



Ms Kate Jackson
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Boral Shared Business Services Pty Ltd
PO Box 6041
North Ryde NSW 2113

Dear Ms Jackson

**State Significant Development - Planning Secretary's Requirements
Stockton Sand Quarry Dredging Project (SSD 9490)**

Please find attached amended Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Stockton Sand Quarry Dredging Project. These requirements have been prepared in consultation with relevant public authorities based on the information you have 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.

Please note that the Planning Secretary may modify these requirements at any time. If you do not submit a development application (DA) and EIS for the development within 2 years, you must consult further with the Planning Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS, the Department of Planning and Environment (the Department) will review the document in consultation with relevant authorities to determine if it addresses these SEARs. You may be required to submit an amended EIS if it does not adequately address the requirements.

Please contact the Department at least two weeks before you propose to submit your DA and EIS. This will enable the Department to provide lodgement instructions, confirm the applicable fee, determine the required number of copies of the EIS and discuss potential exhibition periods.

The Department is currently developing a new environmental impact assessment guidance series for State significant projects in NSW which is likely to include a specific guideline for preparing an EIS. It is recommended that Boral Shared Business Services Pty Ltd (Boral) has regard to this guidance series, if released during preparation of the EIS.

The Department recognises that Boral has already commenced stakeholder engagement as part of its routine consultation program and to inform its social impact assessment (SIA). Further, the PEA included a SIA Scoping Report, prepared in accordance with the Department's new Social Impact Assessment Guideline, that has relied on key stakeholder and community views to identify potential social impacts of the development requiring further consideration and assessments in the EIS.

The Department also wishes to emphasise the importance of continued 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.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will also require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation; however, there may be opportunity to streamline the two assessment processes in accordance with the Bilateral Agreement between the NSW and Commonwealth governments. Please 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 1111).

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

Yours sincerely

J Evans 16/11/18

Jessie Evans
A/Director
Resource Assessments
as delegate for the Planning Secretary

Planning Secretary's Environmental Assessment Requirements

State Significant Development

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

Application Number	SSD 9490
Proposal	<p>The Stockton Sand Quarry Dredging Project, which involves:</p> <ul style="list-style-type: none"> • establishing a quarry to extract and process up to 500,000 tonnes of sand per annum for up to 25 years; • constructing associated site infrastructure and amenities; • transporting material off-site via public roads; and • progressively rehabilitating the site.
Location	Fullerton Cove, approximately 9.8 kilometres (km) north north-east of Newcastle
Applicant	Boral Shared Business Services Pty Ltd
Date of Issue	16 November 2018
General Requirements	<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"> • a stand-alone executive summary; • a full description of the development, including: <ul style="list-style-type: none"> – a summary of the regional and local geology; – the history of past production undertaken in proximity to the proposed development; – the resource to be extracted, including the amount, type, quality and composition; – the site layout and extraction plan, including cross-sectional plans; – the production process and processing activities, including the in-flow and out-flow of materials and points of discharge to the environment; – surface infrastructure and facilities (including any infrastructure that would be required for the development, but the subject of a separate approvals process); – a waste (overburden, rejects, tailings etc) management strategy; – a water management strategy; – a rehabilitation strategy to apply during, and after completion of, extraction operations, and proposed final use of site; – the likely interactions between the development and any existing, approved or proposed development in the vicinity of the site; and – a proposed production and transportation cap based on the maximum annual tonnage extracted; • a strategic justification of the development focusing on site selection and the suitability of the proposed site; • a list of any approvals that must be obtained before the development may commence; • an assessment of the likely impacts of the development on the environment, focussing on the key issues identified below, including: <ul style="list-style-type: none"> – a description of the existing environment likely to be affected by the development, using sufficient baseline data; – an assessment of the likely impacts of all stages of the development, including any cumulative impacts, taking into consideration any relevant

