



Mr Ernest Panucci  
Land & Development Consultant  
Terara Shoalhaven Sand  
17 Waldegrave Crescent  
VINCENTIA NSW 2480

Dear Mr Panucci

**Planning Secretary's Environmental Assessment Requirements  
Terara Shoalhaven Sand (EAR 1234)**

I refer to your request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for the above development, which is designated local development under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Please find attached a copy of the revised SEARs for the Environmental Impact Statement (EIS) for the development, which replace the requirements of 23 June 2018. These requirements have been prepared in consultation with relevant government agencies based on the information your company has provided to date. The agencies' comments are attached for your information (see Attachment 2). You must have regard to these comments in the preparation of the EIS.

In your request for SEARs, you have also indicated that the proposal is classified as integrated development under section 4.46 of the EP&A Act. You are encouraged to consult with the Environment Protection Authority, the Department of Primary Industries (Fisheries) and the National Parks and Wildlife Service with respect to licence/approval requirements. If further integrated approvals are required, you must undertake your own consultation with the relevant public authorities, and address their requirements in the EIS.

The Department wishes to emphasise the importance of effective and genuine community consultation during the preparation of the EIS. This process should provide the community with a clear understanding of the proposal and its potential impacts and include active engagement with the community regarding key issues of concern.

When you lodge your DA with the consent authority, you must provide:

- one hard and one electronic copy of the EIS to the Department;
- one hard and one electronic copy of the EIS to any identified integrated approval authority; and
- a cheque for \$320 to each identified integrated approval authority, to offset costs involved in the review of the DA and EIS. No cheque is required for the Department as it is not an approval authority.

If your proposal is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 111).

You should contact the Mine Safety branch of the NSW Resources Regulator in regard to this and other matters relating to compliance with the *Work Health and Safety (Mines and Petroleum Sites) Act 2013*.

If you have any enquiries about these requirements, please contact Rob Beckett on the details listed above.

Yours sincerely

Howard Reed  
Director

**Resource Assessments**  
as delegate for the Planning Secretary

29.6.18

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*  
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

## Designated Development

<b>EAR Number</b>	EAR 1234
<b>Proposal</b>	The extension of an existing extractive industry to extract via dredging a maximum of 100,000 tonnes of river sand in any year over a 30 year period.
<b>Location</b>	Bed of the Shoalhaven River, west of Pig Island
<b>Applicant</b>	Sam8888 Pty Ltd t/as Terara Shoalhaven Sand
<b>Date of Issue</b>	22 June 2018
<b>Date of Expiry</b>	21 June 2020
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) for the development must comply with the requirements in Clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>In particular, the EIS must include:</p> <ul style="list-style-type: none"> <li>• an executive summary;</li> <li>• a comprehensive description of the development, including: <ul style="list-style-type: none"> <li>- a detailed site description and history of any previous quarrying on the site, including a current survey plan;</li> <li>- identification of the resource, including the amount, type, composition;</li> <li>- the layout of the proposed works and components (including any existing infrastructure that would be used for the development);</li> <li>- details of the staged extraction of the resource;</li> <li>- an assessment of the potential impacts of the development, as well as any cumulative impacts, including the measures that would be used to minimise, manage or offset these impacts;</li> <li>- a detailed rehabilitation plan for the site;</li> <li>- any likely interactions between the development and any existing/approved developments and land uses in the area, paying particular attention to potential land use conflicts with nearby residential development;</li> <li>- a list of any other approvals that must be obtained before the development may commence;</li> <li>- the permissibility of the development, including identification of the land use zoning of the site;</li> <li>- identification of sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways;</li> </ul> </li> <li>• a conclusion justifying why the development should be approved, taking into consideration: <ul style="list-style-type: none"> <li>- alternatives;</li> <li>- the suitability of the site;</li> <li>- the biophysical, economic and social impacts of the project, having regard to the principles of ecologically sustainable development; and</li> <li>- whether the project is consistent with the objects of the Environmental Planning and Assessment Act 1979; and</li> </ul> </li> <li>• a signed declaration from the author of the EIS, certifying that the information contained within the document is neither false nor misleading.</li> </ul>
<b>Consultation</b>	<p>In preparing the EIS for the development, you should consult with relevant local, State or Commonwealth Government authorities, infrastructure and service providers and any surrounding landowners that may be impacted by the development.</p> <p>The EIS must describe the consultation that was carried out, identify the issues raised during this consultation, and explain how these issues have been addressed in the EIS.</p>
<b>Key Issues</b>	<p>The EIS must assess the potential impacts of the proposal at all stages of the development, including the establishment, operation and decommissioning of the development.</p> <p>The EIS must address the following specific issues:</p> <ul style="list-style-type: none"> <li>• <b>Water</b> – including:</li> </ul>

