

Modification Report

Bass Point Quarry

MP08_0143 Mod 6
Concrete and Glass Recycling



Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

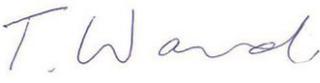
We pay our respects to their Elders past, present and emerging.

'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

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Contents

1.0	Introduction.....	5
1.1	Overview of the Approved Development	5
1.2	Background.....	6
1.3	Analysis of Alternatives.....	7
2.0	Strategic Context	8
3.0	Description of Modifications	9
3.1	Modification to Development.....	9
3.2	Modification to Conditions	11
4.0	Statutory Context.....	12
4.1	Compliance with Statutory Requirements.....	12
5.0	Engagement	13
6.0	Assessment of Impacts.....	14
6.1	Noise.....	17
6.2	Waste Management	19
6.3	Surface Water Management.....	20
7.0	Justification of the Modified Project.....	22
8.0	Conclusion.....	22

Table of Figures

Figure 1	Regional context of the site.....	6
Figure 2	Shellharbour Structure Plan	8
Figure 3	Aerial Photo of Quarry Site, showing location of existing processing area (shaded in red) and proposed recycling area (yellow star)	9
Figure 4	General arrangement of proposed recycling area.....	10

Table of Tables

Table 1 – Summary of statutory compliance	12
Table 2 – Assessment of Impacts.....	14
Table 3 – Existing Noise Criteria.....	17
Table 4 – Predicted Noise Levels	18

Appendices

- A** Updated Project Description
Ethos Urban
- B** Updated Mitigation Measures Table
Ethos Urban
- C** Statutory Compliance Table
Ethos Urban
- D** Environmental Noise Assessment
Harwood Acoustics
- E** Air Quality Management Plan
Hanson
- F** Transport Management Plan
Hanson
- G** Surface Water Management Plan
Hanson
- H** Waste Management Plan
Insite
- I** Manifest of Schedule 11 Hazardous Chemicals
Hanson
- J** Recovered Glass Sand Order and Exemption 2014
NSW Environment Protection Authority
- K** Recovered Aggregate Order and Exemption 2014
NSW Environment Protection Authority

1.0 Introduction

This modification report has been prepared by Ethos Urban on behalf of Hanson Construction Material Pty Ltd (the applicant) to accompany a modification application pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks to modify the Major Project Approval for the Bass Point Quarry, Shell Cove (MP08_0143).

The proposed modification will facilitate the importation of concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, as well as third party sourced recycled glass, to the existing Bass Point Quarry, where mobile crushing systems will be used to process the resources into recycled aggregate. The proposed modification will ensure recyclable materials are beneficially reused in the building and construction industry, minimising the demand for new resources in the manufacture of aggregates and concrete. There is no change proposed to the total dispatched volumes from the site as currently authorised under MP08_0143.

Section 4.55(1A) of the EP&A Act states that a consent authority may, in accordance with the *Environmental Planning & Assessment Regulation 2021* (EP&A Regulations), modify the consent if it is satisfied that the proposed development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted.

The modification application is based on the supporting technical information appended to this Report (see Table of Contents). This Report has been prepared in accordance with Part 5 of the EP&A Regulations and the Department of Planning and Environment's (DPE) *State Significance Development Guidelines – Preparing a Modification Report*. It identifies the consent to be modified, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration.

1.1 Overview of the Approved Development

Major Project Approval for the Bass Point Quarry (MP08_0143) was granted by the Executive Director, as delegate for the Minister for Planning, on 28 January 2014. The development consent consolidates the previous seven consents operating on the site, whilst also extending the operation of the quarry by 30 years, and increasing the maximum production of quarry products to 4 million tonnes of quarry products per annum (with a maximum of 3 million tonnes per annum to be dispatched by road, and the remaining 1 million tonnes to be shipped).

The site is located on Bass Point Quarry Road in Shellharbour Local Government Area, approximately 5.5km to the southeast of the Shellharbour city centre. The site is currently occupied by the Bass Point Quarry which spans approximately 157ha and has contained an operating quarry since the 1880s. The site is legally described as Lot 22 in DP 1010797. Hanson is the owner and operator of the quarry.

The location of the site is shown in **Figure 1**.

This modification has been prepared for the purposes of seeking approval for the importation of concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, as well as third party sourced recycled glass to the existing Bass Point Quarry, where mobile crushing systems will be used to process the resources into recycled aggregate to be incorporated into the quarry's aggregate production system. This application represents the fifth modification to MP08_0143.

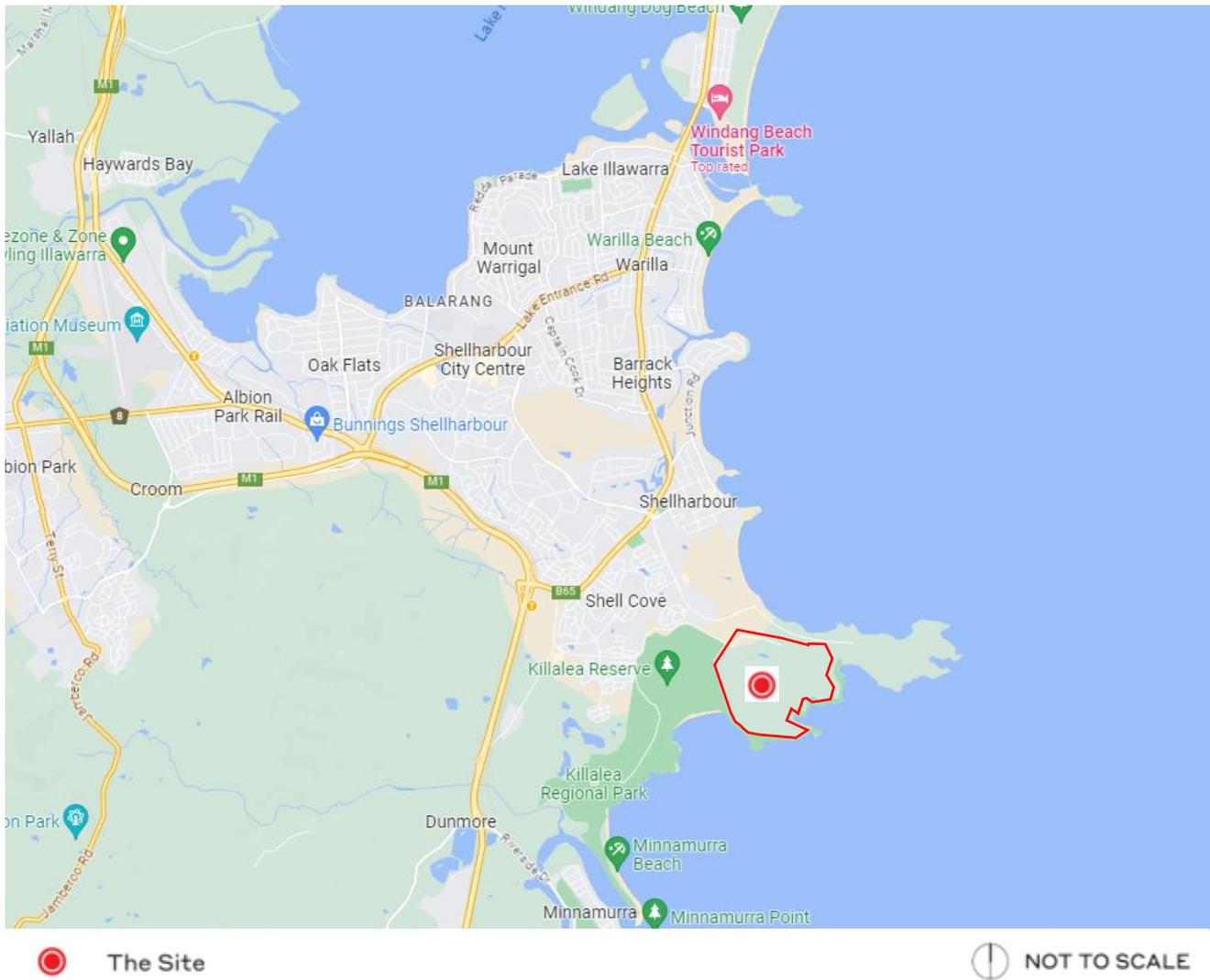


Figure 1 Regional context of the site

Source: Google Maps, Ethos Urban

1.2 Background

Since the approval of the original Major Project Approval, various changes have been made to the design and operation of the Bass Point Quarry. MP08_0143 has been modified previously three times, and a fourth modification application is currently under assessment. As such, this application represents the fifth modification to MP08_0143. The details of previous modifications are provided below.