	<p>laws, environmental planning instruments, guidelines, policies, plans and industry codes of practice;</p> <ul style="list-style-type: none"> – a description of the measures that would be implemented to avoid, minimise, mitigate and/or offset the likely impacts of the development, and an assessment of: <ul style="list-style-type: none"> ○ whether these measures are consistent with industry best practice, and represent the full range of reasonable and feasible mitigation measures that could be implemented; ○ the likely effectiveness of these measures; and ○ whether contingency measures would be necessary to manage any residual risks; and – a description of the measures that would be implemented to monitor and report on the environmental performance of the development; <ul style="list-style-type: none"> • a consolidated summary of all the proposed environmental management and monitoring measures, identifying all the commitments in the EIS; • consideration of the development against all relevant environmental planning instruments (including Part 3 of the <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>); • the reasons why the development should be approved, having regard to: <ul style="list-style-type: none"> – relevant matters for consideration under the <i>Environmental Planning and Assessment Act 1979</i>, including the objects of the Act; – the biophysical, economic and social impacts of the project, including the principles of ecologically sustainable development; – the suitability of the site with respect to potential land use conflicts with existing and future surrounding land uses; – feasible alternatives to the development (and its key components), including the consequences of not carrying out the development; • a signed declaration from the author of the EIS, certifying that the information contained within the document is neither false nor misleading. <p>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>In addition to the matters set out in Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>, the development application must be accompanied by a signed report from a suitably qualified expert that includes an accurate estimate of the capital investment value (as defined in Clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all the assumptions and components from which the capital investment value calculation is derived.</p>
<p>Key Issues</p>	<p>The EIS must address the following key issues:</p> <ul style="list-style-type: none"> • Water – including: <ul style="list-style-type: none"> - a detailed site water balance, including a description of site water demands and intakes, 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 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 WSP or water source embargo; - an assessment of any likely flooding impacts of the development, having regard to the relevant requirements provided by OEH in Attachment 2; - an assessment of the likely impacts on the quality and quantity of existing surface and groundwater resources (including consideration of the Williamstown RAAF Base Contamination Broader Management Zone, any nearby drinking water catchments and other water users); - a detailed description of the proposed water management system

	<p>(including sewage), water monitoring program and other measures to mitigate potential surface and groundwater impacts;</p> <ul style="list-style-type: none"> • Noise – including: <ul style="list-style-type: none"> - a detailed assessment of the likely construction, operational and off-site transport noise impacts of the development in accordance with the <i>Interim Construction Noise Guideline</i>, <i>NSW Noise Policy for Industry</i> and the <i>NSW Road Noise Policy</i> respectively, and having regard to the <i>Voluntary Land Acquisition and Mitigation Policy</i>; • Air Quality – including: <ul style="list-style-type: none"> - a detailed air quality impact assessment (AQIA) of potential construction and operational impacts, in accordance with the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i>, and with a particular focus on dust emissions including PM_{2.5} and PM₁₀, and having regard to the <i>Voluntary Land Acquisition and Mitigation Policy</i>; • Biodiversity – including: <ul style="list-style-type: none"> - accurate predictions of any vegetation to be cleared on site; - a detailed assessment of the likely biodiversity impacts of the development, paying particular attention to threatened species, populations and ecological communities and groundwater dependent ecosystems, undertaken in accordance with the <i>Biodiversity Assessment Method</i> and documented in a Biodiversity Development Assessment Report; and - a strategy to offset any residual impacts of the development in accordance with the offset rules under the <i>Biodiversity Offsets Scheme</i>; • Heritage – including: <ul style="list-style-type: none"> - 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; • Traffic & Transport – including: <ul style="list-style-type: none"> - 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; - a detailed assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the local and State road network, paying particular attention to the intersections of Nelson Bay Road (MR108) / Coxs Lane (local road) and Nelson Bay Road / Seaside Boulevard (local road) (using SIDRA or a similar traffic model), including a road safety audit; - a description of the measures that would be implemented to mitigate any impacts; • Land Resources – including an assessment of: <ul style="list-style-type: none"> - potential impacts on the broader coastal environment and dune system; - potential impacts on soils and land capability (including potential erosion and land contamination); - potential impacts on landforms (topography), paying particular attention to the long term geotechnical stability of any new landforms; - the compatibility of the development with other land uses in the vicinity of the development in accordance with the requirements in Clause 12 of <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007</i>; and - impacts to any Crown land including Crown roads, reserves and tenures; • 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: <ul style="list-style-type: none"> - identification of contamination hotspots; - an assessment of the likely risks to public safety, paying particular
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	<p>attention to potential bushfire risks (including the identification of potential ignition sources during construction and operation) and the transport, handling, storage and use of any chemicals, fuels and, hazardous or dangerous goods; and</p> <ul style="list-style-type: none"> - proposed bushfire protection measures including vegetation management, fire suppression capabilities and operational access for firefighting appliances to the site; • Visual – including an assessment of the potential visual impacts of the development on private landowners in the vicinity of the development and key vantage points in the public domain, paying particular attention to any new landforms; • Social – including a detailed assessment of the potential social impacts of the development that builds on the findings of the Social Impact Assessment Scoping Report, in accordance with the <i>Social impact assessment guideline for State significant mining, petroleum production and extractive industry development</i>, paying particular consideration to: <ul style="list-style-type: none"> - the full range of categories of potential social impacts identified in Section 1.1 of the SIA guideline; - how impacts (positive and negative) may be distributed among different groups in the affected communities; - the principles in Section 1.3 of the SIA guideline; - ensuring that the person preparing the SIA has appropriate qualification and experience as outlined in the Box 4 of the SIA guideline; and - the review questions in Appendix D of the SIA guideline; • Economic – including a detailed assessment of the likely economic impacts of the development, paying particular attention to: <ul style="list-style-type: none"> - the significance of the resource; - the costs and benefits of the project; identifying whether the development as a whole would result in a net benefit to NSW, including consideration of fluctuation in commodity markets and exchange rates; and - the demand on local infrastructure and services; and • Rehabilitation – including the proposed rehabilitation strategy for the site having regard to the key principles in the <i>Strategic Framework for Mine Closure</i>, including: <ul style="list-style-type: none"> - rehabilitation objectives, methodology, monitoring programs, performance standards and proposed completion criteria; - nominated final land use, having regard to any relevant strategic land use planning or resource management plans or policies; and - the potential for integrating this strategy with any other rehabilitation and/or offset strategies in the region.
Consultation	<p>During the preparation of the EIS, you must consult with relevant local, State and Commonwealth Government authorities, service providers, Aboriginal stakeholders, community groups and affected landowners.</p> <p>In particular you must:</p> <ul style="list-style-type: none"> • consult with: <ul style="list-style-type: none"> - affected landowners; - community groups; - Port Stephens Council; - Office of Environment and Heritage (including the Heritage Branch); - Environment Protection Authority; - Division of Resources and Geoscience within the Department; - Department of Primary Industries (including NSW Forestry, Agriculture and Fisheries); - Department of Industry (including the Crown Lands and Water Division); - Hunter Local Land Services; - Hunter Water; - NSW Health; - NSW Rural Fire Service; and - Roads and Maritime Services. <p>The EIS must:</p> <ul style="list-style-type: none"> • describe the consultation process used and demonstrate that effective

