Organics & Wood & Timber**

**Aim:** Facilitate mulching of garden organics from collection centres across NetWaste region

**Contractor:** AusShredding Pty Ltd

**Contract Commenced:** 14 November 2018

**Initial Contract Term Expiry** (2 years + 2 x 12 month extensions)

**Current Expiry:** 14 November 2022 – Tender is out, Closed 1 November with assessment taking place for scoring

**Joint Environmental Monitoring of Licensed Landfills**

**Aim:** Monitor of licenced landfills for 9 NetWaste Councils

**Contractor:** Premise Pty Ltd

**Contract Commenced:** 1 July 2022

**Initial Contract Term Expiry** (3 years + 2 x 12 month extensions)

**Current Expiry:** 1 July 2025

**Regional Waste Services Contract**

**Aim:** 9 Councils initially involved in a regional tender for mix of domestic waste, recycling and organics collection and processing services.

**Contractor:** JR Richards for collection, ANL for processing of organics for Bathurst, Parkes Forbes, and Blue Mountains

**Contract Commenced:** 4 April 2016

**Contract Term Expiry (10 years):** 3 April 2026

Contract service collection commenced 4 April 2016 in Bathurst, Blayney, Cabonne, Forbes, Orange and Parkes. Dubbo, Narromine, Lachlan additional contracts.

Quarterly regional contract meetings are held between participating Councils and JR Richards (collection contractors). New Visy supply agreement commencing 1 July and currently under review.

**Collection and Recycling of Waste Tyres**

**Aim:** Collection and recycling of waste tyres from Council depots and waste facilities across the NetWaste region

**Contractor:** JLW Services Pty Ltd

**Contract Commenced:** 1<sup>st</sup> May 2020

**Initial Contract Term Expiry** (2 years + 2 x 12 month extensions)

**Current Expiry:** 1<sup>st</sup> May 2022. (1<sup>st</sup> extension agreed upon)

**1<sup>st</sup> Extension expiry:** 1st May 2023

**Collection and Recycling of Mattresses**

**Aim:** Collection and recycling of waste tyres from Council depots and waste facilities across the NetWaste region in conjunction with NIRW.

**Contractor:** JLW Services Pty Ltd

**Contract Commenced:** 24<sup>th</sup> September 2019

**Initial Contract Term Expiry** (2 years + 2 x 12 month extensions)

**Current Expiry:** 24 September 2021 (1<sup>st</sup> extension agreed upon)

**2<sup>nd</sup> Extension expiry:** 24<sup>th</sup> September 2023 – Final extension agreed upon

**2023 Household Chemical Cleanout**

Funding proposal being compiled to EPA look at 100K funding

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**RECOMMENDATIONS**

1. That the report be noted.



**NetWaste Regional Contracts – Council participation**  
 Last updated 19 November 2020

Council	Collection of Scrap Metal Contract	E-waste (ancillary scrap contract – Ccls confirming ext)	Chipping of Garden Organics & Wood & Timber	Collection of Used Motor Oil	Regional Waste Services Contracts /JR / Visy (central region)	Joint Landfill monitoring contract	Tyre collection/ recycling	2022 Household Chemical Cleanout	Participating CRC	Collection & Recycling of Mattresses contract
Bathurst			Y	Y	Y	Y	Y	Y	Y	Y
Blayney	Y	Y	Y	Y	Y	Y		Y		Y
Bogan	Y		Y	Y			Y	Y		Y
Bourke	Y	Y	Y	Y			Y			
Brewarrina	Y	Y		Y			Y			
Broken Hill				Y				Y	Y	
Cabonne	Y	Y	Y	Y	Y		Y	Y	Y	
Central Darling	Y									
Cobar	Y	Y		Y			Y			
Coonamble				Y			Y		Y	
Cowra			Y	Y					Y	
Dubbo				Y	Y	Y	Y	Y	Y	
Forbes	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Gilgandra	Y		Y	Y			Y		Y	Y
Lachlan	Y		Y	Y	Y			Y	Y	
Lithgow	Y	Y		Y		Y		Y	Y	Y
MidWestern	Y	Y	Y	Y			Y	Y	Y	Y
Narromine	Y	Y	Y	Y	Y	Y	Y	Y		Y
Oberon	Y	Y	Y	Y		Y		Y	Y	
Orange	Y	Y	Y	Y	Y		Y	Y	Y	Y
Parkes	Y		Y	Y	Y	Y	Y	Y	Y	Y
Walgett	Y			Y			Y			Y
Warren	Y		Y	Y				Y		
Warrumbungle			Y	Y				Y		
Weddin	Y		Y	Y				Y		
<b>TOTAL</b>	<b>19</b>	<b>11</b>	<b>17</b>	<b>24</b>	<b>9</b>	<b>8</b>	<b>15</b>	<b>17</b>	<b>14</b>	<b>11</b>

**APPENDIX D**  
Strategy Action Plan

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# **NetWaste: Regional Waste and Sustainable Materials Strategy Action Plan (2023-2027)**

**For use by NetWaste's Steering Committee as a tool for delivering the region's Waste and Sustainable Materials Strategy 2023 – 2027.**



**Action Area 1: Avoid and Reduce Regional Waste**

**State Target:** 10% reduction of total waste generated per person by 2030

**Overall Annual Measurement of Success:** Reduction in total regional waste generated per person, year on year (kg/person)

WaSMS Theme				WaSMS Priority			Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution				High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
✓	✓	✓		✓	✓	✓	Reduce generation of regional waste	1.1 Support delivery of NetWaste’s Education Strategy	1.1.1 Review progress and success of waste reduction initiatives 1.1.2 Seek additional funding to support NetWaste educational projects and programs 1.1.3 Identify and assist member Councils to obtain and acquit grant funding to improve waste management outcomes	High	\$\$	
✓	✓			✓	✓	✓		1.2 Support improved member Council waste management planning and development approval processes	1.2.1 Develop a generic waste management plan for developers to source separate construction waste 1.2.2 Promote and encourage greater separation of business waste within new developments	Medium	\$\$	
✓	✓							1.3 Support waste avoidance initiatives	1.3.1 Support the establishment, improvement and/or expansion of resource recovery centres and landfill sites to include reuse/buy back (tip) shops 1.3.2 Support investment in the reuse and repair sector and address barriers to buying second-hand and repaired products 1.3.3 Identify waste reduction opportunities using baseline Waste Aggregation Profile (WAPP) data	Medium	\$	



**Action Area 2: Increase Regional Resource Recovery**

**State Target:** phase out problematic and single-use plastics by 2025

**State Target:** 80% average recovery rate from all waste streams by 2030

**State Target:** triple the plastics recycling rate by 2030

**Overall Annual Measurement of Success:** Improvement in average regional recovery rate across all waste streams, year on year (% Waste Recovered)

WaSMS Theme				WaSMS Priority			Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution	Review Date and Status			High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
✓	✓	✓	✓	✓	✓		Increase regional resource recovery  Investigate and deliver innovative management solutions for problem wastes	2.1 Identify opportunities for significant increases in resource recovery  2.1.1 Evaluate options for member Councils to sort mixed waste on-site 2.1.2 Develop regional guidance material to encourage regional standardisation of user-pay waste disposal fees and charges 2.1.3 Advocate to the EPA to provide member Councils with financial assistance/funding to offset the costs of processing and transporting resources to the marketplace/end users 2.1.4 Identify and assist member Councils obtain and acquit grant funding to improve waste management outcomes 2.1.5 Collaborate with government and industry to develop regional solutions for non-domestic problem wastes (including asbestos, textiles, glass, disaster waste clean-up, and wind and solar farm wastes)	High	\$\$		



**Action Area 3: Support Sustainable Regional Waste Operations**

**State Target:** Reduce plastic litter items by 30% by 2025

**State Target:** Halve the amount of organic waste sent to landfill by 2030

**State Target:** Reduce overall litter by 60% by 2030

**State Target:** Triple the plastic recycling rate by 2030

**State Target:** Halve the amount of organic waste sent to landfill by 2030

**State Target:** Net Zero Emissions from organic waste to landfill by 2050

**Overall Annual Measurements of Success:** Reduction in organics disposed to landfill (tpa), year on year; and  
Decrease in net regional emissions by end 2027 (CO<sub>2</sub>e).

WaSMS Theme			WaSMS Priority				Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution	Review Date and Status			High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
	✓		✓	✓	✓		Support Climate Change policy	3.1 Facilitate sustainable regional procurement	3.1.1 Develop and manage procurement for new regional kerbside collection and processing services 3.1.2 Develop procurement policies and guidelines for member Councils, focussing on increasing waste-derived content and embedded circular economy principles to encourage innovation and increase regional employment	High	\$\$	
✓	✓	✓	✓		✓	✓	Support development of regional waste management infrastructure requirements	3.2 Support member Council effective and sustainable waste services	3.2.1 Identify and assist member Councils to obtain and acquit grant funding to improve waste management outcomes	High	\$\$	
	✓	✓		✓		✓	Limit the impact of waste management	3.3 Assess and advise impacts of ongoing updates to waste management policy and regulatory compliance	3.3.1 Assist member Councils comply with requirements of emerging policy and regulation	High	\$\$	



WaSMS Theme				WaSMS Priority			Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution	Review Date and Status			High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
	✓	✓		✓	✓		on the natural and built environment  Support member Councils deliver waste management services in line with their community's changing needs and expectations	3.4 Support a reduction in net emissions from regional waste operations	3.4.1 Undertake baseline emissions mapping  3.4.2 Facilitate a greater regional understanding of the opportunities and benefits associated with retained carbon credits  3.4.3 Support member Council delivery of emissions reduction strategies  3.4.4 Facilitate and support the transition to, or improvement of, FOGO collections and processing programs  3.4.5 Support regional installation of landfill gas capture	High	\$\$\$	
✓	✓		✓	✓	✓			3.5 Improve regional waste data	3.5.1 Improve on-site collection and reporting of waste data  3.5.2 Continue to aggregate and manage waste data at a sub-regional level to support regional investment	Medium	\$\$	
		✓	✓			✓		3.6 Protect the environment	3.6.1 Develop and deliver an updated regional litter management strategy  3.6.2 Support and develop regional initiatives to clean-up and combat illegal dumping	High	\$\$	
	✓		✓	✓	✓			3.7 Support and facilitate best practice waste infrastructure requirements	3.7.1 Undertake regional waste flow mapping/mass balance assessments to identify future infrastructure needs and associated timing  3.7.2 Investigate sub-regional options for FOGO processing	Medium	\$\$\$	



WaSMS Theme				WaSMS Priority			Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution	Review Date and Status			High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
								3.7.3 Investigate sub-regional options for sorting recyclables 3.7.4 Support the consolidation of landfills and closure or conversion into resource recovery centres or transfer stations 3.7.5 Undertake a regional true cost of landfilling study 3.7.6 Assist member Councils comply with minimum regulatory standards for waste disposal				
✓	✓	✓	✓	✓	✓	✓		3.8 Assess new technologies and improved service delivery options 3.8.1 Assess opportunity for innovative technologies 3.8.2 Develop a technology evaluation tool to facilitate adoption of new technologies	Medium	\$		





**Action Area 4: Increase Regional Resilience**

**Minimum Measurement of Success:** *Identify, evaluate, and engage additional resources to deliver the new Strategy (by end 2023)*

*Develop a regional Disaster Waste Management Plan (by end 2024)*

*Develop a scoping study for regional circular economy projects (by end 2025)*

WaSMS Theme			WaSMS Priority				Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution				High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
✓	✓	✓	✓	✓	✓	✓	Support member Councils deliver sustainable procurement outcomes	4.1 Provide resources to support delivery of Regional Waste Strategy	4.1.1 Identify, evaluate, and engage additional resources to deliver the new Strategy	High	\$\$\$	
	✓	✓	✓	✓		✓	Facilitate regional collaboration for improved waste management planning and investment	4.2 Collaborate with member Councils to improve regional waste management outcomes	4.2.1 Encourage and support member Council interaction and sharing of resources and experience to improve waste management outcomes 4.2.2 Increase member Council participation at NetWaste forums through sub-region meetings	High	Nil	
	✓	✓	✓	✓		✓	Investigate and support innovative circular economy mechanisms and solutions	4.3 Foster effective communication and collaboration with all regional stakeholders	4.3.1 Identify opportunities for regional political collaboration	High	Nil	
✓	✓	✓	✓	✓	✓	✓		4.4 Continue to advocate and contribute to policy decisions on behalf of regional waste group members (engaging RENEW and LG NSW as relevant)	4.4.1 Advocate for improved consultation between state government and local government in development of any policy that may impact local government management of waste 4.4.2 Present a plan to the EPA for consideration to facilitate improved regional outcomes through greater collaboration 4.4.3 Advocate to the EPA to broaden Community Recycling Centre funding scope to include business waste	High	Nil	



WaSMS Theme				WaSMS Priority			Strategic Objective	Strategic Initiative	Action	Delivery Priority	Resources Required	Delivery Feedback
Avoid or reduce	Recover Resources	Protect the Environment	Strategic Collaboration	Meeting our future infrastructure and service needs	Reducing carbon emissions through better waste and materials management	Building on our work to protect the environment and human health from waste pollution				High: 2023-2027 Medium: 2028 – 2032 Low: 2033 onwards	\$ - <\$10k \$\$ - \$10 – 100k \$\$\$ - >\$100k	Review Date and Status
								4.4.4 Advocate and assist in developing Extended Producer Responsibility (EPR) and/or Product Stewardship schemes, particularly for emerging problem wastes				
	✓		✓	✓		✓	4.5 Facilitate regional collaboration to improve disaster resilience and waste management planning	4.5.1 Facilitate development of partnerships with government for management of regional disaster waste  4.5.2 Develop a regional Emergency Waste Management Plan, at least including response actions, waste management and continuity of waste services  4.5.3 Develop an Emergency Waste Management Plan template for member Councils	High	\$\$		
✓	✓		✓	✓			4.6 Investigate and support innovative circular solutions to regional waste management	4.6.1 Partner/collaborate with universities, research groups, and regional Sustainability Officers to identify innovative approaches to contribute to a regional circular economy  4.6.2 Collaborate with government and industry to facilitate regional research/pilot projects for reuse of recovered and recycled problem wastes  4.6.3 Identify and assist member Councils to obtain and acquit grant funding to improve waste management outcomes  4.6.4 Develop a scoping study for regional circular economy projects	High	\$		

Planning and Environment

# Setting up an agritourism business

A guide to planning approvals

September 2023





## Acknowledgement of Country

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Published by NSW Department of Planning and Environment

ISBN: 978-1-76058-741-3

Title: Setting up an agritourism business : a guide to planning approvals

First published: September 2023

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Image on front cover: Couple feeding the sheep at Iris Lodge Alapacas, Jilliby.  
Credit: Destination NSW

Image on left: After the Fire. Credit: Iestyn Taylor  
Artwork (left) by Nikita Ridgeway.

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Disclaimer: This guideline provides general information about the planning system and requirements under other legislation to help farmers set up an agritourism business. You should refer to the relevant legislation to obtain the full requirements that apply. You should also seek advice from relevant government authorities, a planning consultant, other relevant specialist or a legal adviser for specific information about your property and proposed development.



# What is agritourism?

Many people today want to know where their food, fibre and other products come from and experience the process firsthand.

Agritourism is a tourism-related experience or product that connects people to agricultural products, people or places through farm visits or stays. It allows you to showcase what's unique about your region, offers you another source of income, and gives people more reasons to visit rural and regional NSW.

As a farmer, you can diversify and add value to your agricultural business, while maintaining primary production as the principal use of your land.

Agritourism businesses range from farm stays, retail and dining to events, tours and education.

Visitor experiences don't have to be complicated. Guests might decide they want to see a cow up close, meet a chicken or watch a pig take a nap. Some may want to see how and where food is grown, taste a freshly picked carrot or see how plants are farmed for floristry.

Farms can also provide visually striking backdrops within unique landscapes or buildings, helping people to create lifelong memories.

All these activities will influence how people understand farms and food, and how they value farming – while also helping to create a sustainable source of extra income.





Credit: Destination NSW

# Introduction

This guide is for anyone opening –or thinking about –an agritourism offering as part of their agricultural business.

Most agritourism businesses will operate within a rural setting. By understanding and working with the rural character of your farm and the local area, you'll get the most out of your agritourism development, while also protecting the land and surrounding areas as much as possible.

There are 2 sections within the guide.

## Starting an agritourism business

Section 1 is essential for anyone thinking about starting an agritourism business. It covers what you need to consider from the outset –not just practical business ideas like location and design, but what you need to know about agritourism in the planning system and other approvals you may need.

## Specific planning requirements

Section 2 goes into more detail about the specific planning requirements that apply to different types of agritourism businesses.



## Agritourism activities

Different agritourism businesses offer different activities. The type of activities your business might offer then influences how your business will be referred to in the planning system.

### Farm stays

Visitors who stay overnight on a farm will understand and engage with the land in greater depth than on shorter visits. Accommodation can include a farm stay cabin or using the land as a camping or glamping area. You can transform unused assets such as workers' cottages or sheds into rural accommodation or build new accommodation to help diversify your income.

Farm stays are called 'farm stay accommodation' in the planning system.

Related development not covered by this guide

- Bed and breakfast accommodation
- Short-term rental accommodation

### Retail, dining and education

You can sell your farm produce and products on site through a shopfront or cellar door with produce tastings, roadside stalls or farmgate sales, cooking classes or through self-picking experiences.

