



# Spring Farm Quarry Modification 5

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Extension of Time  
State Significant Development Modification Assessment  
(DA 75/256-Mod-5)

April 2021



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Title: Spring Farm Quarry

Subtitle: Modification 5 – Extension of Time

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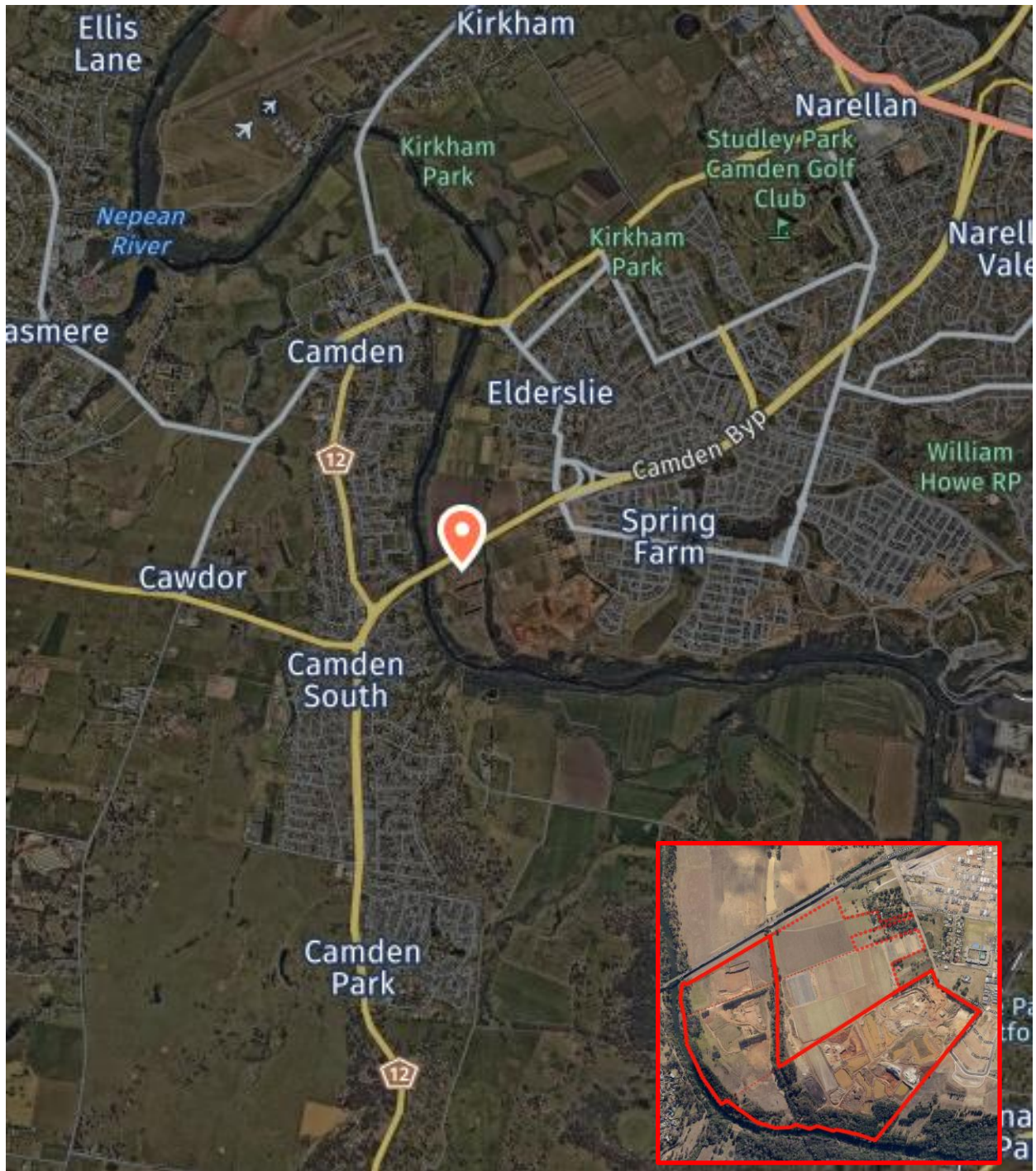
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# 1 Introduction

## 1.1 Background

The Spring Farm Quarry (the Quarry) is an existing sand and soil quarry located at Elderslie, approximately 65 kilometres (km) southwest of Sydney and to the immediate east of the township of Camden (see **Figure 1**). The Quarry is owned and operated by M Collins & Sons Pty Ltd (Collins) and provides high quality sand and soil products to the Greater Sydney Metropolitan Region.



**Figure 1 |** Regional Context Map



Quarrying activities occur over three adjoining allotments: Lot 1 DP587631, Lot 22 DP833317 and part Lot 32 DP635271, MacArthur Road, Spring Farm. The extraction of sand and soil occurs on Lot 22 and part of Lot 32. These activities are the subject of the current application (see **Figure 2**). Quarrying currently occurs via a sequential process where extraction is followed by rehabilitation. Screening and limited stockpiling also occur on Lots 22 and 32 (see **Figure 3**).

The Quarry's processing area, primary stockpiling areas and administration facilities are located on Lot 1, which is south east of the current extraction area, near the MacArthur Road frontage (see **Figure 2**). These activities are the subject of a separate development consent (252/93), issued in 1995 by Camden Council (Council) and are not proposed to change under the current application.



