Department of Planning, Housing and Infrastructure

15 February 2024

Ms Laura Black
General Manager
Clarence Valley Council
Locked Bag 23
GRAFTON NSW 2460

EF21/6012
SEAR 1858

Dear Ms Black

Designated Development
Dredging of the Clarence River, Yamba
Planning Secretary's Environmental Assessment Requirements (SEAR) 1858

For your information, I have attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above proposal, which have been provided to the Applicant.

The proposal involves the dredging of the Clarence River, Yamba and the construction of a temporary pipeline.

Following the exhibition period of any Development Application (DA) and EIS, Council must send the Department of Planning, Housing and Infrastructure (the Department) a copy of all the submissions it has received, in accordance with section 60 of the *Environmental Planning and Assessment Regulation 2021*. **If the Department does not respond within 21 days, the DA may proceed to be determined.**

In addition, it would be appreciated if Council would forward the Department a copy of the determination of the DA.

Should you have any enquiries, please contact Meg D'souza, Regional Assessments, at the Department on (02) 6650 7197 or via meg.dsouza@planning.nsw.gov.au.

Yours sincerely,

Keiran Thomas
Director
Regional Assessments
as delegate of the Planning Secretary

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the Environmental Planning and Assessment Act 1979.
Schedule 3 of the Environmental Planning and Assessment Regulation 2021.

Designated Development

SEAR Number	1858
Proposal	Dredging of Clarence River, Yamba
Location	Dredging: Clarence River Temporary pipeline: Clarence River, bed and bank of Clarence River, Clarence Estuary Nature Reserve (Lot 7001 DP 94781, Lot 5 DP 751395, Lot 105 DP 751395, Lot 161 DP 751395), as well as road reserves following Shores Drive and Yamba Road. The proposal is located within the Clarence Valley local government area.
Applicant	Carrs Drive Pty Ltd
Date of Issue	15 February 2024
General requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 190 and 192 of the *Environmental Planning and Assessment Regulation 2021*.
Key issues	The EIS must include an assessment of the potential impacts of the proposed development on the existing environment (including cumulative impacts, if necessary) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. As part of the EIS assessment, the following matters must also be addressed: **strategic and statutory context –** including: • a detailed justification for the proposed development, including suitability of the site/s for the development and consideration of alternatives (including the use of quarried fill and/or other areas that would provide co-benefits) and 'do nothing' option; • consideration of alternative dredge location boundaries or sites within 3km of the fill site/s; • a demonstration that the development is consistent with all relevant planning strategies, environmental planning instruments, development control plans (DCPs), or justification for any inconsistencies; • a list of any approvals that must be obtained under any other Act or law before the development may lawfully be carried out; • consideration of latest position and condition of council assets and infrastructure and the impacts of the proposal on these assets; • a description of how the proposed works will integrate with any existing on-site operations (even if only temporarily); and • a description of any additional licence(s) or approval(s) required to carry out the proposed development.

	general – including: • a site description including map (s) showing the locality of the proposed development in a regional and local context and a scaled plan; and • an overview of the affected environment including meteorological data, topography, surrounding land uses, geomorphology, soil types and properties, ecological information and availability of services and accessibility of the site for passenger and freight transport. **water** – including: • details of on-site groundwater and surface water resources, riparian areas, watercourses, water infrastructure, farm dams and adjacent licenced water users; • site layout including a description of the catchment, demonstrating efforts to avoid proximity to water resources; • outline of total water cycle considerations, including water balances; • utilisation of *Water Quality and River Flow Objectives* (www.environment.nsw.gov.au/ieo) to identify environmental values and uses of affected waterways; • assessment of the impacts of dredging and associated transfer on bed and banks of Clarence River; • an assessment of the potential groundwater and surface water impacts of the development; • an assessment of the potential impact upon river systems as a result of the development; • annual volumes of surface water and groundwater proposed to be taken by the activity from each surface and groundwater source as defined by the relevant water sharing plan; • assessment of any volumetric water licensing requirements (including those for ongoing water take following completion of the project). This is to include an assessment of the current market depth where water entitlement is required to be purchased. Justification needs to be provided where exemptions or exclusions from approval or licensing requirements is proposed; • the identification of an adequate and secure water supply for the life of the project; • assessment of impacts on related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts; • a fluvial geomorphic assessment to address considerations such as the effect of the proposal on the stability of the river channel and adjacent islands in the short and long term, sediment budget for the site of proposed extraction and any impacts upstream or downstream on bed levels, final landforms on dredging completion and predicted rates of recovery; • separation of clean and dirty water, and development of sediment and erosion control measures in accordance with industry standards will be required; • where groundwater may be intercepted or impacted, a detailed assessment against the NSW Aquifer Interference Policy (2012) using DCCEEW Water's assessment framework. Justification is required to support a statement that groundwater is not to be intercepted; • full technical details and data of all surface and groundwater modelling; • consideration of relevant policies and guidelines eg. "Guideline for Controlled Activities on Waterfront Land" for works within waterfront land;

