Build something great™

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The Secretary
Department of Planning & Environment
Planning Services, Resource Assessment & Compliance
GPO Box 39
SYDNEY NSW 2001

Dear Sir,

DUNMORE SAND AND SOIL: DA195-8-2004 PROPOSED MODIFICATION 3

1. Introduction

Boral Resources (NSW) Pty Limited (hereafter 'Boral') currently operates Dunmore Sand & Soil Pty Ltd (hereafter 'DSS') located at Dunmore, on the New South Wales (NSW) South Coast in the Local Government Area (LGA) of Shellharbour (refer to **Figure 1**).

Boral currently has an operating development consent known as the Dunmore Lakes Extraction Project (DA-195-8-2004). A wide range of activities are permitted under the provisions of DA195-8-2004 including:

- extracting and dredging sand material;
- processing and washing sand material;
- importation of materials to the site for the purpose of blending proprietary products; and
- stockpiling and blending material for dispatch and sale.

Combined with the above, the existing consent permits virgin excavated natural material (VENM) to be imported to the site for the purpose of backfilling voids. The importation and use of VENM on site is managed and regulated through existing conditions of consent and site management plans, including the Rehabilitation and Waste Management plans.

Due to the high volumes of infrastructure, commercial and residential projects occurring through the region and beyond, there are currently significant volumes of sand based VENM (excavation sand) available. This availability currently exceeds the volumes necessary to undertake rehabilitation works at DSS. Meanwhile, due to high and sustained demand for sand product, sand reserves at DSS have been depleted at a rate exceeding expectation.

Consequently, Boral is seeking to use the surplus reserve of VENM to ensure ongoing product delivery to customers. This product reserve is fundamental to supporting continued operations and development of key projects within the region and beyond.

Boral is seeking to modify the existing DSS development consent (DA 195- 8-2004) for Stages 2 to 4 of the Dunmore Lakes Sand Project ('the Project'). This letter serves as an Statement of Environmental Effects (SEE) prepared in support of the request to modify the development consent pursuant to section 4.55 (1A) and describes the proposed minor changes, and considers the potential for environmental impact.

2. Background

An initial project approval for Stage 1 of the Dunmore Lakes Extraction Project was issued development consent from the then Minister for Planning in 1999. Stage 1 of the project was located on Swamp Road, Dunmore (refer to **Figure 1**) and encompassed sand extraction by dredge for a period of 10 years at up to 500,000 tonnes per annum (tpa). The Stage 1 consent included conditions requiring the proponent to lodge a further application for the remaining identified stages of the Dunmore sand resource (being Stages 2 to 4). In accordance with the conditions of consent, Stage 1 of the project lapsed in 2010.

A State Significant Development, development application for Stages 2 to 4 was lodged in 2004, and received development consent from the then Minister for Planning on 29 June 2005. Boral purchased DSS, including the project in mid-2005.

Stages 2 – 4 of the project commenced with construction in January 2007 and began dredging in June of the same year. Since this time, only a minor modification has been approved. The modification was limited to the timing of works for the relocation of Rocklow Creek.

Due to sustained and high demand for sand in the local Illawarra and broader Sydney region, a modification request under section 75W was recently submitted and is currently under consideration of the Department of Planning and Environment. This modification proposes the addition of stage 5 to the project approval area. This proposal is a long term development strategy to ensure the supply of sand to the Illawarra and broader Sydney regions.

In the interim, to meet immediate and short term demand for sand product, Boral is seeking a minor modification to permit the processing of Virgin Excavated Natural Material (VENM) imported under the terms of the existing consent, utilising established processing and washing plant to create product for dispatch.

3. Site description

The following section describes the general locality of the site, legal description and site characteristics.

3.1 Site location and access

DSS is located off the Princes Motorway approximately 30 kilometres south of Wollongong and 10 kilometres south of Shellharbour City Centre. DSS is located within the Shellharbour LGA (refer to **Figure 1**).

Access to the site is via the Princes Highway and Tabbita Lane. Tabbita Lane is a local roadway which serves only the Boral quarry site. The Princes Highway is a major arterial roadway which links the Shellharbour to Wollongong and Sydney in the north.

