

Appendix 3

Coverage of Director- General's Requirements and Environmental Issues

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CONTENTS

	Page
Coverage of the Director-General's Requirements within the Environmental Assessment	5
Coverage of Environmental Issues.....	7
GENERAL	7
PLANNING & STATUTORY ISSUES	8
SAND RESOURCES AND MARKETS	10
DESCRIPTION OF PROPOSAL AND OPERATIONS	11
SAND TRANSPORTATION AND TRAFFIC	12
REHABILITATION & FINAL LAND USE	13
SAFETY ISSUES.....	14
SOILS AND AGRICULTURAL CAPABILITY	14
ACID SULFATE SOILS.....	15
SURFACE WATER.....	15
GROUNDWATER.....	15
TERRESTRIAL ECOLOGY	17
AQUATIC ECOLOGY	19
ABORIGINAL CULTURAL HERITAGE	20
AIR QUALITY	20
NOISE AND VIBRATION	21
VISUAL	24
ENVIRONMENTAL MONITORING.....	24
CUMULATIVE IMPACTS.....	24
ASSESSMENT OF ALTERNATIVES.....	25
PROJECT JUSTIFICATION	25
CONSULTATION	26



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Coverage of Director-General's Requirements within the Environmental Assessment

Page 1 of 2

Director-General's Requirements

Section 75F of the *Environmental Planning and Assessment Act 1979*

Project	The proposed Cudgen Lakes Sand Extraction Project, which includes extracting up to 650,000m ³ of sand a year for up to 15 years using a suction dredge, and transporting the sand off-site by pipeline and road.
Site	Extraction Site: Lot 2 DP 216705, Lot 21 DP 1082482 and unnamed road Pipeline Corridors: <i>Corridor A</i> - Lots 1 and 3 DP 828298, Lots 26C and 26D DP 10715, Lots 11 and 12 DP 871753, public roads (Crescent Street, Tweed Coast Road, Elrond Drive and Turnock Street) and the road reserve between Lot 26 DP 10715 and Lot 11 DP 871753. <i>Corridor B</i> - Lot 21 DP 1082482, Lot 1 DP 1075645, public road Tweed Coast Road and unnamed road
Proponent	Gales Projects Pty Ltd
Date of Issue	6 January 2006
Date of Expiration	6 January 2008

		Relevant EA Section(s)
General Requirements	The Environmental Assessment must:	-
	• be scientifically rigorous, and prepared in accordance with best practice;	
	• be certified by the author;	Declaration Form.
	• include an executive summary;	Executive Summary.
	• describe all stages of the project in detail (including rehabilitation of the site);	S2.
	• describe the consultation that was carried out during the preparation of the Environmental Assessment, and the issues that were raised during this consultation;	S3.2.2.
	• include a general environmental risk analysis of the project;	S3.3 and 6.2.
	• assess the key assessment requirements specified below;	See Appendix 3.
	• include a draft Statement of Commitments; and	S5.
	• consider the impacts of the project (as a whole), and justify why it should be approved.	S4 and 6.3.



Coverage of Director-General's Requirements within the Environmental Assessment

Page 2 of 2

		Relevant EA Section(s)
Key Assessment Requirements	The Environmental Assessment must assess the following potential impacts of the project (including any potential cumulative impacts that may arise from the combined operation of the project with the existing or approved operations at the Bolster Quarry), and describe what measures would be implemented to avoid, minimise, mitigate, offset, manage and/or monitor these impacts:	
	<ul style="list-style-type: none"> Noise – refer to the <i>NSW Industrial Noise Policy</i> and <i>Environmental Criteria for Road Traffic Noise</i> (Department of Environment and Conservation); 	S4.8 and SCSC Part 8.
	<ul style="list-style-type: none"> Air – refer to <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i> (Department of Environment and Conservation); 	S4.9 and SCSC Part 9.
	<ul style="list-style-type: none"> Soil & Water – include a detailed water balance and flooding impact assessment, and refer to the <i>Guidelines for Fresh and Marine Water Quality</i> (ANZECC), <i>Managing Urban Stormwater: Soils & Construction</i> (Landcom); the various <i>State Groundwater Policy</i> documents and <i>Floodplain Development Manual</i> (Department of Natural Resources); and the <i>Acid Sulfate Soil Manual</i> (NSW Acid Sulfate Soil Advisory Committee); 	S4.2, S4.3 and SCSC Parts 1, 2 and 3.
	<ul style="list-style-type: none"> Transport – refer to the <i>Guide to Traffic Generating Development</i> and <i>Road Design Guide</i> (Roads & Traffic Authority), or relevant Austroad standards; 	S4.7 and SCSC Part 7.
	<ul style="list-style-type: none"> Flora & Fauna – refer to the draft <i>Guidelines for Threatened Species Assessment</i> (Department of Environment and Conservation); 	S4.4, 4.5 and 4.6 and SCSC Parts 4, 5 and 6.
	<ul style="list-style-type: none"> Heritage – refer to the draft <i>Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation</i> (Department of Environment and Conservation); 	S4.10 and SCSC Part 10.
	<ul style="list-style-type: none"> Visual; and 	S4.12.
	<ul style="list-style-type: none"> Strategic Land Use Planning. 	S1.4.6, 1.4.7, 2.14.4 and 2.14.5
Consultation	During the preparation of the EA, you must consult with the relevant local, State, and Commonwealth government authorities, service providers, community groups, and affected landowners.	S3.2.2.
Deemed Refusal Period	60 days	