	the quantity and physio-chemical properties of all potential water pollutants and the risks they pose to the environment and human health, including the risks they pose to Water Quality Objectives in the ambient waters (as defined on http://www.environment.nsw.gov.au/ieo/index.htm, using technical criteria derived from the *Australian and New Zealand Guidelines for Fresh and Marine Water Quality*, ANZECC 2000);
	• provision of a Water Quality Management Plan detailing how ambient water quality will be protected;
	• provision of a Wastewater Management Plan detailing how the dewatering of dredge slurry will be managed to prevent pollution;
	• a detailed description of the proposed water management system (including any sewage), water monitoring program and other measures to mitigate potential surface and groundwater impacts;
	• details of water supply including any water licensing requirements or other approvals under the *Water Management Act 2000*;
	• a description of the measures proposed to ensure the development can operate in accordance with the requirements of any relevant Water Sharing Plan, Floodplain Management Plan or water source embargo; and
	• description and appraisal of all mitigation and monitoring measures required to manage and mitigate any impacts.
	soil - including
	• description of local soils, topography, drainage and landscapes;
	• details of soil and sedimentation sources generated by the proposal;
	• a sound conceptual model developed for the site that includes an understanding of local hydrogeological conditions, the stratigraphic and lateral distribution of sulfide minerals, and the presence of sensitive environmental receptors. This must include:
	  ○ Identifying whether sufficient pyrite is present in sediments to cause significant acidification on oxidation,
	  ○ Determining whether mining activities are likely to cause oxidation of pyrite and leach acidity and soluble metals into groundwater or surface waterways,
	  ○ Determining the likely extent and severity of groundwater or surface water contamination that may be caused by acidic leachate from oxidising sediments, and
	  ○ Identifying whether there are ecosystems or groundwater users in the vicinity of the mine site that are likely to be exposed to contamination from acidic leachate.
	• consideration of the potential impacts of potential and actual acid sulfate soils and management measures;
	• assessment of sediments and sediment quality for all areas proposed to be dredged;
	• assessment of soil and soil quality for proposed fill and stockpile sites, filling sites and pipeline routes and site history, including consideration of potential soil contamination;
	• a detailed description of any dewatering process outlining the rate of sediment processing and contingencies for: spills or leaks; higher than expected volumes of silt and/or acid sulfate sediments, and, significant rainfall events and/or periods of prolonged rainfall;
	• consideration of filling via dredging as a method for other land filling within the West Yamba Urban Release Area not within the land holdings within the current consortium;
	• details of sediment and erosion controls; and

	• a description of mitigation and management measures that will be used to prevent, control, abate or minimise potential impacts from the disturbance of acid sulfate soils associated with the proposal and to reduce risks to human health and prevent the degradation of the environment. This must include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented. • a description of the contingency plan, incorporating a commitment to appropriate monitoring. **aquatic habitats and coastal processes** – including: • a description quantifying the area and sensitivity of key fish habitats within all areas directly affected by the proposal and the areas adjacent and more remote that could be indirectly impacted by the proposal, including SEPP Coastal Wetlands, bare substrate and marine vegetation; • detailed plans showing the dredge area, volumes, depths and batter profiles and locations of all sensitive receivers such as seagrass beds, mangroves, and yabby banks; • a detailed site rehabilitation plan and appropriate offset proposal to offset all unavoidable direct and indirect impacts to sensitive habitats such as marine vegetation; • detailed plans showing the location of pipes and dewatering facilities; • a detailed description outlining how the mitigation hierarchy will operate for this proposal to reduce threats and risk to environmental assets and how unavoidable direct impacts on key fish habitats will be offset consistent with DPI Fisheries Policy and Guidelines; • an analysis of all likely and potential effects of the proposed dredging on coastal processes including sand and sediment movement within the lower Clarence estuary and adjacent near shore environment, including potential geomorphological changes and related impacts such as bank erosion; • an analysis of all likely and potential effects of the proposed dredging on water quality and tidal flushing within Clarence River; • a description of operational measures to prevent the dredging operation encroaching into the Clarence Estuary Nature Reserve or causing any harm to any NPWS estate; • a description of operational measures to ensure that dredging activities do not alter natural channel and sand deposition and movement dynamics, and the processes that contribute to island and beach evolution and stability in the area; • a description of potential impacts on uses of Clarence River and the lower Clarence estuary including recreational fishers (also bait gathers), oyster aquaculture, prawn trawling, passive uses and commercial fishers; and • a detailed description of the measures to avoid, minimise, and mitigate impacts upon aquatic habitats and to coastal processes. **biodiversity** – including: • identification of aquatic and terrestrial flora and fauna potentially impacted by the proposal; • accurate predictions of any vegetation clearing, including marine vegetation; • an analysis of the potential impacts on threatened ecological communities known to occur in the Clarence Estuary Nature Reserve including Dart Island and Rabbit Island, the Hickey Island Crown Reserve and parts of the adjacent foreshores and unnamed small sand islands; • an assessment of the potential impacts on threatened and migratory shorebirds listed under the *NSW Biodiversity Conservation Act 2016* and

	the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999* and operational mitigation measures to ensure that interference with the foraging or breeding activities of shorebirds is considered; • a detailed assessment of the potential impacts on any threatened species, populations, endangered ecological communities or their habitats, groundwater dependent ecosystems and any potential for offset requirements in accordance with the *Biodiversity Conservation Act 2016* and if determined to be required, a Biodiversity Development Assessment Report (BDAR); • a detailed description of the measures to avoid, minimise, mitigate and offset biodiversity impacts. **waste management** – including: • details of the type, quantity and classification of waste generated by the proposal, including dredge spoil (slurry) classified according to the EPA's *Waste Classification Guidelines 2014* (as amended); • details of the resource outputs and any additional processes for residual waste, including spoil disposal; • details of waste handling including transport, identification, receipt, stockpiling and quality control; and • the measures that would be implemented to ensure that the proposed development is consistent with the aims, objectives and guidelines in the *NSW Waste Avoidance and Sustainable Materials Strategy 2041*. **traffic and transport** – including: • details of road transport routes and access during the proposed works; • road traffic predictions for the development during construction and operation, particularly considering reuse of the dredge materials; and • an assessment of impacts to the safety and function of the road network; and the details of any road upgrades required for the development. **noise and vibration** – including: • identification of noise sensitive locations and receivers including residential properties, schools, churches, and hospitals; • a description of all potential noise and vibration sources during construction and operation, including road traffic noise; • times of operation for all phases of the proposal; • a noise and vibration assessment in accordance with the relevant Environment Protection Authority Guidelines; and • a description and appraisal of noise and vibration mitigation and monitoring measures. **air quality** – including: • a description of all potential sources of air and odour emissions; • details of the proposal that enable prediction and assessment of air impacts; • details of exact locations of sensitive receivers including dwellings, schools, and hospitals in the surrounding area; • an air quality impact assessment in accordance with relevant Environment Protection Authority Guidelines; and • a description and appraisal of air quality impact mitigation and monitoring measures. **heritage** – including: • the identification and description of any listed or potential heritage items within the site;