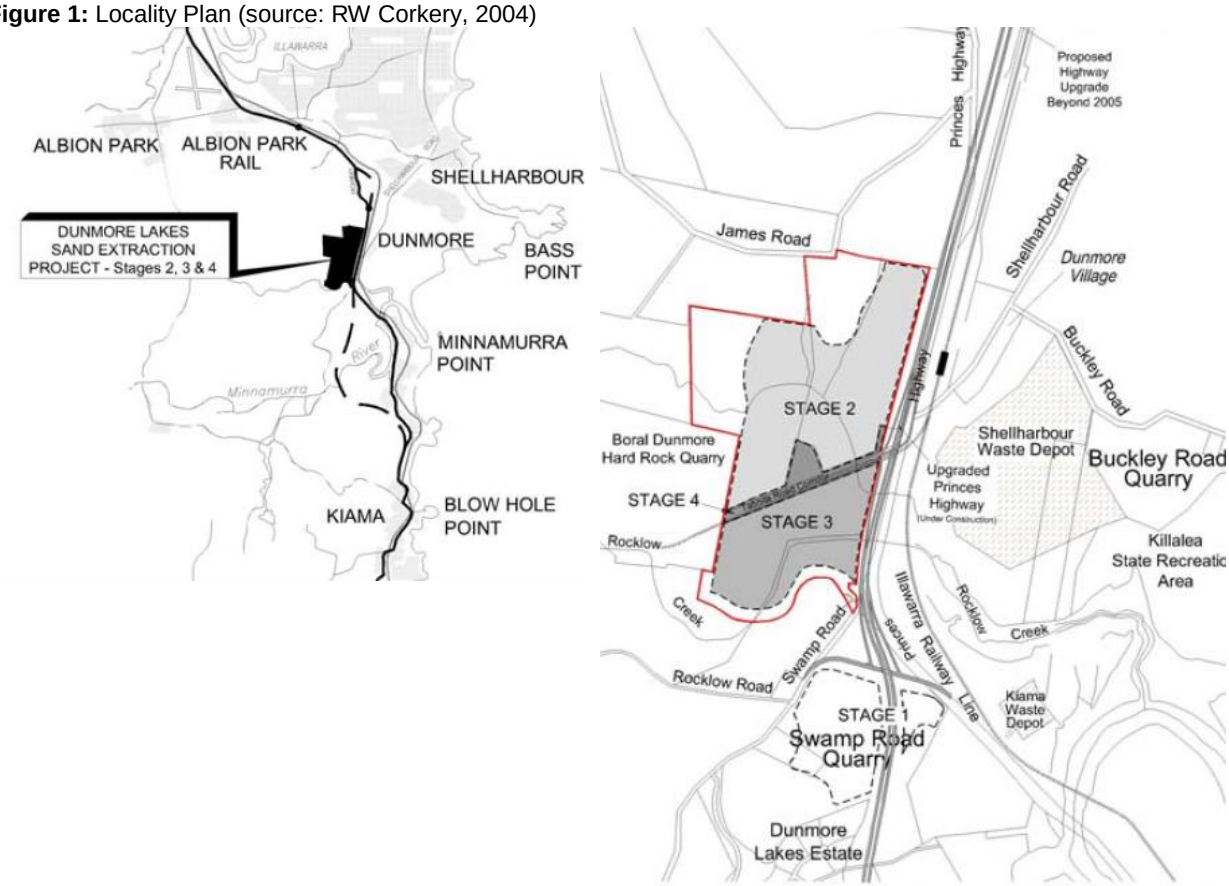
3.2 Land use and ownership

The site is owned and operated by Boral and covers an approximate area of 88 hectares. Boral's land holding is identified as

- Lots 3 – 5 in DP 1030504;
- Lot 1 DP 213575;
- Part Lot 5 and Lot 6 in DP 1001931; and
- Lot 6 in DP 611159.

- Land uses surrounding the site is a mixture of rural (primary production and landscape), low density residential, environmental living and conservation and infrastructure.

Figure 1: Locality Plan (source: RW Corkery, 2004)



4 Existing operations and approval

DSS, under the existing development consent (as modified), has approval for following activities:

- extraction, processing and transportation of sand products;
- importation, processing and blending raw materials for sand and soil mixes;
- importation and placement of materials for landscape reconstruction;
- site rehabilitation (including the importation of Virgin Excavted Natural Material); and
- ancillary activities to all site components.

4.1 Development stages

Extraction and processing at DSS, is approved to occur over three stages. These stages are shown on the approved site layout plan, refer to **Figure 2**. **Table 1** provides a high level summary of the staging progress and status.

