

DOC19/544720-06

Mr Jack Murphy
Environmental Assessment Officer
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Murphy

**Dunmore Sand & Soil Pty Ltd – Proposed VENM extraction, processing and blending
Dunmore Lakes Sand Extraction Project - Modification 3 (DA 195-8-2004 MOD 3)**

I am writing in response to your email and attached Statement of Environmental Effects (SEE) dated 25 June 2019 to the Environment Protection Authority (EPA) seeking comment on the above proposed development modification to the existing sand dredging quarry at Tabbita Road, Dunmore.

The Department of Planning and Environment (DPE) has advised the EPA that it considers the modification to be minor in nature and it will not be placed on public exhibition. As a result, DPE was seeking a response from EPA by 2 July 2019.

Based on an initial review of the modification application, the EPA has determined that it requires additional time to assess this application to help understand the environmental impact of the activity and any necessary EPA regulation of the site (if approved).

In arriving at this decision, the EPA makes the following observations:

- The EPA does not appear to have been consulted on its environmental assessment requirements for this project, prior to lodging this development modification.
- The premises is currently regulated under environment protection licence (EPL No 11147), subject to conditions. The EPA is required to take into consideration the Protection of the Environment Operations (POEO) Act 1997 and any relevant regulations when assessing this proposal. This includes Section 45 (matters to be taken into consideration in licensing functions), Section 58 (Variation of licences) and activities listed under Schedule 1 of the POEO Act.
- The transportation and processing of an additional 120,000 tonnes per annum of VENM appears to be a major change to the operation of the premises. The EPA considers that this change may result in an increase in noise and air emissions (including dust and possibly odours) unless carefully evaluated and managed.
- Potential Acid Sulfate Soils (PASS) material is currently permitted to be emplaced within the dredge ponds as a rehabilitation/landscaping material, subject to strict consent conditions governing its use. There may be a risk of disturbing previously emplaced PASS during the proposed extraction of the VENM material from the existing Stage 2 fines pond.

- There appears to be limited information addressing how the proposal has taken into account and will comply with the requirements of the NSW waste legislation framework.

The EPA will endeavour to provide a response by 26 July 2019 to assist DPE in the assessment of this modification. The EPA will advise DPE if there are any changes to this approach.

If you have questions regarding the above, please phone the contact officer on (02) 4224 4100.

Yours sincerely



15/07/19

PETER BLOEM
Manager Regional Operations Illawarra
Environment Protection Authority

Contact officer: MATT FULLER
(02) 4224 4100