	• a Statement of Heritage Impact Statement (SOHI) prepared by a suitably qualified and experienced maritime heritage consultant addressing the impacts of the proposal on the heritage significance of the site and adjacent areas; • a historical archaeological assessment and maritime archaeological assessment in accordance with Heritage NSW guidelines if the SOHI identifies impact on potential historical and/or maritime archaeology; • an Unexpected Finds Protocol; and • a remote sensing study of the areas to identify the location, nature and extent of any possible submerged sites/relics which have been potentially identified during the SOHI. **Aboriginal heritage**- including: • an Aboriginal cultural heritage assessment report prepared by a suitably qualified archaeologist which must include: o detail the potential impacts on any items of Aboriginal heritage significance on or adjacent to the site/s; o a surface survey undertaken by a qualified archaeologist; and o detail any proposed management and mitigation measures of the potential impacts; and o demonstration of effective consultation with relevant Aboriginal community groups, native title holders and stakeholders. **ecologically sustainable development** - including: • assessment of options available for use of the resources; • valuation and pricing of environmental resources; and • identification of the environmental costs associated with the proposal . **hazards and risk** – including: • details of type and quantity of any chemical and hazardous substances to be used or stored and detail arrangements for use and storage; • details of a Safety Data Sheet for any displaced mineral sand to ensure the levels of naturally occurring radioactive material is within acceptable limits; • a preliminary risk screening completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development,* with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis (DoP, 2011)* and *Multi-Level Risk Assessment (DoP, 2011);* and • consideration of the risk of fire ignition from the proposed development (land surface activities) and recommended mitigation measures to minimise identified risks. **human health** – including: • identification of any change to the risk to human health, including mitigation measures and management to ensure appropriate standards are met. **visual** – including: • an impact assessment at private receptors and public vantage points. **navigation** – including: • an assessment of the impacts of the proposal, including dredging works and sediment transport via pipeline, on vessel navigation within the Port of Clarence River, including any impacts on vessel navigation and channel depths and any impacts on changes to sediment transport dynamics;

	• a detailed description of the measures to avoid, minimise and mitigate impacts on vessel navigation; and • consideration of any impacts to existing aids to navigation (AtoNs) and assessment of the need for any additional AtoNs, during or following works. • Note: Harbour Master approval for the disturbance of the bed of the port under Clause 67ZN of the *Ports and Maritime Administration Regulation 2012* will be required.
Environmental Planning Instruments and other policies	The EIS must assess the proposal against the relevant environmental planning instruments, including but not limited to: • State Environmental Planning Policy (Resilience and Hazards) 2021; • State Environmental Planning Policy (Transport and Infrastructure) 2021; • State Environmental Planning Policy (Resources and Energy) 2021; • *Clarence Valley Local Environmental Plan 2011;* • *Clarence Valley Development Control Plan Development in Environmental Protection, Recreation and Special Use Zones 2011;* • *Clarence Valley Council Residential Zones Development Control Plan 2011;* • *DPI Fisheries Policy and Guidelines for fish habitat conservation and management*; • NSW Marine Estate Threat And Risk Assessment (TARA) Final Report; • *Marine Estate Management Strategy 2018-2028;* • Clarence Estuary Management Plan. • Assessment Guidelines in the Acid Sulfate Soils Manual (Stone et al. 1998); • National Acid Sulfate Soils Identification and Laboratory Methods Manual (Sullivan et al. 2018a); • National Acid Sulfate Soils Sampling and Identification Methods Manual (Sullivan et al. 2018b); • Overview and Management of Monosulfidic Black Ooze (MBO) Accumulations in Waterways and Wetlands (Sullivan et al. 2018c); • Guidelines for the Dredging of Acid Sulfate Soil Sediments and Associated Dredge Spoil Management (Simpson et al. 2018); • Guidance for the Dewatering of Acid Sulfate Soils in Shallow Groundwater Environments (Shand et al. 2018).
Guidelines	During the preparation of the EIS you should consult the Department's Register of Development Assessment Guidelines which is available on the Department's website at https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Industries. Whilst not exhaustive, this Register contains some of the guidelines, policies, and plans that must be taken into account in the environmental assessment of the proposed development.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation. Those documents should be included as part of the EIS rather than as separate documents.
Consultation	During the preparation of the EIS, you must consult the relevant local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS. In particular, you should consult with the: • Environment Protection Authority; • National Parks and Wildlife Services; • Heritage NSW;

	• Department of Primary Industries – Fisheries;
	• Water NSW;
	• NSW Department of Climate Change, Energy, the Environment and Water, specifically the:
	  o Biodiversity and Conservation Division;
	  o Water Group;
	• Transport for NSW;
	• NSW Rural Fire Service;
	• Port Authority of NSW (Port of Yamba);
	• Local utilities providers;
	• Clarence Valley Council; and
	• the surrounding landowners and occupiers that are likely to be impacted by the proposal.
	The EIS must describe the consultation process, document consultation undertaken and identify any issues raised (including where these have been addressed in the EIS).

Further Consultation after 2 years	If you do not lodge an application under Section 4.12(8) of the *Environmental Planning and Assessment Act 1979* within 2 years of the issue date of these SEARs, you must consult with the Planning Secretary in relation to any further requirements for lodgement.

Department of Climate Change, Energy, the Environment and Water

Your ref: SEAR 1573
Our ref: DOC23/1088335-5

Planning and Assessment
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Ms Meg D'souza

Dear Ms D'souza

Re: Request for Environmental Impact Statement Environmental Assessment Requirements – Dredging of Clarence River, Yamba – SEAR 1573

Thank you for your e-mail dated 12 December 2023 about the proposed dredging of up to 1.8 million cubic metres of fill from part of the Clarence River in Yamba, seeking Environmental Assessment Requirements (EARs) from the Biodiversity, Conservation and Science Directorate (BCS) of the Department of Climate Change, Energy, the Environment and Water. I appreciate the opportunity to provide input.

We note that the project will be assessed in accordance with Part 4 Division 4.3 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The Environmental Impact Statement (EIS) EARs provided by BCS are limited to biodiversity, National Parks and Wildlife Service (NPWS) estate, acid sulfate soils (ASS), flooding, and coastal processes and associated hazards.

