



DOC21/1091299-4

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17 January 2021

Dear Ms Singh,

**PAE-33639008 – Modification Report for the Bass Point Quarry Modification 3
Hanson Bass Point Quarry (PA 08_0143)**

I am writing in reply to your invitation to the Environment Protection Authority (EPA) to provide comments on the Modification Report for the Bass Point Quarry Modification 3 (the modification report) for the Bass Point Quarry operated by Hanson Construction Materials Pty Ltd located at Boollwarroo Parade, Shellharbour. The EPA regulates Hanson Construction Materials Pty Ltd (Hanson) under Environment Protection Licence No. 2193 (Licence).

The modification report has been prepared for Hanson by R. W. CORKERY & CO. PTY. LIMITED. to support an application to modify the Project Approval. The modification report seeks to recognise the existing and proposed location of amenity barriers within the quarry and allow the importation of Virgin Excavated Natural Material (VENM) and/or Excavated Natural Material (ENM) for use in landscaping and progressive rehabilitation at the quarry to create additional amenity barriers.

As part of the invitation to provide comments on the Modification Report, the Department of Planning, Industry and Environment (DPIE) has requested any EPA advice on recommended conditions of approval.

The EPA has reviewed the modification report and provides comments in Attachment 1.

If you have any questions about this matter, please contact James Crawford on 02 4224 4123.

Yours sincerely

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Attachment 1

Dust

The EPA has received dust complaints from the community relating to the quarry during normal operations. Hanson is aware of these complaints.

The creation of new amenity barriers has the potential to create additional dust issues during the unloading and landscaping of imported material. Hanson need to ensure all imported material is managed in a way that minimises dust emissions during amenity barrier construction, including but not limited to, dust suppression techniques and limiting construction works to appropriate weather conditions.

Noise

The importation of material has the potential to increase truck and machinery movements at the site which may increase the noise generated by the premises. Hanson need to be aware of this risk and only conduct works during approved hours of operation and during appropriate weather conditions.

Community concern

As noted in the modification report, the local community has raised concerns regarding the proposed amenity barrier, likely due to a lack of information provided by Hanson. Hanson should ensure they provide contemporary information to the local community through the Community Consultative Committee (CCC) in accordance with the Project Approval and at any time a community enquiry is received.

Importation of material

The Modification Report proposes to modify the project approval to allow the importation of Virgin Excavated Natural Material (VENM) and/or Excavated Natural Material (ENM) for use in landscaping and progressive rehabilitation at the quarry (ie the creation of amenity barriers).

The EPA takes this opportunity to remind Hanson of their requirement to comply with the *Protection of the Environment Operations Act 1997* (POEO Act) when importing material to site. Clause 39 of Schedule 1 of the POEO Act describes the scheduled activity for Waste disposal (application to land).

The Modification Report states that the importation of VENM and ENM may be exempt from requiring an Environment Protection Licence due to Clause 39 of Schedule 1 of the POEO Act and *The excavated natural material exemption 2014*.

These exemptions require the imported material to meet certain specifications. The EPA reiterates that it is Hanson's responsibility to determine if imported material meets specification and any other requirement of those exemptions to ensure they are not in breach of the POEO Act when importing material to site.

More information on current orders and exemptions can be found here:

<https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/current-orders-and-exemption>

Recommended conditions of approval

If DPIE approves Modification 3 to the Project Approval, the EPA recommends additional conditions of approval be considered related to:

- Approved limit of material that can be imported per annum.
- Dust management for amenity barrier construction.
- Noise management for amenity barrier construction.
- Ensuring imported material meets VENM and ENM specifications.