



Principal Planning Officer
Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2150

Attention: Ms Melanie Hollis

Dear Ms Hollis

RE: Revised documentation and request for advice – Tweed Sand Plant Expansion, Cudgen Tweed LGA (SSD 10398)

Thank you for your email dated 2 July 2024 about the revised documentation for the Tweed Sand Plant Expansion at Cudgen seeking comments from the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water. I appreciate the opportunity to provide input.

We have undertaken a preliminary review of the supplied documents and found the contents of the Request for Information (RFI) Response Report and attachments require revision and additional information before BCS can review them and prepare a response.

The RFI Response Report by ELKN needs to respond to two RFI's:

- A BCS RFI dated 3 June 2022 which sets out several key recommendations to be addressed by the applicant, and
- A BCS RFI (correct date of 6 July 2022) that detailed minor discrepancies in the Biodiversity Development Assessment Report (BDAR) and indicated these minor BDAR matters were to be addressed only after more important matters outlined in our earlier response letter dated 3 June 2022 were resolved.

A response to those more important matters in our letter of 3 June 2022 does not appear to be included in the documents provided for our review. Instead, a previous response from JWA was resubmitted as Attachment 11 which does not resolve these matters, as it predates our last submissions.

In response to another RFI dated 13 December 2022 from the Department of Planning & Environment, several additional and revised documents were prepared by the proponent. These documents require consideration by BCS where they relate to biodiversity, flooding, and coastal processes and associated hazards, but some revised documents, such as the Draft Soil and Water Management Plan updated from 2021 to 2023, have not been provided for our review.

Table 1 of the RFI Response Report by ELKN does not outline the required and presented updated information, serving instead as a reference table for mitigation rather than a response to the issues raised in submissions.

For BCS to review and prepare our response, we require the applicant to provide:

1. A Response Table which summarises and collates the issues raised in each stakeholder's submissions made to date, clearly sets out the stakeholder and date of submission, and addresses how each matter has been addressed, providing a reference to the relevant supporting document and section. Where revised reports have been prepared, or additional information provided, or there have been changes to the project design, these are to be tabulated, with the relevant findings or designs incorporated across the most recent document set and referenced.
2. Spatial data associated with the BDAR.

For your reference, BCS has provided submissions on the following dates, and we request the Response Table provides a response against each of the issues we raised in each letter:

- 6 July 2022
- 3 June 2022
- 3 December 2021
- 27 May 2021

BCS will continue reviewing the Response to Submissions after this information has been provided.

If you have any further questions about this issue, please contact Mr Dimitri Young, Senior Team Leader Planning North East, BCS, on 6659 8272 or at dimitri.young@environment.nsw.gov.au.

Yours sincerely



GABRIELLE PIETRINI
Director, North East Branch
Biodiversity, Conservation and Science

12 July 2024