

## Tracey Gillett

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**From:** Ernest Panucci <ernesto@panucci.info>  
**Sent:** Wednesday, 7 June 2023 11:18 AM  
**To:** Tracey Gillett; Justin Lamerton  
**Cc:** James Ruprai; Cathy Bern; OLG - Shoalhaven City Council; amanda.findley@shoalhaven.nsw.gov.au; john.wells@shoalhaven.nsw.gov.au; matthew.norris@shoalhaven.nsw.gov.au; serena.copley@shoalhaven.nsw.gov.au; tonia.gray@shoalhaven.nsw.gov.au; evan.christen@shoalhaven.nsw.gov.au; Greg Watson; john.kotlash@shoalhaven.nsw.gov.au; Paul Ell; liza.butler@shoalhaven.nsw.gov.au; mark.kitchener@shoalhaven.nsw.gov.au; moo.dath@shoalhaven.nsw.gov.au; Patricia White; mitch@shoalsand.com.au  
**Subject:** RE: RA21/1000 - Terara Shoalhaven Sand - DRAFT Conditions of Consent

Good morning, Tracey and Justin,

Thank you for yesterday's heads up that the DRAFT conditions were uploaded to the portal.

In reading the DRAFT conditions we note some errors in the wording of the conditions and request that the time frame of 15 years be either deleted or adjusted to reflect real time extraction rates.

Clauses 8 and 9 refer to the letters from the Department of Primary Industries (Fisheries) and Environmental Protection Agency. However, clause 8 references a letter from DPI (Fisheries) not the EPA letter and clause 9 refers to the DPI (Fisheries) letter not the EPA letter.

As to clause 27 (b), which stipulates a 15-year timeframe, we ask that this be removed or at least be extended to 30 years. In all of our discussions to date, as well as the presentation to the elected councillors, a time frame to cease dredging has never been raised or discussed. In fact the presentation made by Mitchell Mc Cormac at council chambers on Monday 24<sup>th</sup> April and indicated in the Dredging Plan stated that this operation would supply sand to the local area for 30 years.

Our licence is for 100,000 tonnes per year and is linked to the strength of the construction industry, accordingly extraction rates vary from 17,600 tonne to over 80,000 tonne per year. Our request is based on the fact, from the actual annual production rates noted in the royalty schedule, that since the 2014/2015 year the average annual production rate has been around 37,000 tonnes. We also note that the method of extraction or processing will not change and as such this figure is a current and realistic. Accepting that the approximate volume of sand to be won from the proposed expansion area is 990,000 tonnes by simple calculation it will take some 27 years to extract.

Accordingly, we ask that:

DRAFT condition 27(b) be removed; or  
Altered to read:

### Limits

27. a) The operation of the approved development must not exceed 100,000 tonnes per year.

b) The maximum timeframe for the carrying out of the development in accordance with the terms of this consent is 30 years, measured from the date of issue of an operational approval.

The following limits apply to the approved development:

Where any alteration to the above limits are proposed, it must be the subject of a separate application lodged with Council.

Yours faithfully,

***Ernie Panucci***  
***Land & Development Consultant***  
***17 Waldegrave Crescent***  
***VINCENTIA NSW 2540***  
***0417 144 409.***