**Figure 2** | The Spring Farm Quarry site showing the location of the approved extraction and rehabilitation area and processing, stockpiling and administration area

The portion of the Quarry site which is subject to DA 75/256 is zoned RU1 Primary Production under the *Camden Local Environmental Plan 2010* (Camden LEP). Extractive Industries are permissible in this zone. The Quarry site is also identified as a regionally significant extractive resource under *Sydney Regional Environmental Plan No 9 – Extractive Industry (No 2 – 1995)* (SREP 9).

The suburb of Spring Farm adjoins the Quarry site to the north east, east and south, with residential development progressing towards the Quarry in recent years. The most recent residential development in this area occurs to the east of the Quarry site. Additional areas to the immediate north east of the Quarry, along MacArthur Road are earmarked for future residential development and are expected to develop in the coming years.

The Quarry is currently accessed off MacArthur Road which provides access to the Camden Bypass. The Camden Bypass/MacArthur Bridge runs along the northern boundary of the site with the Nepean River and associated river flats adjoining the site's western boundary.

The Quarry is strategically located to provide sand and soil for construction projects in Greater Sydney, particularly to the growing areas of the Western City which are expected, under the *Western City District Plan* (a subset of the *Greater Sydney Region Plan – A Metropolis of Three Cities* supporting plans) to require 184,500 new houses to be built to support projected population growth to 2036.

## 1.2 Approval History

Extraction activities at the Quarry are permitted under development consent DA 75/256, granted by the then Minister for Planning on 13 October 1988 under Part 4 of the *Environmental Planning Assessment Act 1979* (EP&A Act). This development consent allows Collins to:

- extract up to 300,000 tonnes per annum (tpa) of soil and sand products until 30 June 2021; and
- progressively extract material and rehabilitate the site so that no more than 2 hectares are disturbed at any given time.

The development consent has been modified on four occasions (see **Table 1**).

**Table 1 | Summary of Modifications**

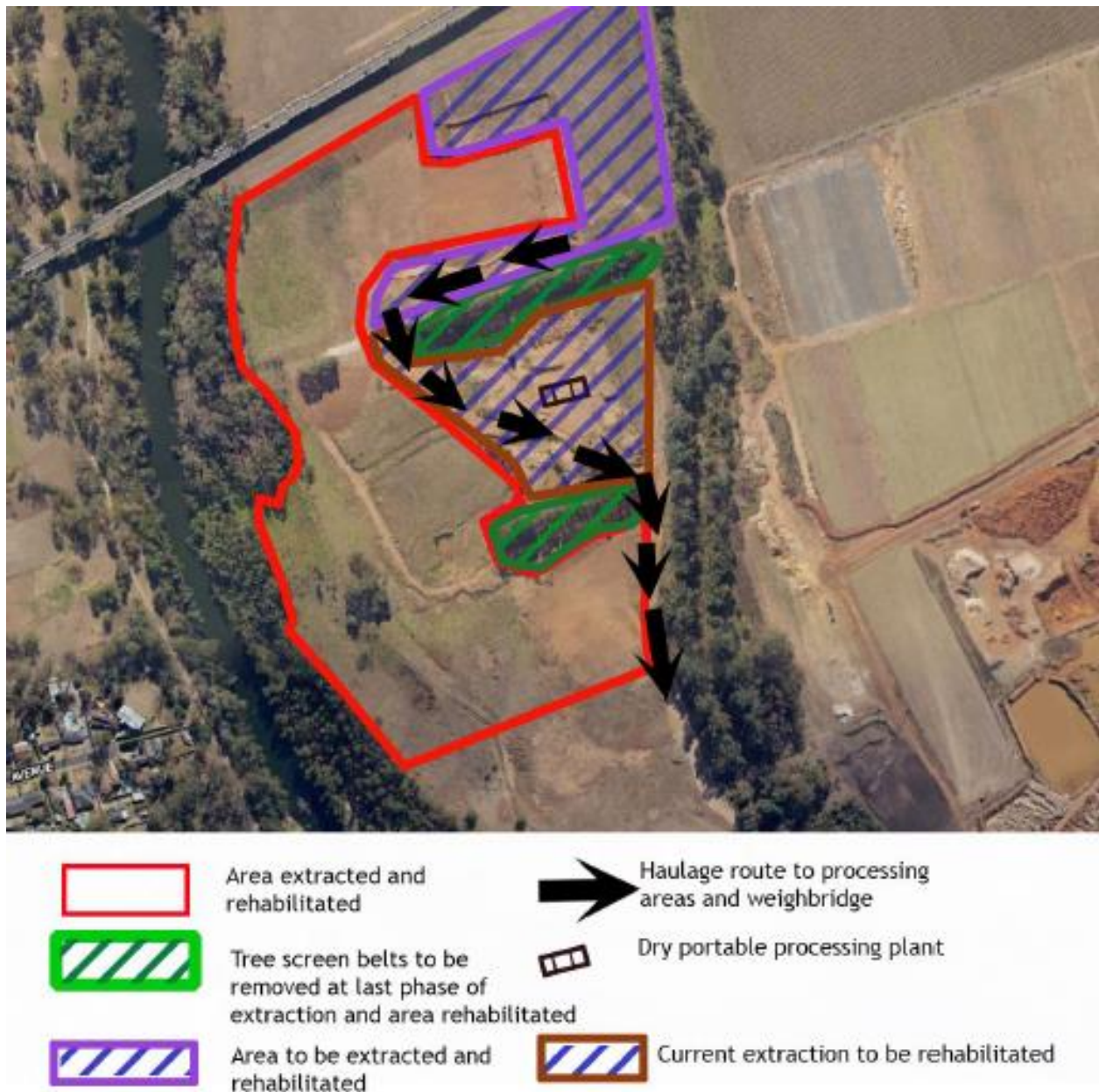
| Mod No.      | Summary of Modification  | Type   | Approval Date |
|--------------|--|--------|---------------|
| <b>MOD 1</b> | Extension to life of Quarry  | S96(2) | 1998          |
| <b>MOD 2</b> | Extension to life of Quarry  | S96(2) | May 2009      |
| <b>MOD 3</b> | Expansion to quarrying operations, extraction of further 400,000 cubic metres of sand and soil resources | S75W   | October 2012  |
| <b>MOD 4</b> | Extension to life of quarry  | S75W   | August 2018   |