Coverage of Environmental Issues

Page 1 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
GENERAL		
DIPNR (PlanningNSW) (6 December 2004)	Include a full description of the proposal, clearly identifying the resource, the proposed site, the proposed works (including any rehabilitation works), and the proposed intensity of operations.	S2
	Assess the following potential impacts of the proposal during construction and operation, and describe what measures would be implemented to manage, mitigate or off-set these potential impacts: <ul style="list-style-type: none"> • ground and surface water, including flooding; • air quality; • noise; • acid sulfate soil; • traffic and transport; • flora and fauna, particularly critical habitats, threatened species, populations or ecological communities, or their habitats; • heritage, both Aboriginal and non-Aboriginal; • visual; • waste management; • utilities and services; and • social and economic. 	S4.2 S4.9 S4.8 S4.3 S4.7 S4.4, 4.5 and 4.6 S4.10 S4.12 S2.7 S2.11 S4.11
DEC (15 October 2004)	Provide maps showing the locality of the proposed development in a regional and local context. Base local context maps on 1:25 000 topographic plans.	Figures 1.1 and 1.2.
	Provide a description of: <ul style="list-style-type: none"> • the existing environment on the subject and surrounding land; • the proposed development and ancillary works; and • the manner in which the environment will be modified by the proposal. 	S4 S2 S4
	Clearly identify on an appropriately scaled plan the area subject to development.	Figures 1.1, 1.2 and 2.1.
	Consult the general requirements from the <i>EIS Guidelines Extractive Industries – Dredging and other extraction in riparian and coastal areas</i> during the preparation of the EIS.	S3.2.3.5.
	Document surveys and assessments that have been undertaken by suitably qualified persons and provide the qualifications and experience of the person(s) undertaking the work.	S1.6.
	Describe dates, site locations, design, methodology, analysis techniques, and weather conditions at the time of the assessments and surveys. The limitations of surveys should be identified and the results interpreted accordingly.	See relevant sections of specialist reports (SCSC).



Coverage of Environmental Issues

Page 2 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
GENERAL (Cont'd)		
DEC (15 October 2004)	Substantiate conclusions drawn in surveys and assessments with evidence resulting from those surveys and assessments. The EIS should reflect these conclusions and clearly state where recommendations of the survey and assessments have been incorporated in the proposal.	Section 4.
DPI (Fisheries) (24 September 2004)	Provide a legible topographic map with scale, contours, north represented and the date the map/plan/air photo was prepared.	Figure 4.1.
PLANNING & STATUTORY ISSUES		
DIPNR (Planning NSW) (6 December 2004)	Explain the relationship between this proposal and any proposals to redevelop the company's land to the east of the Tweed Coast Road, and discuss how the relevant approvals for both sets of proposals will be coordinated.	S1.4.6 and 1.4.7.
	The EIS must assess the proposal against relevant environmental planning instruments, including the provisions of: <ul style="list-style-type: none"> State Environmental Planning Policy No. 11 – Traffic Generating Developments; State Environmental Planning Policy No. 33 – Hazardous and Offensive Development; State Environmental Planning Policy No. 44 – Koala Habitat Protection; State Environmental Planning Policy No. 55 – Remediation of Land; State Environmental Planning Policy No. 71 – Coastal Protection; North Coast Regional Environmental Plan 1988; Tweed Local Environmental Plan 2000; and any relevant development control plans and section 94 plans. 	No Longer Applicable. S3.2.3.2 S3.2.3.2 S3.2.3.2 S3.2.3.2 S3.2.3.3 S3.2.3.4 S3.2.3.4
	The EIS must assess the proposal against the relevant sections of: <ul style="list-style-type: none"> the NSW Coastal Policy 1997; Northern Rivers Regional Strategy; Tweed Council's Urban Land Release Strategy; and any other relevant documents. 	S3.2.3.2 S3.2.3.3 S3.2.3.3 S3.2.3.3
	Consult the Department's EIS Guideline on Extractive Industries – Quarries.	S3.2.3.5
	The proposal will require an additional approval under the Commonwealth <i>Environment Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) if it contains any actions that could have a significant impact on matters of National Environmental Significance.	NA
DIPNR (PlanningNSW) (6 December 2004) and DEC	The EIS must clearly demonstrate the permissibility of the proposal.	S1.1 and 3.2.3.4



Coverage of Environmental Issues

Page 3 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
PLANNING & STATUTORY ISSUES (Cont'd)		
DIPNR (PlanningNSW) (6 December 2004)	Pursuant to Schedule 2 and clause 72 of the <i>Environmental Planning and Assessment Regulation 2000</i> , the EIS must include: <ul style="list-style-type: none"> a summary of the environmental impact statement; a statement of the objectives of the development; an analysis of any feasible alternatives including the consequences of not carrying out the development or activity; a) a full description of the proposal; b) a general description of the environment likely to be affected by the development and a detailed description of the environment that are likely to be significantly affected; a compilation of the mitigation measures (in one section); and the reasons justifying the carrying out of the development in the manner proposed, having regard to biophysical, economic and social considerations, including ecologically sustainable development. 	Executive Summary S2.1.1 S2.15 and 6.3.4 S2 S4 S4 and S5 S6
	The EIS must also consider under the <i>Environmental Planning and Assessment Regulation 2000</i> : <ul style="list-style-type: none"> Section 78A(8); Clause 71; Clauses 77 to 81; and Clause 283. 	Noted Declaration and Cover Page Noted Declaration
DEC (15 October 2004)	The proposal requires licensing under the <i>Protection of the Environment Operations Act 1997</i> .	S2.1.4
	The EIS should be consistent with Tweed Shire Council's structure plan for the Gales Holdings lands.	S1.4.6
	Determine and detail the applicability or otherwise of: <ul style="list-style-type: none"> local Environmental Plan (LEP); regional Environment Plans (REP); State Environmental Planning Policies (SEPP) No. 14 – <i>Coastal Wetlands</i>, No. 26 – <i>Littoral Rainforest</i>, No. 44 – <i>Koala Habitat Protection and the Native Vegetation Conservation Act 1997</i>; and regional Vegetation Management Plans (RVMPs), in particular. 	S3.2.3
	An assessment of the impact of the development on DEC estate and a description of the measures proposed to mitigate and/or ameliorate any impact must be provided where the proposal may result in impacts on DEC estate or is on land adjacent to DEC estate	S4



