



22 November 2021

Mr Chris Ritchie  
Director, Industry Assessments  
Department of Planning, Industry and Environment

By email: [REDACTED]

Dear Mr Ritchie

### **Kariong Sand and Soil Supplies Facility (SSD-8660)**

I refer to the Kariong Sand and Soil Supplies Facility State significant development application (the **Project**), received by the Independent Planning Commission on 5 October 2021 for determination.

In the Commission's public meeting held on Tuesday, 9 November 2021, concerns were raised by members of the public regarding the potential vibration impacts of the Project on their properties. A copy of the public meeting transcript is included as **Attachment A**.

Additionally, the Commission has received a submission from PM Anderson Consulting Pty Ltd, dated 16 November 2021, on behalf of surrounding property owners (**Attachment B**). This submission includes a Vibration Trial Report, dated 16 November 2021 prepared by Douglas Partners Pty Ltd (**Attachment C**) and an updated Air Quality Issues Report, dated 15 November prepared by Todoroski Air Sciences Pty Ltd (**Attachment D**). The submission also suggests conditions of consent.

The Commission has also received a submission from Coastal Design Link, dated 3 November 2021 (**Attachment E**) which states that the Applicant's Environmental Impact Statement (**EIS**) did not include an "*analysis of any feasible alternatives to the carrying out of the development, activity or infrastructure, having regard to its objectives, including the consequences of not carrying out the development, activity or infrastructure*" as required by Schedule 2, Part 3, Clause 7 of the *Environmental Planning & Assessment Regulation 2000* (Regulations).

In its consideration of the Application, the Commission would be assisted by the Department providing a response to the matters outlined below:

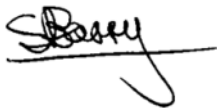
- 1) Any further assessment by the Department of the vibration impacts of both the construction and operational stages of the Project, giving consideration to the Vibration Trial Report referenced above and the submissions made during the public meeting;
- 2) Any further recommended draft conditions of consent for the Commission to consider to further mitigate and manage the potential vibration impacts of the Project if consent is granted (e.g. vibration limits, monitoring, verification, mitigation etc.);

- 3) Clarification from the Department as to whether anything in the updated Air Quality Issues Report referenced above requires any consequential changes to the Department's assessment and/or recommended conditions of consent;
- 4) Clarification from the Department as to whether (and why) it considers the Applicant's EIS has met the requirements of Schedule 2, Part 3, Clause 7 of the Regulations and if further analysis is required by the Applicant;
- 5) The Department's views on the workability of the suggested conditions of consent set out in Attachment B.

The Commission requests that the Department provide a response to these matters by Monday, 29 November 2021. The Commission acknowledges that the Department may need to consult with the Applicant regarding the matters set out above.

Should you require any further information or if this timeframe cannot be met, please contact Brad James, Principal Case Manager on 9383 2165 or [bradley.james@ipcn.nsw.gov.au](mailto:bradley.james@ipcn.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'S Barry', written over a horizontal line.

Stephen Barry  
**Planning Director**

**Attachments:**

- A) Public Meeting Transcript
- B) PM Anderson Submission, dated 16 November 2021
- C) Vibration Trial Report, dated 16 November 2021
- D) Updated Air Quality Report, dated 15 November 2021
- E) Coast Design Link Submission, dated 3 November 2021