## 2 Proposed Modification

On 31 August 2020, Collins submitted a modification request (DA 75/256 Mod 5) under section 4.55(1A) of the EP&A Act to extend the life of the existing Quarry (see **Figure 3**) for an additional 2 years, from June 2021 to June 2023.

While Collins has extracted most of the approved resource, it asserts that there is approximately 202,100 cubic metres of commercially viable sand and soil left within the approved extraction area which will not be fully extracted by 30 June 2021. Collins submits there is a sustained local and regional demand for sand and soil products and significant environmental benefits from using existing infrastructure to extract this resource and from sourcing this product close to market.





**Figure 3 |** Approved Quarry site overview and staging plan

Collins is not seeking to change the approved operating hours, site access, product transport arrangements, extraction methods or rehabilitation commitments as part of the current application.

Likewise, the modification is not seeking to change any aspects of the stockpiling, processing and administration activities occurring on Lot 1 that are regulated under DA 252/93 issued by Council. However, any extension in the timeframes approved under DA 75/256 would also extend the life of the soil processing and stockpiling operations approved by Council under DA 252/93.

## 3 Statutory Context

### 3.1 Scope of Modification

The modification application and Modification Report were lodged under section 4.55(1A) of the EP&A Act. The Department has reviewed the scope of the modification and considers that it:

- would not increase the environmental impacts of the project as approved;
- is substantially the same development as that which was last modified under the former Section 75W of the EP&A Act; and
- would not involve any further disturbance outside of the already approved disturbance areas for the project.

The Department is satisfied the modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers the application should be assessed and determined under section 4.55(1A) of the EP&A Act

### 3.2 Consent Authority

The Minister for Planning and Public Spaces (the Minister) is the consent authority for the application under Section 4.5(a) of the EP&A Act. However, under the Minister's delegation of 9 March 2020, the Director, Resource Assessments may determine the application, as:

- Collins did not disclose any political donations; and
- fewer than 10 public submissions were received by way of objection to the modification.

### 3.3 Matters for Consideration

In undertaking its assessment of the modification application, the Department has considered the relevant matters in section 4.15(1) of the EP&A Act, including:

- the provisions of any relevant environmental planning instrument;
- the likely impacts of the proposed modification, including environmental impacts on both the natural and built environmental, social and economic impacts in the locality;
- the suitability of the site for the development (as it is proposed to be modified);
- all submissions made in relation to the modification application (see **Section 4**) and
- the public interest.

### Environmental Planning Instruments

In undertaking its assessment, the Department has considered the objects of the EP&A Act and the provisions of relevant environmental planning instruments (EPIs), including:

- *State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007*;
- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*;
- *Sydney Regional Environmental Plan No.9 – Extractive Industry*;
- *Sydney Region Environmental Plan 20 – Hawkesbury-Nepean River*; and
- *Camden Local Environmental Plan 2010*.

The Department has assessed the modification against these instruments and considers that it would be generally consistent with the relevant aims, objectives and provisions in these instruments.

## Objects of the EP&A Act

The consent authority must consider the objects of the EP&A Act when making decisions under the Act. The Department has assessed the proposed modification against the current objects of the EP&A Act. The objects of most relevance to the decision on whether or not to approve the proposed modification are found in section 1.3 of the Act. They are:

- Object 1.3(a): *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;*
- Object 1.3(b): *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;*
- Object 1.3(c): *to promote the orderly and economic use and development of land;*
- Object 1.3(e): *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats;*
- Object 1.3(f): *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage);*
- Object 1.3(i): *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State; and*
- Object 1.3(j): *to provide increased opportunity for community participation in environmental planning and assessment.*

The Department considers that the proposed modification encourages the proper management and development of resources (Object 1.3(a)) and the promotion of the orderly and economic use of land (Object 1.3(c)). The proposal would optimise resource recovery at the Quarry, utilising its established infrastructure and workforce.

The Department considers that the proposed modification may be carried out in a manner that is consistent with the principles of ecologically sustainable development (Object 1.3(b)).

The Department has carefully considered the environmental impacts of the proposed modification, including potential impacts on the natural, cultural and built environments (Object 1.3(e) and (f)). The key findings of the Department's assessment are summarised in **Section 5**.

The Department notified nearby landowners of the modification application and consulted with Council (Object 1.3(i) and (j)). The outcomes of the consultation process are outlined in **Section 4**.