Figure 2: Approved site layout and staging plan (source: DPE consent)

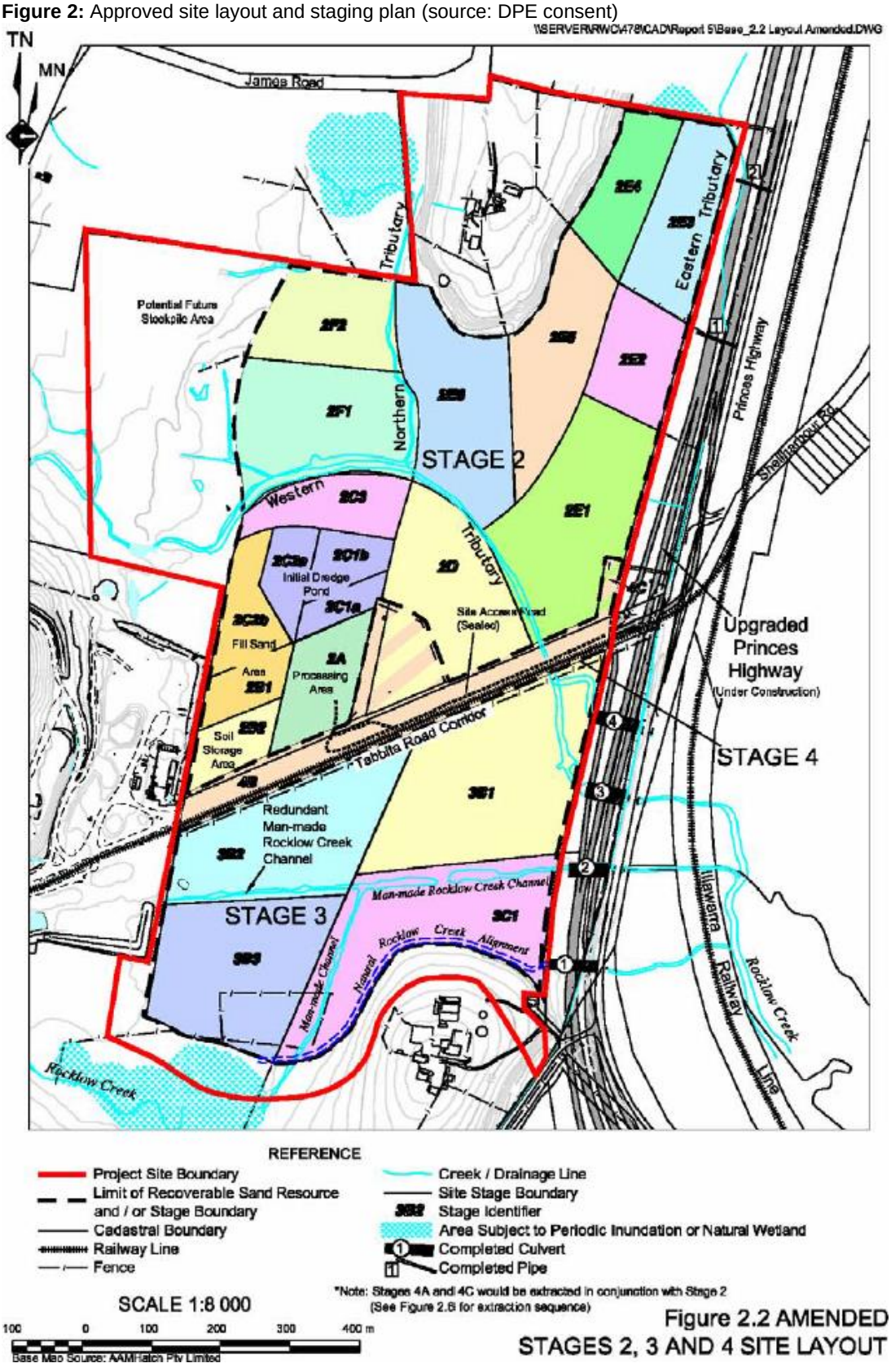


Table 1: Summary of DSS development stages

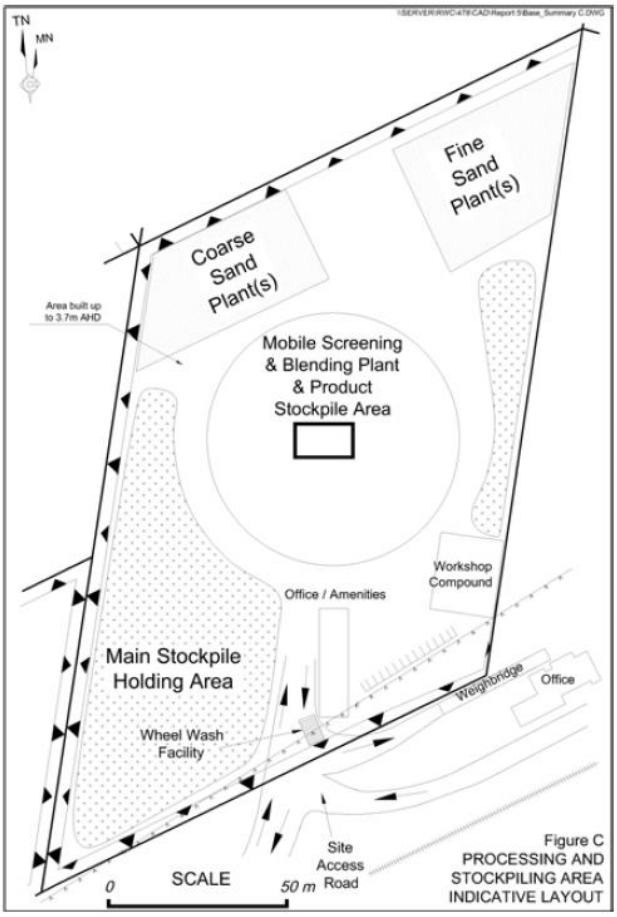
Stage	Operation commenced	Status
Two	June 2007	October 2017
Three	October 2017	Ongoing (estimated completion Dec 2019)
Four	Not yet operational	N/A
Five (a and b)	Unapproved	Proposed

Stage 4 of the approved works, constitutes the sites road access, private rail line combined with land supporting ancillary infrastructure required for DSS and Boral's adjacent hard rock quarry. Commencement of extraction within this area requires relocation of assets and activities that have not yet occurred. As such this resource cannot yet be accessed.

4.2 Site access and layout

Access to the site is via Tabbita Road and the Princes Highway. The processing and stockpiling area layout forms part of the approval and conditions of consent, the elements relevant to the consideration of this modification request are shown in **Figure 1** (above) and **Figure 3** (below).

Figure 3: Indicative layout of processing and stockpiling area (source; R.W Corkery, 2004)



4.3 Importation and use of VENM

The importation of VENM is currently permitted for the purpose of void backfilling (schedule 3, condition 65) and progressive land forming works as described in the original Environmental Impact Statement (EIS) sections 2.7.3 – 2.7.5 (Corkery EIS; 2004, pp. 2-40 – 2.41). Importation of VENM for the purpose of backfilling was programed to commence at the end of Stage 2.

The volumes of VENM estimated for backfilling of the site are shown in **Figure 4** below and would equate to between 150,000 – 250,000 tonnes of VENM importation to the site per annum (Corkery EIS; 2004, p. 2-40).

Figure 4: Estimated VENM requirments – Stages 2 to 4 DSS (Source: RW Corkery, 2004 EIS)

