

Dunmore Quarry Modification 8 – Bund Construction (DA 470-11-2003 MOD 8)

Environmental Assessment Report Section 75W of the *Environmental Planning and Assessment Act 1979*

1. BACKGROUND

Dunmore Quarry is located off Tabbita Road in Dunmore, approximately 20 kilometres (km) south of Wollongong in the Shellharbour City local government area (see **Figure 1**).

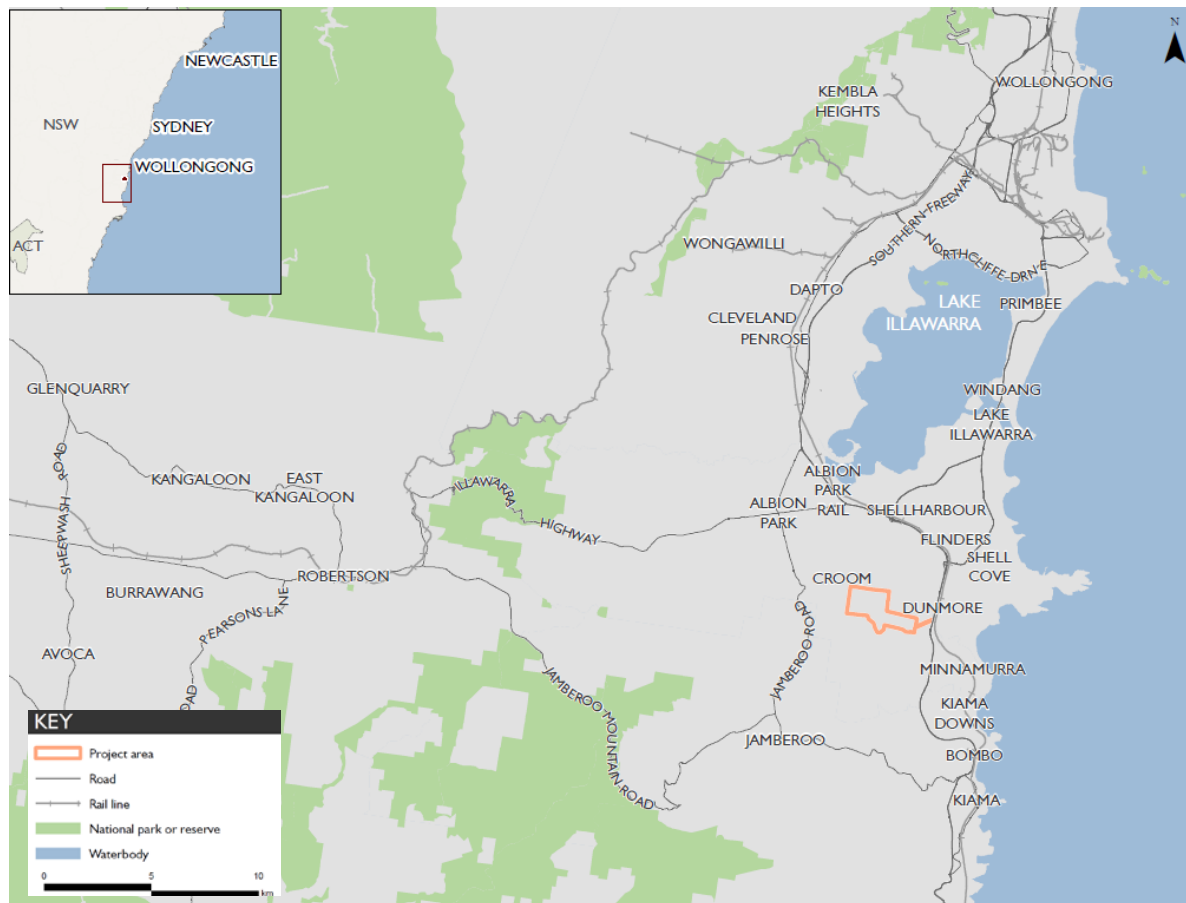


Figure 1: Locality Map

Boral Resources (NSW) Pty Ltd (Boral) owns and operates the quarry, which extracts hard rock (basalt) and has operated since 1921. The quarry currently operates under a Ministerial development consent granted in September 2004 (DA 470-11-2003). The consent has been previously modified seven times and permits Boral to extract and process up to 2.5 million tonnes per annum of extractive materials, which is then transported by road and rail to local and Sydney markets.

The site is adjacent to Boral's Dunmore Lakes Sand Quarry, and within reasonably close proximity to a number of other hard rock quarries, including Bass Point and Albion Park quarries.

2. PROPOSED MODIFICATION

On 26 July 2016, Boral lodged a modification application under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The application was accompanied by an Environmental Assessment (EA, see **Appendix A**).