BCS expects the EIS will be sufficiently comprehensive to enable unambiguous assessment of all direct and indirect impacts of the proposed development and will:

- assess the potential impacts of the proposal on the habitats and behaviour of threatened and migratory shorebirds listed under the NSW *Biodiversity Conservation Act 2016* and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* that are known to occur within the project area, noting the likely presence of nesting, breeding and foraging habitat for these shorebirds on the islands and foreshore margins of the Clarence River that are adjacent to the proposed dredging route
- include details of the operational measures to ensure that interference with the foraging or breeding activities of threatened and migratory shorebirds are adequately ameliorated
- assess the potential impacts of the proposal on floodplain and rainforest Threatened Ecological Communities known to occur in the Clarence Estuary Nature Reserve, which includes Dart Island and Rabbit Island, the Hickey Island Crown Reserve, and parts of the adjacent foreshores and unnamed small sand islands in the vicinity of the proposed dredging route
- provide details and measures to prevent the dredging operation encroaching into the Clarence Estuary Nature Reserve, which includes Dart Island and Rabbit Island, or causing harm or damage to any part of the NPWS estate, noting that no dredging is permitted in NPWS estate, including submerged lands within the gazetted boundaries of the estate
- detail the operational measures to ensure that dredging activities do not alter natural channel and sand deposition and movement dynamics, particularly long-shore transport, the processes that contribute to island and beach evolution, and coastal hazard risks in the project area

- consider the Coastal Design Guidelines for the design of the project, available at https://www.planning.nsw.gov.au/sites/default/files/2023-10/nsw-coastal-design-guidelines-2023.pdf
- assess the flooding impacts on adjoining properties and the locality arising from placing the dredged fill material on the recipient site
- assess ASS and identify measures to address potential ASS impacts given the high likelihood of ASS occurring within the channel and surrounding margins of the proposed dredging transect pathway.

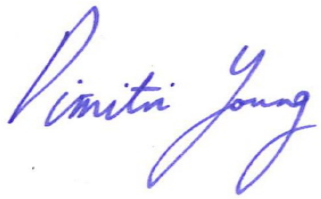
We consider this information is necessary to assess an EIS for the proposed development.

The full list of our requirements that may need to be addressed in the EIS is provided in **Attachment 1**. In preparing the EIS, the proponent should refer to the relevant guidance material listed in **Attachment 2.**

Given the potential for the proposal to significantly impact coastal processes that could affect NPWS estate, BCS requests an opportunity to review the EIS before the development application is determined.

If you have any further questions about this issue, please contact Mr Gene Mason, Senior Conservation Planning Officer North East, Biodiversity, Conservation and Science, on 8289 6315 or at gene.mason@environment.nsw.gov.au.

Yours sincerely



DIMITRI YOUNG
Senior Team Leader Planning North East
Biodiversity, Conservation and Science

12 January 2024

Enclosures:
Attachment 1 – DCCEEW BCS EARs – EIS – Dredging of Clarence River, Yamba – SEAR 1573
Attachment 2 - EIS Guidance Material

Attachment 1

Department of Climate Change, Energy, the Environment and Water

Biodiversity, Conservation and Science Directorate

Environmental Assessment Requirements

Environmental Impact Statement

Dredging of Clarence River, Yamba

SEAR 1573

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A. The Proposed Development

The Environmental Impact Statement (EIS) should fully and clearly describe the proposed development, including any environmental impact mitigation measures, and identify all the processes and activities intended for the site during the life of the proposed development.

The description of the proposed development in the EIS should, where relevant, include:

1. the location of the proposal and details of the surrounding environment;
2. the land use zoning;
3. the size and type of the proposal and its operation;
4. the proposed layout of the site;
5. the staging and timing of the proposal;
6. the proposal's relationship to any other proposal.
7. all equipment proposed for use at the site;
8. chemicals, including fuel, used on the site and proposed methods for the transportation, storage, use and emergency management;
9. waste generation, storage and disposal;
10. the anticipated environment impacts of the proposal, both direct and indirect,
11. a plan showing the distribution of any threatened flora or fauna species and the vegetation communities on or adjacent to the subject site, and the extent of vegetation proposed to be cleared; and
12. ownership details of any residence and/or land likely to be affected by the proposal;
13. maps/diagrams showing the location of residences and properties likely to be affected and other industrial developments, conservation areas, wetlands, etc. in the locality that may be affected by the proposal;
14. methods to mitigate any expected environmental impacts of the proposal; and
15. the anticipated level of performance in meeting required environmental standards.

B. Environmental Impacts of the Proposed Development

Impacts related to Biodiversity, NPWS Estate, Acid Sulfate Soils, Flooding, Coastal Processes and Associated Hazards, and Cumulative Impacts, should be assessed, quantified, and reported on in the EIS, as required.

The EIS should address the specific requirements outlined under each heading below, where necessary, and assess impacts in accordance with the relevant guidelines mentioned. A full list of guidelines is at **Attachment 2**.

C. Biodiversity

1. The EIS must assess the impacts of the proposed development on biodiversity values to determine if the proposed development is "likely to significantly affect threatened species" for the purposes of Section 7.2 of the *Biodiversity Conservation Act 2016* (BC Act) as follows:

   A. The EIS must demonstrate whether the proposed development is to be carried out in a declared area of outstanding biodiversity value.

   B. If the proposed development is not carried out in a declared area of outstanding biodiversity value, then the EIS must demonstrate and document whether the proposed development exceeds the biodiversity offset scheme threshold, as set out in section 7.4 of the BC Act and clause 7.1 of the *Biodiversity Conservation Regulation 2017* (BC Regulation), by determining whether the proposed development involves:

      I. The clearing of native vegetation of an area declared by clause 7.23 of the BC Regulation as exceeding the threshold, or

      II. The clearing of native vegetation, or other action prescribed by clause 6.1 of the BC Regulation, on land included on the Biodiversity Values Map published under clause 7.3 of the BC Regulation.