### 3.4 Other Approvals

The Quarry's activities are regulated under Environment Protection Licence (EPL) 4093, granted under the *Protection of the Environment Operations Act 1997* (POEO Act). The Environment Protection Authority (EPA) did not advise of any amendments being required to the EPL as a result of the proposed modification.

Collins holds two existing irrigation licenses (10SL043202 and 10SL045039) for use of up to 110 megalitres (ML) and 16 ML respectively. No changes to these licences are required as a result of the proposed modification.

## 4 Engagement

### 4.1 Department's Engagement

Under the provisions of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the modification was not required to be publicly exhibited. However, the application was made available on the Department's website from 7 October 2020 and the Department notified nearby landowners immediately



adjoining the Quarry and existing haul route (MacArthur Road), between the Quarry and the Camden Bypass by mail.

The Department also sought advice on the modification from relevant Government agencies, including Council.

## 4.2 Summary of Representations and Comments

The Department received a total of 12 representations and comments in response to notification, including:

- advice from six Government agencies; and
- six representations (of which five were form letters) from the community and nearby stakeholders raising concerns regarding the modification.

Copies of all comments and representations are included in **Appendix B**.

## 4.3 Agency Advice

**Council** did not object to the proposal. However, Council noted that additional sensitive land uses, including a public school, have been developed in proximity to the Quarry in recent years and advised that the Department should consider the appropriateness ongoing quarrying operations in a rapidly urbanising area. Council also highlighted that the Quarry site is planned to contain future district level sporting facilities and its continuation extends the timeframe for their delivery.

While the sporting fields are proposed for Lot 1 which is not the subject of the current application there is a link between the subject application (DA 75/256) and the Council approval on Lot 1 (consent No. 252/93). The Department has considered these matters in **Section 5.1**.

The Department's **Environment, Energy and Science Group (EES)** did not object to the proposal and recommended a Flood Emergency Response Plan remain in place for floods above the 1% AEP flood event up to the full range of flooding including the probably maximum flood. EES also sought additional information regarding the timing of rehabilitation works outside of the remaining extraction area, including Zone 2b in the Dry River Anabranch vegetation area and the riparian linkage zone. These matters have been addressed in **Section 5.5**.

In its Submissions Report, Collins noted that the existing Flood Emergency Procedure Plan will continue to remain in force for the duration of the Quarry's operation. Collins also noted that rehabilitation will continue to occur progressively over the remaining project life and will not be left until the end of the 2-year timeframe.

The Department's **Water Group** and the **Natural Resource Access Regulator (NRAR)** did not object to the proposal, but advised that following approval all take of water from groundwater and/or surface water sources (including groundwater inflows) would need to be appropriately licensed under a water access licence (WAL) and water supply works approval, as may be required.

In its Submissions Report, Collins noted that the required WALs and approvals are in place and that relevant practices will be continued.

The **EPA, NSW Department of Regional NSW – Mining, Exploration and Geoscience** and **Transport for NSW** did not raise any concerns or objections to the proposal.

The **Resources Regulator** it had no comments in relation to the proposal.

## 4.4 Community Representations

Community representations raised concerns regarding amenity and safety impacts on nearby residential areas. In particular, representations expressed concerns with respect to:

- continuation of dust and noise impacts and the suitability of dust and noise controls;

- compatibility with residential development that now occurs in close proximity to the site and ongoing developments that would bring residential areas even closer;
- delays in the delivery of the planned district-scale sporting fields on the processing and stockpile area that is subject to Council consent No. 252/93; and
- pedestrian and vehicle safety due to quarry trucks travelling along MacArthur Road.

The Department's consideration of these issues is included in **Section 5**.

#### **4.5 Submissions Report**

On 19 November 2020, Collins provided a Submissions Report (see **Appendix C**). The Department notes the Submissions Report has addressed comments received from the agencies and community members and has considered it in the assessment.

In response to issues raised by agencies and the community, the Submissions Report stated:

- the existing/necessary water access licenses would continue to be meet relevant water demands;
- the establishment of the riparian link corridor linking the Nepean River corridor and Dry River Anabranh corridor is ongoing, and Collins remains committed to establishing a 50 metre wide corridor;
- a Flood Emergency Management Plan has been prepared and would remain in place;
- existing conditions of consent for DA 75/256 would appropriately manage potential land use conflicts over the two year extension period;
- potential land use conflicts have been separately considered by Council in determining applications for new residential developments;
- the Quarry's licensing and reporting requirements place strict measures on its operation; and
- quarrying operations will not extend beyond June 2023.