Coverage of Environmental Issues

Page 4 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
PLANNING AND STATUTORY ISSUES (Cont'd)		
Tweed Shire Council (30 September 2004)	Consider. <ul style="list-style-type: none"> The provisions the Tweed LEP 2000 particularly clause 8(2) for sand extraction and end use. The provisions of the North Coast REP 1988 particularly clauses 12 and 18. DIPNR's and DPI's Farmland Protection Project. The source of make-up water. Tweed Shire's DCP-45 Social and Economic Impact Assessment. Report on effluent disposal for any amenities for staff, workers etc. Surrender of existing approval. Pipeline route, timeframe for filling, owners consent for pipeline route, impact assessment. 	S3.2.3.4 S3.2.3.3 S4.3.4 S2.11.2.2 S4.11 S2.11.2.3 S1.4.4 S2.8, Table 2.2
DPI (Fisheries) (24 September 2004)	Examine and demonstrate how impacts on aquatic biodiversity can be addressed to ensure compliance with habitat provisions in the <i>Fisheries Management Act 1994</i> and DPI Fisheries policies that underpin them.	S4.6 and SCSC Part 6
	A permit under s. 218-220 of the <i>Fisheries Management Act 1994</i> may be required for activities that block the free passage of fish.	NA
DPI (Agriculture) (7 October 2004)	Assess the project against the relevant LEP and REP provisions.	S3.2.3
RTA (15 September 2004)	Obtain a Section 138 (<i>Roads Act 1993</i>) approval from the roads authority to clarify responsibilities where the hydraulic pipeline is within the road reserve.	S2.1.4
DPI (Fisheries) (24 September 2004)	Specify zoning, present land use and whether special conditions (eg SEPP 14 wetlands) apply to the land proposed for development or adjacent land.	S1.4, 3.2.3.2 and 3.2.3.4
SAND RESOURCES AND MARKETS		
DPI (Mineral Resources) (12 November 2004)	Address. <ul style="list-style-type: none"> The suitability of the subject sand for processing and the potential cumulative value of products compared to that of unprocessed sand. The size of the potential market (both current and future) for processed sand, and hence the implied production limit and deposit life if only processed sand were to be produced. The size of the potential market for unprocessed sand, and the implied production limit and deposit if dominantly unprocessed sand were to be produced. 	S2.2.3, 4.11.4, SCSC Parts 11 and 12. S2.10.1, 2.10.3, SCSC Part 12. SCSC Part 12
	Provide information on the location and size of markets to be supplied from the site.	SCSC Part 12



Coverage of Environmental Issues

Page 5 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
SAND RESOURCES AND MARKETS (Cont'd)		
DPI (Mineral Resources) (12 November 2004)	Resolve the differences between previous descriptions of site geology from recent geological mapping carried out by the Geological Survey of New South Wales to establish a better understanding of the full extent of subject resource and help in establishing the potential for discovering similar sand resources elsewhere in the district.	S2.2.1 and Figure 2.2
	Undertake a thorough geological assessment to determine the nature, quality and extent of the resource.	S2.2.1 and Figure 2.2.
	Provide a summary of the regional and local geology including information on the stratigraphic unit or units subject of the proposal.	SCSC Part 1 (S10)
	Outline the amount of material available for extraction and the method or methods used to determine this amount. Provide plans and cross-sections summarising this data, at a standard scale, showing the location of drillholes and/or trenches, and the area proposed for extraction, relevant supporting documentation such as drill logs.	S2.2.1, Figure 2.2 and SCSC Part 3 (App 7)
	Outline characteristics of the material or materials to be produced such as composition, grainsize, grading, clay content and contaminants should be indicated. The inclusion of indicative grading curves for all anticipated products as well as the overall deposit is recommended.	S2.2.1 and App 5
	Append details of tests carried out to determine the characteristics of this material. Such tests should be undertaken by NATA registered testing laboratories.	App 5
	Provide an assessment of the quality of the material and its suitability for the anticipated range of applications.	S2.2.3
	Indicate the amount of material anticipated to be produced annually. If the proposal includes a staged extraction sequence details of the staging sequence needs to be provided. The intended life of the operation should be also indicated.	S2.4
DESCRIPTION OF PROPOSAL AND OPERATIONS		
DPI (Fisheries) (24 September 2004)	Describe the following. <ul style="list-style-type: none"> The method of dredging or reclamation to be used. The duration and timing of dredging or reclamation works. The dimension of the area to be dredged or reclaimed. The depth of dredging height of reclamation activities. The nature of sediment to be dredged, including Acid Sulfate Soil and Potential Acid Sulfate Soils. The method of marking area subject to works. Environmental safeguards to be used during and after works. Measures for minimising harm to fish habitat under the proposal. The spoil type and source location for reclamation activities. The method of disposal of dredge material. The location and duration of spoil stockpiling, if planned. The volume of material to be extracted or placed as fill. 	S2.4.2 S2.10.3 S2.1.2.1 S2.4.1 and 2.6.4 S4.3 S2.4.2 S4 S4.6.5 S2.2.2 and 2.6 S2.7 S2.6 S2.8.5 (Table 2.2)



Coverage of Environmental Issues

Page 6 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
DESCRIPTION OF PROPOSAL AND OPERATIONS (Cont'd)		
Tweed Shire Council (30 September 2004)	Provide clear identification of the proposal, ie. inclusion of sites to be filled and full assessment of filling.	S2 and Figure 2.1
DPI (Fisheries) (24 September 2004)	Describe the purpose of the proposal.	S2.1.1
	Describe the location and area of the proposal.	S2.1.2.1
	Detail the location of all component parts of the proposal, including any auxiliary infrastructure.	S2.11
	Provide a timetable for construction of the proposal with details of each phase of construction.	S2.3
DPI (Mineral Resources) (12 November 2004)	Describe disposal of waste products and the location and size of stockpiles.	S2.5 and 2.7
SAND TRANSPORTATION AND TRAFFIC		
Tweed Shire Council (30 September 2004)	<p>Consider.</p> <ul style="list-style-type: none"> Access road impacts, including protection of the road during and after the life of the sand extraction. Traffic management report including preliminary design investigations including the following – Crescent Street industrial grade standard, 13 metre seal and batters, left turn onto Tweed Coast Road acceleration lane to Austroads standards, channelised right turn lane from Tweed Coast Road into Crescent Street, allow for four lane upgrade of Tweed Coast Road, widening at intersection of Crescent Street and access road to allow through traffic to pass trucks turning right, integrated development information to support S.138 application ie. Plans for works including pipeline route. Provide detailed traffic analysis on Pacific Highway interchange ramps may need to be increased and liaison with the RTA is required. Provide a detailed analysis regarding traffic movements ie. trucks, staff etc. Undertake ongoing liaison and consultation with Council's Manager of design Mr Ian Munro and Council's sewage treatment plant Project Manager Mr Ian Norris regarding road network and treatment plan issues. 	<p>S4.7.6 and SCSC Part 7 S2.9.2, 4.7.6, SCSC Part 7</p> <p>S4.7.6 and SCSC Part 7</p> <p>S4.7.6 and SCSC Part 7 Noted</p>
DPI (Agriculture) (7 October 2004)	Discuss traffic and road sharing issues particularly with existing agricultural industry use of roads.	S4.7.6
RTA (15 September 2004)	Undertake a traffic impact study that takes into consideration the key issues listed in Table 2.1 – Traffic Impact Studies of the RTA's Guide to Traffic Generating Developments.	S4.7 and SCSC Part 7