	<p>consultation has occurred;</p> <ul style="list-style-type: none"> • describe the issues raised; • identify where the design of the development has been amended and/or mitigation proposed to address issues raised; and • otherwise demonstrate that issues raised have been appropriately addressed in the assessment.
Further consultation after 2 years	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these requirements, you must consult further with the Planning Secretary in relation to the preparation of the EIS.</p>

ATTACHMENT 1

Environmental Planning Instruments, Policies, Guidelines & Plans

Air	
	Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)
	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)
	Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia'
	National Greenhouse Accounts Factors (Commonwealth)
Noise	
	Voluntary Land Acquisition and Mitigation Policy for State Significant Mining, Petroleum and Extractive Industry Developments (DP&E)
	NSW Noise Policy for Industry (EPA)
	Interim Construction Noise Guideline (DECC)
	NSW Road Noise Policy (EPA)
Water	
Groundwater	NSW State Groundwater Policy Framework Document (NOW)
	NSW State Groundwater Quality Protection Policy (NOW)
	NSW State Groundwater Quantity Management Policy (NOW)
	NSW Aquifer Interference Policy 2012 (NOW)
	Office of Water Guidelines for Controlled Activities (2012)
	Groundwater Monitoring and Modelling Plans – Information for prospective mining and petroleum exploration activities (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)
	NSW Government Water Quality and River Flow Objectives (EPA)
Surface Water	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)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC)
	NSW Water Conservation Strategy (2000)
	State Water Management Outcomes Plan
	NSW State Rivers and Estuary Policy (1993)
	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 (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control (EPA)
	Technical Guidelines: Bunding & Spill Management (EPA)
	Environmental Guidelines: Use of Effluent by Irrigation (EPA)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW)
Land	
	Soil and Landscape Issues in Environmental Impact Assessment (NOW)

	Agfact AC.25: Agricultural Land Classification (NSW Agriculture)
	Agricultural Issues for Extractive Industries (DPI)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)
	Land Use Conflict Risk Assessment Guide (DPI)
Traffic	
	Guide to Traffic Generating Development (RMS)
	Road Design Guide (RMS) & relevant Austroads Standards
Biodiversity	
	Biodiversity Assessment Method (OEH)
	Fisheries NSW policies and guidelines
	Guidelines for developments adjoining Department of Environment, Climate Change and Water (DECCW, 2010)
	Guidelines for Threatened Species Assessment (DP&E)
	Guidance to assist a decision-maker to determine a serious and irreversible impact (OEH)
	NSW State Groundwater Dependent Ecosystem Policy (NOW)
	Revocation, recategorisation and road adjustment policy (OEH, 2012)
	Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW)
	State Environmental Planning Policy No. 44 – Koala Habitat Protection
Heritage	
	The Burra Charter (The Australia ICOMOS charter for places of cultural significance)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH)
	Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (OEH)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH)
	NSW Heritage Manual (OEH)
	Statements of Heritage Impact (OEH)
Hazards	
	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 Bush Fire Protection 2006 (RFS)
Waste	
	Waste Classification Guidelines (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)
Social & Economic	
	Social impact assessment guideline for State significant mining, petroleum production and extractive industry development (DP&E)
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

ATTACHMENT 2

Agency Correspondence