The primary element of the proposed modification is construction of an earthen bund to reduce potential future noise and visual impacts. The bund would be formed by the removal of approximately 130,000 metres cubed (m³) of overburden located in the southern section of the Croome Farm Pit extraction area. Once accessible, the extractive material (ie hard rock) under the overburden would be extracted, processed and dispatched consistent with the existing development consent.

The overburden comprises some 64,800 m³ of free dig material and some 62,200 m³ of weathered hard rock. The removed free dig material would be used to construct a bund west of the Croome Farm Pit extraction area. The remaining material would be used at the quarry for rehabilitation or for construction of ramps.

The proposed bund would be constructed as a visual and noise buffer to residences along Jamberoo and Croome Vale Roads in anticipation of a future modification application to extend extraction west of the Croome Farm Pit (see below).

The bund would be approximately 1.75 km long and 5 metres (m) wide with a base width varying between 24 and 41 m (see **Figure 2**). A 3 m gravel buffer would be maintained around the internal and external perimeters of the bund as an erosion and sediment control measure and for light vehicle access. This buffer has been included in the development footprint. After construction, the bund would be revegetated with a range of locally sourced native species.

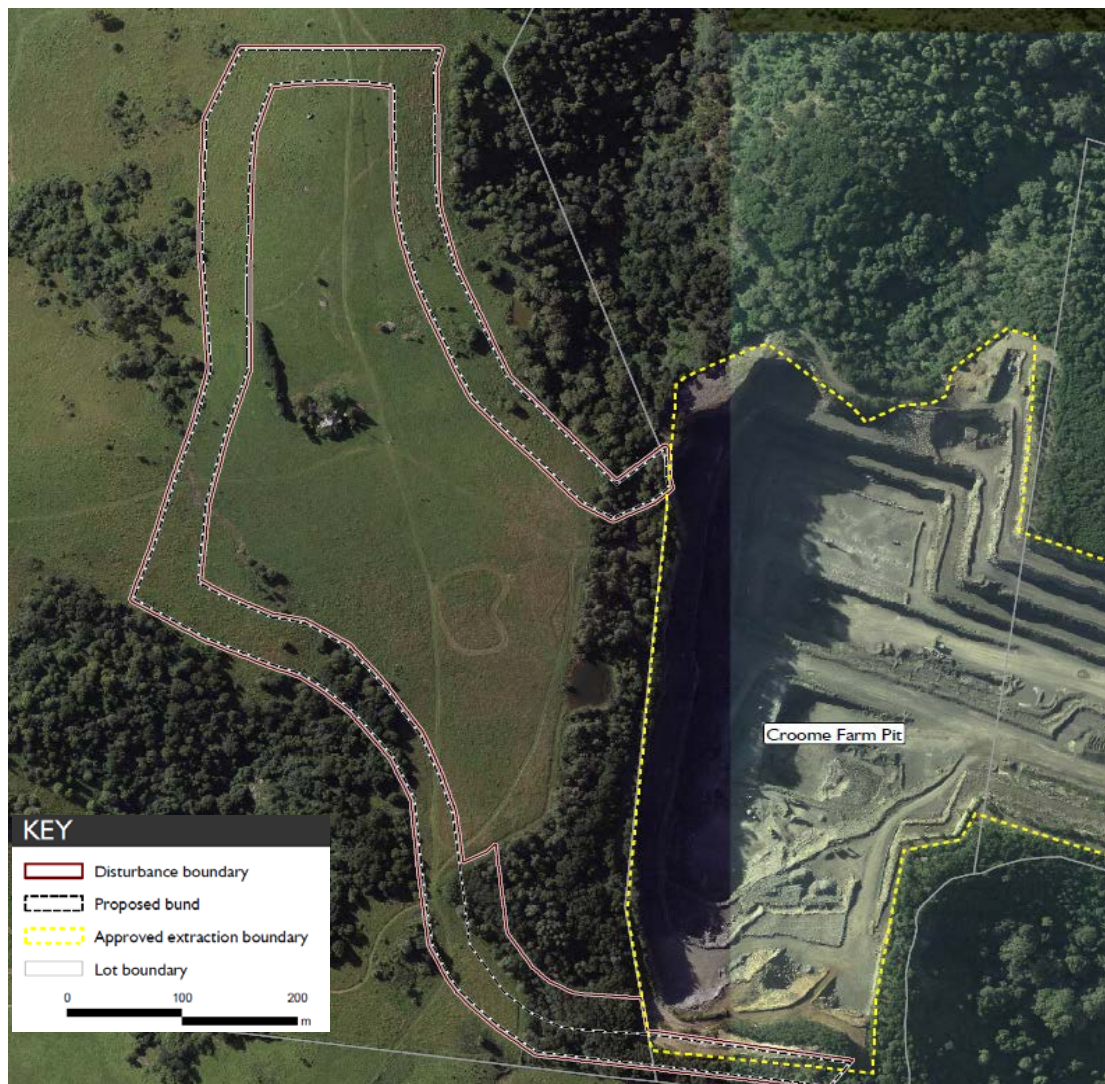


Figure 2: Proposed Modification

It is proposed that the bund would be constructed over a period of 6 - 8 weeks during the hours of 7 am to 6 pm weekdays and 8 am to 1 pm Saturdays.