   C. If the biodiversity offset scheme threshold is not exceeded, then the EIS must document *the test for determining whether proposed development is likely to significantly affect threatened species or ecological communities* as outlined in Section 7.3 of the BC Act, by preparing an ecological assessment that should include:

      I. A field survey of the site conducted and documented in accordance with relevant guidelines, including:

         a. *Field survey methods for environmental consultants and surveyors when assessing proposed developments or other activities on sites containing threatened species* (OEH undated) https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/field-survey-method-guidelines.pdf

         b. *NSW Survey Guide for Threatened Frogs* (DPIE 2020) https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs

         c. *Surveying threatened plants and their habitats: NSW survey guide for the Biodiversity Assessment Method* (DPIE 2020) https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method

         d. *Species credit' threatened bats and their habitats (OEH 2018)* https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf

e. *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC 2004), https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/draft-threatened-biodiversity-survey-guide.pdf.

If a proposed field survey methodology is likely to vary significantly from the methods in the guidelines above, then the proponent should discuss the proposed methodology with the Biodiversity and Conservation Division prior to undertaking surveys for the EIS, to determine whether the Biodiversity and Conservation Division considers the proposed methodology appropriate.

The results of recent (less than five years old) field surveys may be used. However, the results of previous field surveys should not be used if they have:

- been undertaken in seasons, weather conditions or following extensive disturbance events when the subject species are unlikely to be detected or present, or
- utilised methodologies, survey sampling intensities, timeframes or baits that are not the most appropriate for detecting the target subject species,

unless these differences can be clearly demonstrated to have had an insignificant impact upon the outcomes of the field surveys.

If the results of previous field surveys are used, then field surveys for any additional threatened entities listed under the BC Act since the previous field surveys took place, must be undertaken and documented.

The list of potential threatened species, populations, ecological communities, or their habitats for the site should be determined in accordance with:

- the *Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities - Working Draft* (DEC 2004) https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-biodiversity-survey-and-assessment, and
- the Department's Threatened Species website http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species ,and
- the *Bionet Atlas of NSW* http://www.environment.nsw.gov.au/wildlifeatlas/about.htm , and
- the Vegetation Information System (BioNet Vegetation Classification) http://www.environment.nsw.gov.au/research/Visclassification.htm , and
- other data sources (e.g. PlantNET, Online Zoological Collections of Australian Museums (http://www.ozcam.org/), previous or nearby surveys etc.) may also be used to compile the list.

II. The following information as a minimum:

a. A description, spatial data files, and geo-referenced mapping of the study area, (overlays on topographic maps, satellite images and /or aerial photos, including details of map datum, projection and zone), showing all field survey locations, vegetation communities classified in accordance with the BioNet Vegetation Classification (http://www.environment.nsw.gov.au/research/Visclassification.htm), key

habitat features and reported locations of threatened species and ecological communities present in the subject site and study area.

b. A description of survey methodologies used, including timing, location and weather conditions.

c. Details, including qualifications and experience, of all staff undertaking the surveys, mapping and assessment of impacts as part of the EIS.

d. Identification of national and state listed threatened biota known or likely to occur in the study area and their conservation status.

e. A description of the likely impacts of the proposed development on biodiversity values, including direct and indirect impacts and construction and operation impacts, with impacts quantified, wherever possible, such as the amount of each vegetation community or species habitat to be cleared or impacted, and/or the degree of fragmentation of a habitat connectivity.

f. Identification of the avoidance, mitigation and management measures that will be put in place as part of the proposed development to avoid or minimise biodiversity impacts, including details about alternative options considered and how long-term management arrangements will be guaranteed.

g. A description of the residual impacts of the proposed development.

III. The '*test for determining whether proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats'* as outlined in Section 7.3 of the BC Act undertaken in accordance with the gazetted *Threatened Species Test of Significance Guidelines* (OEH 2018) available at: https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/threatened-species-test-significance-guidelines-170634.pdf.

2. If the EIS determines under 1 above that the proposed development is likely to significantly affect threatened species, then in accordance with Section 7.7 of the BC Act the EIS must be accompanied by a Biodiversity Development Assessment Report prepared in accordance with Part 6, Division 3 of the BC Act.

3. If the EIS determines under 1 above that the proposed development is unlikely to significantly affect threatened species, then the proposed development should:

   a. be designed to avoid and minimise impacts on biodiversity values to the fullest extent possible, and

   b. include a biodiversity offset package to offset remaining direct and indirect impacts on biodiversity values, prepared in accordance with the Department's 13 offsetting principles available at http://www.environment.nsw.gov.au/biodivoffsets/oehoffsetprincip.htm:

Note:

For the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999,* the EIS should identify any relevant Matters of National Environmental Significance and whether the proposal has been referred to the Commonwealth or already determined to be a controlled action.

D. NPWS Estate

The EIS should address the following with respect to land reserved under the *National Parks and Wildlife Act 1974*.

1. Where appropriate, likely impacts (both direct and indirect) of the proposed development on any adjoining and/or nearby NPWS estate reserved under the National Parks and Wildlife Act 1974 should be considered, with reference to the *Developments adjacent to National Parks and Wildlife Service lands Guidelines for consent and planning authorities (DPIE 2020)* available at:

   https://www.environment.nsw.gov.au/research-and-publications/publications-search/developments-adjacent-to-national-parks-and-wildlife-service-lands

Note: Proposed development which may impact marine protected areas should be referred to the Regions, Industry, Agriculture and Resources Group in the Department of Planning, Industry and Environment to determine the assessment and approval requirements.

E. Acid Sulfate Soils

The EIS should address the following:

1. The potential impacts of the proposed development on acid sulfate soils must be assessed in accordance with the relevant guidelines including the following:

   - Assessment Guidelines in the Acid Sulfate Soils Manual (Stone et al. 1998),
   - National Acid Sulfate Soils Identification and Laboratory Methods Manual (Sullivan et al. 2018a),
   - National Acid Sulfate Soils Sampling and Identification Methods Manual (Sullivan et al. 2018b), and where relevant,
   - Overview and Management of Monosulfidic Black Ooze (MBO) Accumulations in Waterways and Wetlands (Sullivan et al. 2018c),
   - Guidelines for the Dredging of Acid Sulfate Soil Sediments and Associated Dredge Spoil Management (Simpson et al. 2018), and
   - Guidance for the Dewatering of Acid Sulfate Soils in Shallow Groundwater Environments (Shand et al. 2018).