1.2.1 Previous Modification 1

A modification application (Modification 1) was lodged with the Department of Planning and Environment on 3 May 2017 that sought to amend the position of the office and noise monitoring requirements relating to the consent. In particular, Modification 1 included relocating the position of the office, approximately 120 metres to the north. To achieve this, the configuration of bund walls required amendments to allow for a level pad for the office, car park and amenities, and to ensure access across the bund to the office and amenities. Modification 1 was approved on 29 June 2017.

1.2.2 Previous Modification 2

A modification application (Modification 2) was lodged with the Department of Planning and Environment that sought to increase truck movements to/from Bass Point Quarry during the morning shoulder period (5:00am to 7:00am). Modification 2 was approved on 17 January 2019.

1.2.3 Previous Modification 3

A modification application (Modification 3) was lodged on 9 September 2021 that sought to amend the location and scale of the visual amenity barriers. Modification 3 remains under assessment by the Department of Planning and Environment.

1.2.4 Previous Modification 4

A modification application (Modification 4) was lodged with the Department of Planning, Industry and Environment that sought to amend the approved heavy vehicle transport route to allow direct access to the Bass Point Tourist Road to supply materials to the road upgrade being undertaken by Shellharbour City Council. Modification 4 was approved on 9 November 2021.

1.2.5 Modification 5

A modification application (Modification 5) has been initiated by Hanson in relation to the possible installation of a solar power system to power the quarry. This project remains under design development by Hanson and the modification application has not yet been formally submitted.

1.3 Analysis of Alternatives

Two feasible alternatives were considered:

Option 1 – Do nothing

Under the 'do-nothing' alternative, the Bass Point Quarry operations to extract and process up to 69 million tonnes of hard rock over a 30 year period would continue, however, nothing would be done to reduce the demand for new resources in the manufacture of aggregates and concrete. All material dispatched from the site would continue to be sourced as new extracted rock materials.

Option 2 – The proposal

The proposal is to import concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, as well as third party sourced recycled glass, to the existing Bass Point Quarry, where mobile crushing systems will be used to process the resources into recycled aggregate to be incorporated into the quarry's aggregate production system. The proposal will ensure recyclable materials from the building industry are beneficially reused and will minimise the demand for new resources in the manufacture of aggregates and concrete. This will be done without any change to the total dispatched volumes from the site.

2.0 Strategic Context

The development is located within the Bass Point Quarry, Shell Cove.

The modified development is consistent with the **Illawarra Shoalhaven Regional Plan 2041** as it will support the continued operation of an existing resource extraction activity and will not adversely impact the quarrying activities.

In particular, Objective 10 of the Regional Plan is to sustainably maximise the productivity of resource lands, and Strategy 10.1 is to consider the ongoing operation of existing mining and resource extraction in strategic planning and local plans. The proposed modification will support the sustainability and efficiency of the existing quarry, whilst maximising the sustainable use and reuse of the extracted materials.

Further, Objective 16 of the Regional Plan seeks to support the development of a circular economy, with Strategy 16.1 aiming to implement strategic planning and waste management strategies that support development of the circular economy and enhance opportunities for industrial symbiosis. The proposed modification specifically seeks approval for the reuse of Hanson's own waste stream (i.e. concrete from its own network of concrete batching plants) as part of its aggregate production process, which is the kind of internal industrial symbiosis that will support the development of the circular economy. The proposed modification will also seek to receive glass from third party recycling and waste management facilities, which will more broadly support the development of the circular economy by creating a market for the beneficial reuse of waste (recycled) glass which will further support the development of the circular economy.

The proposed modification is also consistent with the Shellharbour **Local Strategic Planning Statement 2022** and the Shellharbour **Community Strategic Plan 2022-2032** as it will support a strong local economy and a productive and innovative region. It will also assist in managing waste as a valuable resource and minimising environmental impacts which is a key objective of the Community Strategic Plan. The Shellharbour Structure Plan is shown in **Figure 2**, and specifically highlights the Bass Point Quarry as a 'Mineral Resource Area'.

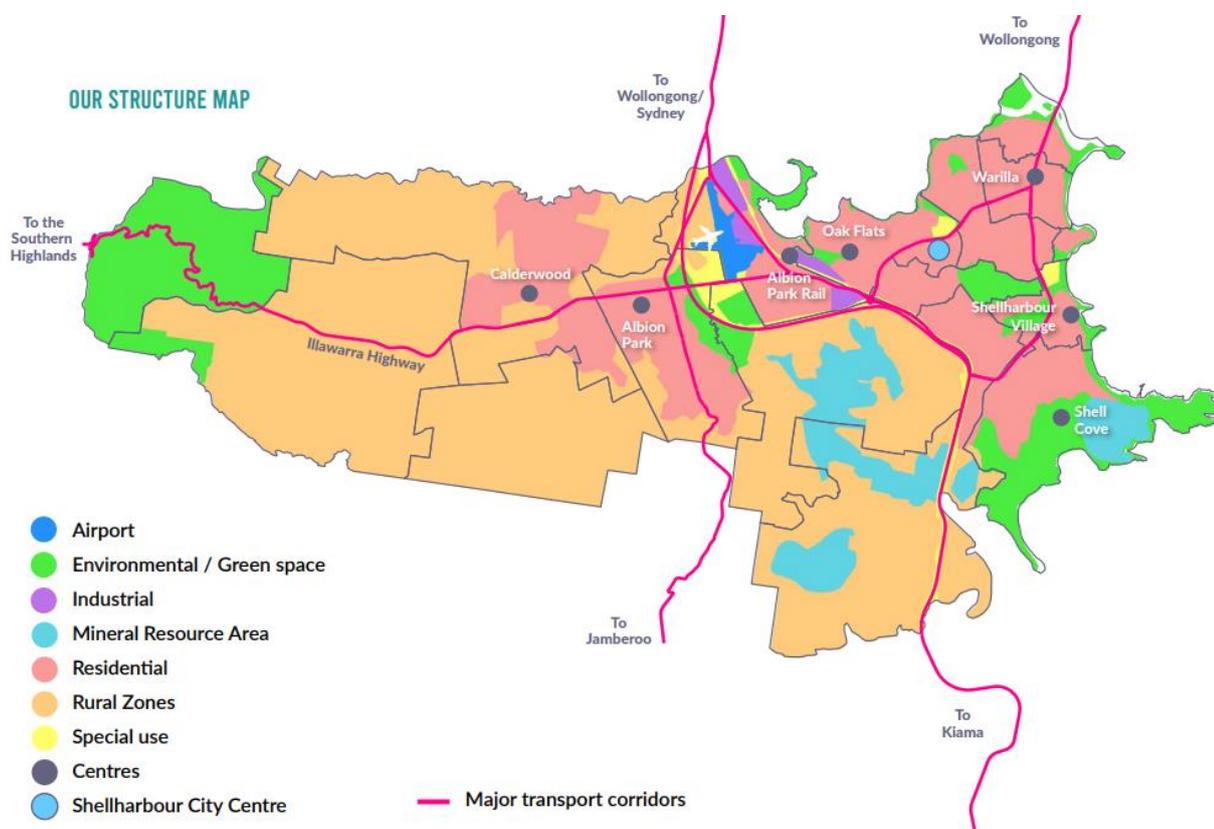


Figure 2 Shellharbour Structure Plan

Source: Shellharbour Local Strategic Planning Statement 2022

3.0 Description of Modifications

3.1 Modification to Development

The proposed modification seeks to allow for the importation of concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, and third party sourced recycled glass, to the site for processing into aggregate. The volume proposed to be imported into the Quarry site for recycling includes:

- Concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries – up to 160,000 tonnes per annum.
- Recycled glass will be sourced from a third party up to 40,000 tonnes per annum.