Coverage of Environmental Issues

Page 7 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
SAND TRANSPORTATION AND TRAFFIC (Cont'd)		
RTA (15 September 2004)	Upgrade the Junction of Tweed Coast Road and Crescent Street to AUSTROADS standards and include provision for increased heavy vehicle loadings and turning traffic.	S4.7.5 and S4.7.6.3
	Provide details in relation to the site operations including access conditions, sight distances, parking, servicing and commercial activities which cater for heavy vehicle turning paths.	S4.7.4
	Assess the impact on any public transport infrastructure and routes such as school buses.	S4.7.6.5
	Assess the impact of the increased road traffic and pipeline noise.	S4.8.5.7
	Outline provisions made to prevent the fouling of the road pavements.	S4.9.4.3
	Outline the control of dust from the site and commercial traffic.	S4.9.4
DPI (Mineral Resources) (12 November 2004)	Outline transport routes for the material to the market.	S2.9.4
DIPNR (PlanningNSW) (6 December 2004)	Clearly define the proposal to transport sand to the Company's land to the east of the Tweed Coast Road in the EIS, including any pipelines.	S2.8
DEC (15 October 2004)	Assess the sand delivery pipeline route as part of the proposal.	S2.8 and 4
REHABILITATION & FINAL LAND USE		
DIPNR (PlanningNSW) (6 December 2004)	The EIS must: <ul style="list-style-type: none"> describe in detail how the site would be progressively rehabilitated; and describe what measures would be put in place for the ongoing management of the site following cessation of sand extraction activities, including consideration for the implementation of these measures in the long term. 	S2.6.4 and 2.14
DEC (15 October 2004)	Include a rehabilitation plan detailing the location, spatial area, depth and ecology of the wetlands to be created including a comprehensive list of species to be used in the rehabilitation works. Plant species used in the rehabilitation works should be native species indigenous to the local area.	S2.6.4 and 2.14.3.2
DIPNR (North Coast Region) (6 December 2004)	Outline the final batter slopes after excavation and final progressive rehabilitation plans within a given timeframe.	S2.6.4, 2.14.4 and 2.14.5
Tweed Shire Council (30 September 2004)	Consider rehabilitation and end use including ownership, management, safety, health and public liability.	S2.14.5



Coverage of Environmental Issues

Page 8 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
REHABILITATION & FINAL LAND USE (Cont'd)		
DPI (Fisheries) (24 September 2004)	Specify any rehabilitation or environmental compensatory works to be undertaken and ongoing maintenance of these works.	S2.14
DPI (Agriculture) (7 October 2004)	Outline proposed rehabilitation, land stabilisation measures and longer term land use scenario.	S2.14
DPI (Mineral Resources) (12 November 2004)	Outline proposed rehabilitation, procedures during, and after completion of, extraction operations, and proposed final land use.	S2.14
SAFETY ISSUES		
DPI (Mineral Resources) (12 November 2004)	Comply with the <i>Mines Inspection Act 1901</i> , as amended.	S2.13
	Nominate a person (or persons) as General Manager and Production Manager as required by the <i>Mines Inspection Act 1901</i> Section 5 and 5B.	S2.13
	Contact the Regional Inspector of Mines for a list of guidelines and safety issues which are to be addressed and for the required competencies for a production manager.	S2.13
SOILS AND AGRICULTURAL CAPABILITY		
DPI (Agriculture) (7 October 2004)	Assess the chemical residue of the soil to be excavated and relocated.	S4.3.3
	Describe the location and implications of any cattle tick dip sites in the immediate locality.	Not Applicable
	Describe the agricultural quality of the subject lands and immediately adjoining lands.	S4.3.4
	Outline the previous, current and potential agricultural use of the subject and adjoining lands.	S1.4.2 and 4.3.4
	Provide a description of the impacts of alienating and using the land for the purpose of an extractive industry.	S4.3.6.3
	Describe the compatibility and impact of the operation on adjoining lands including any agricultural enterprises.	S4.3.6.3
	Describe potential impacts on rural amenity and rural resources such as water resource.	S4.2.8, 4.8.5, 4.9.6 and 4.11.3
	Outline sources of environmental pollution and their management.	S4
DIPNR (North Coast Region) (6 December 2004)	Assess the impact of the development on this land (Regionally Significant Agricultural Land) and cumulative impacts taking into account all other existing and proposed sand extractive developments within the area.	S4.3.6



Coverage of Environmental Issues

Page 9 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
ACID SULFATE SOILS		
DEC (15 October 2004)	Assess if the soils to be dredged contain Potential Acid Sulfate Soil (PASS) and develop a proposed monitoring program for all materials leaving the site.	S4.3.2 and 4.3.5.4
	Provide a detailed explanation of how the PASS fines that are proposed to be returned to the dredge pond at depth will not be disturbed during subsequent dredging activities.	S2.7.2
DIPNR (North Coast Region) (6 December 2004)	Conduct a detailed survey relating to potential Acid Sulfate Soils of the area which complies with the ASSMAC guidelines.	S4.3.2 and SCSC Part 3
	Include a detailed ASS management plan in the EIS if ASS material is found on-site. The EIS must include any technical reports, which must include details of sampling, a map detailing locations of samples taken, profiles details, results of sampling and treatment of any ASS fines as required by the ASSMAC Guideline.	S4.3.5
Tweed Shire Council (30 September 2004)	Conduct an assessment of contamination and potentially acid sulfate soils for the materials to be extracted/pumped.	S4.3.6.1 and 4.3.6.2
DPI (Fisheries) (24 September 2004)	Describe the surrounding geomorphology.	S2.4.2
DIPNR (North Coast Region) (6 December 2004)	Provide a management plan for the disposal/storage of acid sulfate fines.	S2.7.2 and 4.3.5
SURFACE WATER		
DEC (15 October 2004)	Investigate the impacts in the event of "turnover" of water in the pond (cold water inversion).	S4.6.6
DIPNR (North Coast Region) (6 December 2004)	Conduct a detailed study of the whole catchment taking into account the impact of any levees/banks whether temporary or permanent and any resultant environmental impact that may occur.	S4.2.2 and 4.2.8.1
	Outline the potential for damage from wave action in the excavation site/recreational.	S2.14.3.2
DPI (Fisheries) (24 September 2004)	Identify all water bodies including wetlands and floodplains.	S4.6.3
	Specify the direction of river flow and provide hydrological and stream morphological including depth contours and stream bed substrate information, water quality and if appropriate tidal characteristics.	Not Applicable
DPI (Agriculture) (7 October 2004)	Describe the expected quality of the water body resulting from the sand extraction and possible use of this water body by adjoining agriculture such as the vegetable production at Cudgen.	S4.2.8.2
GROUNDWATER		
DEC (15 October 2004)	Address the cumulative impact on groundwater for this proposal, the local existing dredging activities and the adjoining proposed sand extraction dredge ponds in the local areas.	S4.2.7 and 4.2.8.2



