

Secretary's Environmental Assessment Requirements

Section 78A(8) of the *Environmental Planning and Assessment Act 1979* and Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

Designated Development

EAR Number	EAR 1172
Proposal	Establishment of a sand quarry to extract a maximum of 50,000 cubic metres of sand in any year over a 30 year period.
Location	4226 Nelson Bay Road, Anna Bay (Lot 591 DP 1191380)
Applicant	Tattersall Lander Pty Ltd
Date of Issue	27 October 2017
Date of Expiry	27 October 2019
General Requirements	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>. In particular, the EIS must include: • an executive summary; • a comprehensive description of the development, including: - a detailed site description and history of any previous quarrying on the site, including a current survey plan; - identification of the resource, including the amount, type, composition; - the layout of the proposed works and components (including any existing infrastructure that would be used for the development); - a description of how and where the resource is to be processed; - 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; - a detailed rehabilitation plan for the site; - 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; - a list of any other approvals that must be obtained before the development may commence; - the permissibility of the development, including identification of the land use zoning of the site; - 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; • a conclusion justifying why the development should be approved, taking into consideration: - alternatives; - the suitability of the site; - the biophysical, economic and social impacts of the project, having regard to the principles of ecologically sustainable development; and - whether the project is consistent with the objects of the Environmental Planning and Assessment Act 1979; and • a signed declaration from the author of the EIS, certifying that the information contained within the document is neither false nor misleading.
Consultation	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. 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.
Key Issues	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. The EIS must address the following specific issues: • Water – including: - an assessment of any volumetric water licensing requirements, including a description of site water demands, water disposal methods (inclusive of volume

	and frequency of any water discharges), water supply infrastructure and water storage structures; - identification of any licensing requirements or other approvals required under the <i>Water Act 1912</i> and/or <i>Water Management Act 2000</i>; - demonstration that water for the construction and operation of the development can be obtained from an appropriately authorised and reliable supply in accordance with the operating rules of any relevant Water Sharing Plan (WSP) - a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant Water Sharing Plan or water source embargo; - a detailed consideration of maintenance of an adequate buffer between all excavations at the highest predicted groundwater table; - an assessment of activities that could cause erosion or sedimentation issues, and the proposed measures to prevent or control these impacts including coastal hazards and coastal processes; - - an assessment of potential impacts on the quality and quantity of existing surface and ground water resources, including a detailed assessment of proposed water discharge quantities and quality against receiving water quality and flow objectives; and - a detailed description of the proposed water management system, water monitoring program and other measures to mitigate surface and groundwater impacts; • Noise – including a quantitative assessment of potential: - construction and operational noise and off-site transport noise impacts of the development in accordance with the <i>Interim Construction Noise Guideline, NSW Industrial Noise Policy</i> and <i>NSW Road Noise Policy</i> respectively; - 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 in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i>. The assessment is to give particular attention to potential dust impacts on any nearby private receivers due to construction activities, the operation of the quarry and/or road haulage; • Biodiversity – including: - accurate predictions of any vegetation clearing on site; - a detailed assessment of the potential biodiversity impacts of the development in accordance with the Biodiversity Assessment Method (BAM), paying particular attention to threatened species, populations and ecological communities and groundwater dependent ecosystems; - a detailed description of the proposed measures to maintain or improve the biodiversity values of the site in the medium to long term, as relevant; - an assessment of whether a Species Impact Statement is required; and - consideration of weed management; - 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; • Traffic & Transport – including: - accurate predictions of the road traffic generated by the construction and operation of the development, including a description of the types of vehicles likely to be used for transportation of quarry products; - an assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road networks, detailing the nature of the traffic generated, transport routes, traffic volumes and potential impacts on local and regional roads; - a description of the measures that would be implemented to maintain and/or improve the capacity, efficiency and safety of the road network (particularly the proposed transport routes) over the life of the development; - evidence of any consultation with relevant roads authorities, regarding the establishment of agreed contributions towards road upgrades or maintenance; and - a description of access roads, specifically in relation to nearby Crown roads and fire trails; • 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 (as appropriate); - potential impacts on acid sulphate soils including proposed management strategies; - potential impacts on landforms (topography), paying particular attention to the long-term geotechnical stability of any new landforms; and
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	- the compatibility of the development with other land uses in the vicinity of the development, in accordance with the requirements of Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>; • Waste – including estimates of the quantity and nature of the waste streams that would be generated or received 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 potential bushfire risks 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 – 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 • 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 justification for the proposed final landform and 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.
Environmental Planning Instruments	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. During the preparation of the EIS you must also consult the Department's EIS Guideline – Extractive Industries – Quarries. This guideline is available at http://www.planning.nsw.gov.au/~media/Files/DPE/Guidelines/extractive-industries-quarries-eis-guideline-1996-10.ashx. In addition, the EIS must assess the development against the Port Stephens Local Environmental Plan 2013 and any relevant development control plans/strategies.
Consultation	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. 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.

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
	Port Stephens Local Environmental Plan 2013
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 (OEH 2017)

Ancillary rules: Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying variation rules (OEH 2017)

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)

Heritage

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

Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DP&E)

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)

Noise

NSW Industrial Noise Policy (EPA)

Interim Construction Noise Guideline (EPA)

NSW Road Noise Policy (EPA)

Air

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)

Transport

Guide to Traffic Generating Development (RTA)

Road Design Guide (RMS) & relevant Austroads Standards

Public Safety

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

Resource

Australasian Code for Reporting of Exploration Results, Mineral Resources and Ore Reserves 2012 (JORC)

Waste

Waste Classification Guidelines (DECC)

Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 (EPA)

Rehabilitation

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