The modification also seeks consent for a mobile crushing device to process the imported concrete waste and other materials. A mobile crusher would be located within an area close to the existing quarry processing area, as shown in **Figure 3**. Once crushed, recycled materials will either be sold as recycled road base, glass sand, recycled concrete aggregate and recycled concrete dust products or will be fed back into the main aggregate processing system at the Quarry – creating a blended road base product.

The location of the proposed recycling facility is within the eastern part of the quarry site, in the area formerly used for the historical fixed processing plant. The general arrangement of recycling plant and stockpiles for raw feed and final products is shown in **Figure 4**.

The imported waste material for recycling will arrive at the site in aggregate delivery trucks that would otherwise be required to come to the site empty to haul quarry materials away from the site. These aggregate haulage trucks already come to and from the Quarry, however, these trucks are now proposed to arrive laden with the imported concrete waste or glass materials as opposed to arriving empty. As such, the proposal will not increase the total number of trucks accessing the site as approved in MP08_0143.



Figure 3 Aerial Photo of Quarry Site, showing location of existing processing area (shaded in red) and proposed recycling area (yellow star)

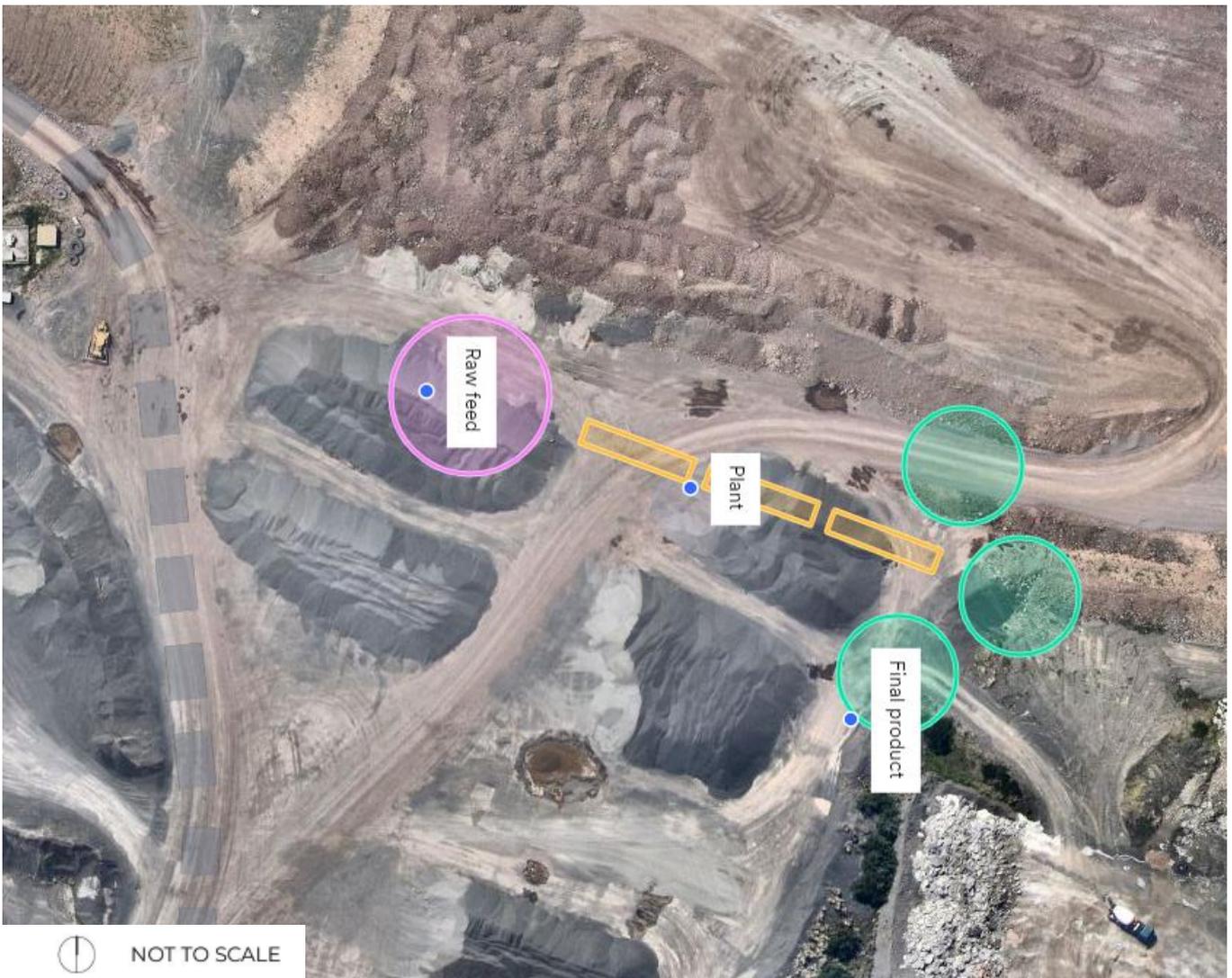


Figure 4 General arrangement of proposed recycling area

Hanson currently operates a range of quarry and aggregate processing equipment at the Bass Point Quarry, including crushers, screens, front end loaders, excavators and dump trucks. The same type of equipment will be used for the recycling activities. The following additional plant and equipment will be used for the proposed recycling activities:

- 1 power screen
- 1 mobile concrete crusher
- 1 front end loader
- 1 excavator.

The recycling activities will also rely on dump trucks currently operational within the quarry.

It is also not proposed to change the total production limit of the quarry, which is specified in the development consent as up to 4 million tonnes of quarry products per year, of which a maximum of 3 million tonnes per year can be transported by road. The proposed 200,000 tonnes per annum of recycled aggregate therefore represents only 5% of the total production capacity of the Bass Point Quarry.

A revised project description is provided in **Appendix A**.

3.2 Modification to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in **bold italics**.

Definitions

Quarry Products

Extractive materials ***and other aggregates*** which are produced at the site including hard rock products, ***recycled aggregates***, and manufactured sand, but not including concrete.

Terms of Approval

2. The Proponent must carry out the project:

- (a) Generally in accordance with the EA, EA (MOD 1), EA (MOD 2), Modification Report (Modification 4), ***Modification Report (Modification 6)*** and the project layout, and
- (b) In accordance with the statement of commitments and the conditions of this approval.

Notes:

- *The project layout is shown in Appendix 1.*
- *The statement of commitments is reproduced in Appendix 3.*

Reason: To ensure that the conditions of consent reflect the quarry operations, as proposed to be modified under Modification 5.

4.0 Statutory Context

4.1 Compliance with Statutory Requirements

The proposed modifications have been assessed against the relevant provisions of the applicable State Environmental Planning Policies (SEPPs) and the Shellharbour Local Environmental Plan 2013 (LEP). **Table 1** summarises the modification's compliance with the key statutory requirements, including relevant SEPP and LEP controls.