## 5 Assessment

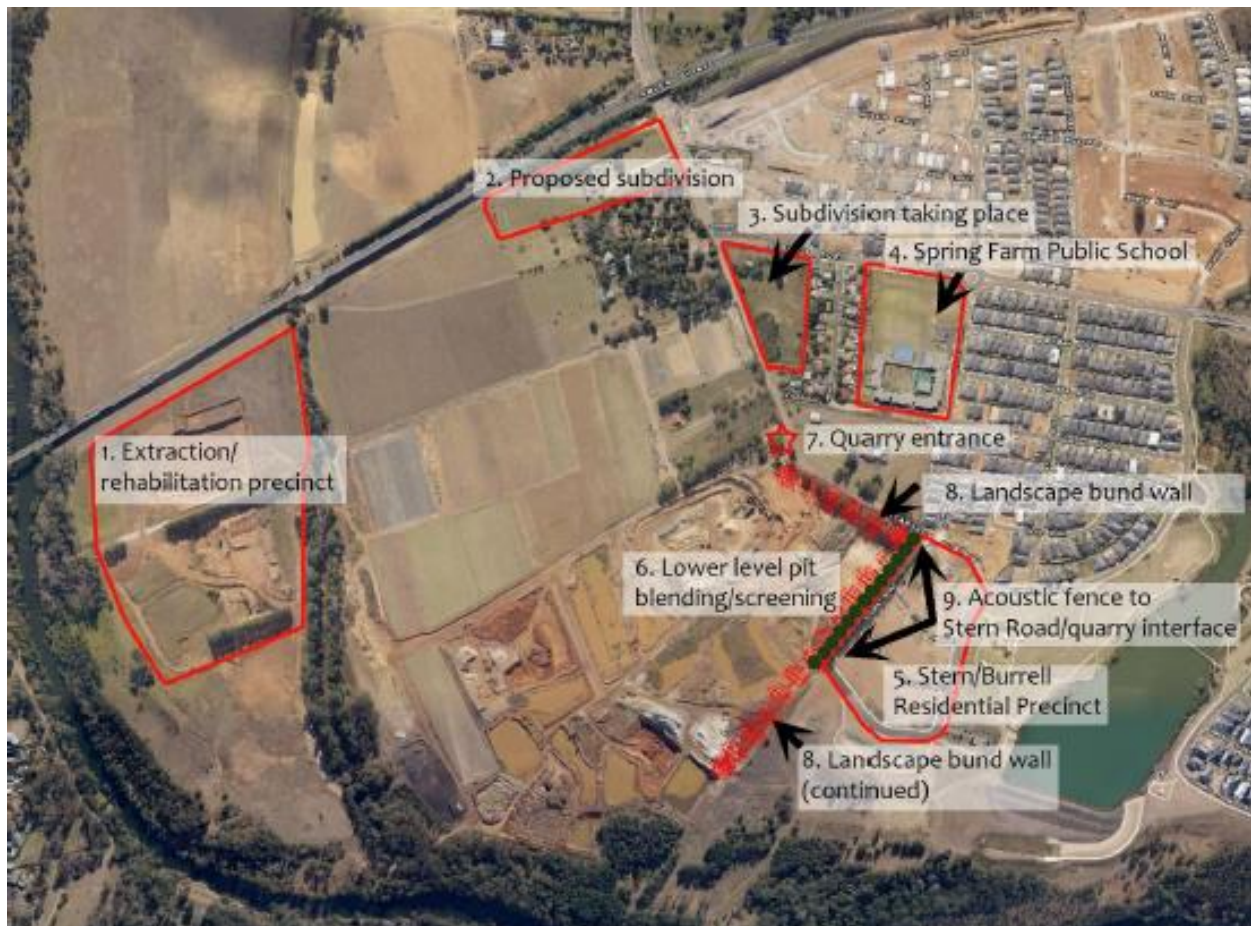
The Department has assessed the merits of the proposed modification in accordance with the relevant objects and requirements of the EP&A Act. In assessing these merits, the Department has considered the:

- Environmental Impact Statement (EIS) for the original development application;
- existing conditions of consent, as modified;
- modification application, the accompanying Modification Report and the Submissions Report;
- advice from government agencies and community representations; and
- relevant EPIs, policies and guidelines.

### 5.1 Urban Development and Land Use Conflict

The continuing expansion of residential development around the Quarry has been recognised by Collins, Council and the community as being an important matter for consideration.

The Spring Farm area has developed rapidly in recent years with the Spring Farm Public School and residential development constructed close to the Quarry. Areas to the south east and east of the Quarry have developed most recently, with additional development expected on sites to the north and north east of the Quarry in the coming years (see **Figure 4**).



**Figure 4** | The Quarry site in relation to the approved Spring Farm residential development areas



Council's masterplan for the Spring Farm area identifies future residential development on flood-free parts of Lot 1 which are currently used for storage, processing and screening (see **Figure 5**) and future district-scale playing fields on flood affected parts of Lot 1. The masterplan also identifies that residential development close to the Quarry would occur after quarrying and rehabilitation works are complete.



*Note: this figure has been edited to show the approximate location of extraction and processing areas*

**Figure 5 |** Excerpt from the Spring Farm Masterplan illustrated in Camden Council's DCP 2019

The Modification Report included a Consultation Outcomes Report which outlined the findings of Collins' community consultation in Spring Farm and adjoining suburbs. The consultation highlighted community concerns relating to the ongoing operation of the Quarry with regard to noise, dust, traffic and biodiversity impacts.

The Department notes that the severity of the impacts associated with the Quarry would not change under the current proposal, but would continue over a longer period. The Department has therefore considered the appropriateness of extending the life of the Quarry and whether it could continue to co-exist with surrounding land uses for an additional two years.

The need to manage the amenity impacts of historic land uses in urban release areas, as they transition to an urban environment, is a common issue in areas such as Western Sydney. To date, successful co-existence of the Quarry and the growing Spring Farm area has been achieved through:

- staging development so that areas close to the Quarry and flood-free parts of the Collins site develop last;
- ongoing consultation between Collins, Council and the new Spring Farm community (for instance Collins worked with the new Spring Farm Public School to keep student/pedestrian access points away from the Quarry and undeveloped residential areas where construction traffic will be concentrated);
- progressive extraction and rehabilitation of the Quarry to reduce the potential visual impacts of the extraction area;
- application of strict monitoring and reporting requirements to ensure compliance with conditions of consent relating to amenity impacts; and
- noise attenuation measures being applied by Council for new residential development that is approved close to the Quarry operations.