- identification of any licensing requirements or other approvals required under the *Water Act 1912* and/or *Water Management Act 2000*;
- an assessment of activities that could cause erosion or sedimentation issues, including the downstream movement of sediments, and the proposed measures to prevent or control these impacts;
- a detailed flood impact assessment;
- an assessment of potential impacts on the quality of surface water resources, paying particular attention to impacts on estuary health; and
- a detailed description of the proposed water management system, water monitoring program and other measures to mitigate impacts on water resources;
- **Noise** – including an assessment of potential:
  - operational noise impacts of the development in accordance with the *NSW Noise Policy for Industry*;
  - reasonable and feasible mitigation measures to minimise noise emissions; and
  - monitoring and management measures;
- **Air** – including an assessment of the likely air quality impacts of the development;
- **Biodiversity** – including:
  - a detailed assessment of the potential biodiversity impacts of the development, paying particular attention to threatened species, populations and ecological communities undertaken in accordance with Sections 7.3 and 7.7 of the *Biodiversity Conservation Act 2016*; and
  - results of a detailed and targeted aquatic ecological assessment of the proposed extraction area, including fish and other free-swimming fauna, aquatic macrophytes (including both *Zostera* and *Halophila* seagrasses, mangroves, saltmarsh and seaweeds) and benthic organisms;
  - a detailed description of the proposed measures to maintain or improve the biodiversity values of the site in the medium to long term, with a focus on the protection of adjacent seagrass beds and mangroves from both direct and indirect impacts (for example, batter slope slumping, or redistribution of sediments due to altered flow patterns);
- **Heritage** – including:
  - an assessment of the potential impacts on Aboriginal heritage (cultural and archaeological), including evidence of appropriate consultation with relevant Aboriginal communities/parties and documentation of the views of these stakeholders regarding the likely impact of the development on their cultural heritage; and
  - identification of Historic heritage in the vicinity of the development and an assessment of the likelihood and significance of impacts on heritage items, having regard to the relevant policies and guidelines listed in Attachment 1;
- **Land Resources** – including an assessment of:
  - potential impacts on soils and land capability (including potential erosion and land contamination) and the proposed mitigation, management and remedial measures, paying particular attention to potential erosion of sand flats and riverbank stability over the long term, including during flood events;
  - the compatibility of the development with other land uses in the vicinity of the development, in accordance with the requirements of Clause 12 of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*;
- **Waste** – including identification of any waste streams that would be generated by the development and any measures that would be implemented to minimise, manage or dispose of these waste streams;
- **Hazards** – including an assessment of the likely risks to public safety, paying particular attention to navigation hazards and to any potential contaminants within river sediments in the proposed extraction area and the transport, storage, handling and use of any hazardous or dangerous goods;
- **Visual** – including an assessment of the likely visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain;
- **Social & Economic** – including an assessment of:
  - the likely social and economic impacts of the development, including consideration of both the significance of the resource and the costs and benefits of the project; and
  - the likely impacts of the proposal on recreational and commercial fishing activities, including bait collecting; and
- **Rehabilitation** – including:
  - a detailed description of the proposed rehabilitation measures that would be undertaken throughout the development and during quarry closure;
  - a detailed rehabilitation strategy, including consideration of the objectives of any relevant strategic land use plans or policies; and
  - the measures that would be undertaken to ensure sufficient financial resources are available to implement the proposed rehabilitation strategy, recognising that a rehabilitation bond will likely be required as a condition of any future development consent.