Table 1 – Summary of statutory compliance

Instrument	Assessment
Environment Protection and Biodiversity Conservation Act 1999	Where a proposal is deemed likely to have a significant impact on Matters of National Environmental Significance it is a controlled action under the Commonwealth <i>Environment Protection & Biodiversity Conservation Act 1999</i> (EPBC Act), and approval from the Commonwealth Minister for the Environment is required. The proposal will take place within the operational footprint of the existing quarry, and so will not result in any impacts to Matters of National Environmental Significance. As such, no controlled action referral is required.
Environmental Planning and Assessment Act 1979	<p>The <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) establishes the assessment framework for development in NSW.</p> <p>Development consent MP08_0143 was approved as State Significant Development in January 2014. Pursuant to Section 4.55(1A) of the EP&A Act the development consent can be modified if the consent authority "is satisfied that the proposed modification is of minimal environmental impact" and "is satisfied the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)".</p> <p>The development, as proposed to be modified, is substantially the same development as that originally approved in that:</p> <ul style="list-style-type: none"> • It will not alter the dominant land use at the site, being a quarry. • The proposed additional activities associated with resource recovery are small in relation to the total production capacity of the quarry, and are ancillary to quarrying activities, which include crushing and separating of as part of the aggregate production process. • It will not change the nature of existing operations at the site, being the processing of rock like materials to produce aggregates for the building and construction industry, or the nature of the products produced. • It will not change the annual production limit of aggregates. • It will not result in any additional use of natural resources (including water) or result in any increase in the number of heavy vehicles travelling on local roads; and • It will not change the final quarry rehabilitation outcome or final landform at the completion of quarrying. <p>The modification is of minimal environmental impact for the reasons discussed in Section 6 below.</p>
Protection of the Environment Operations Act 1997	<p>The existing quarry operations are subject of an Environment Protection Licence (EPL 2193) from the Environment Protection Authority (EPA), as it includes activities listed in Schedule 1 of the <i>Protection of the Environment Operations Act 1997</i> – being:</p> <ul style="list-style-type: none"> • Clause 16 for 'Crushing, grinding or separating' with a capacity to process more than 150 tonnes of materials per day or 30,000 tonnes of materials per year. • Clause 19 for 'Extractive industry' that involves the extraction or processing of more than 30,000 tonnes of extractive materials per year. <p>The EPA will need to vary EPL 2193 as a result of the proposed modification to the existing operations on the site, in order to provide for the ancillary resource recovery activities. As such, the modification application should be referred to the EPA.</p>

Instrument	Assessment
Biodiversity Conservation Act 2016	<p>The <i>Biodiversity Conservation Act 2016</i> (BC Act) provides measures for assessing and offsetting impacts on biodiversity values. The BC Act looks to conserve biodiversity at a bioregional and state-wide scale, maintain the diversity and quality of ecosystems and to support biodiversity conservation.</p> <p>Clause 30A of the <i>Biodiversity Conservation (Savings and Transitional) Regulation 2017</i> specifies that the BC Act applies to the modification of a planning approval even if the original planning approval was applied for before the commencement of the BC Act, which it was in this case. Sub-clause 2(c) states that a biodiversity development assessment report is required to be submitted and taken into consideration if one would have otherwise been required for the original Development Application, unless the consent authority for the Modification Application is satisfied that the modification will not increase the impact on biodiversity values.</p> <p>In this context, whilst a biodiversity development assessment report would have been required for the original SSD if it were submitted after the commencement of the BC Act, it is noted that the proposed modification will take place entirely within the existing operational footprint of the quarry and no additional impacts on biodiversity values will occur. As such, it is requested that the Department form the opinion that the proposed modification will not increase any impact on biodiversity values and agree that a biodiversity development assessment report is not required.</p>
State Environmental Planning Policy (Resilience and Hazards) 2021	<p>The Resilience and Hazards SEPP provides a framework for assessing issues associated with storage and use of Dangerous Goods, offensive development, assessment and remediation of contaminated land and management of coastal hazards. It is not expected that any of these assessment issues would be triggered in relation to the proposed modification.</p>
State Environmental Planning Policy (Resources and Energy) 2021	<p>The Resources and Energy SEPP includes matters for consideration in relation to extractive industries, which would be addressed in the Modification Application report. The Resources and Energy SEPP also includes provisions to encourage the co-location of certain industries with quarrying. In particular clause 2.9 of the Resources and Energy SEPP specifies that the processing of construction and demolition waste, or of other material that is to be used as a substitute for extractive material, may be carried out with development consent on any land where extractive industry is already being carried out with development consent, ensuring that the processing of these materials is permissible wherever quarrying activities are being carried out.</p> <p>Please see assessment against relevant provisions of <i>State Environmental Planning Policy (Resources and Energy) 2021</i> in Appendix C.</p>
Shellharbour Local Environmental Plan 2013	<p>The <i>Shellharbour Local Environmental Plan 2013</i> (Shellharbour LEP) includes matters for consideration in relation to development within the Shellharbour LGA. It is considered that the proposed modification will remain compliant with the Shellharbour LEP, as set out in the statutory compliance table appended at Appendix C.</p>

5.0 Engagement

Hanson operates a Community Consultative Committee to ensure ongoing consultation between the quarry operators and the local community. The Committee generally meets quarterly (i.e. 4 times per year), and is made up of:

- Independent Chairperson.
- A representative of Shellharbour Council.
- 4 representatives of the local community

The Committee was notified of the proposed modification during 13 December 2022 meeting. Further update on intention of modification application was provided on 9 May 2023 meeting with intention of submission in 2023 or early 2024. The material types and tonnages were discussed at these Committee meetings.

The Modification 6 Scoping Letter was provided to the Committee members prior to the November 2023 meeting, with CCC members welcome to provide comment on the project. Community Consultative Committee members were generally supportive of the concept, pending review of the Modification Application report.

A summary of the Modification Report will be provided to the Committee and any issues addressed prior to lodgement.

6.0 Assessment of Impacts

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the proposed modification is of minimal environmental impact”. Under Section 4.55(3), the Consent Authority must also take into consideration the relevant matters to the application referred to in Section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following table considers the relevant matters of the modification under Section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

Table 2 – Assessment of Impacts

Matters	Assessment	Reference
Traffic	<p>The proposed modification does not seek an increase in the total number of trucks accessing the site. The aggregate haulage trucks that already come to and from the Quarry site, typically arrive empty. A small proportion of these trucks are now proposed to arrive laden with the imported concrete waste or glass materials as opposed to arriving empty. It is highlighted that the import of up to 200,000 tonnes per annum of waste concrete and glass represents less than 7% of the total volume of aggregates approved to be dispatched by truck from the quarry. As a result, there will be no increase to the previously assessed traffic impact of the site.</p> <p>There is an existing Transport Management Plan for the Bass Point Quarry (refer Appendix F). It is considered that subject to the continued implementation of the management measures in the Transport Management Plan, there will be no traffic impacts as a result of the proposed modification.</p>	Appendix F
Air Quality	<p>The anticipated emissions sources associated with the proposed works include dust emissions from site operations, comprising dust source emissions from vehicle movements and emissions. However, the proposed modification does not seek to increase the amount of emissions already produced at the site. In particular, total truck movements within the site will not increase, and total processing or production limits will not increase. As such, it is not considered that the importing of materials and waste to the site for processing will result in a discernible increase in dust emissions with regard to sensitive surrounding uses.</p> <p>Furthermore, there is an existing Air Quality Management Plan for the Quarry (refer Appendix E). This includes a number of site-specific engineering, operational and planning mitigation measures to ensure that adverse effects on air quality from the quarry operations will be adequately managed and mitigated. Noting that the processing capacity of the recycling area (up to 200,000 tonnes per annum) will be significantly lower (5%) compared to the main processing capacity (4 million tonnes per annum), the key air quality mitigation measures that will be applied at the recycling area include routine water spraying of haul routes, active areas and stockpiles, which is a mitigation measure already adopted within the Air Quality Management Plan.</p> <p>The Air Quality Management Plan also describes a reactive dust management strategy, which is implemented on site. The reactive dust management strategy requires enhanced dust mitigation measures, and changes to operational activities on-site, if measured dust levels exceed specified criteria over any 1-hour period. Dust levels are measured continuously via an existing dust monitoring device located in the northern part of the site, as shown in Appendix E. Given the location of the proposed recycling activities is within the existing operational area of the quarry, the dust measurements carried out for the reactive dust management strategy would be equally relevant for identifying any dust elevated dust emissions arising from those recycling activities as they are for identifying dust emissions from other quarry activities.</p> <p>Subject to the continued implementation of the Air Quality Management Plan, it is not considered that the proposed modification will adversely affect off-site air quality.</p>	Appendix E