   Samples must be tested according to procedures in National Acid Sulfate Soils Identification and Laboratory Methods Manual (Sullivan et al. 2018a).

2. A sound conceptual model must be developed for the site, including an understanding of local hydrogeological conditions, of the stratigraphic and lateral distribution of sulfide minerals, and of the presence of sensitive environmental receptors. This must include:

   a. Identifying whether sufficient pyrite is present in sediments to cause significant acidification on oxidation,

   b. Determining whether mining activities are likely to cause oxidation of pyrite and leach acidity and soluble metals into groundwater or surface waterways,

c. Determining the likely extent and severity of groundwater or surface water contamination that may be caused by acidic leachate from oxidising sediments, and

d. Identifying whether there are ecosystems or groundwater users in the vicinity of the mine site that are likely to be exposed to contamination from acidic leachate.

3. Describe mitigation and management measures that will be used to prevent, control, abate or minimise potential impacts from the disturbance of acid sulfate soils associated with the proposal and to reduce risks to human health and prevent the degradation of the environment. This must include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented.

4. Describe the contingency plan, incorporating a commitment to appropriate monitoring.

F. Flooding, Coastal Processes and Associated Hazards

The EIS should include an assessment of the following referring to the relevant guidelines in Attachment 2:

1. The potential effect of coastal processes and coastal hazards including potential impacts of sea level rise:

    a. on the proposed development; and

    b. arising from the proposed development.

2. Whether the proposed development is consistent with any coastal zone management plans.

3. Whether the proposed development is consistent with any floodplain risk management plans.

4. Whether the proposed development is compatible with the flood hazard of the land.

5. Whether the proposed development will significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.

6. Whether the proposed development will significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

7. Whether the proposed development incorporates appropriate measures to manage risk to life from flood.

8. Whether the proposed development is likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

9. The implications of flooding over the full range of potential flooding, including the probable maximum flood, should be considered as set out in the NSW Government Floodplain Development Manual. This should include the provision of:

a. Full details of the flood assessment and modelling undertaken in determining any design flood levels (if applicable), including the 1 in 100 year flood levels.

b. A sensitivity assessment of the potential impacts of an increase in rainfall intensity and runoff (10%, 20% and 30%) and sea level rise on the flood behaviour for the 1 in 100 year design flood if applicable.

10. All site drainage, stormwater quality devices and erosion / sedimentation control measures should be identified and the onsite treatment of stormwater and effluent runoff and predicted stormwater discharge quality from the proposed development should be detailed.

G. Cumulative Impacts

The EIS should include an assessment of the following:

1. The cumulative impacts, including both construction and operational impacts, from all clearing activities and operations, associated edge effects and other indirect impacts on cultural heritage, biodiversity and NPWS Estate in accordance with the *Environmental Planning and Assessment Act 1979*.

2. The cumulative impacts, including both construction and operational impacts, of the proponent's existing proposals and other proposals and associated infrastructure (such as access tracks etc.) as well as the cumulative impact of the proposed development in the context of other proposals located in the vicinity.

Attachment 2 – EIS Guidance Material

Title	Web address
Relevant Legislation	
Biodiversity Conservation *Act 2016*	https://www.legislation.nsw.gov.au/#/view/act/2016/63/full
Coastal Management Act 2016	https://www.legislation.nsw.gov.au/#/view/act/2016/20/full
Commonwealth Environment Protection and Biodiversity Conservation Act 1999	http://www.austlii.edu.au/au/legis/cth/consol_act/epabca1999588/
Environmental Planning and Assessment Act 1979	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+203+1979+cd+0+N
Fisheries Management Act 1994	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+38+1994+cd+0+N
Marine Parks Act 1997	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+64+1997+cd+0+N
National Parks and Wildlife Act 1974	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+80+1974+cd+0+N
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
Water Management Act 2000	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+92+2000+cd+0+N
Wilderness Act 1987	http://www.legislation.nsw.gov.au/viewtop/inforce/act+196+1987+FIRST+0+N
Biodiversity	
Biodiversity Assessment Method (DPIE, 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/biodiversity-assessment-method-2020
Biodiversity Development Assessment Report	https://www.legislation.nsw.gov.au/#/view/act/2016/63/part6/div3/sec6.12
Guidance and Criteria to assist a decision maker to determine a serious and irreversible impact (OEH, 2017)	http://www.environment.nsw.gov.au/resources/bcact/guidance-decision-makers-determine-serious-irreversible-impact-170204.pdf
Accreditation Scheme for Application of the Biodiversity Assessment Method Order 2017	https://www.legislation.nsw.gov.au/regulations/2017-471.pdf

Title	Web address
Biodiversity conservation actions	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-biodiversity-actions-170496.pdf
Reasonable steps to seek like-for-like biodiversity credits for the purpose of applying the variation rules	www.environment.nsw.gov.au/resources/bcact/ancillary-rules-reasonable-steps-170498.pdf
Threatened Species Website	www.environment.nsw.gov.au/threatenedspecies/
NSW BioNet (Atlas of NSW Wildlife)	www.bionet.nsw.gov.au/
Surveying threatened plants and their habitats NSW survey guide for the Biodiversity Assessment Method (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/surveying-threatened-plants-and-their-habitats-survey-guide-for-the-biodiversity-assessment-method
Threatened biodiversity survey and assessment - Guidelines for developments and activities (2004 working draft)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/threatened-biodiversity-survey-and-assessment
Field survey methods for environmental consultants and surveyors when assessing proposed developments or other activities on sites containing threatened species (OEH undated)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/field-survey-method-guidelines.pdf
NSW Survey Guide for Threatened Frogs (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/nsw-survey-guide-for-threatened-frogs
Koala (*Phascolarctos cinereus*) Biodiversity Assessment Method Survey Guide (DPE 2022)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/koala-phascolarctos-cinereus-biodiversity-assessment-method-survey-guide-220249.pdf
'Species credit' threatened bats and their habitats (OEH 2018)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Threatened-species/species-credit-threatened-bats-survey-guide-180466.pdf
BioNet Vegetation Classification - NSW Plant Community Type (PCT) database	www.environment.nsw.gov.au/research/Vegetationinformationsystem.htm
SEED Data Portal (access to online spatial data)	http://data.environment.nsw.gov.au/

