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EPA Advice on Environmental Impact Statement – SSD-30956841

Dear Rose-Anne,

Thank you for the request for advice from Public Authority Consultation (PAE-46745960), requesting the review by the NSW Environment Protection Authority (EPA) of the Environmental Impact Statement (EIS) for the proposed Crescent Head Ilmenite Stockpile Rehabilitation (Application SSD-30956841) at Lot 2281 on DP1153793.

The EPA has reviewed the following documents:

- Calytrix Consulting Pty Ltd Memorandum – N.Tsurikov – 2 March 2018.
- Crescent Head Ilmenite Stockpile Remediation Project Execution Plan – Revision B – Robert Mencil - 5 May 2021.
- JORC Reserve Statement – Robert Mencil – n.d.
- Haulage Route Traffic Impact Assessment – Revision 2 – Andy Davis – 23 March 2018.
- Greencoat Environmental Rehabilitation Crescent Head Stockpile Rehabilitation Strategy – Paul Smith – 5 May 2021.
- A Green View: A time developers love - Public Notices – John Jeayes – 4 January 2013
- Exploration Licence Application No 4711 Now Exploration Licence No 8085 (Act 1992) – 16 May 2013.
- Land Access Arrangement for Mineral Exploration – Version 1 – October 2012.
- Request for Section 11A Approval Removal of Low-Grade Ilmenite Dump/Stockpile – Revision B – Annabel Fergus – 16 March 2017.
- Development Application T6-20-207 Lot 2281 DP1153793 – Kempsey Shire Council – 31 August 2020.
- Biodiversity Development Report – Final Report – A. Martin, F.Dawson – 3 June 2022
- Community Consultation Plan – September 2017
- Point Plomer Road Ilmenite Stockpile: Aboriginal Cultural Heritage Assessment – Final Report – T.Hill – 27 September 2019.

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- Aboriginal Cultural Heritage Assessment Report – T.Hill – 12 February 2018
- Crescent Head Stockpile Site Survey Report –Final Report - P.Smith – 18 March 2018
- Crescent Head Ilmenite Stockpile Rehabilitation Noise Assessment – Bravo Resource Solutions – n.d.
- Crescent Head Ilmenite Stockpile Rehabilitation Stockpile Geology – Bravo Resource Solutions – n.d.
- Crescent Head Ilmenite Stockpile Rehabilitation Water and Sediment Management Plan – Bravo Resource Solutions – n.d.
- Crescent Head Ilmenite Stockpile Rehabilitation Assessment of Likely Air Quality Impacts – Bravo Resource Solutions – n.d.
- EIS Declaration – P. Smith – 3 June 2022

The EPA understands the proposal is for:

- Removal and rehabilitation of an abandoned ilmenite stockpile located near Crescent Head.
- The stockpile site is located on Crown Land on the eastern side of Point Plomer Road, on Lot 2281 Deposited Plan 1153793.
- Involves abandoned ilmenite stockpile to be relocated to the Port of Newcastle via a depot in South Kempsey by Greencoast Environmental Rehabilitation.
- Short-term one-off project to remove former sand mining waste and does not involve the quarrying of any new material which will be completed within six months.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997* (POEO Act). However, the EPA is the appropriate regulatory authority (ARA) for the proposed activity under Clause 13 of the Protection of the Environment Operations (General) Regulation 2022.

Given the proposed activity is being undertaken on Crown Land the EPA will be the ARA for environmental issues associated throughout the life of the project, including any compliance aspects in respect to the *POEO Act*.

The EPA has reviewed the EIS and notes the EIS does provide the information required by the Secretary's Environmental Assessment Requirements EAR 1180.

The EPA has the following additional comments and recommendations:

1. Minor matters

a. Ilmenite unloaded and temporarily stored at Thurgoods Haulage Site at South Kempsey.

The proponent must confirm if there is development consent for the Thurgood Haulage site to temporarily stockpile ilmenite material on the premises. Details regarding the tonnage of material which will be stockpiled at the premises at any one time are to be included.

Under the POEO Act this ilmenite material is considered a waste. Schedule 1 of the POEO Act prescribes an activity to be scheduled if more than 1,000 tonnes or 1,000 cubic metres of waste is stored on the premises at any one time. If the premises cannot be managed to ensure less than 1,000 tonnes or cubic metres of material is stored at the premises any one time an environment protection licence will be required.

The EPA recommends an assessment for ilmenite stockpiling at Thurgoods Haulage site at South Kempsey.

The Haulage Route Traffic Impact Assessment Plomer Road, Crescent Head to Macleay Valley, Kempsey states: "*the material is to be hauled to South Kempsey and stored at the Thurgood Haulage site.*"

Assessment would need to include mitigation measures for all potential impacts of stockpiling including:

- Potential impacts of wind and truck movements carrying materials offsite including radiation hazard and dust emissions
- Potential impacts from surface water runoff transporting materials offsite

If you have any questions about this request, please contact me on 66402522 or via email at scott.ensbey@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Ensbey', with a stylized flourish at the end.

Scott Ensbey
A/Unit Head Regulatory Operations