Coverage of Environmental Issues

Page 10 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
GROUNDWATER (Cont'd)		
DIPNR (North Coast Region) (6 December 2004)	Undertake the following aquifer investigations using a qualified groundwater consultant.	
	<ul style="list-style-type: none"> Provide a detailed map showing the location of all drill holes and monitoring bores. 	Figure 4.5
	<ul style="list-style-type: none"> Install monitoring bores at key locations to measure both shallow and deep groundwater quality across the site. 	S4.2.5 and SCSC Part 1 (S8, 9 and App 2)
	<ul style="list-style-type: none"> Install monitoring bores based on geology/depth of proposed excavation, with relatively short screens intervals, installed at multiple depths. 	S4.2.5 and SCSC Part 1 (S8, 9 and App 2)
	<ul style="list-style-type: none"> Undertake an assessment of the discrete groundwater hydrogeochemistry by a qualified consultant to determine the impact of mining and mixing of groundwater through the aquifers water column. 	S4.2.5
	<ul style="list-style-type: none"> Measure groundwater quality parameters for pH/EC/DO/EH from each of the bores. 	S4.2.5
	<ul style="list-style-type: none"> Analyse shallow and deep groundwater for the following: cations/anions, (Ca, Mg, Na, K / HCO₃, SO₄, Cl), (Fe), (As) (Mn), (Al). 	S4.2.5
	<ul style="list-style-type: none"> Measure groundwater levels to define flow contours (relative to AHD) to show groundwater flow directions. 	S4.2.4 and SCSC Part 1 (S10.3.3)
	<ul style="list-style-type: none"> Provide test results detailing the percentage of pyritic material and its size present in the acid sulfate (pyritic) fines, microscopic examination to describe the morphology of iron sulphide fragments and their range of sizes, and visual estimation of the abundance of iron sulphide. 	S4.3.2.2 and SCSC Part 3 (S4.3.5)
	<ul style="list-style-type: none"> Provide a visual estimation by microscopic examination of the percentage of shell material and other calcareous components within unconsolidated sediments. 	S2.2.1
	<ul style="list-style-type: none"> Determine aquifer hydraulic parameters and surrounding impacts based on the proposed extraction volume. 	S4.2.4, 4.2.7 and 4.2.8
	<ul style="list-style-type: none"> Outline a management plan for the disposal/storage of acid sulfate fines. 	S2.7.2 and S4.3.5.2
	<ul style="list-style-type: none"> Provide an interpreted hydrogeological report detailing the impacts that the development may have with respect to water quality, quantity and groundwater dependant ecosystems 	S4.2.8.2 and SCSC Part 1
	Detail a proposed groundwater management plan for the site and progressive rehabilitation plan in the EIS.	S2.14, 4.2.9 and 4.2.10
	Obtain licences under Part V of the <i>Water Act 1912</i> for the following. <ul style="list-style-type: none"> A monitoring bore licence. An industrial groundwater licence (aquifer interference licence) to carry out sand extraction. Obtain a licence to pump water from the pit or bores to carry out washing of the extracted material and dust suppression (Low volume – no lowering of the water table will be permitted).	S2.1.4



Coverage of Environmental Issues

Page 11 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
TERRESTRIAL ECOLOGY		
DEC (15 October 2004)	Consolidate the wetlands into one defined location to maximise the ecological functioning of the created wetland. It is recommended that specific measures to be included within the rehabilitation plan to deter breeding of the introduced Cane Toad.	S2.6.4 and 2.14
	Avoid direct and indirect impact (including filling on Gales Holdings Lands) to the population of Mitchell's Rainforest Snail in the vicinity of Turnock Street.	S4.5.3.2 and 4.5.6
	Carry out a flora and fauna assessment, including an eight-part test under section 5A of the EP&A Act.	S4.5 and SCSC Part 5
	Address flora and fauna issues in areas comprising and/or adjacent to native vegetation, including any proposed works on public land such as reserves for the proposed location of the pipeline.	S4.4, 4.5 and SCSC Parts 4 and 5
	Address the presence of native bird predators and measures to deal with predator controls, in the EIS, if future development of the site involves exposed fish breeding ponds.	Not Applicable
	Address the likely impacts on native aquatic flora and fauna of any pollutant from discharge of wastewaters, drainage and/or flooding, entering and contaminating the local stormwater system.	S4.6.6
	Address cane drains and the disposal and impacts of potential saline waste waters.	S4.2.8.2 and 4.6.6
	Provide a comprehensive description of the vegetation on the site. Include an assessment of the condition of the plant communities present, including the designation of conservation significance at a local, regional and State level, an assessment of the likely occurrences of any threatened species, populations or ecological communities listed under Schedules 1 or 2 of the <i>Threatened Species Conservation Act 1995</i> and any Rare or Threatened Australian Plant (ROTAP) species.	S4.4.3 and 4.4.4
	Provide a plan showing the distribution of any threatened or ROTAP species and the vegetation communities on the site, and the extent of vegetation proposed to be cleared at the same scale as the plan of the area subject to development.	Figure 4.12 and S4.4.6
	Determine the effect of the proposed development on threatened species, populations or ecological communities, or their habitats should be determined in accordance with the eight part test described in Section 5A of the <i>Environmental Planning and Assessment Act 1979</i> .	S4.4.6 and 4.5.7