The proposed modification also seeks minor amendments to some existing conditions of consent (see **Section 5.5**).

The Department acknowledges that this modification for the construction of a bund around a future proposed expansion of the Croome Pit is less than ideal, due to the inherent relationship between the two proposals. However, the Department is required to assess the modification application that has been submitted and must do so without reference to a future modification that has not yet been submitted. If and when a subsequent modification application for the proposed expansion of the Croome Pit is lodged, the Department will assess that application on its merits and will again consider the adequacy of the proposed bund to mitigate noise impacts from the proposed extraction area.

Regardless of whether a future modification application is received and/or approved, Boral requires access to the already approved resource currently beneath the material proposed to be used for the bund. The early construction of the bund thereby removes the need to 'double handle' the material at a later date, potentially reducing noise, dust and erosional impacts.

3. STATUTORY CONTEXT

3.1 Section 75W

DA 470-11-2003 was granted under Part 4 of the EP&A Act. In accordance with clause 8J(8) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and the transitional arrangements under Schedule 6A of the EP&A Act, the modification must be determined under the former section 75W of the EP&A Act. The Department is satisfied that the proposal can be characterised as a modification to the existing consent. It does not seek to change in any significant way the nature or scale of the approved quarry operations.

The Department is therefore satisfied that the proposed modification is within the scope of section 75W and may be determined accordingly.

3.2 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Director, Resource Assessments may determine the application under the Minister's delegation of 16 February 2015, as Boral has not declared any reportable political donations, Council does not object to the proposal and there were no public objections.

3.3 Environmental Planning Instruments

A number of environmental planning instruments apply to the modification, including:

- SEPP (*Mining, Petroleum and Extractive Industries*) 2007;
- SEPP (*State and Regional Development*) 2011;
- SEPP No. 33 – *Hazardous and Offensive Development*;
- SEPP No. 55 – *Remediation of Land*;
- SEPP No. 71 – *Coastal Protection*; and
- *Shellharbour Local Environmental Plan 2013*.

The Department has assessed the proposed modification against the relevant provisions of these instruments. Based on this assessment, the Department is satisfied that the proposed modification can be carried out in a manner that is consistent with the aims, objectives and provisions of these instruments.

4. CONSULTATION

After accepting the EA for the proposed modification, the Department:

- publicly exhibited the EA from 15 August until 29 August 2016 on the Department's website and at the:
 - o Department's Information Centre;
 - o Shellharbour City Council office; and
 - o Nature Conservation Council's office;
- advertised the exhibition of the EA in the *Illawarra Mercury* and *Wollongong Advertiser*; and
- notified relevant State government agencies and Shellharbour City Council.

The Department is satisfied that the notification process met the requirements of the EP&A Act and the EP&A Regulation.

The Department received 4 submissions in response to the exhibition, all from Government agencies including the Office of Environment and Heritage (OEH), the Environment Protection Authority (EPA), the Division of Resources and Energy (DRE) within the NSW Department of Industry and the Department of Primary Industries (DPI Water). No submissions were received from Shellharbour City Council, special interest groups or the public.

A summary of the issues raised in submissions is provided below. A full copy of these submissions and Boral's response to submissions (RTS) are provided in **Appendices B** and **C**, respectively.

4.1 Agency Submissions

The **EPA** raised a number of concerns with the proposed modification. In particular, the EPA requested justification for the design and size of the bund in relation to how it would provide appropriate noise and visual mitigation. The Department has addressed these concerns in **Section 5.2**. Concern was also raised that additional impacts may be created due to the separation between the current and future pit expansion modification, as future assessment of noise and visual impacts may require an amendment to the constructed bund. EPA recommended a more integrated assessment and determination of the two proposals (see **Section 2**).

The EPA also raised concern with the proposed revegetation strategy for the bund and the lack of connection of the proposed modification with existing environmental management strategies. EPA recommended that a Construction Environmental Management Plan is developed and implemented during construction of the bund. The Department does not consider a Construction Environmental Management Plan to be necessary for the following reasons:

- construction is very limited in duration (eight weeks of earthmoving activities);
- other minimal impacts associated with the construction of the bund;
- existing conditions of consent provide appropriate controls of potential construction impacts; and
- requirements in current management plans and rehabilitation must be reviewed, and if necessary, revised following any approval of this modification.