This could include products that come from value-adding processes – for example, if you are a dairy farmer whose primary production is milk, you might also produce and sell cheese products. If you are a fruit farmer, you may use produce for jams.

These production processes not only help to diversify your business; they also allow you to extract value from your produce.

You might want to provide information or education about a farm's produce or offer workshops.

While showcasing your farm, produce and the local area, you will have direct contact with visitors and may be able to create opportunities to hire new staff.

Marketing your produce through these alternative channels can create business opportunities or capture a margin that may otherwise be lost. You will gather valuable feedback from your consumers and create connections with other tourism businesses in your region.

Activities that provide an interaction with and sale of farm products are called 'farm gate premises' in the planning system.

'Roadside stalls' – covered in this guide – also involve produce sales, but are a separate type of commercial development in the planning system.

## Events and tours

You might want to provide small-scale and low-impact tourist and recreational experiences such as:

- tours
- functions
- field days
- demonstrations of best-practice farming methods and innovations
- environmental restoration and management programs
- horse riding
- animal interactions
- weddings, events and conferences
- school visits
- activities such as wellness pastimes, and arts and craft.

Rural events, especially weddings, have a far-reaching supply chain beyond just the hiring of a venue that can add to the rural economy. This includes:

- accommodation services
- event services (such as photographers, stylists and transport)
- catering
- supporting services (gift shops or child minding)
- facilities services (party hire, mobile toilet hire).

These types of activities on a farm are called 'farm experience premises' in the planning system.



Credit: Destination NSW



# 1 Starting an agritourism business



Credit: Destination NSW



# 1.1 What you need to consider

## Location

Begin by thinking about what people are most likely to enjoy on your farm and the right location for the business.

Aim to locate activities or accommodation to take the best advantage of the views and features of your property and views to the surrounding area. Think about how visitors can experience farming and the working landscape to connect them to the culture and story of the place.

The location of buildings, structures, parking and activities can enhance the character of your farm, give visitors shade and enable safe access to buildings and facilities. When you're thinking about these assets, also make sure your proposed activities supplement your day-to-day farming operations and do not affect them negatively.

Consider how your development will look in the landscape, how it will relate to neighbouring land uses and how you could locate it so visitors are not exposed to hazards. Agritourism activities should be set away from property boundaries to avoid effects to or from neighbours, such as the smell of chicken sheds, spray-drift from cropping or the noise of cattle feedlots.

Credit: Destination NSW

## Environmentally sensitive areas

Some of the most attractive tourism destinations sit within the most sensitive environments, such as near rivers, creeks, wetlands and mountain areas. While we want more people to enjoy these places, we need to remember there are environmental risks from tourism. For example:

- noise, litter, lighting and uncontrolled domestic pets can drive out and injure wild creatures and disturb farm animals
- walking and riding can wear out paths and damage riparian areas
- intensive climbing and mountain biking can erode rock faces and, with modern equipment, destroy their natural condition
- clearing deadwood and tree hollows for firewood can lead to habitat loss
- existing farming practices can be upset by campfires, dogs and competition for labour.

The existing rural character and environmental value of the countryside must be protected, as should the biodiversity values that make these areas unique, functional and safe.

Consider these impacts when deciding on the types of activities you want to offer and where they should be located on your property. More information is provided in Section 1.3 about land that cannot be used for certain activities under the planning system.



## Design

Design your agritourism business to fit with the character of your farm, the natural landscape and the broader area. This might involve re-using buildings like old sheds to create an authentic experience and character and provide a memorable space.

### Character and branding

Many regions use branding to connect different agritourism businesses under a common theme. Consider how the branding of your business and styling of your property can build on and complement these themes.

Many councils have a tourism or economic development officer. It may help to chat to your council about the region's branding, and how to be consistent with its promotional program or themes.

If there's no existing branding, look at the character of the place, what makes it special, and how new or modified buildings or activities might enhance this character and provide a memorable experience.

### Landscaping

Visitors will experience the landscape from the front gate. Design for an attractive and welcoming entry area and the path of the entry drive. Consider how more landscaping can protect and enhance natural features and mature trees.

Use landscaping to direct the views away from parts of your property that you don't want visitors to access and instead towards aspects they will enjoy.

Depending on the development, you may need to formally seek permission to remove or prune a tree or other vegetation and you may need to comply with related conditions. To find out what kind of permission you need, contact the local council.

## Access

Ensuring people with disability have access to your agritourism activities includes more people and could also provide a key opportunity for your business.

Commonwealth legislation and standards require every business owner to consider accessibility for everyone and equal access where it is safe to do so. This may require you to provide features such as disability parking, entry ramps or toilets with additional space, and clearances around entry doors.

Speak with your council or a registered certifier to determine specific requirements that may apply to your property.

## Traffic

Most guests will arrive by car. Think about how traffic will turn in and out of your land and any potential road safety risks. If safe access is not available from the driveway, you may need to apply to the council for a new or upgraded driveway.

The road to your property needs to be safe and in good condition for tourists. Narrow or steep rural roads may not be safe for visitors who are unfamiliar with the area.

Consider safe areas for car parking and pedestrians for roadside stalls. Parking on the property is safer than on the side of the road.

Preparing a traffic plan will assist to identify how vehicle movements will be managed and may be required for a development proposal to be assessed. A traffic plan should mark out how vehicles will enter and exit the site, and if there is enough:

- visibility to and from the entry and exit points
- separation between visitors and workers or farming activities and equipment
- parking facilities, including parking for people with disabilities.

Any work on a road requires council or Transport for NSW approval – get in touch with your council for more information. Work on Crown roads also requires approval from the Crown Lands team in the Department of Planning and Environment.

## Signage

Adequate signage in advance of entries and exits will ensure drivers can make early decisions and stop safely at your business.

Keep any advertising signs simple and proportionate to the scale of the development. Avoid detrimentally affecting the streetscape, farming operations or road corridor.

There are planning approval pathways for agritourism signage. Check with your council about the local planning requirements for signage before erecting any on your property or within any road reserve area.

# 1.2 Caring for your community

Introducing new activities on your farm can affect your neighbours and the broader community, as well as your daily farming operations.

## Neighbouring land uses

Agritourism businesses must only supplement and be secondary to the agricultural use of the land. They must not detract from it or become the more dominant activity. Similarly, any new business must respect how neighbouring property owners use their land so that they can keep doing so.

Some agritourism activities – such as those that create a lot of noise or traffic – will have greater effects than others. You must make every effort to run your businesses in a way that works with surrounding land uses, which will often be various types of agriculture or areas that contain natural features such as rivers, mountains and native wildlife.

Talking to your neighbours while you are planning your business and its location could identify issues you will need to address.

The NSW Government's [Right to Farm Policy](#) promotes farmers' rights to undertake lawful agricultural practices without conflict or interference arising from complaints from neighbours and other land users. Consider the policy when planning where you'll locate new buildings or activities, how the business will operate, or how you can make sure visitors do not trespass onto neighbouring properties or cause nuisance, damage or safety issues.

Providing information to your guests and visitors about what they should expect where agritourism activities are located close to farming operations, either on your property or on nearby farms, will also help minimise complaints and conflicts. Consider any impacts complaints may have on neighbours before committing to setting up an agritourism business.

## Odour and noise

Some agritourism businesses could generate odour that has negative effects. Alternatively, they could be located somewhere that is affected by odour from a neighbouring area. Having an odour and/or dust assessment prepared will show how the proposed development can be located, designed and/or managed to avoid or lessen those impacts.

Noise can travel further in regional and rural areas. Aim to:

- minimise noise at the source
- situate the agritourism business away from areas where it will affect people
- place a barrier between the noise source and the neighbours or communities who will hear it
- limit your opening hours, or
- use a combination of these measures.

If you have concerns about potential noise and odour impacts your business might generate, seek professional advice.

## Biosecurity

Practising good biosecurity means taking action to protect your property, your farming operations and the surrounding environment from the negative effects of pests, diseases, weeds and contaminants. Legislation is in place to reduce the risk of transmission of harmful biological or biochemical substances between crops and livestock.

Agritourism businesses can be high biosecurity risks if visitors can unknowingly carry infectious agents on clothes and shoes. The same applies to organisms that can spread when visitors pet, feed and handle animals.

We recommend developing a biosecurity management plan. This will identify the risks on the farm and prioritise the relevant biosecurity practices to protect you, your produce and the natural environment.

Find out more about [biosecurity management plans](#).





Credit: Destination NSW

## Hazards and risks

You'll need to protect yourself, visitors and workers from the potential risks from bush fire, flooding, other natural hazards or the hazards associated with being on a farm and in a rural location.

### Begin with these resources

- NSW Rural Fire Service: [Bush fire survival plan](#)
- NSW State Emergency Service: [Rural Properties FloodSafe Guide](#)
- SafeWork NSW: [Safety must have, agriculture safety information and resources, farm safety assessment tool](#) to guide farmers through their safety obligations and the toolkit for small business [Easy to Do Work Health and Safety](#)

Consider also the potential for contamination on your property from past agricultural practices, such as sheep and cattle dips. Any remediation of a site needs to occur in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021*, the [Managing Land Contamination Planning Guidelines](#) and [any other relevant guidelines](#) issued by the Environment Protection Authority. Visit the [Environment Protection Authority's website](#) for more information about contaminated land.

Section 1.3 provides more detail about how hazards and risks are addressed under the planning system.

## Visitor safety

To ensure the safety of visitors to your property, you should:

- locate agritourism activities away from high-risk areas and prevent unauthorised access
- do a risk assessment and establish safety measures – such as delineated pathways, adequate fencing and 'no-go zones' – to protect vulnerable visitors, such as children, from particular parts of the farm such as dams
- prepare bush fire and flood safety plans
- prepare an emergency management plan that details risks, what happens if an emergency happens, when the property needs to be evacuated and safe routes to the nearest highway or town
- close the premises if any bush fire or flood warnings are in place, including if the warning applies to evacuation routes
- plan how you will manage agritourism activities during drought
- give your visitors information such as an induction on farm rules to ensure they are aware of their surroundings and can safely navigate areas of the farm.

## Contractor safety

Remember to check for hazards such as asbestos, old electrical wiring, lead paint or other contaminants before engaging contractors and starting work. There are obligations under work health and safety laws that relate to high-risk construction work, movement of powered mobile plant and asbestos.

# 1.3 Agritourism and the planning system

## Seeking planning approval

The NSW planning system allows:

- farm stay accommodation
- farm gate premises (which include cellar door premises)
- farm experience premises
- roadside stalls on farms.

The system sets out general requirements that apply to these types of development.

Refer to Part 2 of this guide for specific requirements for each of these uses.

**Figure 1:** How different land uses fit within the planning system

**FARM STAY ACCOMMODATION** is a type of **tourist and visitor accommodation** under the planning system.

### Tourist and visitor accommodation

#### Farm stay accommodation

A building or place on a commercial farm and ancillary to the farm



Includes cabins, tents, existing or new building, caravans, campervans, other moveable dwellings

**FARM GATE PREMISES** and **FARM EXPERIENCE PREMISES** are types of **agritourism**.

**Agritourism** is a type of **agriculture** under the planning system.

### Agriculture

#### Agritourism

##### Farm experience premises

A building or place on a commercial farm and ancillary to the farm



Examples: Weddings, farm tours, horse riding

##### Farm gate premises

A building or place on a commercial farm and ancillary to the farm\*



Examples: Tastings, workshops, cellar door premises

\*Does not include animal processing

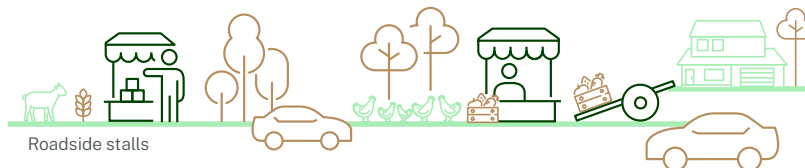
**ROADSIDE STALLS** are a type of **retail premises**.

**Retail premises** are a type of **commercial premises** under the planning system.

### Commercial premises

#### Retail premises

##### Roadside stall



Roadside stalls



Credit: Destination NSW

## Land-use zones

You can only establish an agritourism business if it is permitted in the land-use zone that applies to your land.

You can find out what is permitted in the zone that applies to your land by contacting your local council, or [searching your local environmental plan](#) under ‘Environmental planning instruments’ and referring to the land-use table. Look for terms such as ‘agriculture’, ‘agritourism’, ‘farm stay accommodation’, ‘farm gate premises’, ‘farm experience premises’, ‘cellar door premises’ or ‘roadside stalls’.

Find out the zoning of your land by referring to the relevant zoning map on the [NSW Planning Portal](#).

If your proposed business is considered ‘exempt development’ (explained below), you can establish it in certain zones without planning or building approval.

## Land requirements

Farm stay accommodation, farm gate premises and farm experience premises need to meet certain land requirements. The land must be a commercial farm on which agriculture is undertaken - this must be on land:

- categorised as farmland by your council, or
- a primary production business under Commonwealth tax legislation, or part of a primary production business.

The farm cannot be a hobby or recreational farm.

Similarly, cellar door premises must be on land that has a commercial vineyard.

These requirements help to retain primary production such as agriculture or aquaculture as the primary use of the land.

Learn more about primary production businesses from the [Australian Taxation Office](#).

Because of seasonal issues, natural disasters or events outside of a farmer’s control, farms do not always constantly produce goods. If you’ve temporarily ceased primary production operations because of a natural disaster, you can still seek approval to do agritourism.

You may find that your agritourism business idea does not meet the land requirements – for example, you may not have a commercial farm. In these circumstances, there may be other types of land uses available for the zoning of your land that you could employ, such as bed and breakfast accommodation.

Seek advice from a planning consultant or your council to find out the uses permitted on your land.



## Approval pathways

There are different types of planning approvals depending on the type of agritourism development you want to establish.

**Exempt development** is minor and low-impact development that does not need planning or building approval if it meets specified development standards and general requirements. This is a simple way of starting a small business without any planning or building approvals.

**Complying development** is straightforward development that usually involves building work. The development must comply with specified development standards and general requirements. In most cases, a complying development certificate (a combined planning and building approval) can be issued by the council or a registered certifier more quickly than obtaining development consent. They will advise you about the information you need to provide.

You will also need to appoint the council or a registered certifier as the principal certifier if you are doing building work. [View the list of registered certifiers.](#)

**Development applications** are needed if your development does not meet the requirements for exempt and complying development.

Your council will consider your development application on its merits. It will also consider the requirements under any relevant local environmental plan and development control plan that applies to the development. General information is available in [Your guide to the DA process.](#) Speak to your council before lodging a development application to understand all the requirements.

Once your development application has been approved, you will also need to get a construction certificate and appoint a principal certifier before any building work can begin. [Find out what you need to do to start work.](#)

## Information on the planning rules

The rules for exempt and complying development, and for development applications, are governed by various pieces of legislation and planning instruments.

You may need to refer to the legislation or environmental planning instruments. Your council should be able to help you with this, or you may decide to hire the services of a planning consultant.

Find out more about planning pathways on our [website.](#)

### Tip

Exempt development provisions enable you to establish a small-scale agritourism activity.

Complying development provisions enable you to build, extend or modify structures that can provide for agritourism activities.

The development application pathway can be used where exempt and complying development are not available.

For questions about the exempt and complying development provisions:

- call the Codes Hotline on 1300 420 596 (select option 2)
- email the Codes team at [codes@planning.nsw.gov.au](mailto:codes@planning.nsw.gov.au)

Credit: Destination NSW





Figure 2: Planning approval pathways

<p><b>NO APPROVAL NEEDED</b> <b>Exempt development</b></p> <ul style="list-style-type: none"> <li>• Low-impact development that does not need planning or building approval</li> <li>• Quicker and low-cost way to start an agritourism business</li> </ul>	<p><b>Examples</b></p> <ul style="list-style-type: none"> <li>• Change the use of a rural workers' dwelling to farm stay accommodation</li> <li>• Install tents or caravans</li> <li>• Construct 'glamping' platforms</li> <li>• Pick-your-own produce</li> <li>• Farm tours</li> </ul>	<p><b>Things to note</b></p> <ul style="list-style-type: none"> <li>• Good for small-scale agritourism ventures</li> <li>• Must comply with the specified development standards</li> <li>• Allows agritourism uses and some minor building work</li> <li>• Certain land exclusions apply</li> </ul>
<p><b>FAST-TRACK APPROVAL</b> <b>Complying development</b></p> <ul style="list-style-type: none"> <li>• A combined planning and construction approval for straightforward development, usually where building work is involved</li> <li>• Determined by the council or a registered certifier</li> <li>• Complying development certificate (CDC) issued in as little as 20 days</li> </ul>	<p><b>Examples</b></p> <ul style="list-style-type: none"> <li>• Construction of new buildings, alterations or additions to existing buildings for farm stay accommodation, farm experience premises or farm gate premises</li> <li>• Change the use of existing farm buildings for one of the above development types</li> </ul>	<p><b>Things to note</b></p> <ul style="list-style-type: none"> <li>• Must comply with the specified development standards and conditions</li> <li>• Certain land exclusions apply</li> <li>• Neighbour notification may be required</li> </ul>
<p><b>DEVELOPMENT APPLICATION REQUIRED</b> <b>Local development</b></p> <ul style="list-style-type: none"> <li>• Standard approval pathway if the proposal goes beyond the development standards for exempt or complying development</li> <li>• Council will assess the merits of the proposal and impose conditions to manage impacts</li> </ul>	<p><b>Examples</b></p> <ul style="list-style-type: none"> <li>• Construction of new buildings, change of use or alterations or additions to existing buildings for farm stay accommodation, farm experience premises or farm gate premises where one or more of the exempt or complying development standards cannot be satisfied</li> </ul>	<p><b>Things to note</b></p> <ul style="list-style-type: none"> <li>• Some councils provide a 'pre-DA' service so you can understand the requirements</li> <li>• Neighbour notification usually required</li> </ul>

### Excluded land

Exempt and complying development cannot be undertaken on certain sensitive land. For farm stay accommodation, farm gate premises and farm experience premises, this includes land that is:

- declared to be a special area under the *Water NSW Act 2014*
- significantly contaminated land within the meaning of the *Contaminated Land Management Act 1997*
- in a floodway area within the meaning of the *Floodplain Development Manual*.