<b>Environmental Planning Instruments</b>	<p>The EIS must take into account all relevant State Government environmental planning instruments, guidelines, policies, and plans. While not exhaustive, Attachment 1 contains a list of some of the environmental planning instruments, guidelines, policies and plans that may be relevant to the environmental assessment of this development.</p> <p>During the preparation of the EIS you must also consult the Department's EIS Guideline – Extractive Industries – Quarries. This guideline is available at <a href="http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/extractive-industries-quarries-eis-guideline-1996-10.ashx">http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/extractive-industries-quarries-eis-guideline-1996-10.ashx</a>.</p> <p>In addition, the EIS must assess the development against the <i>Shoalhaven Local Environment Plan 2014</i> and any relevant development control plans/strategies.</p>
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## ATTACHMENT 1

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

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

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

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

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

## Environmental Planning Instruments, Policies, Guidelines & Plans

### Environmental Planning Instruments - General

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

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (Infrastructure) 2007

Shoalhaven Local Environmental Plan 2014

### Risk Assessment

AS/NZS 4360:2004 Risk Management (Standards Australia)

HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)

### Land

State Environmental Planning Policy No. 55 – Remediation of Land

Agricultural Land Classification (DPI)

Rural Land Capability Mapping (OEH)

Soil and Landscape Issues in Environmental Impact Assessment (NOW)

Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)

Guidelines for Consultants Reporting on Contaminated Sites (EPA)

Agricultural Issues for Extractive Industry Development (DPI)

### Water

#### Groundwater

NSW Aquifer Interference Policy 2012 (NOW)

NSW State Groundwater Policy Framework Document (NOW)

NSW State Groundwater Quality Protection Policy (NOW)

NSW State Groundwater Quantity Management Policy (NOW)

Australian Groundwater Modelling Guidelines 2012 (Commonwealth)

National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)

Guidelines for the Assessment & Management of Groundwater Contamination (EPA)

#### Surface Water

NSW State Rivers and Estuary Policy (NOW)

NSW Government Water Quality and River Flow Objectives (EPA)

Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA)

National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)

National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)

Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA)

Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (DECC)

Managing Urban Stormwater: Treatment Techniques (EPA)

Managing Urban Stormwater: Source Control (EPA)

Technical Guidelines: Bunding & Spill Management (EPA)

A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)

NSW Guidelines for Controlled Activities (NOW)

#### Flooding

Floodplain Development Manual (OEH)

Floodplain Risk Management Guideline (OEH)

### Biodiversity

Biodiversity Assessment Method (OEH 2017)

	Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH 2017)
	Ancillary rules: Biodiversity conservation actions
	Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying variation rules
	NSW Guide to Surveying Threatened Plants (OEH 2016)
	Threatened Species Survey and Assessment Guidelines: Field Survey Methods for Fauna – Amphibians (DECC 2009)
	Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities – Working Draft (DEC 2004)
	Threatened Species Assessment Guideline – The Assessment of Significance (DECC 2007)
	OEH principles for the use of biodiversity offsets in NSW
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Guidelines for developments adjoining land and water managed by the Department of Environment, Climate Change and Water (DECCW 2010)
<b>Heritage</b>	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Guide to investigation, assessing and reporting on Aboriginal cultural heritage in NSW (OEH) 2011
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
<b>Noise</b>	
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (EPA)
	NSW Road Noise Policy (EPA)
<b>Air</b>	
	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA)
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA)
	Assessment and Management of Odour from Stationary Sources in NSW (DEC)
	National Greenhouse Accounts Factors (Commonwealth)
<b>Transport</b>	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RMS) & relevant Austroads Standards
<b>Hazards</b>	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous and Offensive Development Application Guidelines – Applying SEPP 33
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning for Bushfire Protection 2006 (RFS)
<b>Resource</b>	
	Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)
<b>Waste</b>	
	Waste Classification Guidelines (EPA)
	Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 (EPA)
<b>Rehabilitation</b>	
	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth)
	Strategic Framework for Mine Closure (ANZMEC-MCA)

**ATTACHMENT 2**

**AGENCIES' CORRESPONDENCE**