Title	Web address
Threatened Reptiles Biodiversity Assessment Method survey guide (DPE 2022)	https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Animals-and-plants/Biodiversity/threatened-reptiles-biodiversity-assessment-method-survey-guide-20220563.pdf
Department of Primary Industry Policy and guidelines for fish habitat conservation and management (update 2013)	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
NPWS Estate	
List of national parks	http://www.environment.nsw.gov.au/NationalParks/parksearchatoz.aspx
Revocation, recategorisation and road adjustment policy (OEH, 2012)	https://www.environment.nsw.gov.au/topics/parks-reserves-and-protected-areas/park-policies/revocation-recategorisation-and-road-adjustment
Developments adjacent to National Parks and Wildlife Service lands Guidelines for consent and planning authorities (DPIE 2020)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/developments-adjacent-to-national-parks-and-wildlife-service-lands
Acid Sulfate Soils	
Acid Sulfate Soils Planning Maps via Data.NSW	http://data.nsw.gov.au/data/
Acid Sulfate Soils Manual (Stone et al. 1998)	http://www.environment.nsw.gov.au/resources/epa/Acid-Sulfate-Manual-1998.pdf
National Acid Sulfate Soils Guidance: National acid sulfate soils identification and laboratory methods manual, Department of Agriculture and Water Resources, Canberra, ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018a)	https://www.waterquality.gov.au/sites/default/files/documents/dewatering-acid-sulfate-soils.pdf

Title	Web address
National Acid Sulfate Soils guidance: National acid sulfate soils sampling and identification methods manual, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, L, Ward, N, Toppler, N and Lancaster, G. 2018b)	https://www.waterquality.gov.au/issues/acid-sulfate-soils/sampling-and-identification-methods-manual.pdf
National Acid Sulfate soils Guidance: Overview and management of monosulfidic black ooze (MBO) accumulations in waterways and wetlands, Department of Agriculture and Water Resources, Canberra ACT. (Sullivan, LA, Ward, NJ, Bush, RT, Toppler, NR, Choppala, G. 2018c)	https://www.waterquality.gov.au/issues/acid-sulfate-soils/monosulfidic-black-ooze-accumulation.pdf
National Acid sulfate soils guidance: Guidelines for the dredging of acid sulfate soil sediments and associated dredge spoil management, Department of Agriculture and Water Resources, Canberra, ACT (Simpson, SL, Mosley, L, Batley, GE and Shand P. 2018)	https://www.waterquality.gov.au/sites/default/files/documents/dredging-sediments-spoil.pdf
National Acid Sulfate Soils Guidance: Guidance for the dewatering of acid sulfate soils in shallow groundwater environments, Department of Agriculture and Water Resources, Canberra, ACT. (Shand, P, Appleyard, S, Simpson, SL, Degens, B, Mosley, LM 2018)	https://www.waterquality.gov.au/issues/acid-sulfate-soils/dewatering-groundwater-environments.pdf
Flooding, Coastal Processes and Associated Hazards	
Reforms to coastal erosion management	http://www.environment.nsw.gov.au/coasts/coastalerosionmgmt.htm
Floodplain development manual	http://www.environment.nsw.gov.au/floodplains/manual.htm
Guidelines for Preparing Coastal Zone Management Plans	http://www.environment.nsw.gov.au/resources/coasts/130224CZMPGuide.pdf

Title	Web address
NSW Climate Impact Profile	http://climatechange.environment.nsw.gov.au/
Climate Change Impacts and Risk Management	Climate Change Impacts and Risk Management: A Guide for Business and Government, AGIC Guidelines for Climate Change Adaptation

23/01/2024

Record Number: 24/00084#06

Planning Number: SEAR 1573

Dredging of Clarence River

The Department of Planning and Environment – Crown Lands have reviewed the proposal.

As outlined in your documentation, this is a complex proposal that has been referred to a number of internal business units in Crown Lands for review.

As all issues have been identified and addressed in the report/all of Crown Lands' comments have been addressed in previous requests for advice (Letter sent 18th February 2021), Crown Lands has no further comments for this proposal.

Crown Lands looks forward to considering Land Owners Consent and a subsequent Licence application for the proposal subject to the necessary approvals being secured and will be guided by advice from other relevant agencies and recognised indigenous interest groups.

If the proponent requires further information, or has any questions, please contact Richard Brittingham, Senior Natural Resource Management Officer in Crown Lands, on 1300 886235 or at Richard.brittingham@crownland.nsw.gov.au.

Yours sincerely

Richard Brittingham
Snr Natural Resource Management Officer
T 1300 886235 | E Richard.brittingham@crownland.nsw.gov.au

Hi Meg
My apologies on the delay.

The EPA has no objection to the extension to the SEARS.

Regards

Janelle Bancroft
Unit Head
Regulatory Operations
NSW Environment Protection Authority
D 02 6640 2513 | **M** 0447 139 638
49 Victoria Street Grafton NSW 2460

www.epa.nsw.gov.au @NSW_EPA

Hi Meg

Thank you for providing DPI Fisheries with the opportunity to confirm whether the requirements of the SEAR 1573 are still current following a request from the applicant for an extension until March 2024.

DPI Fisheries highlights that DPE Crown Lands should also be included in the list of agencies that are required to be consulted with in the 'Consultation' section as the proposed dredge area contains Crown land.

Please contact me if you have any further questions.

Regards

Jonathan

Jonathan Yantsch
Senior Fisheries Manager, Coastal Systems (North Coast)
Marine Estate Management
Department of Regional NSW

P 02 6626 1375 E jonathan.yantsch@dpi.nsw.gov.au

regional.nsw.gov.au

Wollongbar Agricultural Institute

Department of Regional NSW

Hi Meg,

No changes to the requirements in relation to Aboriginal cultural heritage.