Council has not adopted a timeframe for the establishment of sporting fields on part of Lot 1. For the sporting fields to be developed, Council would need to reach a commercial agreement with Collins and establish planning mechanisms to support their delivery (e.g. changing the land use zoning to a recreation zone and/or application of land acquisition provisions in Council's LEP). Given these actions could proceed concurrently while the Quarry finalises its extraction and rehabilitation, its continuation for an additional two years is unlikely to materially delay delivery of Council's recreation and sporting aspirations for this area.

Given that new residential developments have continued to occur around and encroach upon the existing Quarry, the Department is satisfied that the extension in the Quarry's operation is unlikely to curtail new residential development in Spring Farm. The Department considers that continuation of the Quarry for a limited two-year period is unlikely to unreasonably impact on either recreation opportunities or residential development in Spring Farm.

## 5.2 Noise

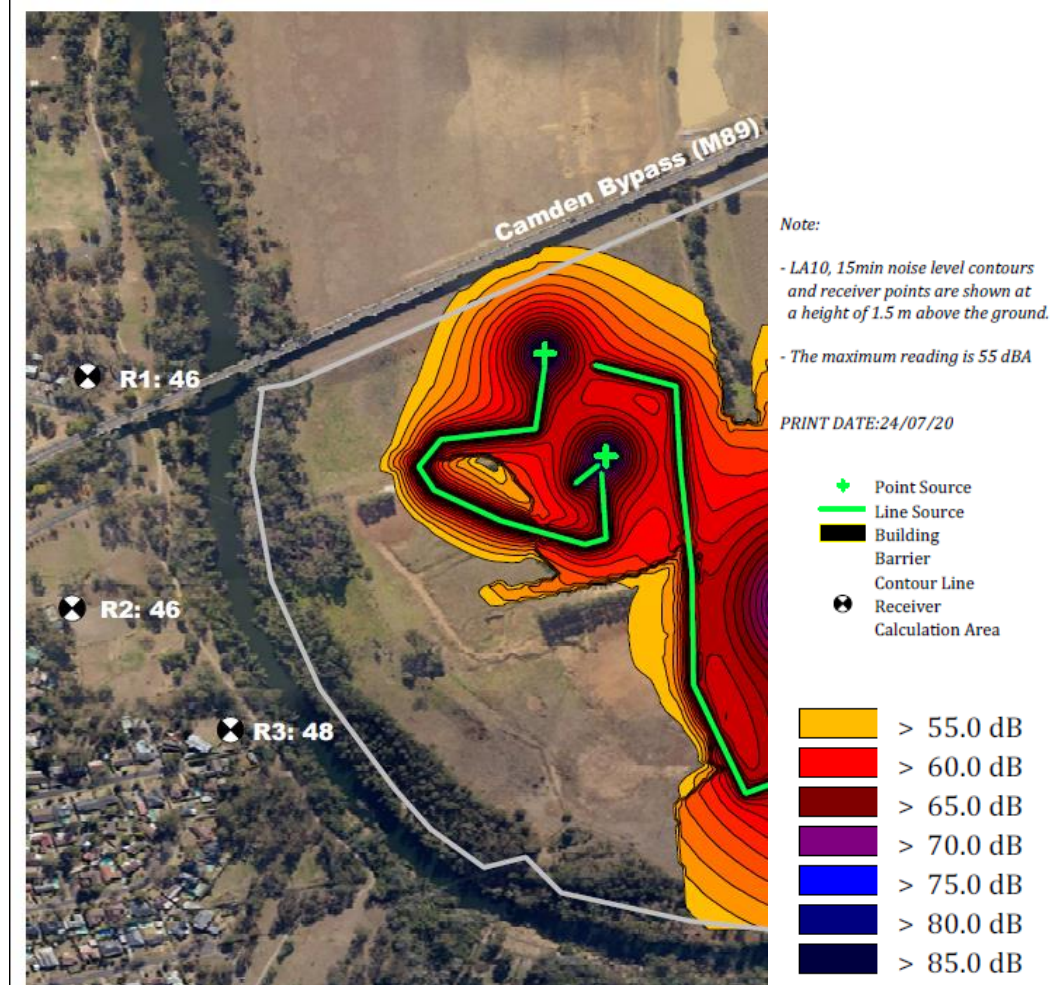
The Modification Report included a Noise Impact Assessment (NIA), prepared by Koikas Acoustics Pty Ltd in accordance with the *NSW Noise Policy for Industry*.

The proposed modification would not increase the intensity of quarrying operations or change the location of noise sources. Rather, the modification would allow the continuation of quarrying and rehabilitation activities in the north west corner of the broader Quarry site, which is more than 800 m away from the new residential development in that area. The closest sensitive receptors to the activities regulated under the current consent are R1, R2 and R3, which are all located greater than 400 m to the west and south west of the extraction area, across the Nepean River (see **Figure 6**).