Coverage of Environmental Issues

Page 12 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
TERRESTRIAL ECOLOGY (Cont'd)		
DEC (15 October 2004)	Conduct a fauna survey to identify the distribution and abundance of fauna species known or likely to utilise the site, including a description of available fauna habitats and an assessment of the conservation status of each of the faunal components at a local, regional and State level and provide a plan showing the results at the same scale as the plan of the area subject to development.	S4.5.2, 4.5.3 and 4.5.4
	Provide an assessment of the impact of the development on the identified fauna.	S4.5.7
	Provide an assessment of the existence or likely occurrence of threatened species, populations or ecological communities, or their habitats on the subject land and where identified assess in accordance with the eight point test described in Section 5A of the <i>Environmental Planning and Assessment Act 1979</i> .	S4.5.3, 4.5.5, 4.5.7 and SCSC Part 5 (App 8 and 9)
	Provide a description of the measures proposed to mitigate and/or ameliorate the impact of the development on fauna.	S4.5.6
DPI (Fisheries) (24 September 2004)	Consider the habitat types present within the study area, recent records of threatened species in the locality and the known distributions of these species when determining the presence of threatened species.	S4.4.3, 4.4.4, 4.5.3 and 4.5.4
	Discuss the condition of the habitat noting habitat requirements of threatened species likely to occur and the effect of relevant historical events.	S4.4.4 and 4.5.3
	Assess potential impacts on threatened species via the 'Eight-Part Test' and upon completion, consultation with DPI Fisheries prior to the EIS being finalised.	S4.4.6 and 4.5.7
	Prepare a detailed Species Impact Statement to assist in forming a determination where significant impact on threatened species is likely.	Not Applicable
DPI (Fisheries) (24 September 2004)	Describe/map aquatic habitats within 100m of the boundary of the proposal that could be impacted upon either directly or indirectly by the proposal during its construction, life and decommissioning including: <ul style="list-style-type: none"> • gravel beds; • deep pools; • rocky reefs; • aquatic vegetation (seagrass, mangroves, saltmarsh and emergent vegetation such as reeds); • riparian vegetation and snags; • wetlands and floodplains; and • under cut banks. 	S4.6.3
	Identify recreational and commercial fishing areas and aquaculture ventures that could be effected by the proposal or works during its construction.	SCSC Part 6 (S3.1.5)



Coverage of Environmental Issues

Page 13 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
AQUATIC ECOLOGY		
DPI (Fisheries) (24 September 2004)	Provide a statement about the presence or absence of threatened species.	S4.6.3
	Detail the potential impacts of the various phases of the proposal.	S4.6.6
	Outline ongoing management activities to ensure impacts on biodiversity are minimised.	S4.6.5
	Outline the purpose and types of works requiring fish passage to be blocked.	S4.6.5
	Outline timing, duration and manner of proposed restriction / blockage to fish passage.	Not Applicable
	Describe methods to be used to avoid stranding fish and any remediation works.	S4.6.5
	Describe the type(s) of marine vegetation in the vicinity of the proposed works and the distance from the outer boundary of the proposed works.	S4.6.3
	Investigate and report on an area extending downstream and / or upstream as far as is necessary to take all potential impacts into account.	S4.6
	Discuss possible indirect effects of the proposal on species / habitats in the area surrounding the subject site.	S4.6.6
	Outline the habitat requirements of threatened species and species important to commercial or recreational fishing likely to occur in the study area.	S4.6.4
	Discuss fish habitat within the study area and the nature and extent of habitat removal or modification and potential impact which may result from the proposed action.	S4.6.3 and 4.6.7
	Describe and discuss in the EIS, other locally occurring populations and the extent, security and viability of remaining habitat in the locality for all species likely to have their lifecycle patterns disrupted by the proposal to the extent that individuals will cease to occupy any location within the subject site.	S4.6.6 and 4.6.7
	Discuss measures for minimizing impacts on fish and fish habitat, how erosion and run off will be reduced and water quality maintained and other environmental safeguards to be employed.	S4.3.5 and 4.6.5
	Outline how the proposal has been or may be modified and managed to conserve fisheries habitat on the subject site and in the study area.	S4.6.5



Coverage of Environmental Issues

Page 14 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
AQUATIC ECOLOGY (Cont'd)		
DPI (Fisheries) (24 September 2004)	Develop long term management strategies to protect areas within the study area which are of particular importance for fish species including proposals to restore or improve habitat.	S4.6.5
	Outline any proposed pre-construction monitoring plans or on-going monitoring of the effectiveness of the mitigation measures including the objectives of the monitoring program, method of monitoring, reporting framework, duration and frequency.	S4.6.5
DIPNR (North Coast Region) (6 December 2004)	Consider the development with respect to the NSW State Groundwater Quality Protection Policy (1998).	SCSC Part 1 (S4)
	Consider the development with respect to the NSW State Groundwater Dependant Ecosystem Policy (2002).	SCSC Part 4 (S5.2)
ABORIGINAL CULTURAL HERITAGE		
DEC (15 October 2004)	Conduct an archaeological survey using an appropriately experienced person in consultation with the local Aboriginal community and assess the cultural heritage values of the subject property and the proposed route of the pipeline.	S4.10
	Undertake a search of the DEC Aboriginal Heritage Information Management System (AHIMS) should be made and the local Aboriginal community consulted with regard to any Aboriginal heritage issues associated with the proposed development.	S4.10.2
	Record Aboriginal objects and places of significance to the Aboriginal community on a plan at the same scale as the plan of the area subject to development.	Figure 4.22
	Provide an assessment of the impact of the development on the identified cultural sites.	S4.10.5
	Provide a description of the measures proposed to mitigate and/or ameliorate the impact of the development on the identified cultural sites.	S4.10.4
	Provide a contingency plan that details the measures to be taken in the event that archaeological sites are discovered during the course of operations.	S4.10.4
AIR QUALITY		
Department of Environment and Conservation (Cont'd) (15 October 2004)	Identify all sources of air emissions from the development.	S4.9.5
	Provide details of the project that are essential for predicting and assessing air impacts including: <ul style="list-style-type: none"> – the quantities and physico-chemical parameters of materials to be used, transported, produced or stored; – an outline of procedures for handling, transport, production and storage; and – the management of solid, liquid and gaseous waste streams with potential for significant air impacts. 	S4.9.5 and SCSC Part 9 (App 1)