Possible Sequence	Area Codes and reference	Minimum		Maximum	
		(m^3)	(Tonnes)	(m^3)	(Tonnes)
1	2E1, 2E2, 2E3 Hwy boundary part	15 000	26 000	222 000	400 000
2	2E1 south part	0	0	222 000	400 000
3	2D	0	0	468 000	842 000
4	2C 3	60 000	107 000	60 000	107 000
5	2C1/2	88 000	158 000	88 000	158 000
6	2C2b/2A/B	303 000	545 000	458 000	825 000
7	3B3/3C1	140 000	250 000	210 000	375 000
8	3B1/3B2	50 000	90 000	560 000	1 000 000
9	4A	180 000	325 000	180 000	325 000
10	4B	560 000	1 000 000	560 000	1 000 000
	Total	**1 396 000**	**2 501 000**	**3 028 000**	**5 432 000**

Note: 1 m^3 of fill space assumed to require 1.8 tonnes of VENM

VENM importation is also managed by the adopted waste management plan (schedule 3, condition 68).

4.4 Product and dispatch volumes

The development consent currently permits the production and dispatch of 800,000 tonnes per annum of product from the site (schedule 2, condition 6).

4.5 Hours of Operation

DSS is subject to variable hours of operation relating to the nature of the works being undertaken (schedule 3, Condition 14). The approved hours of operation are set out in **Table 2** below (activities shown bold are relevant to this modification).

Table 2: DSS approved hours

Activity	Day	Time
Dredging and processing	**Monday – Saturday**	**6.00am to 6.00pm**
	Sunday and Public Holidays	**8.00am to 4.00pm**
Excavator extraction	Monday – Saturday	6.30am to 6.00pm
	Sunday and Public Holidays	Nil

Activity	Day	Time
Delivery, distribution and maintenance	**Monday – Saturday**	**6.00am to 6.00pm**
	Sunday and Public Holidays	**8.00am to 4.00pm**

5. The proposed modification

The following section describes the proposed moification request, clarifies the limits of the modification and identifies conditions requiring amendment to facilitate the implementation of the proposal.