Thanks
Nic

Nicola Roche
Principal Assessments Officer
Heritage NSW
Department of Climate Change,
Energy, the Environment and Water

T (02) 9228 6424 M 0400 133 251 E nicola.roche@environment.nsw.gov.au

www.environment.nsw.gov.au/topics/heritage

Locked Bag 5020 Parramatta 2124

Working Days Monday to Friday

I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Hello Meg,
Thank you for your below email providing the opportunity to comment on the request for an extension of the Planning Secretary's Environmental Assessment Requirements (SEARs 1573) issued on 28 June 2021.

I have reviewed the information provided. NSW DPI Agriculture did not require any specific environmental assessment requirements in its initial response to the request for SEARs (NSW DPI Agriculture's email of 20 May 2021).

The proposed dredging of the Clarence River and filling of the urban release area at West Yamba is not expected to have any impacts on agricultural land or agricultural production.

NSW DPI Agriculture therefore has no objection to the extension of the SEARs and has no further requirements.

I note that NSW DPI Fisheries has been contacted separately and will provide separate advice relating to its area of responsibility.

Please don't hesitate to contact me on the phone number below should you require further clarification in this matter.

Yours sincerely

Paul Garnett
Agricultural Landuse Planning Officer
Primary Industries
Department of Regional NSW

M 0429 864 501 E paul.garnett@dpi.nsw.gov.au

dpi.nsw.gov.au

16 Experiment Farm Road, TRENAYR, 2460
PMB 2 GRAFTON 2460

Department of Primary Industries
Department of Regional NSW

Council has no objection to the SEARs being extended as requested by the applicant.

Council has reviewed the existing SEARs which are still relevant. The key Council concerns include the following which may be covered by the existing requirements.

Strategic and statutory context / general / traffic and transport

- Provide a comparative assessment of the benefits/impacts of the proposed dredging to mitigate other impacts if quarried material is imported by truck movement (i.e. if dredging does not go ahead, road impacts and dust and noise would be worse). Of note:
  - The dredging proposed seeks to fill land for planned R1 residential development, with filling currently occurring via truck haulage, which causes significant road pavement impacts to Yamba Road (Regional Road) and amenity impacts to residential areas. The proposed dredging approach would minimise these impacts.
  - Duration of dredging works versus road haulage for general fill material into the West Yamba Area.
- TfNSW be contacted about road impact management, given ongoing impacts to Yamba Road, if development proceeds and the West Yamba Urban Release Area is filled via truck haulage.
- The Planning Delivery Unit in DPE (or other relevant units) be contacted about managing amenity impacts and delivery of planned housing supply on R1 zoned land.

Environmental Planning Instruments and other policies

- It is noted the CLARENCE VALLEY COUNCIL RESIDENTIAL ZONES DCP 2011 (https://www.clarence.nsw.gov.au/files/assets/public/v/1/building-and-development/files/development-control-plans/residential-dcp_29_july_2022.pdf) is not included in the listed instruments, and should be included.
- Of note, Part X – Urban Release Area Controls of the Residential DCP includes control C3 (p.218) which calls for an Earthworks Management Plan which assumes and infers the urban release area would be filled using dredge material.

Soil

- Detail any associated benefits of using dredge material instead of quarried fill, such as reduced impacts on groundwater in the West Yamba Urban Release Area

Aquatic habitats and coastal processes

- The potential geomorphological changes and related impacts such as bank erosion and any broader impacts on sediment and coastal processes.
- Potential impacts on tidal processes.
- Water quality impacts associated with both the dredging and dewatering particularly in relation to ASS and turbidity.
- Sediment suitability in particular ASS and contamination status.
- Impacts on fish habitat from the dredging and associated pipelines.

Navigation

- Consideration of other dredge areas – are there other areas that would provide co-benefits (i.e. dredging of the main navigation areas to provide improved navigation outcomes or maybe there are other locations where instream siltation is causing bank erosion and sediment removal from such a location would have an environmental benefit). Detailed consideration of all alternative dredge location boundaries or sites within 3 km of the fill site/s including assessment of the impacts, constraints and potential co-benefits of each alternative option.

I hope this assists, and please do not hesitate to contact James Hamilton, Coordinator Development Services (CC'd) or me if you have any questions.

Please keep us informed of the outcomes and any changes made to any updated SEARs.

Kind regards,

Murray Lane
Manager Development and Land Use Planning
02 6643 0287
0487 046 537
www.clarence.nsw.gov.au

clarence VALLEY COUNCIL

We acknowledge the Bundjalung, Gumbaynggirr and Yaegl people as the Traditional Owners of the land on which we live and work. We honour the First Nations peoples culture and connection to land, sea and community. We pay our respects to their Elders past, present and emerging.

NSW RURAL FIRE SERVICE

Department of Planning and Environment (Parramatta)
Locked Bag 5022,
PARRAMATTA NSW 2124
Australia

Your reference: SEAR 1573
Our reference: DA20231215005702-Original-1

ATTENTION: Meg D'souza

Date: Monday 5 February 2024

Dear Sir/Madam,

Development Application
Other – Other Assessment – Other
Local SEARs - SEAR 1573 - Request for Advice on Extension Clarence River YAMBA NSW 2464, 5//DP751395, 7001//DP94781, 105//DP751395, 161//DP751395

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 12/12/2023.

Request for an extension to the Planning Secretary's Environmental Assessment Requirements (SEARs) issued on 28 June 2021. The SEARs expired on 28 June 2023 due to delays from the uncertainty with the approval of the main use of the dredged material, which is for the filling of the West Yamba Urban Release Area (WYURA). The Applicant is now requesting an extension until March 2024.

The existing SEARs state

- *consideration of the risk of fire ignition from the proposed development (land surface activities) and recommended mitigation measures to minimise identified risks.*

The NSW RFS has no objection to the SEARs timeline extensions.

For any queries regarding this correspondence, please contact Alan Bawden on 1300 NSW RFS.

Yours sincerely,

Timothy Carroll
Manager Planning & Environment Services
Built & Natural Environment

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
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