Coverage of Environmental Issues

Page 15 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
AIR QUALITY (Cont'd)		
Department of Environment and Conservation (Cont'd) (15 October 2004)	Describe the topography and surrounding land uses. Provide details of the exact locations of dwellings, schools and hospitals. Where appropriate provide a perspective view of the study area such as the terrain file used in dispersion models.	S4.1.2, 4.1.4 and Figure 4.3
	Describe surrounding buildings that may effect plume dispersion.	Not Applicable
	Provide and analyse site representative data on relevant meteorological parameters.	S4.9.2
	Provide a description of existing air quality and meteorology. Include Total Suspended Particulates (TSP), Deposited dust, and particulate matter less than 10 microns (PM ₁₀).	S4.9.2
	Identify all pollutants of concern and estimate emissions by quantity, source and discharge point.	S4.9.5 and SCSC Part 9 (App 1)
	Estimate the resulting ground level concentrations of all pollutants. Where necessary use an appropriate dispersion model to estimate ambient pollutant concentrations. Discuss choice of model and parameters with the DEC.	S4.9.6
	Describe the effects and significance of pollutant concentration on the environment, human health, amenity and regional ambient air quality standards or goals.	S4.9.6 and 4.9.8
	Describe the contribution that the development will make to regional and global pollution.	S4.9.6
	Provide the emission rates in terms of odour units, use sampling and analysis techniques for individual or complex odours and for point or diffuse sources, as appropriate.	Not Applicable
	Reference to relevant guidelines – <i>Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in NSW (EPA, 2001); Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA, 2001).</i>	S4.9.5.1, 4.9.5.4 and 4.9.7
	Outline specifications of pollution control equipment and management protocols for both point and fugitive emissions.	S4.9.4
Roads and Traffic Authority (15 September 2004)	Outline the control of dust from the site and commercial traffic.	S4.9.4
NOISE AND VIBRATION		
Department of Environment and Conservation (15 October 2004)	Assess noise from sand transfer pumps (especially at night), plant and equipment onsite and heavy vehicles (particularly when empty) assessing the site in accordance with the <i>NSW Industrial Noise Policy</i> .	S4.8.5
DPI (Mineral Resources) (12 November 2004)	Provide an assessment of noise, vibration, dust and visual impacts, and proposed measures to minimise these impacts.	S4.8.4 and 4.8.5



Coverage of Environmental Issues

Page 16 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
NOISE AND VIBRATION (Cont'd)		
Department of Environment and Conservation (12 July 2005)	Identify all noise sources from the development, both construction and operation phases. Detail all potentially noisy activities including ancillary activities such as transport of goods and raw materials.	SCSC Part 8 (S8)
	Specify the times of operation for all phases of the development and for all noise producing activities.	S2.10
	Provide details of road alignment and land use along the proposed road and measurement locations – diagrams should be to a scale sufficient to delineate individual residential blocks where there would be a significant potential traffic noise impact.	S4.1.4, 4.8.5.7 and Figure 4.3 and 4.19
	Identify noise sensitive locations likely to be affected by activities at the site and include on a map of the locality.	S4.1.4, Figure 4.3 and 4.8.2
	Determine the existing background (LA90) and ambient (LAeq) noise levels in accordance with the NSW Industrial Noise Policy.	S4.8.3
	Determine the existing road traffic noise levels in accordance with the NSW Environmental Criteria for Road Traffic Noise.	S4.8.5.7
	Provide details of all monitoring of existing ambient noise levels including: <ul style="list-style-type: none"> a statement justifying the choice of monitoring site, including the procedure used to choose the site; graphs of the measured noise levels for each day; a record of periods of affected data (due to adverse weather and extraneous noise); and determination of LAeq noise levels from existing industry. 	S4.8.2 SCSC Part 8 (App B) SCSC Part 8 (App A) S4.8.2 and 4.8.3
	Determine the Project specific noise levels for the site. This should include: <ul style="list-style-type: none"> determination of the intrusive criterion; selection and justification of the appropriate amenity category; determination of the amenity criterion for each receiver; and determination of the appropriate sleep disturbance limit. 	S4.8.3
	Maximum noise levels during night-time period (10pm to 7am) assessed.	S4.8.3
	Determine expected noise level and noise character during: <ul style="list-style-type: none"> site establishment; construction; operational phase; transport including traffic noise generated by the proposal; and other services. 	S4.8.5
	Determine the noise levels likely to be received at the most sensitive locations. Potential impacts determined for any identified significant adverse meteorological conditions.	S4.8.5 and 4.8.7



Coverage of Environmental Issues

Page 17 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
NOISE AND VIBRATION (Cont'd)		
Department of Environment and Conservation (12 July 2005)	The noise impact assessment report should include: <ul style="list-style-type: none"> a plan showing the assumed location of each noise source; a list of the number and type of noise sources; any assumptions made in the predictions in terms of source heights, directivity effects, shielding from topography; methods used to predict noise impacts; an assessment of appropriate weather conditions for the noise predictions; the predicted noise impacts from each noise source as well as the combined noise; for developments where a significant level of noise impact is likely to occur, noise contours for the key prediction scenarios should be derived; and an assessment of the need to include modification factors. 	SCSC Part 8 (Figures 4 to 6) S4.8.5.2 SCSC Part 8 (S8) S4.8.5.2 SCSC Part 8 (S8.3) S4.8.5 NA – no significant impacts S4.8.7
	Discuss the findings from the predictive modelling, and where relevant, recommend additional mitigation measures.	S4.8.4 and 4.8.7
	Include details of any mitigation proposed including the attenuation that will be achieved and the revised noise impact predictions following mitigation.	S4.8.4
	Where relevant noise/vibration criteria cannot be met after application of all feasible and cost effective mitigation measures the residual level of noise impact needs to be quantified by identifying: <ul style="list-style-type: none"> locations where the noise level exceeds the criteria and extent of exceedance; numbers of people (or areas) affected; times when criteria will be exceeded; likely impact on activities (speech, sleep, relaxation, listening, etc); change on ambient conditions; the result of any community consultation or negotiated agreement. 	Not Applicable
	Assess existing and future traffic noise, details of data for the road should be included such as assumed traffic volume; percentage heavy vehicles by time of day; and details of the calculation process.	S4.8.5.7
	Where blasting is intended an assessment in accordance with the <i>Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration</i> (ANZECC, 1990) should be undertaken. Blast design should include: <ul style="list-style-type: none"> bench height, burden spacing, spacing burden ratio; blast hole diameter, inclination and spacing; and type of explosive, maximum instantaneous charge, initiation, blast block size, blast frequency. 	Not Applicable
	Determine the most appropriate noise mitigation measures and expected noise reduction including both noise controls and management of impacts.	S4.8.4