### When exempt development cannot be used

In addition, farm stay accommodation, farm gate premises and farm experience premises cannot be carried out as exempt development on land:

- declared as an area of outstanding biodiversity value or declared critical habitat
- that is or is part of a wilderness area
- that is or on which there is an item listed on the State Heritage Register, or that is subject to an interim heritage order
- in a special area in the Hunter (see the [Agritourism and Farm Stay Accommodation Exempt and Complying Development Land Map](#)).

Visit the [State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#), also known as the Codes SEPP, for details, including a [list of excluded land](#).

Visit the NSW Planning Portal for more information on [exempt development](#).

### When complying development cannot be used

Complying development does not apply to land that is:

- critical habitat or part of a wilderness area
- identified on an acid sulfate soils map as being Class 1 or Class 2
- identified as being within an ecologically sensitive area or environmentally sensitive land, as set out in planning instruments such as a local environmental plan
- other sensitive land.

The Codes SEPP includes a [detailed list of areas where complying development cannot be carried out](#).

Visit the NSW Planning Portal for more information on [about complying development](#).

### Unsewered land

Farm stay accommodation, farm gate premises or farm experience premises also cannot be carried out as complying development on:

- unsewered land in the Sydney Drinking Water Catchment if the development will increase the number of bedrooms on the site or result in a site disturbance area of more than 250 m<sup>2</sup>
- land in any other drinking water catchment identified in an environmental planning instrument.

Speak to your council to find out if you are in a drinking catchment and about lodging a development application.

### Bush fire-prone land

Complying development cannot be carried out on land in bush fire attack level-40 (BAL-40) or the flame zone (BAL-FZ). You can, however, undertake complying development on any part of your property that is not in bush fire attack level-40 or the flame zone, if it meets the relevant requirements and development standards.

You can [check if you are on bush fire-prone land](#) on the NSW Rural Fire Service website. Your council or a bush fire consultant can tell you if you are in bush fire attack level-40 or the flame zone, which may attract a fee.

### Farm stay accommodation

A special restriction on farm stay accommodation under the *Rural Fires Act 1997* means that it cannot be considered complying development if it is on bush fire-prone land.

You can choose exempt development for minor types of farm stay accommodation on bush fire-prone land if you get a bush fire safety authority, which is issued by the NSW Rural Fire Service under the *Rural Fires Act 1997*. [Visit the NSW Rural Fire Service website](#) to find out more. The types of farm stay accommodation you can do as exempt development are explained in the next section.

For development applications on bush fire-prone land, your council will assess your proposal and may refer it to the NSW Rural Fire Service.

Refer to the Department of Planning and Environment's Planning circular PS 21-010 for more information about [development on bush fire-prone land](#).

### Landowner's consent

If you don't own the land on which you wish to do agritourism, you will need to get the consent of the landowner. This includes the Crown if your development will involve any Crown land. For Crown land, the proposed development will also need to be consistent with the terms of the Crown lease.

## Development standards

Development must meet certain requirements in the planning system. Development standards make sure agritourism activities do not dominate or overtake primary production activities or affect neighbours, the natural environment, waterways or the amenity of the local area.

These standards set out:

- the number of visitors you can have on your farm
- the days and hours of operation for activities
- the size and height of buildings
- the number of buildings and structures
- parking requirements
- how to dispose of waste

and many other matters.

### Where to find the relevant development standards

**Table 1:** Approval pathway and the relevant standards

Approval pathway	Development standards
Exempt development	Part 2 of the Codes SEPP
Complying development	Part 9 of the Codes SEPP
Development application	Local environmental plans Development control plans

### Building Code of Australia

Development that involves building work must also comply with the relevant requirements of the Building Code of Australia (BCA).

For exempt development, the development must comply with the deemed-to-satisfy provisions of the BCA. To better understand these and other provisions, read the [fact sheet about complying with the Building Code of Australia](#). More detailed information is available on the [Australian Building Codes Board's website](#).

If there are no relevant deemed-to-satisfy provisions, you need to ensure the development is structurally adequate – and if you're changing the use of an existing building, the works must ensure the building still meets the requirements of the Building Code of Australia.

If you're using complying development or submitting a development application, the registered certifier or the council will make sure any building work complies with the Building Code of Australia.

## Conditions on your approval

If your proposal is approved under complying development or a development application, a range of conditions will apply to how the work must be carried out and how you must manage the ongoing operations of the agritourism business.

The conditions that apply to complying development certificates under the Agritourism and Farm Stay Accommodation Code are in [Schedule 11](#) of the Codes SEPP. Your council may also impose conditions on a development consent.

## Building work

Building work should be done by licensed contractors who must work safely and comply with safety laws for construction, refurbishment or demolition. [NSW Fair Trading](#) and [SafeWork NSW](#) can provide more information.

## 1.4 Other approvals

There are other matters to consider when deciding if you will undertake an agritourism development, and while operating a business, including other approvals you may need.

### Waste management

The requirements for the disposal and recycling of solid waste are addressed in development standards or conditions that apply to your development. Depending on the size of your proposal, you may need to prepare a waste management plan.

Many onsite sewerage systems in rural properties are old, poorly serviced or only designed for the existing house or workers' accommodation. Inappropriate use or disposal of wastewater and solid (sludge, sewage and compost) products can present health risks, odours, noise and pests.

You may need to install, upgrade or operate an onsite sewerage management system to cater for the additional people on your farm and to dispose of trade waste. Trade waste includes wastewater from a business that enters a sewage system other than sewage of domestic nature. This includes any water used for cleaning or to prepare food and wash dishes.

A wastewater contractor or plumber can advise on the operating capacity and functioning of your system and its suitability for any new waste your proposed business would generate.

You'll need council approval under the *Local Government Act 1993* to install, build or alter systems or drains and disposal areas connected to them. Find out more about these [section 68 approvals](#). You will also need council approval for any trade waste discharge to the council's sewage system.

Contact your council about the approvals you need and any inspection or maintenance requirements.

### Private water supply

Connections to town water supplies aren't always possible in rural areas, which means you may need a private water supply. If you need such a supply for your agritourism idea, contact your council to understand the approvals required.

You need a water access licence to take water from rivers, lakes and aquifers in NSW. The Department of Customer Service provides more information about [water licensing](#).

If you're using a private water supply to provide drinking water or prepare food for others, you have a responsibility to make sure the water will not harm people. The Food Standards Code requires food businesses to use drinkable water for activities on food premises. If there is no access to public water supplies, you must be able to show that the water is safe. Refer to the NSW Food Authority's [guidelines for the use of non-potable water](#).

NSW Health recommends regularly testing the quality of drinking water against the Australian Drinking Water Guideline. Visit NSW Health for more information about [private water supplies and quality assurance](#).

### Utilities

Get in touch with your council or other relevant authorities if you need to connect new or re-used buildings to electricity, gas or water.

## Food safety

All food businesses must comply with the relevant food safety standards under the *Food Act 2003*. This applies to food premises, fixtures, fittings, equipment and food transport vehicles. You cannot start operations until you meet the standards. Visit [Service NSW](#) for more information about [food safety requirements](#).

Food retailers must register with the council and food wholesalers with the NSW Food Authority. Visit [Service NSW](#) for more information about [notifying the relevant authority about a food business](#).

## Liquor licence

You will need a liquor licence if you intend to sell or serve alcohol, including for tastings. Visit [Liquor and Gaming NSW](#) to find out more about liquor licences.

Credit: Destination NSW

## Insurance

You may need insurance for your agritourism activities that is different from the kind necessary for the agricultural part of your business. In some cases, insurance may be a legal or contractual requirement, depending on your agritourism activities. Consider if the types of activities you wish to offer may affect the cost and availability of insurance.

You may wish to engage an insurance broker to find insurance products that meet your needs. An insurance broker can help you assess the risks within your business and understand what insurance you may need. They can also provide ongoing advice and help you if you need to make a claim.

## New and upgraded driveways

You will need council approval to construct a new driveway or upgrade an existing one:

- development consent for the driveway
- approval under the *Roads Act 1993* for any work between the edge of the road and your property boundary.

Some driveways can be done as exempt development and do not need development consent (see Section 2).





## Wildlife and their habitats

You need to consider the protection of wildlife and their habitats. You may need a threatened species licence, which is a class of biodiversity conservation licence under the *Biodiversity Conservation Act 2016*, if the development may:

- harm an animal or plant that is a threatened species or part of a threatened ecological community
- damage the habitat of a threatened species or threatened ecological community
- damage a declared area of outstanding biodiversity value.

Find out more about [threatened species licences](#).

If wildlife causes serious conflict that poses a legitimate threat to life or property, or will cause economic hardship, there are more [guidelines and licences for property owners](#).

## Trees and vegetation

The removal or pruning of a tree or other vegetation may require a permit, approval or development consent under *State Environmental Planning Policy (Biodiversity and Conservation) 2021* or other legislation.

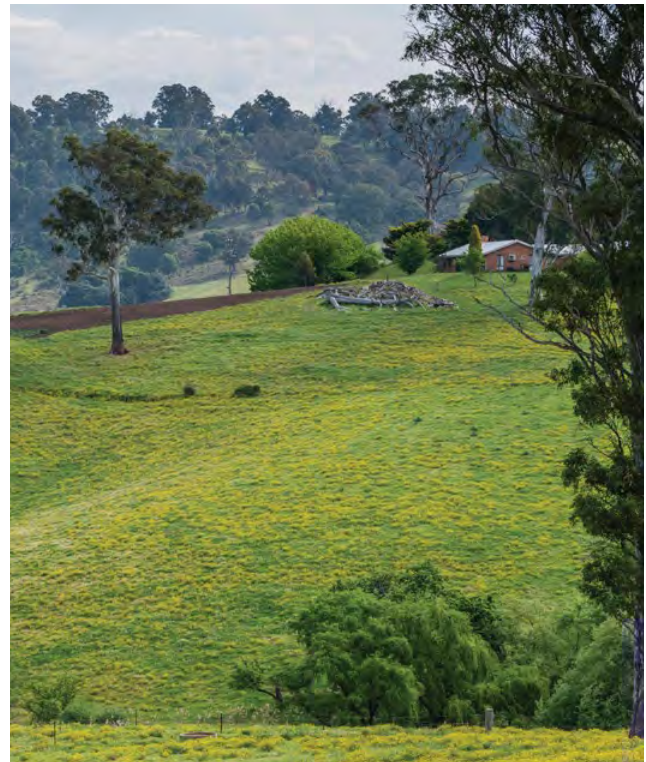
For exempt development, the removal or pruning must be carried out in accordance with the permit, approval or development consent. For complying development, the permit, approval or development consent must be obtained before a complying development certificate is issued and the permit, approval or development consent must be complied with.

## Other approvals for camping

You may need council approval under the *Local Government Act 1993* to install tents, caravans, manufactured homes or other moveable dwellings (on wheels or not).

You don't need approval to install up to 2 caravans, campervans or tents if they are not occupied for more than 2 consecutive days and more than 60 days in a 12-month period. You also don't need an approval if your council's local approval policy allows installation of tents, caravans and other moveable dwellings without one.

Your council can advise whether you need an approval. Visit the [NSW Planning Portal website](#) for more information about this approval.



## Day-to-day operations

You will have already looked at or developed several plans for your business. These and other operational matters should be pulled together into a single management plan that includes:

- measures to lessen negative environmental and amenity impacts
- measures to:
  - ensure only the approved number of visitors come to the site each day
  - manage pedestrian traffic
  - ensure visitors do not access restricted areas
- measures to protect human life and property during bush fires and floods, such as bush fire and flood safety plans
- procedures for closing the premises, such as when bush fire and flood warnings are in place, and notifying visitors about closures
- evacuation measures in the event of natural disasters, and access for emergency vehicles
- how to manage the business and water resources during drought
- how all vehicles will access and leave the premises
- procedures for receiving and managing complaints.

# 1.5 Business advice

If you're looking to start or expand an agritourism business on your farm, consider:

- the NSW Government's [business support services](#) including the Service NSW Business Concierge and Business Connect
- subscribing to Destination NSW's [NSW First Program](#), which helps visitor economy stakeholders develop, promote and sell their visitor experiences
- connecting with your [Destination Network](#), which works with visitor economy stakeholders to guide and support the sustainable management and development of the visitor economy in their assigned region

- the NSW Small Business Commission, which can help resolve common business issues and offers a cost-effective [mediation service](#) to help solve many types of disputes.

Another source of advice is to talk to farmers who are already operating agritourism businesses about their experiences and useful tips.

**Figure 3:** Matters to consider as you are planning an agritourism business.

**Location and design**

- Am I in a sensitive area?
- What are the nearby uses?
- Does my design complement the farm and surrounding area?
- How do I ensure access?
- How do I manage traffic?

**Other approvals**

- How do I manage waste?
- Do I need a private water supply?
- Do I comply with food safety and liquor requirements?
- What other approvals do I need?
- What insurance do I need?
- Where can I go for business advice?



**Planning approvals**

- What development can I do in the land use zone?
- What approval pathway do I use?
- Do I have landowner's consent?
- Do I meet the development standards?

**Community**

- Will odours or noise be generated?
- What signage will I use?
- Are there any hazards and risks?
- How do I manage biosecurity?

# 2

## Planning requirements by land use

This section gives the definitions and requirements for each type of agritourism development under the planning system. It also gives the development standards you must meet if you use the exempt development or complying development pathways.

For larger developments that go beyond these standards, talk to your council about lodging a development application.



Credit: Destination NSW



# 2.1 Farm stay accommodation

Farm stay accommodation is a building or place on a commercial farm that is ancillary to the farm. It gives paying guests of the farm temporary accommodation, including in buildings or moveable dwellings.

The full definition is available in [the dictionary](#) to *Standard Instrument – Principal Local Environmental Plan 2006* and is replicated in the local environmental plan for your area.

## Farm stay accommodation location

For new buildings and alterations and additions to existing buildings or manufactured homes as complying development, the farm stay accommodation must be located on:

- the same lot as a lawfully erected dwelling house, or
- a lot that meets at least the minimum size permitted under the relevant local environmental plan.

This makes it easier for you to preserve farmland for farming activities.

This location requirement does not apply to the following types of ‘moveable dwellings’ under exempt development:

- tents
- glamping platforms
- caravans
- campervans and camper trailers.

The requirement may also apply to development applications under the local environmental plan that applies in your area.

## Exempt development

### Changing dwellings to farm stay accommodation

If you’re changing the use of:

- an existing house
- a secondary dwelling (granny flat)
- a rural workers dwelling
- another type of residential accommodation
- a manufactured home

to farm stay accommodation, this is exempt development. It does not require planning or building approval if the development meets the general requirements and development standards. You can also change the use of a farm stay accommodation back to the type of residential accommodation it was previously as exempt development.

Using your land for the above types of ‘moveable dwellings’ – or building platforms or decks for glamping or BBQ shelters – is also exempt development.

### Land-use zones

All these types of development can be done in the following zones:

- RU1 Primary Production
- RU2 Rural Landscape\*
- RU4 Primary Production Small Lots
- other zones where agriculture (excluding aquaculture), agritourism, extensive agriculture, intensive livestock agriculture or intensive plant agriculture is permitted with consent or without consent under a local environmental plan.

\*Land in the RU2 zone under the *Bathurst Regional Local Environmental Plan 2014* is excluded from exempt development under the [Codes SEPP](#).

### Development standards for using dwellings as farm stay accommodation

To change the use of residential accommodation or a manufactured home to farm stay accommodation as exempt development, you will need to meet the standards in Table 2.

Table 2: Development standards for farm stay accommodation under exempt development

Type of standard	Development standard
Current use	Building or manufactured home that was lawfully built or installed, with any development meeting the conditions of the most recent applicable development consent
Number of buildings	Maximum 6
Number of guests	<ul style="list-style-type: none"> <li>• Maximum 2 guests (not including guests under 12 years) for each building/ manufactured home without bedrooms, or</li> <li>• Maximum 2 guests (not including guests under 12 years) for each bedroom</li> </ul>
Length of stay	Maximum 21 consecutive days for each stay
Building fire safety	Buildings must comply with the <a href="#">Short-term Rental Accommodation Fire Safety Standard</a> and with any relevant requirements of the Building Code of Australia
Bush fire and flooding safety	<ul style="list-style-type: none"> <li>• Place an evacuation diagram in a prominent position on the site with:                             <ul style="list-style-type: none"> <li>– directions for the safe evacuation of people</li> <li>– contact details for emergency services, including for a bush fire, flood or other natural disaster</li> </ul> </li> <li>• The development must not be in a floodway area</li> <li>• For bush fire-prone land, a bush fire safety authority is required under the <i>Rural Fires Act 1997</i></li> </ul>
Access	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Waste	<ul style="list-style-type: none"> <li>• Waste must be disposed of using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>• Onsite waste disposal must not negatively affect adjoining land</li> </ul>



Credit: Destination NSW

Figure 4: The conversion of a rural workers dwelling to farm stay accommodation.