5.1 Modification description

Boral's current consent permits VENM to be brought on to site for backfilling pruposes. The proposed modification seeks to allow for processing of this VENM to enable recovery of usable sand from this mateiral to generate saleable sand products for use in the Illawarra and Sydney regions.

The proportion of sand based VENM (known as excavation sand) intended to be processed blended and dispatched as product would not exceed 120,000 tonnes per annum.

The material will be brought to site using road transport (road truck/truck and dog) using existing haulage routes and site access consistent with the exsting consent. Once on site, the material will be emplaced within the established fines pond in Stage 2 (refer to **Figure 5**) before being dregded and processed through the existing wash plant.

The process of emplacing (or backfilling) the VENM in ponds to allow for dredging is proposed over simply processing and washing VENM, as the processing of dredging improves the quatliy of the end sand product.

The key change proposed to the existing development consent is the manner in which VENM will be used once on site. Principally seeking the reuse of sand material for processing, product blending and dispatch. There is no requirement to modify the existing and approved operations of the site in relation to activities, hours, or plant.

The modification requires only a minor change in the development consent, including:

- update of relevant management plans; and
- a minor modification to the relevant conditions of consent.

5.2 Limits of the proposed modification

The modification does not seek to alter any of the following aspects of the existing development consent:

- the approved hours of operation,
- the limits of the approval with respect to the term of the approval or product dispatch limits per annum;
- site access or haulage routes;
- the boundaries of the approved limits of extraction; or

- the lapsing period of the development consent.

The quality of VENM imported on to the site will be managed in accordance with existing conditions imposed under schedule 3, condition 68 (a) to (c) in relation.

Figure 5 Aerial view of existing site layout (source: www.nearmap.com)



5.3 Conditions requiring amendment

The modification as set out above will require minor amendments to the conditions of consent as set out below. Proposed amendments to the conditions are shown struck through, indicating deleted provisions with changes including extended or new provisions shown **bold and underlined.**

Modify schedule 3, condition 65 ***Backfilling*** to permit the following:

*65. The applicant ~~shall only~~ **may use** VENM for the purpose of ~~void~~ backfilling **voids and fines ponds, processing, and blending.***

Insert condition 65A, to provide clarity and certainty regarding the limits of VENM that may be imported for the purpose of processing and blending into product for dispatch.

*65A. **No more than 120,000 tonnes per annum of total VENM permitted to be imported to the site may be used for the purpose of processing and blending for dispatch as product.***

The intent of the proposed condition is not to limit or reduced the VENM quantities currently permitted to be imported to the site under the existing consent framework. It is as stated to provide certainty and clarity that only 120,000 tonnes of the maximum permitted would be used

for the purpose of processing for product.

Modification to conditions 68 (waste management plan) and condition 47 (rehabilitation management plan) to reflect the changes in the handling and use of VENM on site.

47. *Within 3 years of providing the Rehabilitation Management Plan to the ~~Director General~~* ***Secretary****, and every 4 years thereafter* ***or as required following modification of this consent,*** *the applicant shall review and update the Rehabilitation Management Plan in a manner similar to the described in a condition 44, to the satisfaction of the ~~Director-General~~* ***Secretary,***

    Where the consent is modified prior to the 4 year review period, the Applicant shall submit a revised Rehabilitation Management Plan within six months of approval being granted.

68. *Within 12 months of the date of this* ***or a relevant modification to this*** *consent the Applicant shall prepare and subsequently implement a Waste Management Plan for the development in consultation with DEC, and to the satisfaction of the ~~Director-General~~* ***Secretary****. The plan shall include:*
    a) VENM receival and acceptance procedures;
    b) procedures for the management of fines from the processing plant;
    c) procedures for managing potential acid sulphate soils; and
    d) procedures for minimising and managing other waste generated by the development.

5.3 Need and justification

The proposed modification seeks to utilise an existing supply of VENM for the purposes of meeting current and continued demand for sand products.

By permitting the use of VENM, Boral will be able to meet sustained industry demand through effective reuse of an existing resource, with negligible change in operations, and associated environmental impacts. The existing 25 years of consent life would not need to change, as the additional sand would make up for recent sand resource losses experienced due to high demand.

6. Planning considerations and approvals

The following section considers the proposed modification against the relevant legislative provisions.