Following receipt of Boral's RTS, the EPA questioned the accuracy of the bund's estimated noise reductions at sensitive receivers, as well as the application of the *Interim Construction Noise Guidelines* (ICNG) rather than the *Industrial Noise Policy* (INP) (see **Section 5.2**).

The EPA also requested an opportunity to review the most recent Independent Environmental Audit (IEA) in relation to the proposed amendments to existing conditions of consent. The Department provided the EPA with a copy of this document. It is also available for public viewing on Boral's website. The EPA has not provided any further comment on these matters.

The **OEH** was satisfied that the proposed modification had avoided and minimised impacts on biodiversity where possible and provided recommendations for a suitable offset arrangement (see **Section 5.1**).

DPI Water advised that the site's water balance and groundwater monitoring program should give due consideration to any water licensing requirements and that Annual Reviews should be referred to DPI Water to confirm that appropriate licensing arrangements are in place.

The Department has recommended a condition of consent requiring Boral to ensure it has sufficient water for all stages of the development, and if necessary, to adjust the scale of quarrying operations to match its available water supply. This recommended condition includes a note regarding Boral's responsibility to obtain all necessary water licences for the development under the *Water Act 1912* and/or *Water Management Act 2000*.

The Department has also recommended updating the Annual Review condition to reflect current standard practice. This includes a requirement to provide Annual Reviews to Council and to make them available to the Community Consultative Committee and any interested person (including Government agencies) upon request.

DRE raised no issues with the proposed modification and acknowledged Boral's intention to extend the life and maximise resource recovery at the quarry.

5. ASSESSMENT

In assessing the merits of the proposal, the Department considered the EA, all submissions received and Boral's RTS. The Department considers the key assessment issues to be impacts on ecology, noise and air quality. Consideration of these impacts is provided below, with consideration of other impacts provided in **Table 1**.

5.1 Ecology

The EA included an Ecological Assessment undertaken by EMM Consulting. The proposed modification area predominantly consists of land cleared for grazing with small patches of remnant, regrowth and planted native vegetation. Construction of the bund would result in the clearance of:

- 5.14 hectares (ha) of exotic grassland;
- 1.5 ha of planted Eucalyptus forest;
- 0.39 ha of regrowth Acacia scrub;
- 0.05 ha of disturbed forest, classified as *Illawarra Subtropical Rainforest Endangered Ecological Community* (EEC) under the *Threatened Species Conservation Act 1995* (TSC Act); and
- 48 Illawarra Zieria (*Zieria granulata*) individuals, listed as threatened flora under the TSC Act.

Vegetation clearance results in total loss of the vegetation affected and may cause or lead to ecological community or habitat fragmentation, increased erosion, and weed and feral animal incursion. However, the Department considers that, due to the small scale and patchy nature of the proposed clearing and the existing fragmentation of the vegetation in the area affected, it is unlikely that habitat connectivity would be significantly reduced by the proposal.

Vegetation clearing also results in disturbance of habitat for threatened fauna species including diurnal birds, forest owls and microbats. This may affect the breeding patterns of those species, as well as their ability to establish new territories or to migrate to new areas. Three bird and four bat species listed as vulnerable under the TSC Act have the potential to occur in the proposed modification area. However, it is unlikely that these species would rely on the intermittent and disturbed habitat within the proposed modification area.

The Department notes that the 48 individuals of Illawarra Zieria that would be disturbed are part of a population of 210 individuals within the broader study area (see Figure 2.1 of Appendix A of the EA). The majority of these Zieria have been planted by Boral and are mostly found within Acacia regrowth areas. The remainder of this population is not proposed to be impacted by the modification.

The Department considers the scale of the proposed impacts to be minor in nature, primarily due to the fact that more than 97% of native vegetation clearing affects planted forest and regrowth Acacia. In addition, the proposed clearing is small scale and patchy in nature and the potentially occurring avifauna species are highly mobile. There is also an abundance of similar or better habitat surrounding the modification area. The Zieria that would be impacted were planted by Boral.

The Department also notes that the proposed bund has been designed to almost completely avoid disturbance to the three local vegetation communities listed as EEC under the TSC Act, ie *Illawarra Subtropical Rainforest EEC*, *Paperbark Shrubland EEC* and *Illawarra Lowlands Grassy Woodland EEC*. The relationship of these communities to the proposed bund is depicted in **Figure 3**.

In addition, Boral has proposed several measures to mitigate ecological impacts, including:

- clearly marking disturbance boundaries to avoid impacts to adjacent EECs;
- weed control, including active monitoring and management of rehabilitated areas;
- continued implementation of the Flora and Fauna Management Plan required under condition 47 of Schedule 4; and
- revegetating the proposed bund with a range of locally sourced native species, including Illawarra Zieria.