### Changing farm stay accommodation back to residential accommodation

If you're using the exempt development pathway to change a farm stay accommodation building back to the residential accommodation it was previously, then the:

- previous use must have been residential accommodation and lawful
- change of use must be to the same type of residential accommodation as the previous use
- development must meet all conditions of consent for the most recent development consent that applies to the landholding.

### Development standards for camping, glamping and caravanning as farm stay accommodation

You will need to meet the standards in Table 3 to use land for camping, glamping and caravanning as farm stay accommodation under exempt development.

Table 3: Development standards for camping as farm stay accommodation under exempt development

Type of standard	Development standard
Landholding size	Minimum 15 ha
Number of moveable dwellings	Maximum 6 campervans, caravans or similar moveable dwellings, not including tents, annexes or similar portable and lightweight temporary shelters
Height	Maximum 4.5 m
Number of guests	Maximum 20 guests at any one time
Length of stay	Maximum 21 consecutive days for each stay
Communal amenities or facilities	Uses a maximum 25 m <sup>2</sup> of gross floor area in an existing building
Setbacks	<ul style="list-style-type: none"> <li>• Minimum 6 m from buildings and other structures on the property (except from tents and similar temporary shelters)</li> <li>• Minimum 50 m from property boundary or from waterways</li> <li>• Minimum 250 m from neighbouring dwelling</li> <li>• Minimum 250 m from property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, mines, extractive industries, rail lines, rural industries</li> </ul>
Bush fire and flooding safety	<ul style="list-style-type: none"> <li>• Place an evacuation diagram in a prominent position on the site with:                             <ul style="list-style-type: none"> <li>– directions for the safe evacuation of people</li> <li>– contact details for emergency services, including for a bush fire, flood or other natural disaster</li> </ul> </li> <li>• Development must not be in a floodway area</li> <li>• For bush fire-prone land, a bush fire safety authority is required under the <i>Rural Fires Act 1997</i></li> </ul>
Access to the premises	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Waste	<ul style="list-style-type: none"> <li>• Waste must be disposed of using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>• Onsite waste disposal must not negatively affect adjoining land</li> <li>• If there are no toilet facilities on the landholding as part of communal amenities or facilities, each moveable dwelling must contain a human waste storage facility (toilet)</li> <li>• Human waste storage facilities must be emptied using a sewage reticulation system or a system approved by the council</li> </ul>
Other approvals	Approval of the council may be required. Refer to Other approvals for camping in Section 1.4 for more information.

Figure 5: Setbacks for camping as exempt development

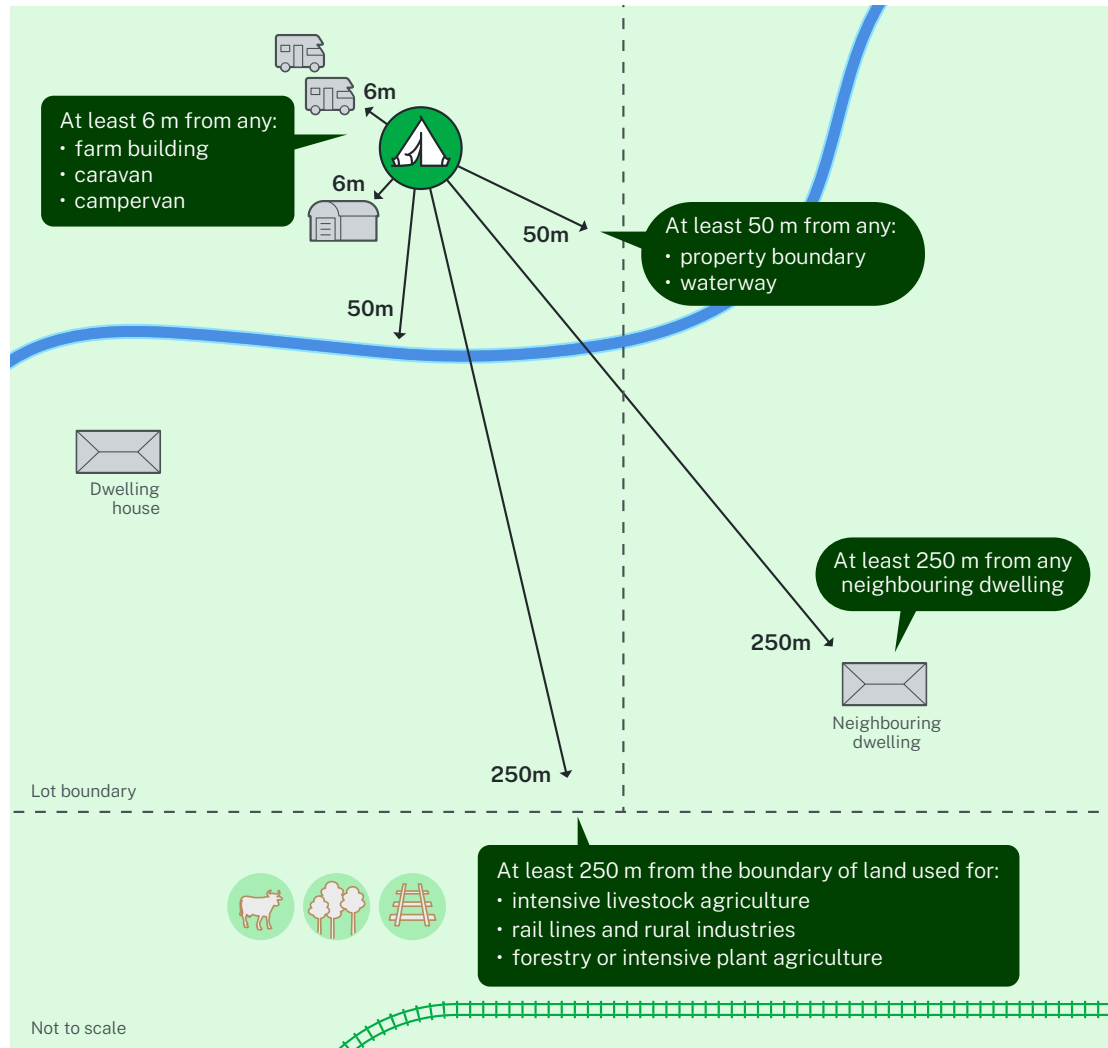


Diagram shows setbacks only, and not full extent of requirements for exempt development

### Development standards for building, installing or replacing a deck, slab or other platform

To construct, install or replace a deck, slab or other platform as exempt development, whether roofed or not:

- which will be used to prepare, cook or serve food in connection with farmstay accommodation, or
- on which a tent, caravan or campervan or a shelter for cooking or serving food is to be installed

you must meet the standards in Table 4.

### Other types of development possible under exempt development

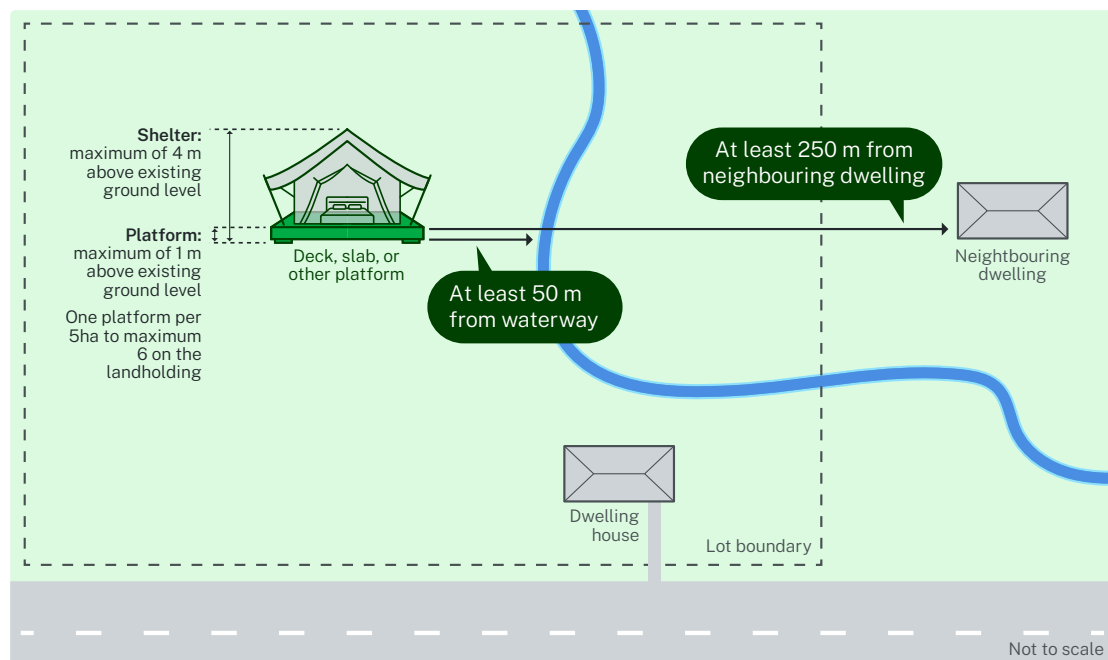
There are other types of development that can be done as exempt development. These can be used for farm stay accommodation if they meet the specified development standards. For example:

- [minor external building alterations](#)
- [minor internal building alterations](#)
- [constructing a pathway or paving](#)
- [constructing a driveway](#)
- erecting a sign (see Section 2.5 below).

Table 4: Development standards for decks, slabs or other platforms under exempt development

Type of standard	Development standard
Number of platforms	<ul style="list-style-type: none"> <li>• Maximum one platform for each 5 ha</li> <li>• Maximum 6 platforms for each landholding</li> </ul>
Area	Maximum 25 m <sup>2</sup> for each platform and for a shelter on the platform
Height	<ul style="list-style-type: none"> <li>• Maximum 1 m above the existing ground level for platform</li> <li>• Maximum 4 m above existing ground level for a shelter on the platform</li> </ul>
Setback	<ul style="list-style-type: none"> <li>• Minimum 50 m from property boundary or a waterway</li> <li>• Minimum 250 m from neighbouring dwellings</li> <li>• Minimum 250 m from property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, mines, extractive industries, rail lines, rural industries</li> </ul>

Figure 6: Some of the development standards for decks, slabs and other platforms as exempt development.





## Complying development

Under the complying development pathway, you can:

- change the use of an existing building that is not residential accommodation to farm stay accommodation
- change the use of the farm stay accommodation back to the previous use of the building
- construct a new building for farm stay accommodation
- modify, alter or extend an existing building or manufactured home for farm stay accommodation

if you meet the following requirements.

### Land-use zones

Farm stay accommodation can be done as complying development where 'farm stay accommodation' or 'tourist and visitor accommodation'\* is permitted with consent in the following zones:

- RU1 Primary Production
- RU2 Rural Landscape\*\*
- RU4 Primary Production Small Lots

\*Farm stay accommodation must not be specifically prohibited in the zone.

\*\*Land in the RU2 zone under the *Bathurst Regional Local Environmental Plan 2014* is excluded from complying development under the [Codes SEPP](#).

## Development standards for using an existing building as farm stay accommodation

You must meet the development standards in Table 5 to change the use of an existing building to farm stay accommodation as complying development.

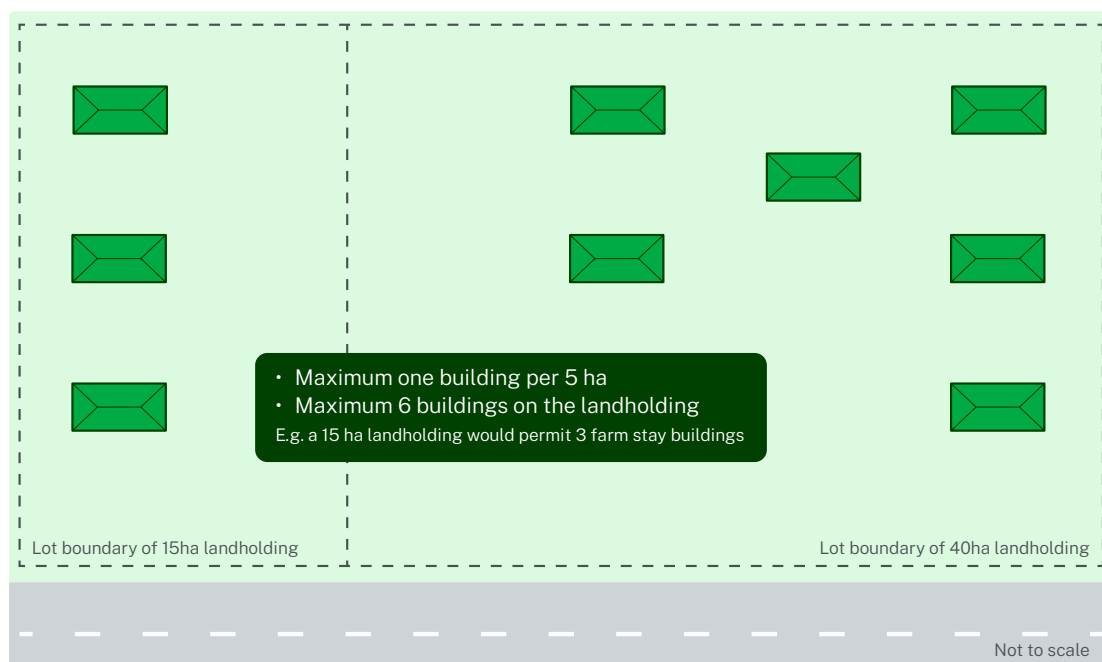
The existing building cannot be residential accommodation or a manufactured home, as this type of change of use is exempt development.

**Table 5:** Development standards for changing existing buildings to farm stay accommodation under complying development

Type of standard	Development standard
Current use	The current use of the building must be a lawful use and the development must meet all conditions of the most recent development consent that applies to the landholding
Number of buildings	<ul style="list-style-type: none"> <li>• Maximum one building for each 5 ha</li> <li>• Maximum 6 buildings on the landholding</li> </ul>
Number of guests	<ul style="list-style-type: none"> <li>• Maximum 2 guests over 12 years for each building or dwelling without bedrooms, or</li> <li>• Maximum 2 guests over 12 years for each bedroom</li> </ul>
Length of stay	Maximum 21 consecutive days for each stay
Gross floor area	Maximum 60 m <sup>2</sup> for the part of the building used for farm stay accommodation
Bush fire safety	Farm stay accommodation cannot be done on bush fire-prone land as complying development under the <i>Rural Fires Act 1997</i>
Flood-prone land	Development on a flood control lot must comply with the requirements in <a href="#">clause 9.2</a> of the Codes SEPP

Type of standard	Development standard
Setbacks	<ul style="list-style-type: none"> <li>Minimum 250 m from neighbouring dwellings</li> <li>Minimum 250 m from the property boundary of land used for intensive livestock agriculture, forestry, mines, extractive industries, rail lines, rural industries</li> </ul>
Access to the premises	<ul style="list-style-type: none"> <li>Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad’s <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Waste	<ul style="list-style-type: none"> <li>Waste must be disposed of using a sewage reticulation system, a system approved by the council or at a waste or resource management facility</li> <li>Onsite waste disposal must not negatively affect adjoining land</li> <li>A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding or a system of sewage management for which the approval of the council has been obtained</li> </ul>
Development near Siding Spring Observatory	Development in the Coonamble, Dubbo Regional, Gilgandra or Warrumbungle Shire local government areas must comply with <a href="#">clause 9.3</a> of the Codes SEPP for outside lighting
Development in the Hunter	Development cannot be carried out in areas identified on the <a href="#">Agritourism and Farm Stay Accommodation Exempt and Complying Development Land Map</a>

Figure 7: Maximum number of buildings on a landholding for farm stay accommodation.







Credit: Destination NSW

### Development standards for changing farm stay accommodation back to its previous use

If you're changing a farm stay accommodation building back to the previous use, you can use the complying development pathway. This pathway is for buildings other than buildings that were

previously residential accommodation. Exempt development can be used to change the use of farm stay accommodation back to residential accommodation (as explained above).

Table 6 summarises the development standards you must meet to change the use of a farm stay accommodation back to the previous lawful use of the building as complying development.

**Table 6:** Development standards for changing farm stay accommodation back to its previous use under complying development

Type of standard	Development standard
Previous use	The previous use must have been lawful and the development must meet all conditions of the most recent development consent that applies to the landholding
Bush fire safety	The development must not be development to which <a href="#">section 100B(1)</a> of the <i>Rural Fires Act 1997</i> applies
Development in the Hunter	The development cannot be carried out in areas identified on the <a href="#">Agritourism and Farm Stay Accommodation Exempt and Complying Development Land Map</a>
Access to the premises	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property

**Development standards for constructing a new building or modifying an existing one for farm stay accommodation**

If you want to erect a new building or to alter or add to an existing building or manufactured home for farm stay accommodation as complying development, you must meet the standards in Table 7.

