

APPENDIX 1

Director-General's Requirements



Contact: Colin Phillips
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Mr Bruce MacKenzie
Mackas Sand
2684 Nelson Bay Road
SALT ASH NSW 2318

Dear Mr MacKenzie,

**Modification to Director-General's Requirements
Mackas Sand Project (MP 08_0142)**

I wish to advise you that in accordance with section 75F(3) of the *Environmental Planning and Assessment Act 1979*, the Director-General has modified his requirements for the proposed Mackas Sand Project. I have attached a copy of the modified Director-General's requirements (DGRs) for the project.

The DGRs now require the project's impacts to be assessed for the extraction of up to 1 million tonnes of sand a year from each of Lots 218 and 220 (up to 2 million tonnes a year in total).

If you have any enquiries about the modified requirements, please contact Colin Phillips of the Department's Mining & Extractive Industries team at the details listed above.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Chris Wilson'.

Chris Wilson
Executive Director
Major Project Assessment
as Delegate for the Director-General 24.10.08

Director-General's Requirements

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

Application Number	MP 08_0142
Project	The Mackas Sand Project, which includes: <ul style="list-style-type: none"> • extracting about 30 million tonnes of sand; • processing this sand on-site; • transporting up to 2 million tonnes of sand a year by truck to local and regional markets; and • progressively rehabilitating the site.
Location	Lots 218, DP 1044608 and 220, DP 1049608, Salt Ash
Proponent	Mackas Sand
Date of Issue	24 October 2008
General Requirements	The Environmental Assessment of the project must include: <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project, including the: <ul style="list-style-type: none"> - need for the project; - alternatives considered; - various components and stages of the project; - likely interactions between the project and other land uses in the vicinity of the site; and - plans of any proposed building works; • a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment (see above), which includes: <ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data; - an assessment of the potential impacts of all stages of the project, including any cumulative impacts, taking into consideration any relevant guidelines, policies, plans and statutory provisions (see below); - a description of the measures that would be implemented to avoid, minimise, mitigate, rehabilitate/remediate, monitor and/or offset the potential impacts of the project, including detailed contingency plans for managing any significant risks to the environment; • a statement of commitments, outlining all the proposed environmental management and monitoring measures; • a conclusion justifying the project on economic, social and environmental grounds, taking into consideration whether the project is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; • a signed statement from the author of the Environmental Assessment, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Biodiversity – including: <ul style="list-style-type: none"> - accurate estimates of any vegetation clearing associated with the project; - a detailed assessment of the potential impacts of the project on threatened species, populations, ecological communities or their habitat, and the surrounding National Park Estate and Worimi Conservation Lands; and

	<ul style="list-style-type: none"> - a description of any measures that would be implemented to maintain or improve biodiversity values in the region; • Soil & Water – paying particular attention to: <ul style="list-style-type: none"> - any potential impacts due to acid-sulfate soils; - the requirements of the <i>Hunter Water (Special Areas) Regulation 2003</i>; and <i>Tomago-Tomaree-Stockton Groundwater Sharing Plan</i>; • Noise; • Air Quality; • Heritage – both Aboriginal and non-Aboriginal; • Traffic and Transport; • Visual; and • Rehabilitation – including a detailed description of the: <ul style="list-style-type: none"> - proposed rehabilitation strategy for the project (including detailed plans of the proposed final landform), taking into consideration any relevant strategic land use planning or resource management plans or policies; and - financial assurances that would be put in place to ensure that this strategy is implemented properly; and • Social & Economic.
References	<p>The environmental assessment of the key issues listed above must take into account relevant guidelines, policies, and plans. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this project.</p>
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> • Department of Environment and Climate Change; • Department of Water and Energy; • Hunter Water Corporation; • Department of Primary Industries (Minerals); • Roads and Traffic Authority; and • Port Stephens Council. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
Deemed Refusal Period	60 days

Policies, Guidelines & Plans

Biodiversity

Draft Guidelines for Threatened Species Assessment under Part 3A of the *Environmental Planning and Assessment Act 1979* (DECC)

State Environmental Planning Policy No. 44 – Koala Habitat Protection

The NSW State Groundwater Dependent Ecosystem Policy (DLWC)

Soil and Water

Rural Land Capability Mapping (DLWC)

Agricultural Land Classification (DPI)

State Environmental Planning Policy No. 55 – Remediation of Land
Managing Land Contamination – Planning Guidelines SEPP 55 –
Remediation of Land (DOP)

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)

Using the ANZECC Guideline and Water Quality Objectives in NSW
(DEC)

State Water Management Outcomes Plan

Tomago-Tomaree-Stockton Groundwater Sharing Plan

Approved Methods for the Sampling and Analysis of Water Pollutants in
NSW (DEC)

Managing Urban Stormwater: Soils & Construction (Landcom)

Technical Guidelines: Bunding & Spill Management (DECC)

National Water Quality Management Strategy Guidelines for Groundwater
Protection in Australia (ARMCANZ/ANZECC)

NSW State Groundwater Policy Framework Document (DLWC)

NSW State Groundwater Quality Protection Policy (DLWC)

NSW State Groundwater Quantity Management Policy (DLWC) Draft

Murray-Darling Basin Groundwater Quality. Sampling Guidelines.
Technical Report No 3 (MDBC)

Murray-Darling Basin Commission. Groundwater Flow Modelling
Guideline (Aquaterra Consulting Pty Ltd)

Noise

NSW Industrial Noise Policy (DECC)

Environmental Criteria for Road Traffic Noise (NSW EPA)

Environmental Noise Control Manual (DECC)

Air Quality

Protection of the Environment Operations (Clean Air) Regulation 2002

Approved Methods for the Modelling and Assessment of Air Pollutants in
NSW (DEC)

Approved Methods for the Sampling and Analysis of Air Pollutants in NSW
(DEC)

Heritage

Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and
Community Consultation (DECC)

NSW Heritage Manual (NSW Heritage Office)

The Burra Charter (The Australia ICOMOS charter for places of cultural
significance)

Transport

Guide to Traffic Generating Development (RTA)

Road Design Guide (RTA)

Rehabilitation

Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)

Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth of Australia)

Social & Economic

Draft Economic Evaluation in Environmental Impact Assessment (DOP)

Techniques for Effective Social Impact Assessment: A Practical Guide (Office of Social Policy, NSW Government Social Policy Directorate)

Strategic Plans

Lower Hunter Regional Regional Strategy (DOP)

State Environmental Planning Policy No. 71 – Coastal Protection

Hunter Regional Environmental Plan 1989