6.1 Environmental Planning and Assessment Act 1979

The original development consent was issued under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) on 29 June 2005. In accordance with the provisions of clause 8J (8) of the *Environmental Planning and Assessment Regulations 2000,* the project was transitioned to Part 3A for the purposes of modification applications.

As at 1 March 2018, the transitional arrangements that previously allowed modifications using section 75W were closed, unless a person had not already made an application.

As Boral had not made application for the purpose of obtaining the Secretary's Environmental Assessment Requirements, as at 1 March 2018 in relation to the proposed modification, the development consent must now be modified pursuant to the relevant provisions of Part 4 of the EP&A Act 1979, being section 4.55.

Under the provisions of section 4.55 the consent authority may modify a consent where they can be satisfied that the development to which the consent as modified relates is *"substantially the same"* as the development for which the consent was originally granted.

Section 4 above contains a description of the proposed modification that is primarily administrative in nature, involving a minor clarification of the terms of approval to permit the processing of Virgin Excavated Natural Material (VENM) to produce suitable sand products for sale and distribution from the site.

The activities (or components) of this process are already approved under the existing consent, as such the proposal results in a negligible change in the assessed impacts of the original proposal.

The proposed modification is sought under Section 4.55 (1A) of the EP&A Act 1979 as it would result in only minimal environmental impact. These matters are considered in more detail in **section 7** of this SEE.

To draw a conclusion as to whether a proposal is *"substantially the same"* development as approved, regard has been given to the relevant decisions of the NSW Land and Environment Court (NSWLEC) as set out below.

(a) *"Substantially" means "essentially or materially" or "having the same essence".*[1]

The proposal involves no modification to the operational characteristics of the development as approved. Fundamentally the modification does not cause an alteration in the primary purpose or the purpose for which consent was expressly granted. Accordingly, the development, as proposed to be modified, retains the "essence" of the development as approved and is demonstrably *"materially and essentially"* the same.

(b) *A development can still be substantially the same even if the development as modified involves land that was not the subject of the original consent (provided that the consent authority is satisfied that the proposal is substantially the same).*[2]

The processing of VENM to create sand product for dispatch will occur within the existing footprint of the DSS operation (refer to **Figures 2**, **3** and **5**). No new land is involved in the modification.

(c) *If the development as modified, involves an "additional and distinct land use", it is not substantially the same development.*[3]

DA195-8-2004 was approved under Schedule 1 of the Development Consent as *"Dunmore Lakes Sand Extraction Project (Stages 2,3 and 4)"* and matters set out in the EIS entitled *Dunmore Lakes Sand Extraction Proposal, Stages 2, 3 and 4: Environmental Impact Statement* (schedule 2, condition 2 (b)) and the supplementary information provided within the *Dunmore Lakes Sand Extraction Proposal, Stages 2, 3 and 4: Response to EIS* dated February 2005 (schedule 2, condition 2 (c)) .

As set out in section 4 of this SEE, the proposed modification will retain the same fundamental features of the existing development consent including:

- extraction, processing and transportation of sand products;

[1] Vacik Pty Limited v Penrith City Council (1992) NSWLEC 8

[2] Scrap Realty Pty Limited v Botany Bay City Council [2008] NSWLEC 333

[3] Vacik Pty Limited v Penrith City Council (1992) NSWLEC 8

- importation, processing and blending raw materials for sand and soil mixes;
- importation and placement of materials for landscape reconstruction;
- site rehabilitation; and
- ancillary activities to all site components

The processing of VENM for the purpose of creating product for dispatch is with the described activities, in particular the *"importation, processing and blending raw materials for sand and soil mixes".*

This is reaffirmed further through the submitted (and adopted) EIS that states:

The proposal has been designed to provide the greatest flexibility in the manufacture of products required by the construction, landscaping, horticultural and similar industries. The ongoing extraction of sand from Stages 2, 3 and 4 and the manufacture of a comprehensive range of products would be a considerable benefit to the Illawarra area and beyond for a number of years.

It is evident that the original application and subsequent consent intended to permit a wide range of activities aimed at supporting the extraction and production of construction materials. The proposed modification is considered to fall within the general intent of the activities described and for which approval was granted. Furthermore, the modification would not result in an "additional or new land use".