The current consent (DA 75/256) does not impose specific noise criteria for the quarrying activities. Rather, it requires Collins to maintain compliance with the noise impact assessment criteria under the site's EPL. The current assessment criterion under EPL 4093 is 55 dB(A)<sub>LA10(15 minute)</sub>. Quarry operations are also limited to 7:00 am to 5:00 pm Monday to Friday and 8:00 am to 1:00 pm on Saturdays.

The NIA was based on noise measurements taken across the site throughout the day and noise source measurements for the primary noise sources associated with the Quarry's operation. The NIA assessed combined operational noise associated with the extraction, processing and transport of quarry materials on site. However, as processing activities are not regulated under DA 75/256, actual noise impacts associated with the proposed modification would be substantially less than those modelled in the NIA.

The NIA indicates that the cumulative noise impacts of extraction and processing activities would continue to comply with the Quarry's existing operational noise criteria under EPL 4093 for surrounding receivers over the extended two-year period. The predicted noise contours associated with the extraction and rehabilitation areas, relative to the existing EPL noise limit and the location of sensitive receptors R1, R2 and R3 is shown in **Figure 6**.



**Figure 6 |** Operational noise contours for extraction and rehabilitation area, relative to Sensitive Receptors R1, R2 and R3

The EPA did not raise any concerns regarding the NIA or recommend that the existing noise limits under the EPL be re-evaluated, in light of the changing noise environment.

The Department is satisfied that the noise impacts associated with the extraction and rehabilitation areas regulated under DA 75/256 would remain the same as for the current operations and could be suitably managed under the current consent conditions and an updated Noise Management Plan.

While processing activities are outside the scope of DA 75/256 and the current modification, the Department notes that Council's conditions of approval for the adjoining residential subdivision require the developer to implement abatement strategies to reduce potential noise impacts on residential receivers. These conditions require the installation of an acoustic barrier, the establishment of easements and provision of laminated glass windows with acoustic seals for properties most likely to be impacted by noise from the Quarry's operations.

Overall, the Department considers that the combination of existing noise management measures applied to the Quarry, the separate processing facilities and new residential developments can appropriately manage noise impacts on sensitive receivers during the final two years of quarrying operations.



### 5.3 Air Quality

The Modification Report included an Air Quality Impact Assessment (AQIA) undertaken by GHD in accordance with the EPA's *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (Approved Methods 2016) and consistent with the *NSW Voluntary Land Acquisition and Mitigation Policy* (VLAMP).

As discussed in **Section 5.2**, the proposed modification would not change the nature of quarrying operations or the location of dust sources, and the remaining extraction areas are located more than 400m from the closest sensitive receptors (R1, R2 and R3). Extraction and loading in these areas is undertaken by two front end loaders, with soil then screened before being transported via truck to the main processing and stockpile area which is regulated under the existing Council-issued consent.

The AQIA established background air quality based on data collected from the Department's ambient air quality monitoring station at Camden, which is located approximately 4 km from the site. The AQIA including dispersion modelling of total suspended particulate matter, PM<sub>10</sub>, PM<sub>2.5</sub> and dust deposition concentrations to determine the potential air quality impacts of the proposed modification at 11 sensitive receptors in the area surrounding the Quarry.

The AQIA indicates that quarrying operations would comply with the relevant air quality criteria specified in the Approved Methods 2016 at all sensitive receptors during the two-year extension period. The Department notes that these criteria are more stringent than those currently imposed under DA 75/256.

Cumulative 24-hour average PM<sub>10</sub> concentrations exceeding 50 µg/m<sup>3</sup> were predicted at receptors R1, R2 and R3 on a single day during the modelled year. However, the Department notes that, consistent with the VLAMP, 24-hour average PM<sub>10</sub> criteria should be applied on an incremental (project specific) basis, rather than cumulatively. The maximum incremental contribution of quarrying operations to 24-hour PM<sub>10</sub> concentrations at receptors R1, R2 and R3 is 14 µg/m<sup>3</sup>, well below the relevant criterion of 50 µg/m<sup>3</sup>.

The EPA did not raise any concerns regarding the AQIA or recommend any changes to existing conditions of consent with respect to air quality.

While the proposed modification would not change the nature or severity of air quality impacts, relative to the approved development, it would prolong those impacts for a further two years. As such, the Department has taken the opportunity to update the existing air quality criteria to reflect the more stringent requirements of the Approved Methods 2016. The Department notes that Collins also would be required to review and update its existing Air Quality Monitoring Program (AQMP) to reflect the changes made under the modification.

Overall, the Department considers that the air quality impacts of the proposed modification are acceptable and could be appropriately managed under existing and recommended conditions of consent and an updated AQMP.

### 5.4 Rehabilitation and Final Landform

The Modification Report also included a review and summary of the current Landscape Management Plan (LMP) which includes the Quarry Closure and Rehabilitation Plan, prepared by Harvest Scientific Services.

The current LMP proposes to rehabilitate the Quarry site to re-establish high-order agricultural land in the flood prone areas subject to the proposed extractive activities and identified riparian vegetation corridors along particular areas of the site (see **Figure 7**). No changes to the approved final landform are proposed.

The Department is satisfied that rehabilitation can continue to be appropriately managed under existing conditions of consent and the site's LMP.



**Figure 7 |** Extraction and Rehabilitation Staging Plan

## 5.5 Other Issues

The Department's assessment of other issues associated with the modification is summarised in **Table 2**.