Although impacts to biodiversity have been avoided and minimised so far as is possible, Boral is still required to provide an offset for disturbance to native vegetation.

OEH has confirmed that the Framework for Biodiversity Assessment under the *NSW Biodiversity Offsets Policy for Major Projects* is not appropriate for this modification and that instead, a negotiated offset package can be finalised within 12 months of the date of approval of the proposed modification. The potential options for offsetting include:

- provision of offsets within the existing offset area identified by condition 46 of Schedule 3 of the development consent;

- revegetating the proposed bund, including with individuals of Illawarra Zieria; and/or
- a future BioBanking agreement within the Dunmore-Shellharbour hills area.

The Department and OEH are satisfied that these proposed offset approaches are appropriate, provided that the negotiated offset achieves a 'maintain or improve' outcome for biodiversity in the general vicinity of the site. The Department has recommended a condition of consent requiring Boral to prepare a biodiversity offset strategy, in consultation with OEH, that:

- offsets 48 Illawarra Zieria individuals and 1.94 ha of native vegetation (including 0.05 ha of *Illawarra Subtropical Rainforest Endangered Ecological Community*) to the satisfaction of OEH and the Department's Secretary; and
- provides for the long term security of these offsets within 12 months of the date of providing the biodiversity offset strategy, to the satisfaction of the Secretary.

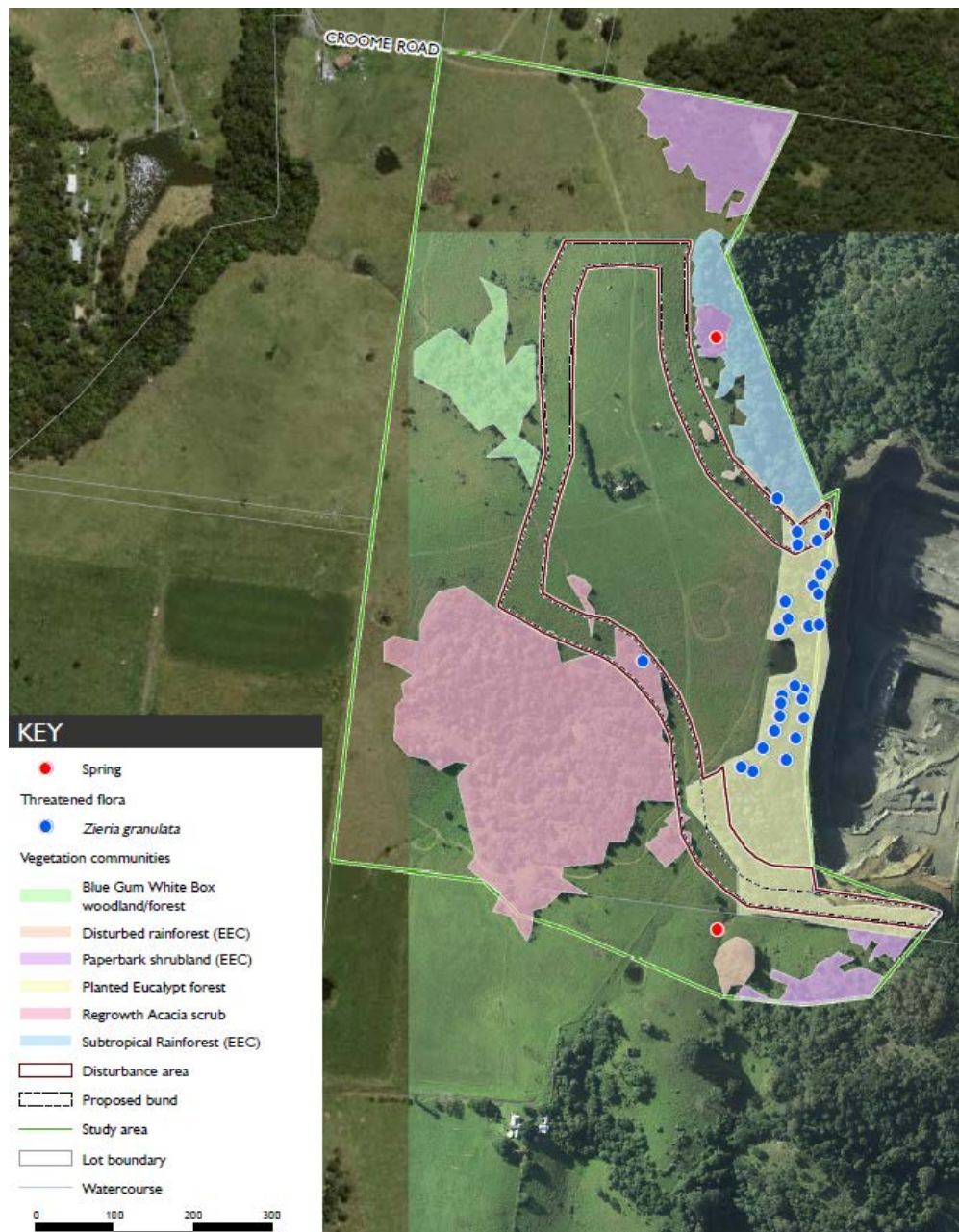


Figure 3: Vegetation Communities and Threatened Species

Overall, the proposed modification would result in minor impacts on listed threatened species and EECs. The Department is satisfied with Boral's proposed management measures. Subject to the required offset strategy, Boral's proposed management and mitigation measures, and the existing and recommended conditions of consent, the Department is satisfied that the impacts on listed threatened species and EECs are low.