Table 7: Development standards for erecting a new building or adding to an existing building or manufactured home for farm stay accommodation under complying development

Type of standard	Development standard
Landholding size	Minimum 15 ha
Location	<ul style="list-style-type: none"> <li>On the same lot as your home or a lot that is at least the minimum lot size permitted under the relevant environmental planning instrument</li> <li>On land that is 20 m below a ridgeline of a hill, the highest point of a building or manufactured home within 100 m of a ridgeline must be at least 5 m below the ridgeline. Figure 8 illustrates this requirement.</li> </ul>
Building height	<ul style="list-style-type: none"> <li>Maximum 4.5 m for new buildings and for additions and alterations to an existing building or manufactured home. Figure 9 illustrates this requirement.</li> <li>Development must not increase the height of an existing building or manufactured home with a height of at least 4.5 m before the alterations or additions</li> </ul>
Gross floor area	<ul style="list-style-type: none"> <li>Maximum 60 m<sup>2</sup> for a new building or for part of an existing building or manufactured home</li> <li>Maximum 25 m<sup>2</sup> of a building or part of a building to provide communal amenities or facilities</li> </ul>
Number of buildings	<ul style="list-style-type: none"> <li>Maximum one building for each 5 ha</li> <li>Maximum 6 buildings on the landholding</li> </ul>
Number of guests	<ul style="list-style-type: none"> <li>Maximum 2 guests over 12 years for each building or dwelling without bedrooms, or</li> <li>Maximum 2 guests over 12 years for each bedroom</li> </ul>
Length of stay	Maximum 21 consecutive days for each stay
Land near an aerodrome or airport	Development on land within 2 km of an aerodrome or airport must comply with <a href="#">clause 9.13(c)</a> of the Codes SEPP
Setbacks	<ul style="list-style-type: none"> <li>Minimum 6 m (for new buildings and external alterations or additions to an existing building or manufactured home) from other buildings or moveable dwellings on the property</li> <li>Minimum 50 m (for new buildings and external alterations or additions to an existing building or manufactured home) from a property boundary</li> <li>Minimum 50 m (for new buildings and external alterations or additions to an existing building or manufactured home) from waterways</li> <li>Minimum 250 m from neighbouring dwellings</li> <li>Minimum 250 m from the property boundary from intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries</li> </ul>
Earth works	Associated earthworks, retaining walls or structural supports must comply with <a href="#">clause 3D.61</a> of the Codes SEPP
Bush fire safety	Farm stay accommodation cannot be done on bush fire-prone land as complying development under the <i>Rural Fires Act 1997</i>
Building fire safety	Buildings must comply with the relevant requirements of the <a href="#">Short-term Rental Accommodation Fire Safety Standard</a> and with the relevant requirements of the Building Code of Australia

Type of standard	Development standard
Flood-prone land	Development on a flood control lot must comply with <a href="#">clause 9.2</a> of the Codes SEPP
Access to the premises	<ul style="list-style-type: none"> <li>Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Waste	<ul style="list-style-type: none"> <li>Waste must be disposed of using a sewage reticulation system, a system approved by the council or at a waste or resource management facility</li> <li>Onsite waste disposal must not negatively affect adjoining land</li> <li>A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding or a system of sewage management for which the approval of the council has been obtained</li> </ul>
Development near Siding Spring Observatory	Development in the Coonamble, Dubbo Regional, Gilgandra or Warrumbungle Shire local government areas must comply with <a href="#">clause 9.3</a> of the Codes SEPP for outside lighting
Development in the Hunter	Development cannot be carried out in areas identified on the <a href="#">Agritourism and Farm Stay Accommodation Exempt and Complying Development Land Map</a>

Figure 8: Location of a new building under complying development in relation to ridgelines.

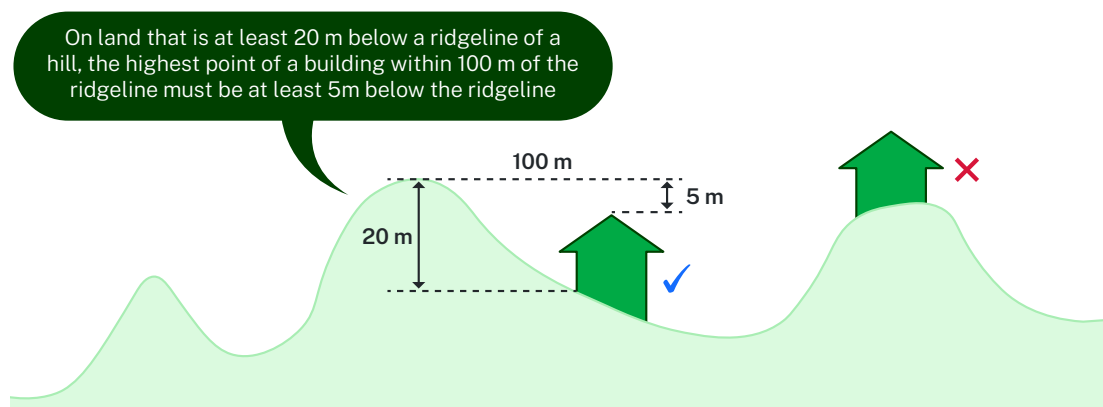
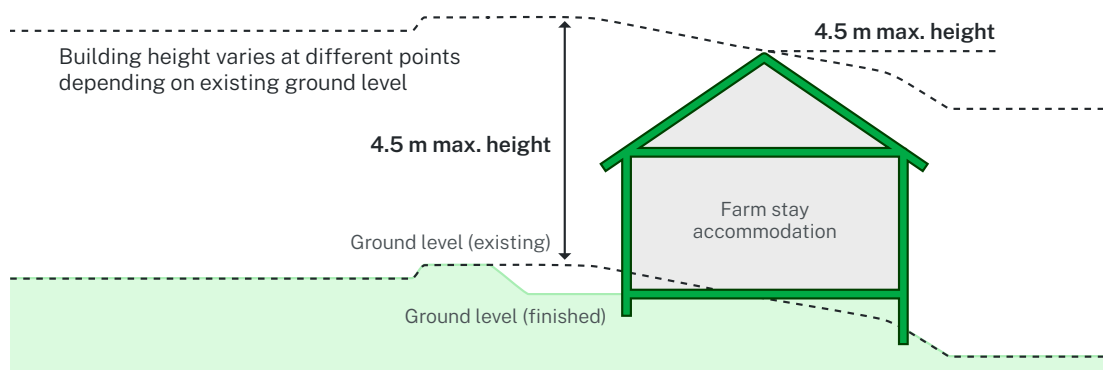


Figure 9: Maximum height of a new farm stay accommodation building.



### Example 1 – Change of use of an existing building

Minh wants to re-use his farm workers cottage on his commercial vineyard as farm stay accommodation during the off-season. The vineyard is zoned RU4. The cottage is 100 m<sup>2</sup>, self-contained and was lawfully approved under a development application.

He can re-purpose the building as farm stay accommodation for part of the year and revert the cottage back to a farm workers cottage under exempt development, so long as it meets the previously approved development consent conditions and the proposal complies with all the relevant development standards.



Credit: Smith & Tzannes

### Example 2 – Camping and caravans

Michelle’s 4,000 ha sheep farm has a great location for caravans, campervans and tents in its north-eastern corner. This spot is 50 m from a creek, not on bush fire-prone land and well separated from her livestock. Michelle has provided a small BBQ area and covered seating.

While Michelle does not need development approval to allow up to 6 caravans and campervans on her farm (if she can comply with all the relevant development standards), she may need a section 68 approval under the *Local Government Act 1993* from her council to have more than 2 caravans on the land.



### Example 3 – Cabins

Lachlan owns a 500 ha goat farm that is zoned RU2. He would like to build cabins on the other side of the hill to his home. He can apply to build a maximum of 6 cabins for farm stay accommodation under complying development on a property of his size.



Credit: Destination NSW



## 2.2 Farm gate premises

The planning system defines farm gate premises as a building or place on a commercial farm that is ancillary to the farm. On a commercial basis, it provides visitors with products mostly from the farm, or with services or activities related to the products. The products can be supplemented by others from other farms in the region. This can include:

- processing, packaging and sale of the products, but not the processing of animals
- commercially preparing and serving food and drink to people for their enjoyment on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided
- tastings or workshops
- providing information or education related to the products.

The full definition is available in the [dictionary to Standard Instrument – Principal Local Environmental Plan 2006](#) and is replicated in the local environmental plan for your area.

### Cellar door premises

Farm gate premises includes cellar door premises, which are specifically defined as a building or place used to sell wine by retail that is on land with a commercial vineyard. Most of the wine on sale must be produced in a winery on that land or produced mostly from grapes grown in the surrounding area.

The full definition is available in the [dictionary to Standard Instrument – Principal Local Environmental Plan 2006](#) and is replicated in the local environmental plan for your area. You do not need to comply with the definition for farm gate premises but must comply with the definition for cellar door premises to seek approval for this land use.

Credit: Destination NSW



## Exempt development

### Development standards for using land or existing buildings for farm gate premises

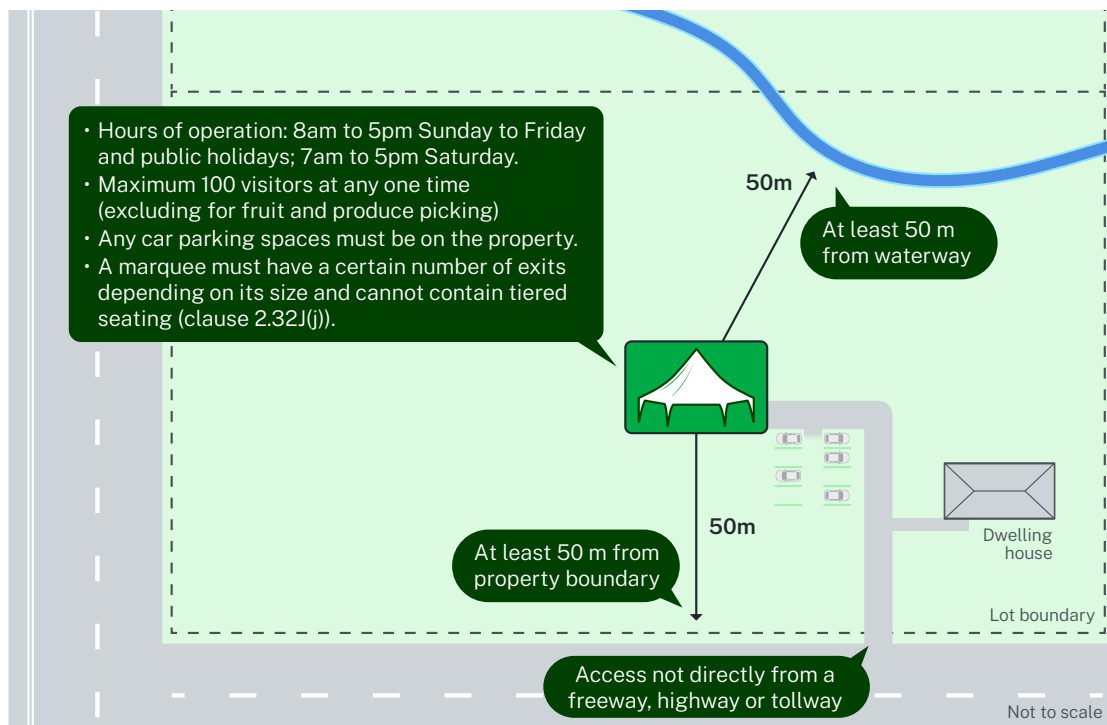
You can use your land or existing buildings and structures on the farm for farm gate premises under exempt development if you can meet the standards in Table 8.

Table 8: Development standards for farm gate premises under exempt development

Type of standard	Development standard
Where development is permitted	<p>Land zoned:</p> <ul style="list-style-type: none"> <li>• RU1 Primary Production</li> <li>• RU2 Rural Landscape*</li> <li>• RU4 Primary Production Small Lots</li> <li>• other zones where agriculture (except aquaculture), agritourism, extensive agriculture, intensive livestock agriculture or intensive plant agriculture is permitted with consent or without consent</li> </ul> <p>*Land in the RU2 zone under the <i>Bathurst Regional Local Environmental Plan 2014</i> is excluded from exempt development under the <a href="#">Codes SEPP</a>.</p>
Type of building	The new use must not change the existing classification of the building under the Building Code of Australia except between class 5 (office buildings for professional and/or commercial purposes) and class 6 (shops, restaurants and cafés)
Gross floor area	<ul style="list-style-type: none"> <li>• Maximum 200 m<sup>2</sup> of the gross floor area of an existing building</li> <li>• Maximum 500 m<sup>2</sup> for all buildings used for farm gate premises and farm experience premises</li> </ul>
Setbacks	<ul style="list-style-type: none"> <li>• Minimum 50 m from the property boundary (for buildings)</li> <li>• Minimum 50 m from waterways (for buildings)</li> <li>• Minimum 250 m from neighbouring dwellings</li> <li>• Minimum 250 m from the property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries, rural industries</li> </ul>
Hours of operation	<ul style="list-style-type: none"> <li>• 8 am to 5 pm Sunday to Friday and public holidays</li> <li>• 7 am to 5 pm Saturday</li> </ul>
Number of visitors	<ul style="list-style-type: none"> <li>• Maximum 100 visitors at one time (excluding for fruit and produce picking*)</li> <li>• Maximum 100 visitors at one time for all farm gate premises and farm experience premises (excluding for fruit and produce picking, tours, horse riding tours and school groups)</li> </ul> <p>*Fruit and produce picking is defined in the Codes SEPP to mean picking, gathering, selecting or otherwise harvesting fruit, vegetables and other agricultural products from the farm by a visitor, for purchase by the visitor.</p>
Temporary tents or marquees	Must comply with relevant clauses of the Codes SEPP – specified in clause <a href="#">2.32J(j)</a> .
Bush fire and flooding safety	<ul style="list-style-type: none"> <li>• Place an evacuation diagram in a prominent position on the site with: <ul style="list-style-type: none"> <li>– directions for the safe evacuation of people</li> <li>– contact details for emergency services, including for a bush fire, flood or other natural disaster</li> </ul> </li> <li>• The development must not be in a floodway area</li> </ul>

Type of standard	Development standard
Access to the premises	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad’s <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Waste	<ul style="list-style-type: none"> <li>• Waste must be disposed of using a sewage reticulation system, a system approved by the council or at a waste or resource management facility</li> <li>• Onsite waste disposal must not negatively affect adjoining land</li> <li>• A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding, or a system of sewage management for which the approval of the council has been obtained</li> </ul>

Figure 10: Some of the development standards for farm gate premises as exempt development.



**Other types of development possible under exempt development**

Other types of development that can follow the exempt development pathway, if they meet the specified development standards, include:

- [minor external building alterations](#)
- [minor internal building alterations](#)
- [selling food and drinks from a food truck, van or cart](#)
- [constructing or installing a gazebo](#)
- [erecting a shed](#)
- [constructing a pathway or paving](#)
- [constructing a driveway](#)
- erecting a sign (see Section 2.5 below).



## Complying development

Under complying development, you can:

- change the use of an existing building to farm gate premises
- construct a new building for farm gate premises
- modify or extend an existing building for farm gate premises

if you meet the following requirements.

### Land-use zones

Complying development can occur where 'farm gate premises', 'agritourism' or 'agriculture' are permitted with consent in the following zones:

- RU1 Primary Production
- RU2 Rural Landscape\*
- RU4 Primary Production Small Lots

\*Land in the RU2 zone under the *Bathurst Regional Local Environmental Plan 2014* is excluded from complying development under the [Codes SEPP](#)

### Development standards for changing an existing building to farm gate premises

Table 9 summarises the development standards to change the use of an existing building to farm gate premises as complying development.

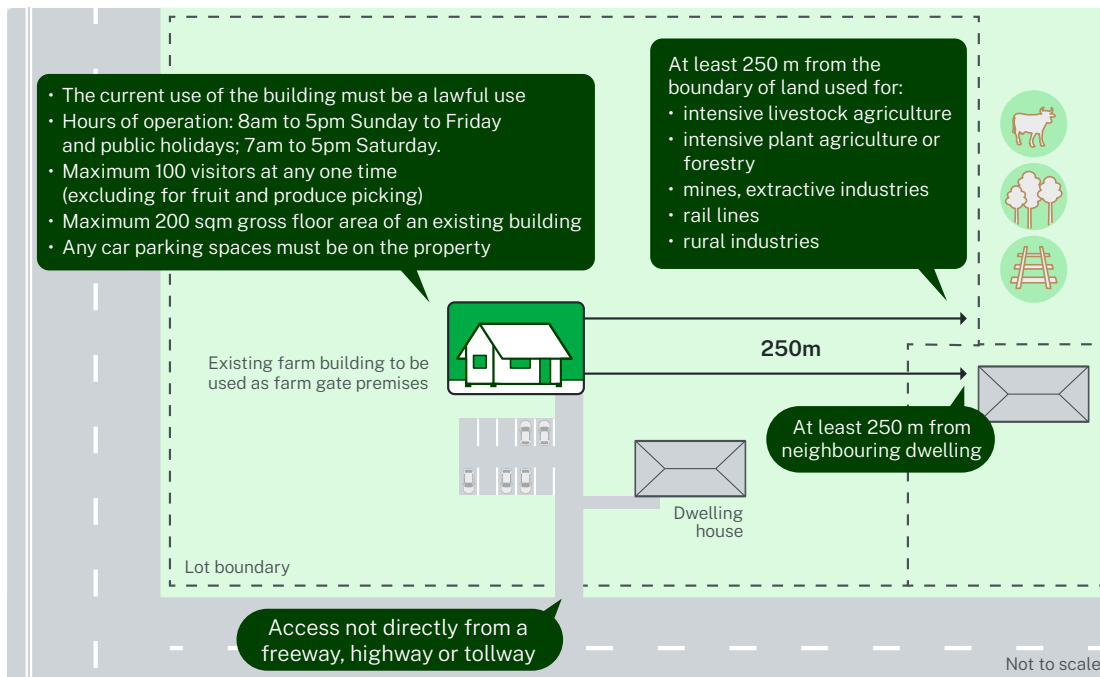
### Fire safety

If you are looking to re-use an existing building for an agritourism use, you may need to install more fire safety services—for example, smoke alarms and fire extinguishers. The council or registered certifier can advise you.

