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By email: jarrod.blane@dpie.nsw.gov.au

EPA Advice on Environmental Impact Statement
Hillview Hard Rock Quarry Project - SSD-70557215

Dear Jarrod

I am writing in response to your request for the NSW Environment Protection Authority (EPA) to review the Environmental Impact Statement (EIS) for the proposed Hillview Hard Rock Quarry Project (SSD-70557215) at 67 Maytoms Lane BOORAL.

The EPA has reviewed the following documents:

- Hillview Hard Rock Quarry Environmental Impact Statement and Appendices (ADW Johnson August 2024 - V2 05.03.2025)
- Planning Secretary's Environmental Assessment Requirements SSD-70557215 (Department of Planning, Housing and Infrastructure - 03.06.2024)

The EPA understands the proposal is for:

- the development of a 7-stage hard rock quarry in a largely rural landscape at 67 Maytoms Lane BOORAL.
- a proposed extraction total of up to 45 million tonnes, with annual extraction up to 1.5 million tonnes, over a 30-year period.
- activities requiring an Environment Protection Licence under Schedule 1 Part 5 of the *Protection of the Environment Operations Act 1997* (POEO Act).
- the creation of infrastructure to support the development.
- the ongoing site monitoring and management relating to the impacts of the development on the surrounding environment.

The EPA has reviewed the EIS and notes that it does not provide the information required to allow us to complete our assessment. The EPA has the following comments and recommendations:

1. The Air Quality Impact Assessment (AQIA) Appendix H predicts exceedances of the developed impact assessment criteria.

The EPA requests the proponent:

a) reviews the AQIA to ensure assessments and references to extraction and processing of sand and sandstone aligns with the lodged description of hard rock quarrying of rhyolite.
b) revises the AQIA to include additional mitigation measures to achieve compliance with the assessment criteria. This is to include any reactive measures required to achieve compliance.
c) commits to and confirms the implementation of all the mitigation measures recommended in the AQIA and included in the revised modelling. If reactive measures are required, details of which activities are stopped at which meteorological conditions and/or particulate concentrations must be clearly identified.
d) details how the compliance will be achieved through mitigation measures. This is to include but not be limited to, the details of monitoring (type and locations) and the triggers and actions to manage impacts.

2. Further consideration of the proposed surface water site-specific trigger values is recommended.

The Surface Water Assessment (SWA) has assessed the potential impact of discharges on the environmental values of the receiving waterway consistent with the National Water Quality Guidelines (ANZG, 2018), NSW Government policy and s45 POEO Act. However, the EPA notes that the surface water quality trigger values identified in the SWA may not be adequate.

The EPA recommends the proponent review the comments in **Attachment A** (below) and follows the requirements specified.

If you have any questions about this request, please contact the EPA via email at info@epa.nsw.gov.au, cc: daniel.trotter@epa.nsw.gov.au.

Yours sincerely

Yours sincerely

Emma Coombs
A/Manager Regional Operations
Environment Protection Authority

Attachment A – Detailed EPA comments

Air Quality

Additional exceedances of 24-hour PM_{10} criteria

Both the construction and operational modelling scenarios predict additional exceedances of the 24-hour PM_{10} criterion (50 µg/m^3). For the construction scenario, the highest incremental impact (Table 9) is predicted to be 27.8 µg/m^3 (55 % of the criteria) at R19 resulting in an additional exceedance of the 24-hour PM_{10} criteria. For the operational scenario, while the highest incremental impact (Table 14) of 25.5 µg/m^3 does not result in an additional exceedance, an additional exceedance is predicted at R12 with an increment impact of 8.4 µg/m^3.

The AQIA states that these are "marginal" exceedances, are driven by high backgrounds rather than significant incremental contribution and are unlikely to occur on a regular basis. The AQIA also states that these exceedances are a result of many conservative assumptions included in the modelling. However, it is noted that wet deposition and default annual wind erosion emission factors were used and sand processing and conveyors were not included in modelling which make the modelling less conservative.

The EPA considers that the AQIA shows the project will result in significant incremental impacts and cause additional exceedances of the impact assessment criteria. The *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (the Approved Methods) states that should additional exceedances occur following a contemporaneous assessment, more effective mitigation measures or emission controls should be applied and the impact assessment revised.

The AQIA includes some "recommended" management measures, including an air quality management plan, dust monitoring, enforcing a speed limit and applying water sprays to roads and processing plant. However, it is unclear if these "recommended" mitigation measures will actually be implemented on site by the proponent. It is noted that the use of level 2 water (>2 L/m^2/h) control (75 %) has already been assumed in the modelling for haulage, yet this is listed as a "recommended" management measure. It is also unclear whether the recommended mitigation measures will be enough to achieve compliance with the assessment criteria.

The AQIA also states dust monitoring in conjunction with reactive management of adverse dust levels is recommended. Where reactive measures are required for compliance, they should be clearly outlined and incorporated into modelling. Information that should be provided includes, type of monitor, location(s) of monitor(s), triggers and corresponding actions.

Water Quality

Further consideration of the proposed site-specific trigger values is recommended.

The Surface Water Assessment (SWA) has assessed the potential impact of discharges on the environmental values of the receiving waterway consistent with the National Water Quality Guidelines (ANZG, 2018), NSW Government policy and s45 POEO Act.

The guiding principles are that:

- where the environmental values are being achieved in a waterway, they should be protected, and
- where the environmental values are not being achieved in a waterway, all activities should work towards their achievement over time.

The SWA proposes site-specific trigger values for water quality at the discharge point to Double Creek as well as the upstream and downstream monitoring sites (DC-US and DC-DS) (SWA Table 31). The EPA notes that:

a. the discharge point trigger values for electrical conductivity (2200 µS/cm) and turbidity (50 NTU) are at the upper limit of the range identified in the guidelines (electrical conductivity 125 - 2200 µS/cm and turbidity 6 – 50 NTU).
b. the discharge point trigger values for many nutrients and metals are set at the value identified in the guidelines.
c. the guideline trigger value for sulphate has been identified as 1000 mg/L. That value may not be the most appropriate trigger for the protection of water uses downstream. For livestock drinking water, the recommended trigger values for sulphate are 500 mg/L for most livestock (e.g. cattle, sheep, horses) and 250 mg/L for poultry, which are more sensitive to sulphate.
d. the downstream trigger value for sodium of 170 mg/L is set higher than the guideline value of 115 mg/L.
e. the downstream trigger value for copper of 0.002 mg/L is set higher than the guideline value of 0.0014 mg/L.

The EPA expects all licensees to implement a 'reasonable level of performance', even where this will secure better water quality outcomes than required to meet the NSW WQOs. This is to ensure that waters are not polluted up to the limits to provide opportunity for other present and future uses, to provide a level playing field and to provide a precautionary approach where there is uncertainty about the impacts of an activity or development. This approach is set out in the NWQMS.

Regardless of the current condition of the waterway, s45 POEO requires consideration of the practical measures that could be taken to prevent, control, abate or mitigate pollution.

The EPA recommends the following:

1. for those analytes that have discharge and downstream trigger values set at the guideline value (or upper range of the guideline value), the EPA recommends that the proponent reconsider a trigger value that ensures a 'reasonable level of performance' is implemented.
2. That the trigger value for sulphate is set at a value that meets the downstream water quality for livestock drinking water in accordance with the guidelines.
3. The downstream trigger values for sodium and copper are reconsidered or further explanation is provided that justifies the value proposed.

Note: The EPA acknowledges that some of the trigger values have been set at the limit of detection for that analyte. It is reasonable for those analytes to be excluded from further consideration.