5.2 Noise

A Noise Impact Assessment (NIA) was undertaken for the proposed modification by EMM Consulting. Potential noise impacts were assessed under the *Interim Construction Noise Guidelines* (ICNG).

The EPA's second submission stated that the ICNG is not usually applied to noise from mining or quarrying and took the view that the noise generated from the construction of the bund would likely sound the same as quarrying activities. The Department's position is somewhat different. The Department considers that, for defined activities that differ from resource extraction, take less than 26 weeks to construct and would result in long term environmental benefits (including noise attenuation greater than 2 dB(A)), the ICNG can and should be applied. The proposed modification would involve earth-moving activities for a period of eight weeks, which is well within this timeframe. The activities undertaken to construct the bund would differ to operational activities, and would be well removed from existing operations. The bund itself would be constructed outside of the proposed future footprint of extraction activities.

A minimum background noise level of 30 dB(A) was used to represent the ambient and background noise environment for properties potentially affected by the proposed modification. Under the ICNG, the minimum noise management level that would apply for potentially affected residences is 40 dB(A) (minimum background noise level + 10 dB(A)). However, due to the existing operational noise limits under the development consent at residences K and O, a noise management level of 49 dB(A) has been applied at these two locations. In this respect, it is accepted that the construction noise limits cannot be less than the corresponding operational noise limits.

The NIA modelled noise impacts from the proposed modification under three scenarios for both calm and adverse conditions, namely:

- Scenario 1: stripping and initial construction of the bund, south;
- Scenario 2: construction of the bund, west; and
- Scenario 3: construction of the bund, north.

It was predicted that exceedances of the relevant noise management levels would occur at four properties under Scenario 2 (construction of the bund, west), and at five properties under Scenario 3 (construction of the bund, north). The highest predicted exceedances would occur during bund construction in the northern part of the site.

At receivers G and Z, the highest predicted exceedance under calm conditions is 6 dB(A), and 9 dB(A) under adverse conditions. Whilst these exceedances may be audible, they do not exceed the ICNG's 'highly noise affected' criteria, and would be for only a portion (two to four weeks) of the overall eight-week period of bund construction.

To mitigate noise impacts, Boral proposes to work behind parts of the bund that are already constructed. This mitigation would likely result in lesser noise impacts for a significant part of the construction than the maxima otherwise predicted. Boral also proposes to manage construction noise by minimising truck movements, using broadband audible reversing alarms on vehicles and limiting activities during adverse weather conditions.

The EPA also raised concern that the NIA did not provide enough information on how the bund would provide noise management to residences west of the proposed future extraction area, due to its reliance on preliminary noise assessments. It also noted that there is a risk that the bund may not provide effective noise mitigation for future extraction activities.

To justify the effectiveness of the bund, Boral provided a comparison of predicted noise levels for future proposed extraction activities, with and without the proposed bund in place. These predictions demonstrated that the bund structure would provide reduced noise impacts, although the effectiveness of this mitigation cannot yet be fully assessed.

The Department accepts that it is not ideal to assess the noise impacts of bund construction and future expansion activities separately. Nevertheless, the Department considers that, due to the short-term nature of the bund's construction and the limited exceedances of noise criteria, the predicted noise impacts are acceptable. A condition of consent has been recommended to ensure the construction of the bund is limited to the hours prescribed under the ICNG.

Existing conditions of consent also require Boral to:

- implement a noise monitoring program that has been prepared in consultation with the EPA and approved by the Secretary;

- ensure that all plant and equipment used at the site is maintained in a proper condition and operated in an proper and efficient manner; and
- implement all practicable measures to prevent and/or minimise any harm to the environment.

Boral is required to ensure that the proposed modification is undertaken in accordance with these conditions.

5.3 Air Quality

Potentially, construction of the proposed bund may result in air quality impacts by generating additional dust containing Total Suspended Particulates (TSP), PM₁₀ and PM_{2.5} emissions.