Coverage of Environmental Issues

Page 18 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
NOISE AND VIBRATION (Cont'd)		
DEC (12 July 2005)	For traffic noise impacts, provide a description of the ameliorative measures considered, reasons for inclusion or exclusion, and procedures for calculation of noise levels including ameliorative measures. Ameliorative measures may include: <ul style="list-style-type: none"> • use of alternative transportation modes, alternative routes, or other methods of avoiding the new road usage; • control of traffic; • resurfacing of the road; • use of (additional) noise barriers or bunds; • treatment of a façade; • more stringent limits for noise emission from vehicles; • driver education; • appropriate truck routes; • limit usage of exhaust breaks; • use of premium mufflers on trucks; • reducing speed limits for trucks; • ongoing community liaison and monitoring of complaints; and • phasing in the increased road use. 	S4.8.4 and SCSC Part 8 (S12)
VISUAL		
DIPNR (PlanningNSW) (6 December 2004)	Assess potential impacts of the proposal during construction and operation, and describe what measures would be implemented to manage, mitigate or off-set potential impacts on visibility.	S4.12
DPI (Mineral Resources) (12 November 2004)	Provide an assessment of visual impacts, and proposed measures to minimise these impacts.	S4.12
ENVIRONMENTAL MONITORING		
DIPNR (PlanningNSW) (6 December 2004)	Describe in detail how the environmental performance of the proposal would be monitored and managed over time.	S4.2.10, 4.3.5.4, 4.8.6 and 4.9.7
DPI (Fisheries) (24 September 2004)	Describe ongoing management actions within the proposal, both during construction and after completion.	S4.2.10, 4.3.5.4, 4.8.6 and 4.9.7
	Detail monitoring programs, including methodologies that assess before and after, control and impact sites to determine the success of techniques used to ameliorate impacts.	S4.2.10, 4.3.5.4, 4.8.6 and 4.9.7
CUMULATIVE IMPACTS		
DIPNR (PlanningNSW) (6 December 2004)	Assess on the following cumulative potential impacts: <ul style="list-style-type: none"> • groundwater; • air quality; • noise; • flooding; • traffic; and • fauna and flora. Take into account the existing (and/or approved) extractive industries and existing (and proposed) development on surrounding land.	S4.2 S4.9.6.2 S4.8.5 S4.2.8.1 S4.7.6 S4.4.6 and 4.5.7



Coverage of Environmental Issues

Page 19 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
CUMULATIVE IMPACTS (Cont'd)		
DIPNR (PlanningNSW) (6 December 2004)	Address the proposed final landform, and its relationship with surrounding land uses (such as Bolster Quarry), and approved and future proposals (such as Council's sewerage treatment plant, the proposed link road connecting Kingscliff to the Pacific Highway, and the proposed Bay Lobster aquaculture facility).	S2.14.4, 2.14.5, 2.15.4 and 4.12
Tweed Shire Council (30 September 2004)	Consider accumulated impact of the proposal and adjacent developments ie. Existing sand extraction, proposed sewerage treatment plant and aquaculture proposal.	S4
DPI (Fisheries) (24 September 2004)	Describe the potential contribution of the proposal to cumulative impacts on fish and fish habitat in the vicinity of the proposal.	S4.6.6 and 4.6.7
DPI (Agriculture) (7 October 2004)	Provide a measure of potential cumulative impacts resulting from additional sand extraction on the Chinderah floodplain.	S4.2.8.1
DIPNR (North Coast Region) (6 December 2004)	Assess the impact of the development on this land (Regionally Significant Agricultural Land) and cumulative impacts taking into account all other existing and proposed sand extractive developments within the area.	S4.3.6.3
ASSESSMENT OF ALTERNATIVES		
DIPNR (PlanningNSW) (6 December 2004)	Provide an analysis of any feasible alternatives including the consequences of not carrying out the development or activity.	S2.15 and 6.3.4
DPI (Agriculture) (7 October 2004)	Provide an assessment of the alternate sources of fill material.	S2.15.2
DPI (Mineral Resources) (12 November 2004)	Provide an assessment of alternative sand sources to the proposal.	S2.15.2
PROJECT JUSTIFICATION		
DIPNR (PlanningNSW) (6 December 2004)	Include a detailed justification of the proposal.	S6
	Justify the final land use in relation to the strategic land use objectives for the Cudgen/Chinderah/Kingscliff area.	S6 and SCSC Part 11
	Justify the proposed final landform within the broader strategic framework for the area, and describe in detail how this landform will be managed in the long term to ensure that it does not become a public liability.	S6
DIPNR (North Coast Region) (6 December 2004)	Research and justify the size of the proposed Sands Extraction Operation and the proposed market demand especially in view of the current Government policy against any large scale filling of the floodplain.	S1.4.7, 6 and SCSC Part 12
DPI (Mineral Resources) (12 November 2004)	Justify the proposal in terms of the local, and if appropriate, the regional context. Identification of the subject site in relevant planning instruments such as regional environmental plans, should be noted.	S6 and SCSC Part 11 and 12



Coverage of Environmental Issues

Page 20 of 20

Government Agency	Paraphrased Requirement	Relevant EA Section(s)
CONSULTATION		
DIPNR (PlanningNSW) (6 December 2004)	Consult with Tweed Shire Council during the preparation of EIS.	S3.2.2
	Consult the relevant, local, State and Commonwealth government authorities, service providers and community groups, and address any issues they may raise in the EIS.	S3.2.2
DIPNR (PlanningNSW) (6 December 2004)	Consult the surrounding landowners and occupiers that are likely to be impacted by the proposal.	S3.2.2
	Include details of the consultations carried out and issues raised in the EIS.	S3.2.2 and SCSC Part 11
DPI (Agriculture) (7 October 2004)	Provide evidence of consultation with adjoining land owners / users.	S3.2.2 and SCSC Part 11