**Table 9:** Development standards for changing the use of an existing building to farm gate premises under complying development

Type of standard	Development standard
Current use	The current use of the building must be a lawful use
Location	On land that is at least 20 m below a ridgeline of a hill, the highest point of a building within 100 m of the ridgeline must be at least 5 m below the ridgeline
Gross floor area	<ul style="list-style-type: none"> <li>• Maximum 200 m<sup>2</sup> of the gross floor area of an existing building</li> <li>• Maximum 500 m<sup>2</sup> for all buildings used for farm gate premises and farm experience premises on the landholding</li> </ul>
Setbacks	<ul style="list-style-type: none"> <li>• Minimum 250 m from neighbouring dwellings</li> <li>• Minimum 250 m from the property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries, rural industries</li> </ul>
Flood-prone land	Development on a flood control lot must comply with <a href="#">clause 9.2</a> of the Codes SEPP
Hours of operation	<ul style="list-style-type: none"> <li>• 8 am to 5 pm Sunday to Friday and public holidays</li> <li>• 7 am to 5 pm Saturdays</li> </ul>
Number of visitors	<ul style="list-style-type: none"> <li>• Maximum 100 visitors at any one time (excluding for fruit and produce picking)</li> <li>• Maximum 100 visitors at any one time on the landholding for all farm gate premises and farm experience premises (excluding for fruit and produce picking, farm tours, horse riding tours and school groups)</li> </ul>
Access to the premises	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Development near Siding Spring Observatory	Development in the Coonamble, Dubbo Regional, Gilgandra or Warrumbungle Shire local government areas must comply with <a href="#">clause 9.3</a> of the Codes SEPP for outside lighting
Waste	<ul style="list-style-type: none"> <li>• Waste must be disposed of using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>• Onsite waste disposal must not negatively affect adjoining land</li> <li>• A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding, or a system of sewage management for which the approval of the council has been obtained</li> </ul>

Figure 11: Some of the development standards for changing the use of an existing building to farm gate premises as complying development.



### Development standards for erecting a new building or changing an existing one for farm gate premises

Table 10 summarises the development standards you must meet to erect a new building, or to alter or add to an existing building, for farm gate premises as complying development.

Table 10: Development standards to erect a new building or alter one for farm gate premises under complying development

Type of standard	Development standard
Current use	The current use of the building must be a lawful use
Location	On land that is at least 20 m below a ridgeline of a hill, the highest point of a building within 100 m of the ridgeline must be at least 5 m below the ridgeline
Building height	<ul style="list-style-type: none"> <li>For landholdings up to 10 ha:                             <ul style="list-style-type: none"> <li>maximum 7 m for new buildings</li> <li>maximum 7 m for additions and alterations to an existing building</li> <li>an existing building of at least 7 m must not increase in height</li> </ul> </li> <li>For landholdings greater than 10 ha:                             <ul style="list-style-type: none"> <li>maximum 10 m for new buildings</li> <li>maximum 10 m for additions and alterations to an existing building</li> <li>an existing building of at least 10 m must not increase in height</li> </ul> </li> <li>Exception – If the land is identified in an environmental planning instrument as ‘Land with scenic and landscape values’ or mapped as being in a ‘Scenic protection area’, the maximum height of a new or existing building is 7 m.</li> </ul>

Type of standard	Development standard
<b>Gross floor area</b>	<ul style="list-style-type: none"> <li>• Maximum 200 m<sup>2</sup> of the gross floor area of an existing building</li> <li>• Maximum 500 m<sup>2</sup> for all buildings used for farm gate premises and farm experience premises</li> </ul>
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>• Minimum 6 m (for new buildings or external alterations or additions to an existing building) from other buildings on the property</li> <li>• Minimum 50 m (for new buildings or external alterations or additions to an existing building) from a property boundary</li> <li>• Minimum 50 m (for new buildings or external alterations or additions to an existing building) from waterways</li> <li>• Minimum 250 m from neighbouring dwellings</li> <li>• Minimum 250 m from the property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries, rural industries</li> </ul>
<b>Flood-prone land</b>	<p>Development on a flood control lot must comply with the requirements in <a href="#">clause 9.2</a> of the Codes SEPP</p>
<b>Hours of operation</b>	<ul style="list-style-type: none"> <li>• 8 am to 5 pm Sunday to Friday and public holidays</li> <li>• 7 am to 5 pm Saturdays</li> </ul>
<b>Number of visitors</b>	<ul style="list-style-type: none"> <li>• Maximum 100 visitors at any one time (excluding for fruit and produce picking)</li> <li>• Maximum 100 visitors at any one time on the landholding for all farm gate premises and farm experience premises (excluding for fruit and produce picking, tours, horse riding tours and school groups)</li> </ul>
<b>Building works</b>	<p>Associated earthworks, retaining walls or structural supports must comply with <a href="#">clause 3D.61</a> of the Codes SEPP</p>
<b>Access to the premises</b>	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad’s <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
<b>Parking</b>	<p>Car parking spaces must be on the property</p>
<b>Land near an aerodrome or airport</b>	<p>Development on land within 2 km of an aerodrome or airport must comply with <a href="#">clause 9.7(a)</a> of the Codes SEPP</p>
<b>Development near Siding Spring Observatory</b>	<p>Development in the Coonamble, Dubbo Regional, Gilgandra or Warrumbungle Shire local government areas must comply with <a href="#">clause 9.3</a> of the Codes SEPP for outside lighting</p>
<b>Waste</b>	<ul style="list-style-type: none"> <li>• Waste must be disposed using a sewage reticulation system, a system approved by the council or at a waste or resource management facility</li> <li>• Onsite waste disposal must not negatively affect adjoining land</li> <li>• A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding, or a system of sewage management for which the approval of the council has been obtained</li> </ul>

### Example 1 – Produce sales

Dana has an apple orchard on land zoned RU2 that supplies wholesale fruit to supermarkets. She also sells a few buckets of apples from a small roadside cart. As business from the roadside stall has grown, Dana wants to open a shop in an old farm storage shed. After speaking to her council, Dana learns that as the shed is under 200 m<sup>2</sup>, she can apply to change the use of the shed to ‘farm gate premises’ through complying development.



### Example 2 – Hobby farm

Greg owns 15 ha of land zoned as rural, which has alpacas, horses and a petting zoo. As Greg’s farm is not a commercial one, he cannot set up an agritourism business. There may be other land uses available to him under the council’s local environmental plan.



Credit: Destination NSW

### Example 3 – New small restaurant

Chantel and Jamel would like to open a 200 m<sup>2</sup> restaurant serving food and wine sourced mostly from their farm and other farms in the surrounding valley. Their landholding is zoned RU4 under the council’s local environmental plan.

They expect around 150 visitors for lunch sittings and there is existing driveway directly off a highway. Some neighbours’ dwellings are less than 200 m from the proposed restaurant.

Chantel and Jamel would need to lodge a development application, as they cannot meet several development standards for exempt or complying development.



Credit: Destination NSW

## 2.3 Farm experience premises

The planning system defines farm experience premises as a building or place on a commercial farm that is ancillary to the farm that gives visitors small-scale and low-impact tourist or recreational activities on a commercial basis. It includes:

- horse riding
- farm tours
- functions and conferences
- farm field days.

Farm experience premises can also include:

- creative skills or cultural workshops
- events such as weddings
- yoga
- photography
- astronomy classes.

Motor sports are not included.

The full definition is available in the [dictionary to Standard Instrument – Principal Local Environmental Plan 2006](#) and is replicated in the local environmental plan for your area.

### Exempt development

Under exempt development, you can use your land or existing buildings and structures on the farm for farm experience premises.

#### Development standards to use land or an existing building for farm experience premises

Table 11 summarises the development standards you must meet to use land, or an existing building, for farm experience premises as exempt development.



Credit: Destination NSW

**Table 11:** Development standards for using land or an existing building for farm experience premises under exempt development

Type of standard	Development standard
Where development is permitted	<p>Land zoned:</p> <ul style="list-style-type: none"> <li>• RU1 Primary Production</li> <li>• RU2 Rural Landscape*</li> <li>• RU4 Primary Production Small Lots</li> <li>• other zones where agriculture (except aquaculture), agritourism, extensive agriculture, intensive livestock agriculture or intensive plant agriculture is permitted with consent or without consent</li> </ul> <p>*Land in the RU2 zone under the <i>Bathurst Regional Local Environmental Plan 2014</i> is excluded from exempt development under the <a href="#">Codes SEPP</a>.</p>



Type of standard	Development standard
<b>Type of building</b>	<ul style="list-style-type: none"> <li>The development must not involve the erection of a new building</li> <li>The use must not change the existing classification of the building under the Building Code of Australia except between class 5 (office buildings for professional and/or commercial purposes) and class 6 (shops, restaurants and cafés)</li> </ul>
<b>Gross floor area</b>	<ul style="list-style-type: none"> <li>Maximum 200 m<sup>2</sup> of the gross floor area of an existing building</li> <li>Maximum 500 m<sup>2</sup> for all buildings used for farm gate premises and farm experience premises on the landholding</li> </ul>
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>Minimum 50 m (for buildings) from a property boundary</li> <li>Minimum 50 m (for buildings) from waterways</li> <li>Minimum 250 m from neighbouring dwellings</li> <li>Minimum 1 km from residential accommodation or a building, including a stable, stock yard, or poultry shed, used to house animals on neighbouring land if there is amplified noise</li> <li>Minimum 250 m from the property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries, rural industries</li> </ul>
<b>Hours of operation</b>	<ul style="list-style-type: none"> <li>8 am to 6 pm Sunday to Thursday and public holidays</li> <li>8 am to midnight Friday and Saturday</li> <li>Maximum 4 days each year on Friday or Saturday after 6 pm if there is amplified noise</li> </ul>
<b>Number of visitors</b>	<ul style="list-style-type: none"> <li>Maximum 50 visitors at any one time on the landholding (excluding for farm tours, horse riding tours and school groups) for up to 52 days a year</li> <li>Maximum 100 visitors at any one time on the landholding for all farm gate premises and farm experience premises (excluding for fruit and produce picking, farm tours, horse riding tours and school groups)</li> </ul>
<b>Notice to neighbours</b>	At least one week's notice before the premises opens to visitors, including the location, date and opening hours
<b>Bush fire and flooding safety</b>	<ul style="list-style-type: none"> <li>Place an evacuation diagram in a prominent position on the site with:                             <ul style="list-style-type: none"> <li>directions for the safe evacuation of people</li> <li>contact details for emergency services, including for a bush fire, flood or other natural disaster</li> </ul> </li> <li>The development must not be in a floodway area</li> </ul>
<b>Temporary tents and marquees</b>	Tents and marquees must comply with relevant clauses of the Codes SEPP – specified in <a href="#">clause 2.32J(j)</a> .
<b>Access to the premises</b>	<ul style="list-style-type: none"> <li>Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
<b>Parking</b>	Car parking spaces must be on the property
<b>Waste</b>	<ul style="list-style-type: none"> <li>Waste must be disposed using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>Onsite waste disposal must not negatively affect adjoining land</li> <li>A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding or a system of sewage management for which the approval of the council has been obtained</li> </ul>

### Other types of development possible under exempt development

Other development that can follow the exempt development pathway, if they meet the specified development standards, include:

- [minor external building alterations](#)
- [minor internal building alterations](#)
- [constructing or installing a gazebo](#)
- [constructing a pathway or paving](#)
- [constructing a driveway](#)
- erecting a sign (see Section 2.5 below).

### Complying development

Using the complying development pathway, you can:

- change the use of an existing building to farm experience premises
- construct a new building for farm experience premises
- modify or extend an existing building for farm experience premises

if you meet the following requirements.

### Land-use zones

Complying development can only be done where ‘farm experience premises’, ‘agritourism’ or ‘agriculture’ are permitted with consent in the following land use zones:

- RU1 Primary Production
- RU2 Rural Landscape\*
- RU4 Primary Production Small Lots.

\*Land in the RU2 zone under the *Bathurst Regional Local Environmental Plan 2014* is excluded from complying development under the [Codes SEPP](#).

### Development standards to change the use of an existing building to farm experience premises

Table 12 summarises the development standards you must meet to change the use of an existing building to farm experience premises as complying development.

### Fire safety

If you are looking to re-use an existing building for an agritourism use, you may need to install more fire safety services– for example, smoke alarms and fire extinguishers. The council or registered certifier can advise you.

**Table 12:** Development standards to change an existing building to farm experience premises under complying development

Type of standard	Development standard
Current use	The current use of the building must be a lawful use
Location	On land that is at least 20 m below a ridgeline of a hill, the highest point of a building within 100 m of the ridgeline must be at least 5 m below the ridgeline
Gross floor area	<ul style="list-style-type: none"> <li>• Maximum 200 m<sup>2</sup> of the gross floor area of an existing building</li> <li>• Maximum 500 m<sup>2</sup> for all buildings used for farm gate premises and farm experience premises on the landholding</li> </ul>
Setbacks	<ul style="list-style-type: none"> <li>• Minimum 250 m from neighbouring dwelling</li> <li>• Minimum 1 km setback from residential accommodation or a building, including a stable, stock yard, or poultry shed, used to house animals on neighbouring land if there is amplified noise</li> <li>• Minimum 250 m from the property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries, rural industries</li> </ul>
Flood-prone land	Development on a flood control lot must comply with <a href="#">clause 9.2</a> of the Codes SEPP
Hours of operation	<ul style="list-style-type: none"> <li>• 8 am to 6 pm Sunday to Thursday and public holidays</li> <li>• 8 am to midnight Friday and Saturday</li> <li>• Maximum 4 days each year on Friday or Saturday after 6 pm if there is amplified noise</li> </ul>



Type of standard	Development standard
Number of visitors	<ul style="list-style-type: none"> <li>• Maximum 50 visitors at any one time on the landholding (excluding for farm tours, horse riding tours and school groups) for up to 52 days a year</li> <li>• Maximum 100 visitors at any one time on the landholding for all farm gate premises and farm experience premises (excluding for fruit and produce picking, farm tours, horse riding tours and school groups)</li> </ul>
Notice to neighbours	At least one week’s notice before the premises opens to visitors, including the location, date and opening hours
Access to the premises	<ul style="list-style-type: none"> <li>• Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>• Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad’s <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>• Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Development near Siding Spring Observatory	Development in the Coonamble, Dubbo Regional, Gilgandra or Warrumbungle Shire local government areas must comply with <a href="#">clause 9.3</a> of the Codes SEPP for outside lighting
Waste	<ul style="list-style-type: none"> <li>• Waste must be disposed using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>• Onsite waste disposal must not negatively affect adjoining land</li> <li>• A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding, or a system of sewage management for which the approval of the council has been obtained</li> </ul>



### Development standards to construct a new building, or modify or extend an existing building

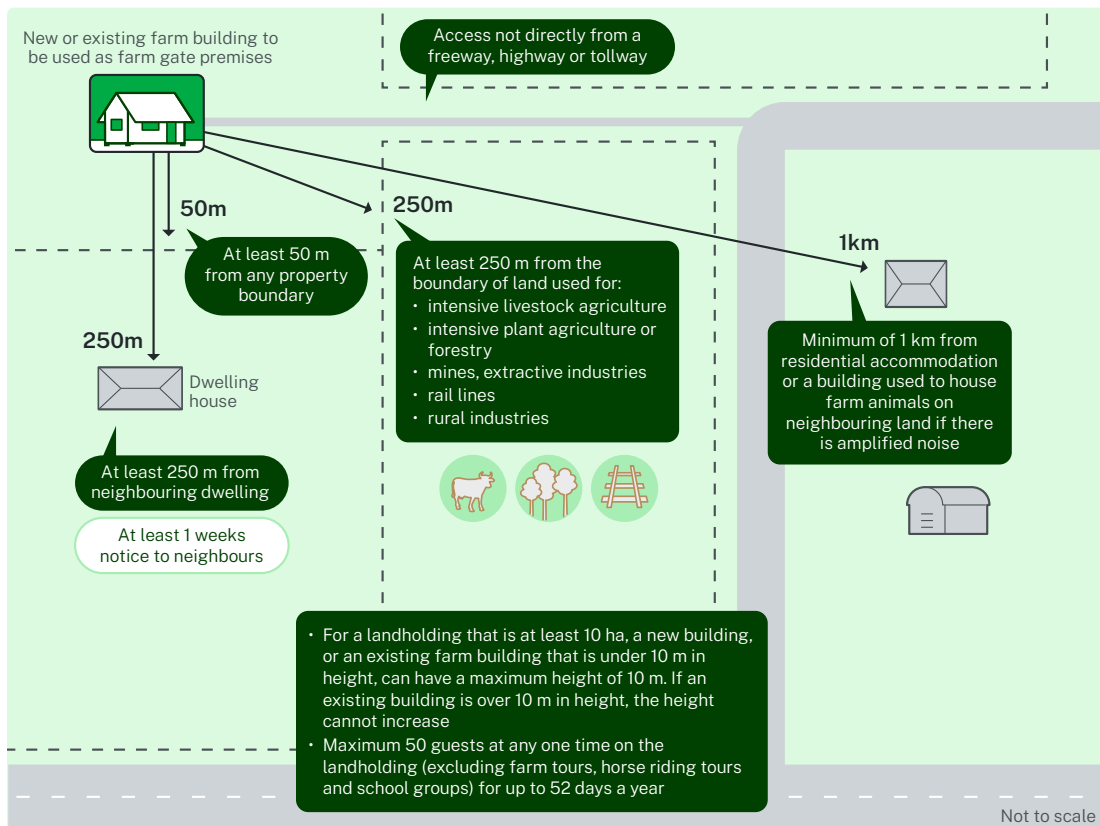
Table 13 summarises the development standards that you must meet to construct a new building, or modify or extend an existing building, for farm experience premises under complying development.