(d) Notwithstanding the above [point (c)]*, development, as modified, would not necessarily be substantially the same solely because it was for precisely the same use as that for which consent was originally granted.*

(e) To determine whether something is "substantially the same" requires a comparative task between the whole development as originally approved and the development as proposed to be modified. In order for the proposal to be "substantially the same", the comparative task must:

- *result in a finding that the modified development is "essentially or materially" the same;*
- *appreciate the qualitative and quantitative differences in their proper context; and*

(f) In addition to the physical difference, consider the environmental impacts of proposed Modification Applications to approved developments.[4][5]

(g) The results of the comparative task "does not eclipse or cause to be eclipsed a particular feature of the development, particularly if that feature is found to be important, material or essential."[6]

A comparative task has been undertaken and is provided at **Appendix 1**. The outcome of this task demonstrates that the development, as proposed to be modified will not be *"materially or essentially"* altered as:

- The modification does not alter the primary purpose of the approved development;
- The modification does not introduce any additional or distinctly new land uses that would substantially alter the outcome of the original assessment or require reconsideration of key aspects of the original assessment; and

[4] Tipalea Watson Pty Ltd v Ku-Ring-Gai Council [2003] NSWLEC 253

[5] Moto Projects (No 2) Pty Ltd V North Sydney C [1999] NSWLEC 280

[6] Moto Projects (No 2) Pty Ltd V North Sydney C [1999] NSWLEC 280

- The modification does not alter the operational characteristics of the approved development in relation to employee numbers, hours of operation, product transportation limits, methods or management techniques.

Accordingly, it is considered that the proposed development, as proposed to be modified, will be *"substantially the same as the development"* for which consent was originally granted and as such is within the scope of Section 4.55.

6.2 Protection of the Environment Operations Act 1977

The proposed modification would require a variation to the site's Environment Protection Licence (EPL) No. 11147 to address the following:

L2.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L2.2 Virgin Excavated Natural Material (VENM) as defined in the Act may be received at the premises for the purpose of void reclamation.

7. Stakeholder engagement and consultation

Boral presented the proposed modification to the Dunmore Community Consultative Committee (Dunmore CCC) on 20 February 2019. No matters of concern were raised at this meeting. Boral meets regularly with the Dunmore CCC to provide update on current and planned applications, as such the proposed modification will continue to be reported to the community.

8. Environmental Assessment

The proposed modification has been assessed against key aspects of the original application and development consent. As the proposed modification is administrative in nature, the potential for environmental impact is considered negligible.

8.1 Land use and permissibility

The land is zoned RU1 Primary Production and RU2 Rural Landscape under the Shellharbour Local Environmental Plan 2013 (SHLEP 2013).

The active area of operations is zoned RU1 Primary Production, where in *"Extractive Industries"* are permitted with consent pursuant to the land use table adopted under clause 2.3 of SHLEP 2013.

DA195-8-2004 was approved as an "extractive industry" that included a wide range of activities including extraction of material by dredge, importation of VENM for backfilling combined with the importation, processing and blending of a range of quarried and natural materials to meet customer specifications.

The proposed modification seeks approval to extend the terms of the approval to permit VENM backfilling, dredging, processing and dispatch. The described activity is considered to be consistent with the intent of the existing approval and the general operations of the site for which approval was granted requiring only a minor modification to the conditions of consent.

8.2 Product import, use and dispatch

The existing and approved operations permit the importation of between 150,000 and 250,000 tpa of VENM to support backfilling and rehabilitation of the site. An existing condition is imposed on the development consent that limits dispatch of product from the site to a maximum of 800,000 tpa. The proposed amendment does not seek nor require this to be amended.

The proposed modification would seek to process a proportion of the VENM currently brought to site for the purpose of creating product in lieu of backfilling voids and export of no more than 120,000 tpa.

Accordingly the proposal does not seek increase importation or dispatch volumes beyond the terms of the existing approval or development consent. As such there would no additional traffic movements associated with the modification.

8.3 Acoustic environment

The existing noise environment will not be altered by the proposed modification as there is no alteration to the layout of the site or the approved operations. The modification is limited to a change in the manner in which VENM imported onto the site is used.

8.4 Air quality

VENM brought to site for processing will be emplaced into the existing ponds prior to being dredged and processed in the existing washing facility located on site. As these processes were assessed under the terms of the existing consent and the proposal does not alter this, there will be no change in the air quality environment.

The site will continue to operate in accordance with the adopted environmental management plan that includes measures to ensure an appropriate air quality environment.

8.5 Hazards – VENM classification and management

The receipt, use and management of VENM on to the site is managed through an adopted waste management plan prepared in accordance with schedule 3, condition 68 of the development consent and the requirements of the site EPL11147.

The waste management plan has been drafted based on the limited use of VENM for backfilling purposes. As such it is noted that the plan will need to be updated to reflect the modification to process and use VENM material for product including a review of the fines management procedures.

