

5 September 2019

Mr Adnan Voloder
Boral Land & Property Group
PO Box 6041
NORTH RYDE NSW 2113

Dunmore Lakes Extraction Project – Modification 2 (DA 195-8-2004 Mod 2)
Lot 501 in DP 1174897 & Lot 51 in DP 1012246, 471 Riverside Drive & 69 Fig Hill Lane, Dunmore

Dear Adnan

Reference is made to the meeting of **29 July 2019** held at Shellharbour City Council with Council staff and staff from Boral.

Further to that meeting, Council's technical officers have reviewed the submission matrix discussed at this meeting (dated **23 July 2019**).

The following table provides comments in response to each relevant section within this matrix.

<u>Statutory</u>	Council retains its view that rather than being a modification, a new application is warranted
<u>Environment</u>	<p>Council remains satisfied as to the appropriateness of its initial comments.</p> <p>As above, due to the significantly higher ecological value of stage 5 areas and the level of direct impact compared with extraction areas under the current approval this proposal is not considered appropriate to be assessed as a modification and in Council's view, should be a new application which would require the preparation of an EIS.</p> <p>Boral has stated in its response that the BDAR conducted would be unchanged if prepared as part of an EIS. A BDAR specifically quantifies the level of impact on BC Act list matters in order to calculate an offset requirement. The purpose of the BDAR prepared by Niche is detailed in Section 1.4 of their report. The BDAR is not considered to take the place of a comprehensive assessment that would be required by an EIS.</p>

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	<p>Niche has added additional sections to the BDAR to try to address gaps in the assessment including assessment of EPBC matters, Coastal SEPP and the inclusion of mitigation measures pre and post construction to try to cover off on these matters however this is not considered adequate. For example the removal of significant hollow bearing trees such as is proposed would require a detailed fauna management plan with protocols to guide the removal of fauna habitat to minimise risk of injury. The one dot point on this matter provided by Niche does provide guidance and in Council's view, does not ensure this significant risk is minimised.</p> <p>While the proposed modification includes the removal of Bangalay Sand Forest and habitat for threatened fauna species Council does not support this as this is not considered a continuation of the same activity and requires a comprehensive assessment given the significantly high level of impact to biodiversity.</p>
<u>Flooding</u>	Please refer <i>Appendix 1 – Flooding Comments</i>
<u>Heritage</u>	No additional information has been provided to specifically address Council's concerns regarding impact on the heritage significance of the items proposed to be affected. Therefore, Council officers consider the heritage matters raised in Council's initial submission have not been adequately addressed. As a result, the comments remain as previously stated.
<u>Traffic</u>	Council technical officer now considers these matters to have been addressed.

Council hopes this information is of some assistance. If you have any questions in this regard, could they please be referred to me on telephone (02) 4221 6137 in the first instance.

Yours sincerely,


Grant Meredith
Group Manager City Development