**Table 13:** Development standards to construct a new building or modify an existing one for farm experience premises under complying development

Type of standard	Development standard
<b>Current use</b>	The current use of the building must be a lawful use
<b>Location</b>	On land that is at least 20 m below a ridgeline of a hill, the highest point of a building within 100 m of the ridgeline must be at least 5 m below the ridgeline
<b>Building height</b>	For landholdings up to 10 ha: <ul style="list-style-type: none"> <li>• maximum 7 m for new buildings</li> <li>• maximum 7 m for additions and alterations to an existing building</li> <li>• an existing building of at least 7 m in height must not increase</li> </ul> For landholdings greater than 10 ha: <ul style="list-style-type: none"> <li>• maximum 10 m for new buildings</li> <li>• maximum 10 m for additions and alterations to an existing building</li> <li>• an existing building of at least 10 m in height must not increase</li> </ul> Exception – If the land is identified in an environmental planning instrument as ‘Land with scenic and landscape values’ or mapped as being in a ‘Scenic protection area’, the maximum height of a new building or an existing one that is altered or added to is 7 m
<b>Gross floor area</b>	<ul style="list-style-type: none"> <li>• Maximum 200 m<sup>2</sup> of the gross floor area of an existing building</li> <li>• Maximum 500 m<sup>2</sup> for all buildings used for farm gate premises and farm experience premises on the landholding</li> </ul>
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>• Minimum 6 m (for new buildings or external alterations or additions to an existing building) from other structures on the property</li> <li>• Minimum 50 m (for new buildings or external alterations or additions to an existing building) from a property boundary</li> <li>• Minimum 50 m (for new buildings or external alterations or additions to an existing building) from waterways</li> <li>• Minimum 250 m from neighbouring dwellings</li> <li>• Minimum 1 km setback from residential accommodation or a building, including a stable, stock yard, or poultry shed, used to house animals on neighbouring land if there is amplified noise</li> <li>• Minimum 250 m from the property boundary of land used for intensive plant agriculture, intensive livestock agriculture, forestry, rail lines, mines, extractive industries, rural industries</li> </ul>
<b>Flood-prone land</b>	Development on a flood control lot must comply with <a href="#">clause 9.2</a> of the Codes SEPP
<b>Hours of operation</b>	<ul style="list-style-type: none"> <li>• 8 am to 6 pm Sunday to Thursday and public holidays</li> <li>• 8 am to midnight Friday and Saturday</li> <li>• Maximum 4 days per year on Friday or Saturday after 6 pm if there is amplified noise</li> </ul>
<b>Number of visitors</b>	<ul style="list-style-type: none"> <li>• Maximum 50 guests at any one time on the landholding (excluding for farm tours, horse riding tours and school groups) for up to 52 days a year</li> <li>• Maximum 100 visitors at any one time on the landholding for all farm gate premises and farm experience premises (excluding for fruit and produce picking, farm tours, horse riding tours and school groups)</li> </ul>

Type of standard	Development standard
Notice to neighbours	At least one week's notice before the premises opens to visitors, including the location, date and opening hours.
Building works	Associated earthworks, retaining walls or structural supports must comply with <a href="#">clause 3D.61</a> of the Codes SEPP
Access to the premises	<ul style="list-style-type: none"> <li>Access for cars or people must not be directly from a freeway, highway or tollway</li> <li>Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	Car parking spaces must be on the property
Land near an aerodrome or airport	Development on land within 2 km of an aerodrome or airport must comply with <a href="#">clause 9.7(a)</a> of the Codes SEPP
Development near Siding Spring Observatory	Development carried out in the Coonamble, Dubbo Regional, Gilgandra or Warrumbungle Shire local government areas must comply with <a href="#">clause 9.3</a> of the Codes SEPP for outside lighting
Waste	<ul style="list-style-type: none"> <li>Waste must be disposed using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>Onsite waste disposal must not negatively affect adjoining land</li> <li>A human waste storage facility on the landholding must be emptied using a sewage reticulation system connected to the landholding, or a system of sewage management for which the approval of the council has been obtained</li> </ul>

Figure 12: Some of the development standards for constructing a new building or altering or adding to an existing building for farm experience premises as complying development.





### Example 1 – Workshops

Sandy’s farm sits within picturesque rolling hills where she grows canola for oil production. Sandy wants to hold workshops on landscape photography in an outbuilding on her property during the day and workshops on astronomical photography in the evenings. As Sandy’s farmland is zoned RU2 and is a primary production business under the *Income Tax Assessment Act 1997* (Cth), she can apply for a complying development certificate to host these sessions as ‘farm experience premises’.



### Example 2 – Cow milking and guided tours

Raj owns a 400 ha dairy farm which is zoned RU1. He would like to run guided tours of his property and invite groups of about 30 people to experience milking the cows. Raj could do these activities as farm experience premises under exempt development if he complies with the development standards and general requirements.



### Example 3 – Hosting weddings

José wants to host weddings for up to 50 guests on his 200 ha vineyard that is zoned RU4. The proposal would involve building a deck 0.3 m high and 25 m<sup>2</sup> in an existing clearing, more than 250 m away from the nearest property boundary. There is no residential accommodation within a 1-km radius, and he does not propose to permit amplified music. If José complies with relevant development standards and general requirements, he could carry out his proposal as exempt development.

Over time, José’s agritourism business has done well and he would now like to convert an existing 150 m<sup>2</sup> farm storage shed to host weddings. Changing the use of the farm building could be done as complying development if José complies with all relevant development standards.



All images this page: Destination NSW

## 2.4 Roadside stalls

The planning system defines a roadside stall as a place or temporary structure used to sell agricultural produce and/or hand-crafted goods produced from the property or an adjacent property. The erection or installation of a roadside stall is exempt development if you meet the development standards summarised in Table 14.

If you cannot meet the development standards for exempt development, you can lodge a development application with the local council. Clause 5.4(8) of the local environmental plan for your area specifies the floor area for roadside stalls under a development application. There may be other requirements for roadside stalls in the council's development control plan.

### Example – Sales from small cart

Daphne runs a commercial flower and culinary herb farm on land zoned RU4. She wants to sell a range of fresh and dried flowers and herbs to passing traffic from a small cart on the side of the entrance driveway, just inside her property boundary.

Daphne could begin her proposed agritourism venture as exempt development if she can comply with the relevant development standards and general requirements.

Credit: Destination NSW



Table 14: Development standards for roadside stalls under exempt development

Type of standard	Development standard
Where development is permitted	<ul style="list-style-type: none"> <li>Land zoned:                             <ul style="list-style-type: none"> <li>RU1 Primary Production</li> <li>RU2 Rural Landscape*</li> <li>RU4 Primary Production Small Lots</li> </ul> </li> <li>Development is not permitted adjacent to a freeway, highway or tollway</li> </ul> <p>*Land in the RU2 zone under the <i>Bathurst Regional Local Environmental Plan 2014</i> is excluded from exempt development under the <a href="#">Codes SEPP</a></p>
Number of stalls	One roadside stall on a privately owned landholding
Gross floor area	Maximum 9 m <sup>2</sup>
Bush fire and flooding safety	<ul style="list-style-type: none"> <li>Minimum 6 m separation from residential accommodation on bush fire-prone land</li> <li>Place an evacuation diagram in a prominent position on the site with:                             <ul style="list-style-type: none"> <li>directions for the safe evacuation of people</li> <li>contact details for emergency services, including for a bush fire, flood or other natural disaster.</li> </ul> </li> <li>The development must not be in a floodway area</li> </ul>
Access to the premises	<ul style="list-style-type: none"> <li>Any driveway or other vehicle access point to a public road must have a clear sight distance for vehicles leaving the premises of at least 300 m or comply with Table 5.5 of Austroad's <a href="#">Guide to Road Design Part 3 Geometric Design</a></li> <li>Vehicles must be able to enter and exit the property in a forward direction</li> </ul>
Parking	<p>Onsite parking must be within the property boundary. It may be on a road verge if:</p> <ul style="list-style-type: none"> <li>the verge has a maximum average gradient 1:20</li> <li>there is no vegetation</li> <li>the parking spaces are at least 3 m from the road</li> <li>the verge is adjacent to a road with a maximum speed limit of 60 km/hr</li> </ul>
Waste	<ul style="list-style-type: none"> <li>Waste must be disposed using a sewage reticulation system, a system approved by the council, or at a waste or resource management facility</li> <li>Onsite waste disposal must not negatively affect adjoining land</li> </ul>

Other types of development listed in [Part 2](#) of the Codes SEPP could also be used for agritourism – for example, erecting a marquee for a roadside stall.



## 2.5 Signage

You can build or install a sign that identifies farm stay accommodation, farm experience premises, farm gate premises and/or roadside stalls as exempt development if:

- there are no more than 2 signs facing the road and no more than one illuminated sign
- the sign is on the same landholding as the business and not attached to a heritage building
- the sign is no more than 2 m above the ground level and no bigger than 2 m<sup>2</sup>
- the sign accords with the Australian Standards:
  - AS/NZS 1170.0: 2002, Structural design actions, Part 0: General principles
  - AS/NZS 1170.2: 2021, Structural design actions, Part 2: Wind actions.

### Illuminated signs

Any illuminated sign must conceal or integrate its means of illumination within its frame. It cannot be animated, flashing or moving and must comply with AS/NZS 4282:2019, Control of the obtrusive effects of outdoor lighting.

If the sign is for a roadside stall, it can only be illuminated during opening hours.

For other agritourism types, it can only be illuminated between 7 am and 10 pm each day.



Credit: Destination NSW



## 2.6 Multiple agritourism activities

You can operate more than one agritourism activity on your farm, such as a cellar door premises and farm stay accommodation.

To do so as exempt or complying development, you must comply with the development standards that apply to both types of activities.

Some development standards for exempt and complying development apply to multiple types of development. For example, the number of visitors to all farm gate premises and farm experience premises is capped at 100 visitors on the landholding at any one time (excluding for fruit and produce picking, farm tours, horse riding tours and school groups).

If you can't comply with these standards, you could lodge a development application for both types of development with the council.

Credit: Destination NSW



# Activities and their planning terms

**Table 15:** Activities covered by this guide and their planning system terms

Activity	Planning system term
Camping	Farm stay accommodation
Caravanning	Farm stay accommodation
Cellar door premises	Farm gate premises
Conferences	Farm experience premises
Dining	Farm gate premises
Education (about farm products)	Farm gate premises
Events	Farm experience premises
Farm field days	Farm experience premises
Farm stays	Farm stay accommodation
Functions	Farm experience premises
Horse riding	Farm experience premises
Interest classes	Farm experience premises
Pick-your-own produce	Farm gate premises
Retail	Farm gate premises
Roadside stalls	Retail premises
School visits	Farm experience premises
Tastings	Farm gate premises
Tours	Farm experience premises

# Agritourism checklist

## Consider

- Location
- Design
- Access
- Traffic
- Signage
- Neighbouring land uses
- Odour and noise
- Biosecurity
- Hazards and risks
- Business advice

## Meet planning requirements

- Commercial farm
- Ancillary use of the farm
- Land-use zones
- Excluded land
- Landowner's consent
- Development standards
- Obtain relevant planning and building approvals
- Conditions of approval
- Requirements by land use:
  - Farm stay accommodation
  - Farm gate premises
  - Farm experience premises
  - Roadside stalls
  - Signage
  - Multiple agritourism activities

## Seek other approvals

- Bush fire safety
- Waste management
- Private water supply
- Utility connections
- Food safety
- Liquor licence
- Insurance
- Driveways – new and upgraded
- Wildlife and habitats
- Trees and vegetation
- Camping

## Planning and Environment

Postal address:  
Department of Planning  
and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Street address:  
4 Parramatta Square  
12 Darcy Street  
Parramatta NSW 2150





**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**

Currajong Pty Ltd  
205A Clarinda Street  
Parkes NSW 2780  
currajong.com.au



## 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.



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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.



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

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

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



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### 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>o Extraction of a maximum of 490,000tpa for a period of 5 years.</li> <li>o A maximum extraction volume of 2,450,000 tonnes over the life of the Proposal.</li> <li>o Conventional drill and blast techniques to extract the hard rock resource.</li> <li>o 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>o Loading and transportation of quarry products via the Site access road to the local road network.</li> <li>o Surface water management infrastructure including sediment basins, diversion bunds and drains.</li> <li>o Ancillary infrastructure, including temporary demountable Site office, amenities and workshop facilities.</li> <li>o 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>o 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>o 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>



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<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.



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	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	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.  On 31 May 2023 Coonamble Shire Council provided a letter to RGA via Groundwork Plus which requested additional information relating to engineering matters.	
Date Received	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.  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.  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.  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.	
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>		



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	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	An assessment of applicable maps in the CLEP 2011 is carried out below:	
	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



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	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	



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	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>o A covenant imposed by the Council or that the Council requires to be imposed.</li> <li>o Any relevant instrument within the meaning of 13.4 of the Crown Land Management Act 2016.</li> <li>o Any conservation agreement within the meaning of the National Parks and Wildlife Act 1974.</li> <li>o Any Trust agreement within the meaning of the Nature Conservation Trust Act 2001.</li> <li>o Any property vegetation plan within the meaning of the Native Vegetation Act 2003.</li> <li>o Any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995.</li> <li>o 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>o To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.</li> <li>o To encourage diversity in primary industry enterprises and systems appropriate for the area.</li> <li>o To minimise the fragmentation and alienation of resource lands.</li> <li>o 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>o 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>o 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>o 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>o 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>	



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	<ul style="list-style-type: none"> <li>o whether outside light fittings associated with the development are shielded light fittings,</li> <li>o the measures to be taken to minimise dust associated with the development,</li> <li>o the Dark Sky Planning Guideline published in the Gazette by the Planning Secretary.</li> </ul> <p>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.</p> <p>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.</p> <p><b>Clause 6.1 Terrestrial Biodiversity</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>o The condition, ecological value and significance of the fauna and flora on the land.</li> <li>o Any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna.</li> <li>o Any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land.</li> <li>o Any adverse impact on the habitat elements providing connectivity on the land.</li> </ul> <p>Clause 6.1(4) requires the consent authority must not grant consent unless it is satisfied:</p> <ul style="list-style-type: none"> <li>o That the development is designed, sited and will be managed to avoid any adverse environmental impact.</li> <li>o That if impact cannot be avoided by adopting feasible alternatives, the development is designed, sited and will be managed to minimise that impact.</li> <li>o That if impact cannot be minimized, the development will be managed to mitigate that impact.</li> </ul> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>Clause 6.5 Essential Services</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>o The supply of water.</li> <li>o The supply of electricity.</li> <li>o The disposal and management of sewage.</li> <li>o Stormwater drainage or on-site conservation.</li> <li>o Suitable road access.</li> </ul> <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 limited and / or cost prohibitive. In their letter dated 8 May 2023 Essential Energy has provided their general requirements for the proposal.</p>
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	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>Clause 6.7 Earthworks</b></p> <p>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:</p> <ul style="list-style-type: none"> <li>○ The likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality.</li> <li>○ The effect of the proposed development on the likely future use or redevelopment of the land.</li> <li>○ The quality of the fill or the soil to be excavated, or both.</li> <li>○ The effect of the proposed development on the existing and likely amenity of adjoining properties.</li> <li>○ The source of any fill material and the destination of any excavated material.</li> <li>○ The likelihood of disturbing relics.</li> <li>○ The proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area.</li> </ul> <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>
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	<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>		
<b>State Environmental Planning Policies</b>			
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>		



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	<ul style="list-style-type: none"> <li>o No more than 490,000 tonnes of extractive material will be extracted per year.</li> <li>o Site geological assessments estimates that the resource is approximately 4,450,000 tonnes.</li> </ul> <p>The extraction will not be from an environmentally sensitive area of State significance.</p> <p>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&amp;A Regulation 2021. Accordingly, the application is to be tabled with the Western Regional Planning Panel for determination.</p> <p><b>SEPP (Resilience and Hazards) 2021</b></p> <p>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.</p> <p>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.</p> <p>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.</p> <p><b>SEPP (Resources and Energy) 2021</b></p> <p>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.</p> <p>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:</p> <p>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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>(a) (i) <i>the existing uses and approved uses of land in the vicinity of the development, and</i></li> <li>(ii) <i>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</i></li> <li>(iii) <i>any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and</i></li> <li>(b) <i>evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and</i></li> <li>(c) <i>evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).</i></li> </ul> <p>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.</p>
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	<p>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.</p> <p>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 <i>Mining Act 1992</i>.</p> <p>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:</p> <ul style="list-style-type: none"> <li>○ That impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable.</li> <li>○ That impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable.</li> <li>○ That greenhouse gas emissions are minimised to the greatest extent practicable.</li> </ul> <p>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.</p> <p>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.</p> <p>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.</p> <p>Section 2.22 of the SEPP requires consideration as to whether consent should contain conditions to:</p> <ul style="list-style-type: none"> <li>○ Require that some or all of the transport materials in connection with the development is not to be by public road.</li> <li>○ Limit to preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools.</li> <li>○ Require the preparation and implementation, in relation to the development, of a code of conduct relating to the transport of materials on public roads.</li> </ul> <p>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.</p> <p>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>
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	<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>o 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>o 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>o 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>o 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>o Likely to have an adverse effect on rail safety.</li> <li>o Involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains.</li> <li>o Involves the use of a crane in air space above any rail corridor.</li> <li>o 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>	



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	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 panning 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>			



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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).			