Matters	Assessment	Reference
Noise	<p>The site will continue to conduct noise generating activities. Noise generating activities associated with the proposed modification would include:</p> <ul style="list-style-type: none"> • Truck movements delivering materials to site on the public road network, and trucks running through the site, although no new truck movements are anticipated as a result of the proposed modification; and • The processing and crushing of material at the site, whilst the modification will add additional processing equipment within a new processing area, there will be no increase in total processing or aggregate production limits. <p>A noise assessment is appended at Appendix D which demonstrates compliance with the EPA's Noise Policy for Industry, as well as demonstrates that the waste concrete and glass crushing activities will not result in any discernible increase in noise emissions for sensitive receivers associated with the quarry as a whole.</p>	<p>Section 6.1</p> <p>Appendix D</p>
Waste Management	<p>The proposed modification will ensure the beneficial reuse of the waste materials for a beneficial purpose, contributing to the EPA's waste reduction objectives, as set out in the Waste Avoidance and Resource Recovery Strategy.</p> <p>The waste concrete and glass to be received and processed on-site would be classified as General Solid Waste (non-putrescible) in accordance with the EPA's Waste Classification Guidelines. The site will not be a general waste facility, as all materials to be recycled will be obtained from concrete batching plants operated by Hanson and its subsidiaries, or from a licensed facility (in the case of glass imported to site).</p> <p>The recycled aggregate products will be prepared and supplied to customers in accordance with the relevant Resource Recovery Order under the <i>Protection of the Environment Operations (Waste) Regulation 2014</i>.</p> <p>Furthermore, there is an existing Waste Management Plan for the Bass Point Quarry (refer Appendix H) which will continue to be implemented in relation to all other aspects of waste management at the quarry.</p>	<p>Section 6.2</p> <p>Appendix H</p>
Surface Water	<p>The location of the proposed modification is within the existing quarry area, which is subject of active surface water management under the Surface Water Management Plan, which is appended at Appendix G.</p> <p>The surface water management system is further described in Section 6.3.</p> <p>It is considered that the existing stormwater management arrangements are sufficient to continue to manage stormwater on the site for the quarry operations and proposed recycling activities.</p>	<p>Section 6.3</p> <p>Appendix G</p>
Groundwater	<p>One of the key issues arising in the assessment of the original Bass Point Quarry project was the potential effect that extraction down to 40 m below sea level may have on the groundwater system and on natural features which may be supported by groundwater, particularly Killalea Lagoon.</p> <p>The proposed modification does not involve any additional extraction and does not seek to change the currently approved depth of extraction. All recycling activities would occur at the existing ground level, and do not involve any additional excavation. All existing conditions of consent relating to protection of groundwater resources would continue to apply. As such, it is not considered that the proposed modification will adversely affect any groundwater resources.</p>	<p>-</p>

Matters	Assessment	Reference															
Hazards and Risks	<p>A Manifest of Schedule 11 Hazardous Chemicals at the Bass Point Quarry is appended at Appendix I. This sets out the types and volumes of all Dangerous Goods to be stored on-site, which is summarised below in accordance with the initial screening methodology set out in the Department's <i>Applying SEPP 33 Guideline</i>.</p> <table border="1" data-bbox="311 360 1203 472"> <thead> <tr> <th>Dangerous Good</th> <th>Class / Packaging Group</th> <th>Location</th> <th>Storage Capacity</th> <th>Screening Threshold</th> </tr> </thead> <tbody> <tr> <td>Sulphuric acid</td> <td>8(II)</td> <td>EP01</td> <td>1000L</td> <td>25 tonnes</td> </tr> <tr> <td>Sulphuric acid</td> <td>8(II)</td> <td>EP01</td> <td>2000L</td> <td>25 tonnes</td> </tr> </tbody> </table> <p>The total volume of sulphuric acid stored on site is 3,000L which is equivalent to approximately 3 tonnes, significant below the 25 tonne screening threshold. It is highlighted that Combustible Liquids are not classed as Dangerous Goods for the purposes of the Applying SEPP 33 screening assessment where they are not stored in close proximity to Class 3 Flammable Liquids.</p> <p>There is no change to the storage of dangerous goods on site under the proposed modification, and the site remains below the relevant screening thresholds, and so is not a Potentially Hazardous Industry. A Preliminary Hazard Analysis is not required.</p>	Dangerous Good	Class / Packaging Group	Location	Storage Capacity	Screening Threshold	Sulphuric acid	8(II)	EP01	1000L	25 tonnes	Sulphuric acid	8(II)	EP01	2000L	25 tonnes	Appendix I
Dangerous Good	Class / Packaging Group	Location	Storage Capacity	Screening Threshold													
Sulphuric acid	8(II)	EP01	1000L	25 tonnes													
Sulphuric acid	8(II)	EP01	2000L	25 tonnes													
Heritage	The site is within the area that has been historically quarried and has been dramatically altered from its natural pre-quarrying state. No items of Aboriginal or non-Aboriginal heritage could remain present at this part of the site.	-															
Visual	The proposed modification would be carried out within the existing processing area, which is visually screened from surrounding areas by existing bunds and stockpiles. As such, the additional equipment and stockpiles of recovered aggregate products would not be visible from outside the site.	-															
Biodiversity	The site has been historically quarried and has been dramatically altered from its natural pre-quarrying state. No biodiversity values remain present at this part of the site. Given the highly modified landform and obvious lack of biodiversity values at the site, the proposed modification will not increase the impact on biodiversity values. As such, it is requested that the Department form the opinion that the proposed modification will not increase any impact on biodiversity values and agree that a biodiversity development assessment report is not required.	-															
Socio-Economic	<p>The original Department of Planning and Environment assessment report for MP08_0143 identified the following benefits of the project:</p> <ul style="list-style-type: none"> The project would result in significant socio-economic benefits to the local and regional community as a result of capital expenditure, contributions and taxes, and direct employment at the quarry. The project would allow for the provision of high quality quarry products to the regional and Sydney markets for the next 30 years, reducing the need to locate and develop alternative sources over that time. <p>These socio-economic benefits remain equally valid for the Bass Point Quarry as it is proposed to be modified.</p>	-															

6.1 Noise

An Environmental Noise Assessment was carried out by Harwood Acoustics to assess the noise impacts of the proposed modification. The Environment Noise Assessment is provided at **Appendix D** and a summary of the assessment is provided below.

6.1.1 Noise Criteria

The Bass Point Quarry currently operates in accordance with development consent MP08_0143. Condition 3 of Schedule 3 of development consent MP08_0143 sets out noise criteria that apply to all current activities at the Bass Point Quarry, as shown in **Table 3**.

Table 3 – Existing Noise Criteria

Receiver Location	Day / Evening	Night	
	L _{Aeq} (15-min)	L _{Aeq} (15-min)	L _{A1} (1-min)
R4	44	44	54
R5	45	45	55
R6	42	42	52
R7	41	41	51
R8	35	35	45
R9	35	35	45
R11	45	45	55
R12	45	45	55
Any residential property within the Shell Harbour Marina Precinct	48	48	58
Shell Cove Primary School (when in use)	L _{Aeq} (1 hour) 40 (internal)	Not Applicable	

The Environmental Noise Assessment has calculated the noise emissions from the proposed recycling activities in order to ensure the existing noise criteria for the entire Bass Point Quarry can continue to be complied with. A noise goal for new plant and equipment should be set at minimum 10 dBA below the existing noise criteria to ensure the existing noise criteria for the entire Bass Point Quarry can continue to be complied with.

It is noted that the L_{A1}(1-min) is the noise goal for one-off noise sources for the consideration of sleep disturbance. Because the noise goal for one-off noise sources is the same as the cumulative impact of one-off noise sources, the L_{A1}(1-min) noise goal would remain the same.

These noise goals are conservatively low as they are based on existing noise criteria, which are derived from historical background noise levels. It is likely that background and ambient noise levels in the vicinity of many receptors have increased in the years since the original assessment was undertaken, which would lead to higher noise criteria if they were calculated today. None the less, this assessment sets noise goals that are 10 dBA below the existing noise criteria, which is considered to be conservative assessment criteria for the modification.

It is also highlighted that a number of new residential properties have been developed and occupied since the original development consent was granted. These are located on Harbour Boulevard and The Farm Way. These properties were developed as part of the Shell Harbour Marina Precinct project, and the noise criteria applied to these new residential properties is as any residential property within the Shell Harbour Marina Precinct.