The EA included an Air Quality Impact Assessment (AQIA) undertaken by Ramboll Environ. This assessment used monitoring data from the quarry's high volume air sampler as well as the Albion Park South air quality monitoring station to determine existing baseline PM₁₀ concentrations in the area near the quarry. To assess the impacts of the proposed modification, the AQIA applied a methodology from the United Kingdom Institute of Air Quality Management titled *Guidance on the Assessment of Dust from Demolition and Construction* (GADDC). This methodology provides a qualitative approach to assessing particulate matter impacts associated with construction projects.

The GADDC methodology assesses the potential impacts of dust by considering the magnitude of dust generating activities, the number and proximity of receptors to these activities, existing air quality levels and the associated risk of each impact, and provides a risk rating on potential impacts.

The EPA considered the GADDC methodology to be an acceptable approach to assessing air quality impacts. The Department is satisfied that the risk ratings provided are representative of the magnitude of the proposed dust generating impacts.

The AQIA predicts that risks from the proposed modification would be low in relation to dust impacts on people, property, human health and ecology. It should be noted that this low risk rating is prior to the application of the mitigation measures proposed by Boral, including:

- use of water sprays on exposed surfaces for dust suppression;
- coverage of the bund with an erosion control blanket prior to rehabilitation planting;
- revegetating the bund with a range of locally sourced native species;
- imposing a maximum speed limit of 20 km per hour on all internal roads and work areas; and
- ensuring proper maintenance of all equipment.

The AQIA predicts that the application of these measures would reduce the risk of dust impacts from low to negligible. The Department is satisfied that, subject to implementation of these measures, the air quality impacts of the proposed modification would indeed be negligible.

Existing conditions of consent also require Boral to:

- minimise and/or prevent emission of dust from the site;
- implement an air quality monitoring program prepared in consultation with the EPA and approved by the Secretary;
- establish a permanent meteorological monitoring station to monitor parameters that affect the dispersion of dust emissions; and
- implement all practicable measures to prevent and/or minimise any harm to the environment.

Boral must ensure that the proposed modification is undertaken in accordance with these conditions.

5.4 Other Impacts

The Department is satisfied that the other impacts of the proposed modification (primarily visual impacts) are likely to be minor or negligible. Assessment of visual impacts is summarised in **Table 1** below.

Table 1: Assessment of Other Impacts

Issue	Consideration and assessment	Recommendation
Visual	• The EA provided an assessment of the visual impacts of the proposed modification. • Eight viewpoints within a 6 km radius of the quarry were considered to be representative of visual amenity based on stakeholder consultation, land ownership and site inspections. • The proposed bund is unlikely to be visible from five of the eight viewpoints due to existing vegetation and topography.	• No additional conditions necessary.

Issue	Consideration and assessment	Recommendation
	- The proposed bund is likely to be visible from three viewpoints including Jameroo Road, 28 Croome Vale Road and 86 Croome Vale Road. - The visual impact of the proposed bund at these three viewpoints was assessed as moderate to low due to the low contrast and high integration characteristics of the revegetated bund with the surrounding environment. - Boral has proposed to revegetate the bund with a range of locally sourced native species which would integrate the bund with the surrounding environment. - The EPA raised concern that the soil characteristics of the extracted overburden may limit the success of revegetating the bund. - It its RTS, Boral emphasised that the bund would be rehabilitated in accordance with the site's Rehabilitation Management Plan (RMP). - The Department notes that management plans are required to be updated following approval of any modification and this would allow Boral to provide measures to ensure successful stabilisation and revegetation of the bund. - Due to the proposed revegetation of the bund as well the existing topography of surrounding viewpoints, the Department considers that the visual impacts of the proposed bund would be minor and temporary, and as such, acceptable.	

5.5 Changes to Existing Conditions

Boral has requested a number of changes to existing conditions of consent. The Department has considered these requests in **Table 2** below.

Table 2: Proposed Modifications to the Development Consent

Proposed modification	Boral's justification	Department's recommendation
<i>Surrender of existing development consent</i> Delete condition 8 of Schedule 3	Condition has been satisfied.	The Department acknowledges that this condition has been satisfied and accepts its deletion.
<i>Acquisition</i> In condition 2 of Schedule 4, remove reference to McParland property in Table 1	Boral formally acquired the McParland property on 8 July 2016.	The Department has recommended a note to the condition that the property is now quarry-owned. The Department has also clarified property details in the table.
<i>Noise criteria</i> In condition 7 of Schedule 4, remove reference to McParland property in Table 2.	Boral formally acquired the McParland property on 8 July 2016,	The Department acknowledges the acquisition of the McParland property and accepts its removal from Table 2.
<i>Undertaking noise investigations</i> Delete condition 8 of Schedule 4	Condition has been satisfied as part of the 2006 audit.	The Department acknowledges that this condition has been satisfied and accepts its deletion.
<i>Blasting hotline</i> Amend condition 19 of Schedule	Very few residents are interested in blasting operations and it is proposed to notify those on a landowner register and publicly on the website, rather than maintain a blasting hotline.	The Department notes that an alternative system to the blasting hotline can be approved by the Secretary. It is accepted that condition 19(b) can be removed due to the minimal public interest in blasting at the site.
<i>Blast Management Plan</i> Delete condition 20 of Schedule 4	The current condition states that the Blast Management Plan is to be implemented prior to carrying out development within 250 m of Lot 10 DP 977931. This lot is the McParland property which has recently been acquired by Boral. Due to this acquisition, Boral has proposed to delete this condition.	The reference to the McParland property in this condition was a trigger for the implementation of the Blast Management Plan and not the reason for the Blast Management Plan itself. If Boral intends to continue using blasting methods at the site then a Blast Management Plan is required. The condition has been updated to reflect contemporary Blast Management Plan requirements,