Only VENM class (a) (i.e. has a pH of 5.5 or less) would be considered suitable for processing and dispatch as product.

The update and amendment of the waste management plan can be addressed by a minor modification to the condition 68.

8.6 Rehabilitation

The modification is unlikely to adversely affect the rehabilitation or long term management strategy for the DSS site. In particular the modification is unlikely to compromise the

implementation of the indicative final landform following completion of extraction. Notwithstanding the above, the adopted the Rehabilitation Management Plan currently adopted to guide backfilling operations on site would be updated to reflect the modification. This can be done as a modification to the existing conditions of consent.

8.8 Biodiversity and vegetation

The modification will utilise existing infrastructure, including road access points, storage areas, wash plant, dredge and fines ponds. Accordingly there will no change to the existing layout of the site that has been previously cleared to establish the operations.

9. Conclusion

As demonstrated by this SEE, the development, as proposed to be modified, is of a minor nature allowing for the processing of VENM material to create product.

The modification does not *"materially or essentially"* alter the approved development and as such satisfies the test of *"substantially the same"* allowing the proposal to be considered and determined under the provisions of section 4.55 of the EP&A Act 1979.

The modification is needed to ensure the continued supply sand to the building and construction industry within the local and broader Sydney regaion that continues to experience significant demand for sand related products to support numerous infrastructrure, commercial and residential projects.

Given the need for the proposed development in meeting existing and likely future demand for sand used to support ongoing construction projects within the identified regions and the minimal environmental impacts likely to result as consequence, we are of the view that the modification is worthy of support.

Should any further additional information or clarification be required in relation to the modification, please contact the undersigned on phone 0401 894 110 or email rachael.snape@boral.com.au

Yours faithfully,



Rachael Snape

Planning & Development Manager NSW/ACT
Boral Land and Property Group

Appendix 1

Section 4.55 of the EP&A Act 1979 *"substantially the same development"* comparative test

Table A1.1 "substantially the same" comparison: DA-140-6-2005

Element	Existing	Proposed
Operations		
Land Use	Approval granted for an extractive industry involving as set out in section 1 and section 4 of this SEE.	**No change** As set out in section 8.1 the proposed modification is considered to fall within the terms of the existing approval and consistent with the intent of the underlying SEE that forms part of the development consent. The proposal is not a new or additional use and does not alter the fundamental character of the existing and approved operation.
Hours of operation	Variable based on operations – refer to section 3.4 of this SEE.	**No change** to hours of operation.
Consent period	25 years from commencement.	**No change.**
Production and Transportation limits	Up to 800,000 tpa of product per year from the site.	**No change**, product produced and transported will occur within the approved limits.
Extraction method	Extraction by excavator and dredge (p. ixv)	**No change** to extraction method. VENM will be emplaced within existing fines ponds and extracted using a dredge.
Site infrastructure and plant	Mobile screening plant, fin and coarse sand washing plants and material blending.	**No change** to on-site infrastructure and plant.
Product transport	Truck via established access road	**No change** to method of transport or access.
Environmental Impacts		
Traffic	Schedule 3, conditions 53 to 57 (inclusive).	**No change** in traffic volumes. The proposed volume of VENM to be imported for processing is within the range volumes anticipated under the original SEE for rehabilitation (i.e. below 250,000 tpa). The contribution of these volumes to traffic and the capacity of the local and broader network were determined to have capacity. Notably the modification does not seek to increase the volume of VENM imported under the original consent or the product dispatch cap. The modification does not require amendment to the product, dispatch limit of 800,000 tpa. The modification is consistent with the anticipated operational limits of the development consent.
Noise and vibration	Schedule 3, Conditions 13 imposes operational noise limits.	**No changes** to extraction/processing methods, or hours of operations to influence assessed impacts.
Rehabilitation - Stabilisation	Conditions in relation to rehabilitation are set out in schedule 3, conditions	The long term outcome will not be impacted by the proposal .The plan will be updated to reflect the modification, if approved, this

	42 to 49 (inclusive). Boral has adopted a rehabilitation plan	may occur post consent subject to a minor amendment to the relevant condition
Waste Management	Schedule 3, condition 68 required the preparation and implementation of a waste management plan (WMP). A WMP was prepared and adopted for the site that sets out how VENM may be used combined with the classification and clearance requirements.	The WMP would require a minor modification to reflect the proposed modification, is approved, to permit the use of VENM for processing and dispatch. This may be satisfied through a minor modification to the condition.