6.1.2 Noise Assessment

Hanson currently operates a range of quarry and aggregate processing equipment at the Bass Point Quarry, including crushers, screens, front end loaders, excavators and dump trucks. The same type of equipment will be used for the recycling activities. For the purpose of assessing the noise emissions from the proposed recycling activities, the following noise generating activity scenario has been modelled:

- 1 power screen.
- 1 mobile concrete crusher.
- 1 front end loader.
- 1 excavator.
- 1 dump truck.

The Environmental Noise Assessment includes details of the sound power levels for each of these pieces of plant and equipment, as well as noise modelling parameters. In particular, the noise modelling scenario:

- Takes into account the topography of the quarry and surrounding, including the noise barrier wall erected along the haul road.
- Assumes that each piece of equipment is operating simultaneously at the full sound power level for the full 15-minute modelling period.

The predicted noise levels from the proposed recycling activities are shown in **Table 4**. As is demonstrated in Table 4 the predicted noise emissions from the proposed recycling activities will be below the level required to ensure that the noise from the Bass Point Quarry as a whole are not increased.

Table 4 – Predicted Noise Levels

Receiver Location	Day / Evening/Night dBA L _{Aeq} (15-min)		Night dBA L _{A1} (1-min)	
	Noise Goal	Predicted Noise	Noise Goal	Predicted Noise
R4	34	26	54	<35
R5	35	26	55	<35
R6	32	27	52	<35
R7	31	29	51	<35
R8	25	21	45	<30
R9	25	<20	45	<20
R11	35	26	55	<35
R12	35	26	55	<35
265 Harbour Boulevard	38	29	58	<35
15 The Farm Way	38	30	58	35-37
Shell Cove Primary School (when in use)	30	<20	Not Applicable	

6.1.3 Mitigation Measures

The Environmental Noise Assessment recommends that a post-operational noise compliance assessment be carried out. The Noise Management Plan for the Bass Point Quarry includes a quarterly monitoring program. The noise compliance assessment will be carried out as part of this quarterly monitoring program, and in accordance with the standard specified in Appendix 6 of the development consent in relation to the assessment of noise compliance.

6.2 Waste Management

6.2.1 Resource Recovery Requirements

The modification proposes an arrangement where source-controlled waste material would be delivered directly to the Bass Point Quarry for resource recovery.

The waste material to be received at the quarry would be limited to:

- Waste concrete obtained from the concrete batching plants operated by Hanson and its subsidiaries throughout NSW.
- Waste glass recovered from third party glass recyclers who hold an Environment Protection Licence under the *Protection of the Environment Operations Act 1997* for Resource Recovery.

The Bass Point Quarry recycling facility will not accept mixed loads of general waste or construction and demolition waste. All waste material received at the site is quality controlled by virtue of its source, which will be verifiable through appropriate documentation. Whilst the facility will not be accepting general mixed loads of construction and demolition waste, it will operate broadly in line with the EPA's Standards for Managing Construction Waste in NSW guideline. This will include:

- All loads will be weighed across the weighbridge, and visually inspected to confirm the type of load. It is not expected that there would be any potential for contaminated loads due to the quality controlled source of all waste materials to be received, however, if contaminated loads are discovered at the inspection point the load will be rejected and returned to the source location. A record of all rejected loads will be kept in the facility's rejected loads register.
- All loads will be tipped and spread for inspection prior to placing in the relevant stockpile. Each load will be visually inspected in the tip and spread area for asbestos and other contaminants. If any asbestos waste is identified the entire load of waste will be rejected. Where any other unpermitted waste is identified that waste will be removed from the load, or the entire load of waste will be rejected. Where a load is rejected, the entire load will be immediately reloaded onto the vehicle in which it arrived or onto another vehicle and will be dispatched from the site within one day.
- Following inspection and acceptance of the load, the material will be immediately transferred to the relevant stockpile.
- Separate stockpiles will be maintained for waste concrete and recycled glass. Stockpiles will be kept a minimum of 3m apart.

Output products are aggregates – ranging from finer aggregates (such as Recovered Glass Sand) to coarser aggregates (such as gravel). Aggregates are used in a range of construction activities including for the manufacture of asphalt and concrete, as well as for engineered ground formation such as road base and drainage layers. Different grades of aggregates are blended together in different ratios to create the necessary specification depending on customer needs. Hanson is one of the largest construction materials manufacturers in NSW. Most of the aggregates produced at the Bass Point Quarry recycling facility will be used as in-feed aggregate materials in the manufacture of Hanson's construction materials throughout Sydney. This recycled aggregate material will directly displace the need for more virgin aggregates to be quarried. Subject to market demand, some of the recycled aggregates will be sold to third party contractors for use in construction and infrastructure projects around Sydney.

Recovered aggregate products will be stored in separate stockpiles with appropriate signage and labelling. Recovered aggregate products will be produced in accordance with the following requirements:

- Recovered Glass Sand will be produced in accordance with the Recovered Glass Sand Order 2014 under the Protection of the Environment Operations (Waste) Regulation 2014. The Recovered Glass Sand Order 2014 imposes chemical criteria on the recovered glass sand as well as requirements for frequency and methods of testing the recovered glass sand against the chemical criteria.
- Recovered Aggregates will be produced in accordance with the Recovered Aggregate Order 2014 under the Protection of the Environment Operations (Waste) Regulation 2014. The Recovered Aggregate Order 2014 imposes chemical criteria on the recovered aggregates as well as requirements for frequency and methods of testing the recovered aggregates against the chemical criteria.

- Both the Recovered Glass Sand Order 2014 and the Recovered Aggregate Order 2014 include notification, record keeping and reporting requirements. In particular:
 - Hanson will provide each customer with a compliance certificate that all of the requirements of the relevant Order have been met.
 - Hanson will provide each customer with a copy of the relevant Order and the relevant Exemption.
- The Recovered Glass Sand Exemption 2014 specifies that the recovered glass sand can only be applied to land for the purpose of pipe bedding, drainage or for road making activities.
- The Recovered Aggregate Exemption 2014 specifies that the recovered aggregate can only be applied to land in road making activities, building, landscaping and construction works, but does not authorise the use of recovered aggregates for the following application:
 - Construction of dams or related water storage infrastructure,
 - Mine site rehabilitation,
 - Quarry rehabilitation,
 - Sand dredge pond rehabilitation,
 - Back filling of quarry voids,
 - Raising or reshaping of land used for agriculture, and
 - Construction of roads on private land unless the recovered aggregate is applied only to the minimum extent necessary for the construction of the road, and a development consent has been granted, or it is to provide access (temporary or permanent) to a development approved by a Council, or the works are either exempt or complying development.

A copy of the Recovered Glass Sand Order and Exemption 2014 is provided in **Appendix J**. A copy of the Recovered Aggregate Order and Exemption 2014 is provided in **Appendix K**.

6.2.2 Waste Management Plan

The Bass Point Quarry currently operates in accordance with an existing Waste Management Plan (refer **Appendix H**), which identifies that the quarry activities do not produce any residual waste streams. As such, waste generated at the Bass Point Quarry is limited to small volumes of office waste (including recyclables) and workshop wastes. These waste streams are removed by suitably licenced contractors for disposal or recycling as appropriate. Additional waste streams generated from the recycling activities proposed under this modification application are similarly expected to be minimal, as no contaminated loads are expected to arrive at the site. Any contamination within received loads of waste concrete or glass will be similarly disposed of to a suitably licenced waste management facility. The site's Waste Management Plan will be updated accordingly.

6.3 Surface Water Management

6.3.1 Existing Surface Water Management System

The site water management system comprises the following:

- A clean water diversion system, whereby rain falls within one of three catchments and is diverted to pits for reuse via grading of the surface level towards the pit as well as drainage channels or earth mounds where required.
- Erosion and sediment control measures, such as:
 - Reconfigured bund and sediment fences.
 - Sedimentation basins, which have been appropriately designed and sized for the quarry operations, within the eastern and western quarry pits to act as a sump and capture and treat stormwater prior to reuse onsite or discharge.
- Onsite water storage, including sedimentation basins, rainwater tanks, and reticulated town water tanks.
- Water transfers from quarry voids to sedimentation basins prior to discharge via one of the site's licensed discharge points.
- Discharge of surplus water into the ocean via the following approved discharge points:
 - Discharge Point 1 (DP1) – upstream end of the spillway pipe on drop cut dam.
 - Discharge Point 2 (DP2) – eastern side of quarry.
 - Discharge Point 3 (DP3) – northern side of quarry.