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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.

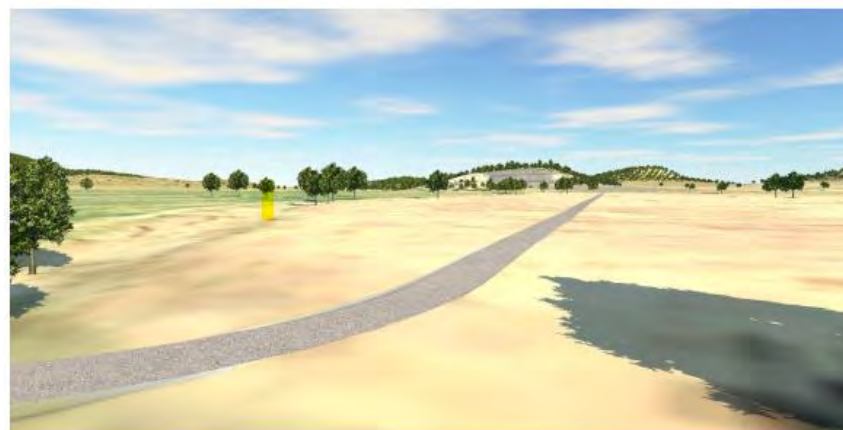


Figure 1: Conceptual Quarry View



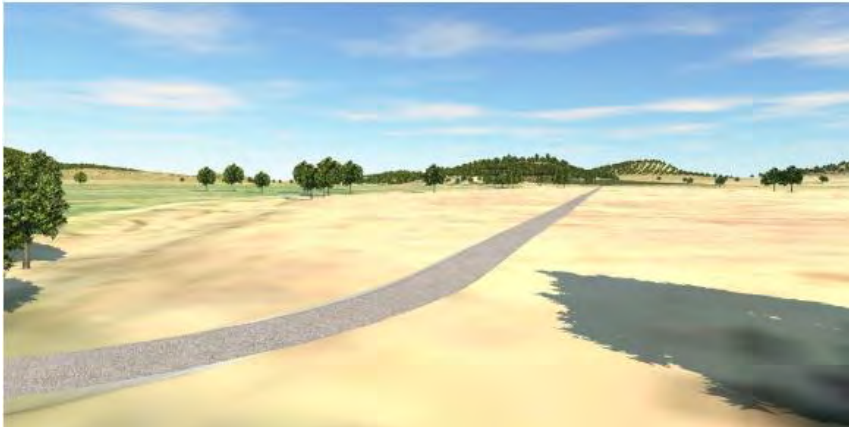
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	 <p><i>Figure 2: Rehabilitated Quarry View</i></p> <p>The quarry site is located in a rural area that is well screened / distanced from nearby towns, dwellings, farms and roads. The proposed development is considered compatible with the surrounding 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.</p>																						
<p>Access, transport and traffic</p>	<p>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).</p> <table border="1" data-bbox="437 1160 1382 1527"> <tr> <td data-bbox="437 1160 783 1227">Travel demand?</td> <td data-bbox="783 1160 916 1227"><input checked="" type="checkbox"/> Acceptable</td> <td data-bbox="916 1160 1075 1227"><input type="checkbox"/> Unacceptable</td> <td data-bbox="1075 1160 1382 1227"><input type="checkbox"/> Not Relevant</td> </tr> <tr> <td data-bbox="437 1227 783 1294">Dependency on motor vehicles?</td> <td data-bbox="783 1227 916 1294"><input checked="" type="checkbox"/> Acceptable</td> <td data-bbox="916 1227 1075 1294"><input type="checkbox"/> Unacceptable</td> <td data-bbox="1075 1227 1382 1294"><input type="checkbox"/> Not Relevant</td> </tr> <tr> <td data-bbox="437 1294 783 1391">Traffic generation and the capacity of the local and arterial road network?</td> <td data-bbox="783 1294 916 1391"><input checked="" type="checkbox"/> Acceptable</td> <td data-bbox="916 1294 1075 1391"><input type="checkbox"/> Unacceptable</td> <td data-bbox="1075 1294 1382 1391"><input type="checkbox"/> Not Relevant</td> </tr> <tr> <td data-bbox="437 1391 783 1458">Conflicts within and between transport modes?</td> <td data-bbox="783 1391 916 1458"><input checked="" type="checkbox"/> Acceptable</td> <td data-bbox="916 1391 1075 1458"><input type="checkbox"/> Unacceptable</td> <td data-bbox="1075 1391 1382 1458"><input type="checkbox"/> Not Relevant</td> </tr> <tr> <td data-bbox="437 1458 783 1527">Vehicle parking spaces?</td> <td data-bbox="783 1458 916 1527"><input checked="" type="checkbox"/> Acceptable</td> <td data-bbox="916 1458 1075 1527"><input type="checkbox"/> Unacceptable</td> <td data-bbox="1075 1458 1382 1527"><input type="checkbox"/> Not Relevant</td> </tr> </table> <p>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.</p> <p>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.</p> <p>The EIS indicates the traffic generation would be:</p> <ul style="list-style-type: none"> <li>o 20 light vehicle trips per day; and</li> <li>o 264 heavy vehicle trips per day (maximum 22 heavy vehicle trips per hour).</li> </ul>			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
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	<p>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.</p> <p>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.</p> <p>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 Narramine to Narrabri Section of the Inland Rail project approval (SSI-9487) that included the following condition:</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) the level it was being maintained immediately prior to construction before heavy haulage commences, at no cost to the owner.</i></p> <p><i>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.</i></p> <p>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.</p> <p>The proposed development has been referred to TfNSW who have provided the following observations, comments and recommendations:</p> <ul style="list-style-type: none"> <li>o 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.</li> <li>o A Traffic Management Plan (TMP) and a Driver Code of Conduct (DCC) is required.</li> </ul> <p>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.</p> <p>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>
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	<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>○ <b>Internal access roads</b> - to meet the requirements of Planning for Bush Fire Protection 2019.</li> <li>○ <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>○ <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>○ <b>Road Maintenance Contribution</b> - Heavy vehicle contribution of \$0.96/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>○ <b>Traffic Management Plan</b> - prior to the commencement of haulage operations.</li> <li>○ <b>Driver Code of Conduct</b> - prior to the commencement of haulage operations.</li> <li>○ <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>○ <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



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	<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. 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.			



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	<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	Focusing on whether the development proposal would have an effect on conserving and using valuable land resources.			
	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
	<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>			
Water	Focusing on whether the development proposal would impact on the conservation of water resources and the water cycle systems.			
	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



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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>			



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	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.			



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	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 their 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



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	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.				



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	<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>			
<p>Energy</p>	<p>Focusing on the implications of the development proposal on energy supply and the need to conserve energy and be energy efficient.</p>			
	<p>Energy needs of the development.</p>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>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?</p>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>The use of renewable and non-polluting energy sources?</p>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>Energy needs in producing building/structural materials?</p>	<input type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input checked="" type="checkbox"/> Not Relevant
	<p>Energy use by products and waste?</p>	<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, 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>			
<p>Noise and vibration</p>	<p>Focusing on whether the development proposal would generate offensive noise pollution or vibration.</p>			
	<p>Ambient noise levels in the locality and prevailing meteorological conditions – wind speed/direction and temperature inversions?</p>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant
	<p>Noise generated from the development?</p>	<input checked="" type="checkbox"/> Acceptable	<input type="checkbox"/> Unacceptable	<input type="checkbox"/> Not Relevant



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	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.			



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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				



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	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



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	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



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	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>o 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>o The project and other potentially relevant future projects that may be developed over the same time period as the project.</li> <li>o The key matters that could be materially affected by the cumulative impacts of these projects including important natural resources, culturally significance resources, key infrastructure and industries, sensitive land-use zones, local communities and threatened species.</li> <li>o 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			



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	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.				
<b>10.8. Section 4.15(1)(d) any submissions made in accordance with the Act or the Regulations</b>				
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	



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	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. 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 Narromine 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>			



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	<p>the level it was being maintained immediately prior to construction before heavy haulage commences, at no cost to the owner.</p> <p><i>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</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p>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.</p> <ul style="list-style-type: none"> <li>○ <b>Internal access roads</b> - to meet the requirements of Planning for Bush Fire Protection 2019.</li> <li>○ <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>○ <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>○ <b>Road Maintenance Contribution</b> - Heavy vehicle contribution of \$0.96/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>○ <b>Traffic Management Plan</b> - prior to the commencement of haulage operations.</li> <li>○ <b>Driver Code of Conduct</b> - prior to the commencement of haulage operations.</li> <li>○ <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 be utilised for works north or south of the site.</li> <li>○ <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 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.</p>
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	<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> <p>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.</p> <p><b>Public Submission 2: T Single, 1184 Calga Road, Magometon "Narratigah" (adjoining landowner)</b></p> <p>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</p> <p><i>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.</i></p> <p>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.</p> <p><u>Impact</u></p> <p>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.</p> <p><b>Assessment Response:</b></p> <p>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).</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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:</p>
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*‘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.

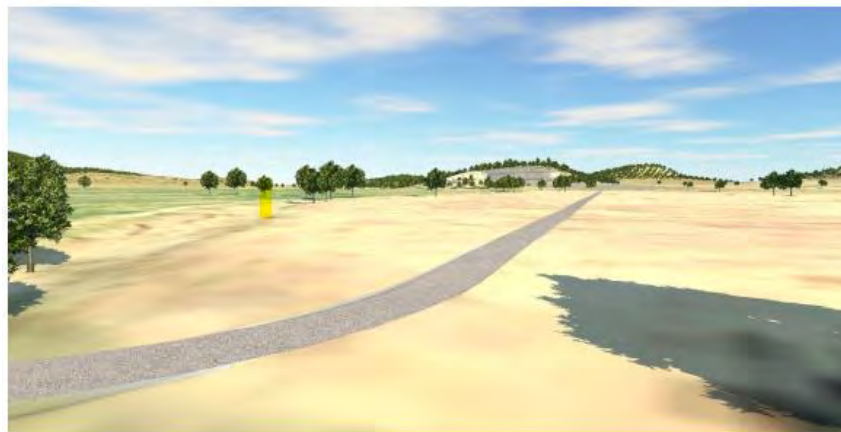


Figure 3: Conceptual Quarry View

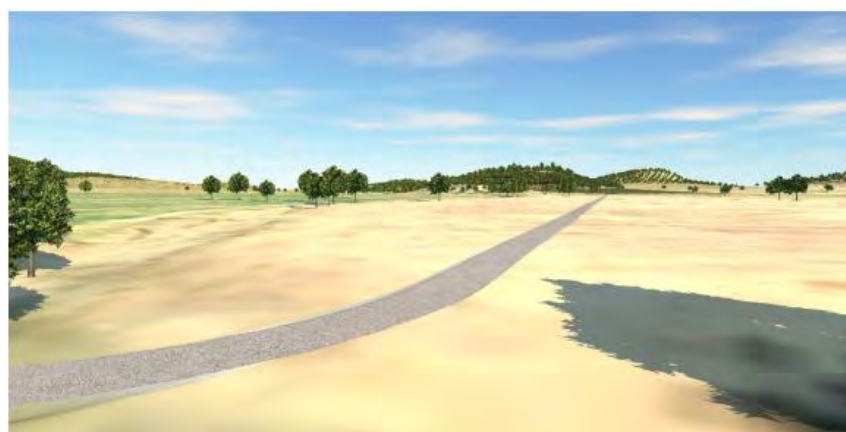


Figure 4: Rehabilitated Quarry View




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	<p>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.</p> <p>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.</p>  <p>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:</p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> </ul> <p>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.</p> <p><b>Public Submission 3: J &amp; M Single, 1184 Calga Road, Magometon "Narratigah" (adjoining landowner)</b></p> <p>The objection is consistent with the objection by T Single (above). The objection from J &amp; M Single. The objection provides additional details of the consultation between landowners and the proponent during the preparation of the EIS.</p> <p><b>Assessment Response:</b></p> <p>The key matters raised in the objection have been addressed in the assessment response to submission 2 above.</p>			
Submissions from public authorities	<table border="1"> <tr> <td data-bbox="443 1787 874 1839">Was the DA required to be referred to any public authorities or agencies?</td> <td data-bbox="874 1787 1040 1839"><input checked="" type="checkbox"/> Yes</td> <td data-bbox="1040 1787 1375 1839"><input type="checkbox"/> No</td> </tr> </table>	Was the DA required to be referred to any public authorities or agencies?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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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	<p>DA007/2023 was publicly advertised and relevant government authorities were also invited to comment on the proposal.</p> <p>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.</p> <p><b>Authority Submission 1: NSW Environment Protection Authority</b></p> <p>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.</p> <p><b>Assessment Response:</b></p> <p>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.</p> <p><b>Authority Submission 2: NSW Rural Fire Service</b></p> <p>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.</p> <p><b>Assessment Response:</b></p> <p>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.</p> <p>Authority Submission 3: DPI Agriculture</p> <p>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:</p> <ul style="list-style-type: none"> <li>○ 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.</li> <li>○ 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.</li> </ul> <p><b>Assessment Response:</b></p> <p>The applicant has provided a response to the submission which states:</p> <p>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.</p> <p>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.</p> <p><b>Authority Submission 4: DPI Siding Springs</b></p> <p>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.</p>
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	<p><b>Assessment Response:</b> Noted. Conditions of consent will be imposed limiting daylight hours consistent with the EIS negating any need for lighting.</p> <p><b>Authority Submission 5: DPE Biodiversity Conservation and Science Directorate</b> 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.</p> <p><b>Assessment Response:</b> 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.</p> <p>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.</p> <p><b>Authority Submission 6: DPE Western Region Planning Office</b> 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:</p> <ul style="list-style-type: none"> <li>○ The proposed development is permissible with consent.</li> <li>○ The designated development process is being undertaken and SEARS have been issued as the guide for the preparation of the DA and EIS.</li> <li>○ The development application assessment process will take its course.</li> </ul> <p><b>Assessment Response:</b> Noted. The documentation submitted in support of the application and EIS is consistent with the SEARS.</p> <p><b>Authority Submission 7: DPI Water</b> 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.</p> <p><b>Assessment Response:</b> The DPI Water GTAs / conditions have been included in the recommendation to this report to address potential impacts on watercourses.</p> <p><b>Authority Submission 8: Department of Regional NSW – Mining Exploration and Geoscience</b> 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.</p> <p>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.</p> <p><b>Assessment Response:</b> 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.</p> <p><b>Authority Submission 9: Transport for New South Wales</b> TfNSW has reviewed the information and has no objections to the proposed development.</p> <p>Traffic generation during the operational stage of the quarry is summarised below.</p> <ul style="list-style-type: none"> <li>○ 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.</li> </ul>
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	<ul style="list-style-type: none"> <li>o 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.</li> <li>o 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.</li> </ul> <p>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.</p> <p>A Traffic Management Plan (TMP) and a Driver Code of Conduct (DCC) is required.</p> <p><b>Assessment Response:</b></p> <p>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.</p> <p><b>Authority Submission 10: Heritage NSW</b></p> <p>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.</p> <p>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.</p> <p><b>Assessment Response:</b></p> <p>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.</p> <p><b>Authority Submission 11: Essential Energy</b></p> <p>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 is 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.</p> <p>Essential Energy makes the following general comments:</p> <ul style="list-style-type: none"> <li>o If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;</li> <li>o Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with;</li> <li>o 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;</li> <li>o 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 <a href="http://essentialenergy.com.au/lookupandlive">essentialenergy.com.au/lookupandlive</a></li> </ul> <p><b>Assessment Response:</b></p> <p>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.</p>
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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.		



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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
<b>13. Reasons for the Decision</b>	
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>
<b>14. Recommended Conditions of Consent (see overleaf)</b>	



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## 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.



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- 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.



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**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 - ≥ 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:

<b>Contribution Agreement Subject</b>	<b>Per annum rate</b>
Road maintenance	\$0.96 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:



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- 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.



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**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.



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**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.



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- 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**



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**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



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- 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)



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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



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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.



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**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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