

DOC16/457593-06:MF

Department of Planning and Environment
(Attention: Lauren Evans)
GPO Box 39
SYDNEY NSW 2001

Dear Ms Evans

**LEC Consent No 10639 of 2005 (Modification 3) – Response to Submissions
Cleary Bros (Bombo) Pty Ltd – Albion Park Quarry**

I refer to your letter and attached Response to Submissions (RTS) to the Environment Protection Authority (EPA) of 23 December 2016 seeking comment on a proposed modification to LEC Consent No 10639 of 2005 (Modification 3) to allow quarrying in Stages 5 and 6 of the existing Dunsters Lane, Croome operations at Cleary Bros (Bombo) Pty Ltd Quarry (CB).

The EPA provided comments to NSW Department of Planning and Environment (DPE) on the exhibited application in our letter dated 13 October 2016 (DOC16/457593-04). In general, the RTS report adequately address the matters raised in this letter.

Additionally, the proponent (CB) met with the EPA on 18 November 2016 to discuss the specific comments made in EPA's response to DPE on the EA documentation for the proposal. At this meeting, CB advised that they were agreeable to committing to transitioning from older mainly dust deposition monitoring to real-time air quality monitoring at the Albion Park quarry. CB proposed that this new monitoring could be described in an updated Air Quality Management Plan for the premises developed in consultation with the EPA and DPE.

The EPA has undertaken a review of the RTS and provides comments in the attachment to this letter (**Attachment A**) to assist the DPE in the assessment and determination of the proposal. These comments relate to air quality, noise and water quality.

The EPA requests the opportunity to review draft consent conditions to ensure the attached requirements have been considered and are consistent with EPA licensing requirements (if approved).

The EPA is able to meet at a mutually convenient to discuss the above matters, if required.

If you have any questions, please phone Mr Matt Fuller on (02) 4224 4100.

Yours sincerely



19/01/17

PETER BLOEM
Manager Regional Operations Illawarra
Environment Protection Authority

Contact officer: MATT FULLER
(02) 4224 4100

Attachment A

ATTACHMENT A

AIR QUALITY

Particulate Monitoring

As previously advised CB met with the EPA on 18 November 2016 to discuss EPA's comments to DPE on the EA documentation. During this meeting, particulate monitoring was discussed and EPA reiterated its desire for air quality monitoring at the Illawarra hard rock quarries to move from older dust deposition gauges and high volume samplers to real-time monitoring that could inform adaptive management of particulates using Trigger Action Response Plans or similar. In their RTS, CB advised that they accepted this approach. In the RTS, CB also proposed amendment to some existing conditions of consent (*Schedule 4 Condition 15, 16 and 17*). These changes include modifying the Air Quality Management Plan (in consultation with EPA and DPE) to describe operational responses and management of data provided by the proposed real-time monitoring. The EPA supports this approach.

NOISE

Following discussions with CB and a review of the RTS, the EPA accepts that while the noise model developed for the quarry activities in 2002 may not be ideal, it is adequate to assess the noise impacts from the premises. Compliance with the current noise limits requires analysis of the noise logger (attended and unattended) results together with the calculation/modelling to determine the contribution of the Albion Park Quarry in the referenced 'calm' conditions. During discussions with CB, they advised amendment of the current reference conditions would require completely new accompanying noise limits be derived through additional noise modelling. The EPA accepts that this is not warranted prior to the commencement of quarrying in Stages 5 and 6. The EA provides information which indicates there will be no unacceptable noise impacts from the proposed quarrying in Stages 5 and 6. No recent noise complaints relating to the operational aspects of the quarry in Stages 3 and 4 appear to have been received by the EPA and CB. Regular noise compliance monitoring by CB appears to demonstrate the premises is meeting noise requirements/conditions.

WATER QUALITY

The EPA accepts the actions proposed by CB in the RTS with regards to the management and assessment of water quality and water discharges from the development. The EPA accept that *Schedule 6 Condition 3* of the Development Consent requires a review of the Water Management Plan and that the original EIS for the project (Stages 1 to 6) assessed the predicted impacts of the receiving waters downstream of the development.