- The site discharges to the ocean are regularly monitored for water quality and presence of oil and grease. A Contingency and Response Plan has been prepared for implementation in the event that there is an indication of pollutants in sedimentation basins which exceed the trigger criteria.
- An on-site effluent irrigation system for the site's sewage effluent load.

The existing surface water management system will not be altered. The proposed recycling area will be located within the Eastern Pit, in an area formerly used for historical aggregate processing. All surface water runoff from the proposed recycling area will continue to be collected within the Eastern Pit sediment basin, for treatment and reuse, where appropriate, or disposal via the approved discharge points DP1 and DP2.

6.3.2 Water Balance

The Surface Water Assessment and Stormwater Management report provided at Attachment 14 of the Environmental Assessment for MP08_0143 included a detailed water balance model.

Based on the original assumptions, water demand for processing activities is directly proportional to the production rate. Whilst a new mobile crusher will be introduced to the recycling area, the overall production rate will not be increased. As such, the demand for clean town water for production is not expected to change and will remain as already assessed and approved at up to 213 Kilolitres per day.

The recycling area is located within the Eastern Pit which was originally modelled as having an excess of up to 1,638 Megalitres per year of water requiring discharge into the ocean via DP1 and DP2. Inflow into the Eastern Pit is from groundwater (modelled at up to 1,252 Megalitres per year) and stormwater (modelled at up to 489 Megalitres per year). Water demand for dust suppression was modelled at up to 91 Megalitres per year. Water demand for dust suppression is not expected to increase since the recycling area is already located within an active quarry area which was already subject to dust suppression. However, even if the additional recycling activities generate additional demand for dust suppression, there is significant excess capacity in the surface water collection system for this purpose.

7.0 Justification of the Modified Project

The Director-General's environmental assessment report in relation to the approved MP08_0143 sets out the following reasons for recommending approval:

- The project was unlikely to result in any significant environmental impacts on the site and surrounding area, subject to a number of key risks being appropriately managed.
- The project would proceed while further information was obtained about the local groundwater system and the potential impacts of the latter stages of the project, and before extraction reaches depths which are likely to intercept significant flows of groundwater. This increased the certainty that the project would not cause any significant groundwater drawdown impacts to Killalea Lagoon.
- The project would not appreciably increase the environmental impacts of existing quarry operations on nearby residences.
- The project would comply with relevant noise amenity criteria at nearby residences.
- The local road network could accommodate the predicated increase in heavy vehicles.
- The project would result in a range of benefits for the local and regional economies, including continued permanent employment for more than 70 people.
- The project would allow the quarry to continue to be an important supplier of construction materials for the regional and Sydney markets for at least the next 30 years, and reduce the need to develop alternative resources in areas that may not have the advantages of the Bass Point Quarry.
- Subject to the imposition of strict conditions, on balance, the Department was satisfied that the project's benefits would substantially outweigh its residual impacts.
- Weighing all relevant considerations, the project is in the public interest.

The proposed modification seeks to facilitate the importation of concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, as well as other glass materials from third party sources, to the existing Bass Point Quarry, where mobile crushing systems will be used to process the resources into recycled aggregate to be incorporated into the quarry's aggregate production system. The proposed modification will occur within the existing quarry operational footprint and will not result in any new environmental impacts. In particular, the proposed modification will not increase truck movements, and is not considered likely to generate additional noise or dust emissions. Existing mitigation and management measures remain suitable for ongoing management of environmental impacts from the quarry as it is proposed to be modified. Further, the major socio-economic benefits arising from the approved quarry activities under MP08_0143 remain equally valid for the Bass Point Quarry as it is proposed to be modified. Therefore, the proposed modification remains consistent with the original reasons given for granting consent to MP08_0143.

8.0 Conclusion

The purpose of this modification is to facilitate the importation of concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, as well as glass supplied from third party sources, to the existing Bass Point Quarry, where mobile crushing systems will be used to process the resources into recycled aggregate to be incorporated into the quarry's aggregate production system.

Given that the modification will only facilitate the recycling of concrete waste and glass within the existing quarry operational footprint and will not result in any new environmental impacts, there is no requirement for any new mitigation measures proposed.

In accordance with section 4.55(1A) of the EP&A Act, the Department of Planning and Environment may modify the consent as:

- The proposed modification is of minimal environmental impact.
- The proposed modification is substantially the same development as the development for which consent was originally granted.

We trust that this Modification Report is sufficient to enable a prompt assessment of the proposed modification.

Appendix A Updated Project Description

Component	As approved	As amended
Project summary	Continued operations at the Bass Point Quarry to extract and process up to 69 million tonnes of hard rock by deepening extraction to a maximum depth of -40m AHD.	No change
Site area	157 hectares	No change
Extraction area	111 hectares in two areas	No change
Total resource	69 million tonnes	No change
Extraction staging	Extraction would be staged to extract to 0 m AHD, -10 m AHD, -25 m AHD, and -40 m AHD, with extraction alternating between the two areas (i.e. not concurrently). Progress to each successive depth increment would be subject to assessment of the groundwater conditions in the next extraction stage and approval by the Director General.	No change
Extraction method	Periodical free-face blasting with each blast creating a 15 m high near-vertical face. Blasted material is then loaded on trucks and hauled to the on-site processing plant.	No change
Processing and Facilities	The existing processing plant, including primary, secondary and tertiary crushers and screens, would be replaced and moved to a central location. The existing workshop and office amenities building would also be relocated to a central area adjacent to the northern amenity bund. A new weighbridge would be installed adjacent to the office and administration area.	No change
Concrete Production	The existing concrete batching plant would be relocated adjacent to the office and administration area and continue to produce concrete at a maximum rate of 90 m ³ per hour. Concrete production includes receipt of cement and sand products, delivered to the site via Bass Point Quarry Road.	No change
Importation of Materials for Recycling	-	The following volumes of materials will be imported into the Quarry site for recycling: <ul style="list-style-type: none"> Concrete waste sourced from concrete batching plants operated from Hanson and its subsidiaries up to 160,000 tonnes per annum. Glass materials sourced from EPA-licensed third party suppliers up to 40,000 tonnes per annum.
Additional Construction	Reconfiguration of the bund wall and realignment of the entry road to the northwest of the site. Relocation of the existing stockpiles, office, workshop and amenities.	No change

Component	As approved	As amended
Quarry Product Transport	At the maximum production rate of 4 Mtpa, 3 Mtpa would be transported by road and 1 Mtpa transported by ship.	No change
Rehabilitation	Both the western and eastern extraction areas would be backfilled with rain and groundwater after cessation of extraction, leaving two water-filled pits joined by a channel. Unsubmerged benches would be revegetated by first sowing quick growing native grasses followed by planting with endemic vegetation. The final landform of the site would be integrated into the coastal environment with vegetation being consistent with surrounding lands. All plant, buildings and equipment would be removed.	No change
Employment	Continued employment of 71 full-time personnel, with up to 100 full-time personnel during full production.	No change
Capital Value	\$100 million	No change
Hours of Operation	24 hours per day, seven days per week; with the exception of blasting, which would be restricted to the hours of 8 am – 5 pm Monday to Friday.	No change

Appendix B Updated Mitigation Measures Table

The mitigation measures table is provided at Appendix 3 of the consent for 08_0143. The mitigation measures considered during the original assessment remain consistent and sufficient to mitigate associated impacts of the development as it is proposed to be modified. No changes are required.

