



ASSESSMENT REPORT

PROPOSED MODIFICATION DUNMORE QUARRY

1. BACKGROUND

The Dunmore hard rock quarry is located at Tabbita Road, Dunmore, approximately 12 km north-west of Kiama (see Figure 1).

It is owned and operated by Boral Resources (NSW) Pty Ltd (Boral).

The quarry currently operates under a development consent from the Minister, which was granted on 19 November 2004. Under this consent, Boral is allowed to produce up to 2.5 million tonnes of hard rock a year, and truck and rail it off-site to local and regional markets.

Boral proposes to establish a new amenities block at the quarry to replace the existing amenities block (see Figure 1).

On 7 November 2005, Boral lodged an application with the Department seeking approval for the proposal under Section 96(1A) of the *Environmental Planning & Assessment Act 1979* (EP&A Act).



Figure 1 – Site Plan

2. THE PROPOSED MODIFICATION

The proposal involves constructing a new amenities block of 86.4 m² on the car park adjacent to the existing amenities block, and then dismantling and removing the existing amenities block and using the site for car parking (see Figure 2).

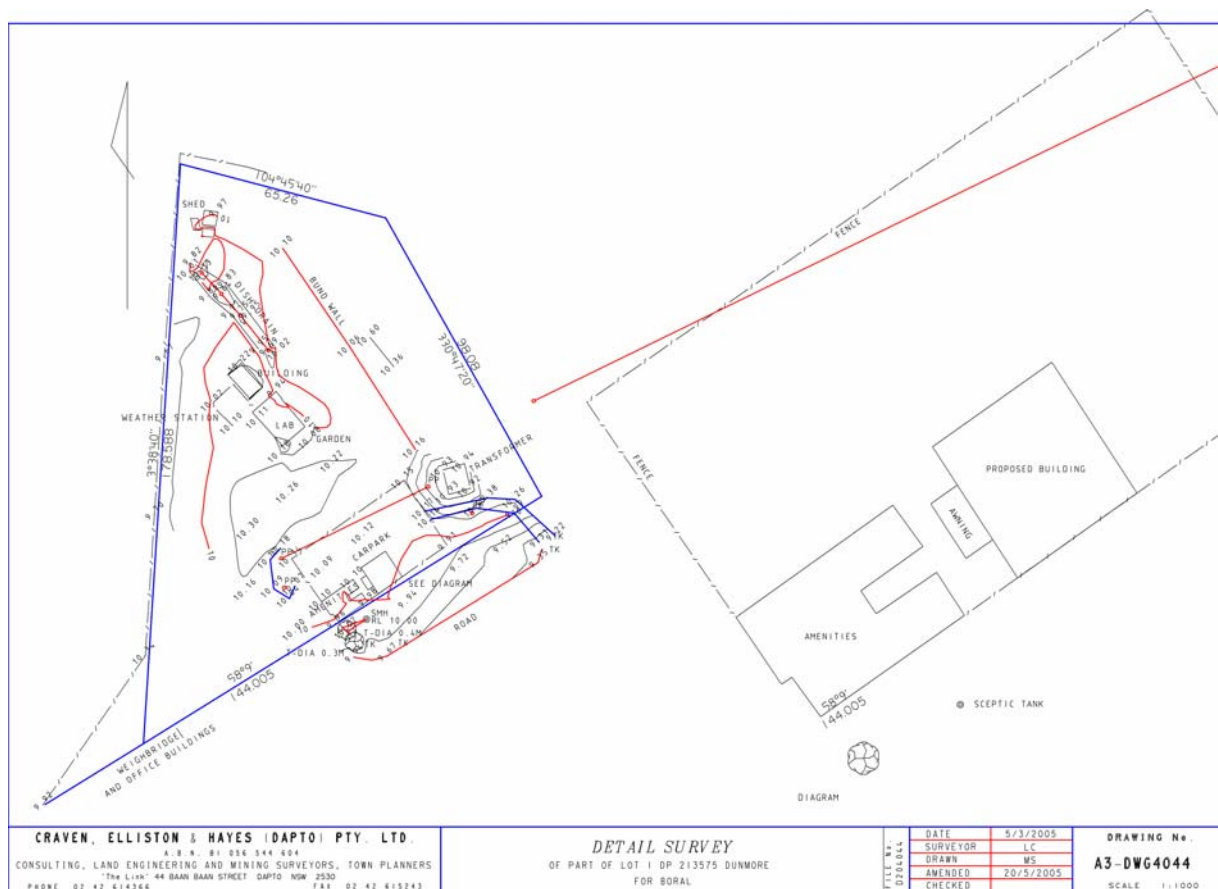


Figure 2 – Site Plan

3. STATUTORY CONTEXT

Under Section 96 (1A) of the EP&A Act, a consent authority may modify a development consent if it is satisfied that the:

- proposed modification is of minimal environmental impact, and
- development to which the consent as modified relates is substantially the same development for which consent was originally granted and before that consent as originally granted was modified (if at all) and

The Department is satisfied that the proposal complies with these criteria as it would have minimal environmental impact (see below), and it would simply replace the existing amenities block with a new amenities block and so the development as modified would be substantially the same as the development to which consent was originally granted.

On 12 September 2005, the Minister delegated his powers and functions as a consent authority to modify development consents under section 96(1A) of the EP&A Act to the Deputy Director-General. Consequently the Deputy Director-General may determine the modification application under delegated authority.

4. CONSULTATION

Under the *Environmental Planning & Assessment Regulation 2000*, the Department is not required to exhibit the application; and given the minor nature of the proposal, the Department does not believe that exhibition is warranted.

5. CONSIDERATION

The Department has assessed the application in accordance with the requirements in section 79C of the EP&A Act.

The proposed amenities block would be located in an existing car park. The car park is surrounded by a bund and mature vegetation on the eastern boundary, and cannot to be seen from neighbouring residential properties.

The proposed amenities block does not require excavation for footings, and would be connected to existing power, water, sewage and stormwater services.

The waste from the old amenities block would be reused or taken to landfill by a licenced contractor.

6. RECOMMENDED CONDITIONS OF CONSENT

The existing conditions of consent adequately provide for the construction of the new facilities and demolition of the old facilities. However, the Department has prepared an Instrument of Consent to permit the construction of the proposal (Tagged A).

7. CONCLUSION

The proposal would allow the amenities at the Dunmore quarry to be upgraded with minimal environmental impact. Consequently, the Department believes the application should be approved.

8. RECOMMENDATION

It is RECOMMENDED that the Deputy Director-General:

- consider the findings and recommendations of this report;
- approve under section 96 (1A) of the *Environmental Planning and Assessment Report 1979*, the application lodged by Boral Resources (NSW) Pty Ltd to modify development consent DA 470-11-2003, subject to conditions; and
- sign the recommended instrument of consent (Tagged A).

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Chris Wilson
Acting Deputy Director-General