**Table 2 |** Summary of other issues

| Issue                        | Findings   | Recommendations  |
|------------------------------|--|--|
| <b>Traffic and Transport</b> | <ul style="list-style-type: none"> <li>The Modification Report included an updated review of the traffic and transport assessment undertaken for the original project and previous modifications, and identified projected traffic impacts resulting from the proposal.</li> <li>Truck movements during the two-year extension period would remain within existing limits under the consent (currently up to 36 laden truck movements per day (averaged over any working week) or 80 on any working day).</li> <li>The Modification Report indicates that the current road network and MacArthur Road/Spring Road intersection is adequate to accommodate ongoing trucking associated with any extension in the</li> </ul> | No additional conditions are required to manage traffic and transport impacts. |

Quarry's life. Council did not raise any concerns regarding the capacity of the road network in its submission.

- Community representations identified the use of local roads by Quarry trucks as a key issue of concern. Collins has clarified that MacArthur Road is the only local road used by its trucks and that any observed trucking activity elsewhere in Spring Farm is more likely associated with residential construction nearby.
- Quarry activities are not proposed to be intensified and no changes to trucking limits or transport routes are proposed. Overall, the Department considers that the traffic-related impacts of the modification are likely to be negligible.

|   |  |   |
|---|--|---|
| <b>Visual</b>                           | <ul style="list-style-type: none"> <li>• The Modification Report included an updated Visual Impact Assessment of the proposal, undertaken by Pascoe Planning Solutions.</li> <li>• The proposed modification does not seek to change any operational or post-extraction rehabilitation outcomes for the Quarry.</li> <li>• The Department is satisfied that the approved mitigation measures, including visual screening by the establishment of the Dry River Anabranche vegetation and staged retention of screening vegetation south of the current extraction site remain appropriate</li> </ul> | No additional conditions are required to manage visual impacts.                           |
| <b>Aboriginal and Historic Heritage</b> | <ul style="list-style-type: none"> <li>• The proposed modification would not increase the approved disturbance area and would not result in any additional impact to Aboriginal or historic heritage items.</li> </ul>   | No additional conditions are required to manage Aboriginal and historic heritage impacts. |
| <b>Flooding</b>                         | <ul style="list-style-type: none"> <li>• The Modification Report included a review of flood investigations and modelling undertaken for the original project and previous modifications.</li> <li>• Subject to the implementation of existing conditions and mitigation measures, the extension of time sought would not result in any further impacts beyond those already approved.</li> </ul>   | No additional conditions are required to managed flooding impacts                         |
| <b>Biodiversity</b>                     | <ul style="list-style-type: none"> <li>• As no changes to operational areas are proposed, the modification is not expected to increase impacts to biodiversity.</li> <li>• Collins proposes to continue to rehabilitate and conserve the Anabranche and Nepean Riverbank, which would mitigate any potential impacts of continued quarrying.</li> <li>• The Department is satisfied that the modification would not result in additional ecological impacts and management of potential impacts could be achieved by updating current management plans.</li> </ul>                                   | No additional conditions are required to manage biodiversity impacts.                     |
| <b>Soil and Water</b>                   | <ul style="list-style-type: none"> <li>• The Department considers that erosion and sediment risks can continue to be appropriately managed under existing conditions of consent and updated Water Management Plan for the site.</li> </ul>   | No additional conditions are required to manage impacts to soil and water.                |



## 7 Evaluation

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. This assessment has shown that, subject to the implementation of existing and recommended conditions, the proposed modification could be carried out with minimal environmental impacts.

While the proposed modification would extend the duration of noise, dust and traffic impacts associated with quarrying operations, it would not increase the magnitude of these impacts on nearby sensitive receptors. The Department considers that quarrying operations can continue to be carried out in compliance with relevant noise and air quality criteria, and in accordance with a suite of updated management plans. The Department also considers that the proposal would result in negligible impacts on biodiversity, groundwater, surface water and Aboriginal and historic heritage values.

The proposed modification would facilitate the full recovery of a regionally significant soil and sand resource and facilitate the continued supply of sand and soil to the Greater Sydney Region construction market. The modification would also provide ongoing employment for the existing 13 quarry-based employees.

Overall, the Department considers that the positive social and economic impacts generated by the modification would outweigh any negative environmental and social impacts. Consequently, the Department considers that the modification is in the public interest and should be approved.

The Department has drafted a Notice of Modification (see **Appendix D**) and a consolidated version of the development consent (see **Appendix E**), as it is proposed to be modified. The Department has also taken the opportunity to recommend some minor administrative changes to update existing conditions and reflect the Department's current drafting standards. The Department has consulted with Collins in the preparation of the recommended conditions.

## 8 Recommendation

It is recommended that the A/Director, Resource Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application DA 75/256 MOD 5 falls within the scope of section 4.55(1A) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification;
- **modifies** the consent DA 75/256; and
- **signs** the attached approval of the modification (**Appendix D**).

**Recommended by:**



**Robert Hodgkins**  
Team Leader  
Resource Assessments

## 9 Determination

The recommendation is **Adopted** by:



23 April 2021

**Lauren Evans**  
A/Director  
Resource Assessments

as delegate of the Minister for Planning and Public Spaces

# Appendices

## **Appendix A – Modification Report**

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/35006>

## **Appendix B – Submissions**

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/35006>

## **Appendix C – Submissions Report and Additional Information**

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/35006>

## **Appendix D – Notice of Modification**

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/35006>

## **Appendix E – Consolidated Consent**

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/35006>