Appendix C Statutory Compliance Table

Provision	Development Standard	Compliance
State Environmental Planning Policy (Resources and Energy) 2021		
Section 2.9 Development permissible with consent - Extractive Industry	<p>Under section 2.9(3(a)) of the <i>State Environmental Planning Policy (Resources and Energy) 2021</i>, development of extractive industries is permissible with consent in any land use zone where agriculture is permissible with or without development consent.</p> <p>Under section 2.9(4), if extractive industry is being carried out with development consent on any land, development for the following purposes may also be carried out with development consent on that land –</p> <ul style="list-style-type: none"> (a) The processing of extractive material (b) The processing of construction and demolition waste or other material that is to be used as a substitute for extractive material (c) Facilities for the processing or transport of extractive material (d) Concrete works that produce only pre-mixed concrete or bitumen pre-mix or hot-mix. 	<p>As agriculture is permitted with consent in the C3 Environmental Management zone under the <i>Shellharbour LEP 2013</i> and the site is the location of an existing extractive industry operation, the project and the proposed modification is permissible with consent under the <i>State Environmental Planning Policy (Resources and Energy) 2021</i>.</p>
Section 2.19 Compatibility of proposed development with mining, petroleum production or extractive industry	<p>This section applies to the site as it is identified as being the location of State or regionally significant resources or minerals, petroleum or extractive minerals.</p> <p>The purpose of section 2.19 of <i>State Environmental Planning Policy (Resources and Energy) 2021</i> is to assess the compatibility of proposed development with existing mining, petroleum production and extractive industry.</p> <p>Under section 2.19(2), before determining an application to which section 2.19 applies, the consent authority must –</p> <ul style="list-style-type: none"> (a) Consider – <ul style="list-style-type: none"> (i) The existing uses and approved uses of land in the vicinity of the development, and (ii) Whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limited access to, or impeding assessment of, those resources), and (iii) Any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and (b) Evaluate and compare the respective public benefits of the development and the uses, extraction and resource referred to in paragraph (a)(i) and (ii), and (c) Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph a(iii). 	<p>The purpose of clause 2.19 is to ensure incompatible development is not approved in close proximity to State or regionally significant extractive industries such that the ongoing operation of the extractive industry is jeopardised.</p> <p>The proposed modification is considered compatible with the approved quarry operation and will not have an impact on current or future extraction activities on the site.</p> <p>The purpose of the proposed modification is to facilitate the importation of concrete waste sourced from concrete batching plants operated by Hanson and its subsidiaries, as well as glass materials from third party sources, to the existing Bass Point Quarry, where mobile crushing systems will be used to process the resources into recycled aggregate to be incorporated into the quarry's aggregate production system.</p> <p>The recycling activities will be carried out within the existing quarry site, and will in essence support the ongoing efficiency of the quarry and the efficient use of extractive materials.</p>

Provision	Development Standard	Compliance
2.20 Natural resource management and environmental management	<p>(1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following—</p> <ul style="list-style-type: none"> (a) that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable, (b) that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable, (c) that greenhouse gas emissions are minimised to the greatest extent practicable. <p>(2) Without limiting subsection (1), in determining a development application for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider an assessment of the greenhouse gas emissions (including downstream emissions) of the development, and must do so having regard to any applicable State or national policies, programs or guidelines concerning greenhouse gas emissions.</p>	<p>The proposed modification will not change the environmental performance outcomes of the Bass Point Quarry in relation to impacts on water resources, biodiversity values or greenhouse gas emissions.</p> <p>In particular:</p> <ul style="list-style-type: none"> • The production capacity is not being increased, so maximum water demand will not change. • The recycling activities would take place within an active part of the quarry, meaning it is already subject to dust suppression. • Excess stormwater will be managed through the existing surface water management system, which will not change. • Greenhouse gas emissions from the operational activities of the Bass Point Quarry will not change as the production capacity is not changing and the modification will not generate additional traffic movements.
2.21 Resource recovery	<p>(1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider the efficiency or otherwise of the development in terms of resource recovery.</p> <p>(2) Before granting consent for the development, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at optimising the efficiency of resource recovery and the reuse or recycling of material.</p> <p>(3) The consent authority may refuse to grant consent to development if it is not satisfied that the development will be carried out in such a way as to optimise the efficiency of recovery of minerals, petroleum or extractive materials and to minimise the creation of waste in association with the extraction, recovery or processing of minerals, petroleum or extractive materials.</p>	<p>The proposed modification will maximise the efficient use of extractive material resources and increase resource recovery rates in the production of aggregates.</p>
2.22 Transport	<p>(1) Before granting consent for development for the purposes of mining or extractive industry that involves the transport of materials, the consent authority must consider whether or not the consent should be issued subject to conditions that do any one or more of the following—</p> <ul style="list-style-type: none"> (a) require that some or all of the transport of materials in connection with the development is not to be by public road, (b) limit or preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools, (c) require the preparation and implementation, in relation to the development, of a code of conduct relating to the transport of materials on public roads. 	<p>The proposed modification will not result in the increase of heavy vehicle movements on public roads, and will not change the maximum quantity of quarry products dispatched on public roads.</p>
2.23 Rehabilitation	<p>(1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring the rehabilitation of land that will be affected by the development.</p>	<p>The proposed modification will not alter the approved rehabilitation strategy.</p>

Provision	Development Standard	Compliance
Shellharbour Local Environmental Plan 2013		
Clause 2.1 Land Use Zone	<p>C3 – Environmental Management</p> <p>Objectives of zone:</p> <ul style="list-style-type: none"> To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values. To provide for a limited range of development that does not have an adverse effect on those values. To retain and enhance the visual and scenic qualities of Illawarra Escarpment. <p>Permitted without consent: Home occupations</p> <p>Permitted with consent: Animal boarding or training establishments; Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies (attached); Dwelling houses; Eco-tourist facilities; Emergency services facilities; Environmental facilities; Environmental protection works; Extensive agriculture; Farm buildings; Farm stay accommodation; Flood mitigation works; Group homes; Home-based child care; Home businesses; Information and education facilities; Oyster aquaculture; Pond-based aquaculture; Recreation areas; Roads; Tank-based aquaculture; Water reticulation systems</p> <p>Prohibited: Industries; Local distribution premises; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3</p>	<p>At the time of the project application, the site was zoned 7(f2) Environmental Protection (Foreshore) under the <i>Shellharbour Local Environmental Plan 2000</i>. The land is now zoned C3 – Environmental Management under the <i>Shellharbour Local Environmental Plan 2013</i>.</p> <p>Extractive industries are prohibited within both zones, however, agriculture is permitted with consent.</p> <p>Under clause 2.9(3(a)) of the <i>State Environmental Planning Policy (Resources and Energy) 2021</i>, development of extractive industries is permissible with consent in any land use zone where agriculture is permissible with or without development consent.</p> <p>Under section 2.9(4), if extractive industry is being carried out with development consent on any land, development for the following purposes may also be carried out with development consent on that land –</p> <ol style="list-style-type: none"> The processing of extractive material The processing of construction and demolition waste or other material that is to be used as a substitute for extractive material Facilities for the processing or transport of extractive material Concrete works that produce only pre-mixed concrete or bitumen pre-mix or hot-mix. <p>As agriculture is permitted with consent in the C3 Environmental Management zone under the <i>Shellharbour LEP 2013</i> and the site is the location of an existing extractive industry operation, the project and the proposed modification is permissible with consent under the <i>State Environmental Planning Policy (Resources and Energy) 2021</i>.</p>
Clause 4.3 Height of Buildings	9 metres	The proposed modification does not involve the construction of any new buildings or changes to existing buildings on the site.
Clause 4.4 Floor Space Ratio	N/A	The proposed modification does not involve the construction of any new buildings or changes to existing buildings on the site.

Provision	Development Standard	Compliance
<p>Clause 6.11 Significant Mineral Resources</p>	<p>The land identified as “Mineral Resource Area” on the Mineral Resource and Transition Areas Map is the land to which <i>State Environmental Planning Policy (Resources and Energy) 2021</i>, section 2.19 applies.</p>	<p>The Bass Point Quarry site is identified on the Mineral Resource and Transition Areas Map as “mineral resource area”, with the land to the north being identified as “transition area”. As such, section 2.19 of <i>State Environmental Planning Policy (Resources and Energy) 2021</i> applies.</p> <p>The purpose of section 2.19 of <i>State Environmental Planning Policy (Resources and Energy) 2021</i> is to assess the compatibility of proposed development with existing mining, petroleum production and extractive industry.</p> <p>See assessment of proposal against Section 2.19 of the SEPP above.</p>