Proposed modification	Boral's justification	Department's recommendation
		and includes measures to manage and monitor impacts on the heritage values on Lot 10 DP977931.
<i>Airblast overpressure</i> Amend condition 21 of Schedule 4	A permanent airblast monitor is located at Lot 10 DP 1125853, which is now owned by Boral.	The Department accepts this change and has amended the condition accordingly.
<i>Fines Management Plan</i> Delete condition 24 of Schedule 4	This condition was imposed at a time when the quarry contained large stockpiles of fines. Fines are now used in manufactured sand (as opposed to natural sand) and stockpile sizes and volumes of fines are small.	The Department has amended this condition to reflect an outcome based requirement to minimise the dust, erosion and sedimentation risks of fines.
<i>Water Balance</i> Amend condition 30 of Schedule 4	The water balance contained in the EIS is no longer valid. It is proposed to provide information on the previous year's water demand rainfall and inflow (compared with the average from the water balance), evaporative losses and dust suppression, and dam storage levels and implications of outsourcing demand.	The Department accepts the proposed amendment and has recommended conditions to this effect.
<i>Flocculants</i> Amend condition 36 and delete condition 37 of Schedule 4	Flocculants are no longer used at the quarry so it is proposed to delete the condition or prohibit their use. Subsequently the Flocculant Management Plan would become redundant.	The Department agrees to the prohibition of flocculants and the deletion of the condition for a Flocculant Management Plan and has recommended conditions to this effect.
<i>Other Water Management Works</i> Delete condition 38 of Schedule 4	Actions have been completed and reported on.	The Department acknowledges that this condition has been satisfied. However, the Department's standard practice is to not remove satisfied conditions so the consent provides historical context for compliance purposes.
<i>Groundwater Monitoring</i> Amend condition 40 and 44 of Schedule 4	It is proposed to remove the requirement for regional groundwater monitoring as this information is not being used for decision making at the quarry. In addition, historic observations indicate that there is no groundwater ingress into the quarry and the pit rock face is consistently dry.	The Department does not accept the removal of regional groundwater monitoring at this time. However, a note has been added to allow for the Secretary to suspend this monitoring following the provision of two years of monitoring data that demonstrates negligible impact on the regional groundwater network.

6. RECOMMENDED CONDITIONS

The Department has drafted a recommended notice of modification (see **Appendix D**) and a consolidated version of the consent as it is proposed to be modified (see **Appendix E**). The environmental impacts associated with the proposed modification can be managed through appropriate conditions of consent.

The Department has taken the opportunity to review the overall consent for the quarry and include a revised and updated suite of conditions that are consistent with current practice and contemporary standards.

Boral does not object to the recommended conditions.

7. CONCLUSION

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. This assessment has shown that, with the implementation of minor amendments to existing conditions, the proposed modification can be carried out with minimal environmental impact.

Although this modification facilitates development in anticipation of a future modification, it in no way pre-empted an approval of the future modification. Any future modifications for the quarry would be subject to careful assessment of their merits.

The Department is therefore satisfied that the proposed modification is in the public interest and should be approved, subject to conditions.

8. RECOMMENDATION

It is recommended that the Director Resource Assessments, as delegate of the Minister:

- **considers** the findings and recommendations of this report;
- **determines** that the modification is within the scope of section 75W of the EP&A Act;
- **approves** the modification application, under section 75W, subject to conditions; and
- **signs** the notice of modification at **Appendix D**.



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Team Leader
Resource Assessments

17/11/16



Howard Reed
Director
Resource Assessments

17.11.16

APPENDIX A – ENVIRONMENTAL ASSESSMENT

Refer to the Department's website:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7858

APPENDIX B – SUBMISSIONS

Refer to the Department's website:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7858

APPENDIX C – RESPONSE TO SUBMISSIONS

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7858

APPENDIX D – NOTICE OF MODIFICATION

APPENDIX E – CONSOLIDATED DEVELOPMENT CONSENT