

Our reference: DOC15/471288-01; EF13/3417
Contact: Rebecca Akhurst (02) 4908 6807

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Swati Sharma

Dear Ms Sharma

**ENVIRONMENT PROTECTION AUTHORITY (EPA) RECOMMENDED CONDITIONS OF CONSENT -
POSSUM BRUSH QUARRY – STAGE 2 MODIFICATION (DA 283/97 MOD 4)**

Reference is made to the Department of Planning and Environment (DPE) email correspondence to the Environment Protection Authority (EPA) on 19 November 2015 seeking comment on the proposed modification to the development consent (DA 283/97) for Possum Brush Quarry, 115 Possum Brush Road, Possum Brush (Stage 2 modification) under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The EPA has reviewed the document *Environmental Assessment for the Stage 2 Operations and the Modification of Development Consent DA 238/97 at the Possum Brush Quarry, via Nabiac, November 2015* (the EA) prepared by R.W. Corkery & Co. Pty. Limited on behalf of Pacific Blue Metal Pty Ltd (PBM).

The EPA understands that the development application seeks to increase the average production rate to facilitate the early commencement of Stage 2 operations at the premises. The EPA notes that the proposal comprises:

- Increase in the annual production rate for 200,000 tonnes per annum (tpa) to 500,000 tpa.
- Commencement of Stage 2 operations (with the forfeiting of the remaining years under Stage 1) and continuation of quarrying operations under Stage 2 for 30 years; and
- Extension of the depth of extraction activities to the Stage 2 limit of 45m AHD.

The proposal does not alter the activity footprint, extraction or processing methods, infrastructure and services, hours of operation, waste management or rehabilitation.

The EPA also notes that ongoing operation of the quarry is proposed in conjunction with the separately approved activities of asphalt manufacture and importation and processing of up to 10,000 tonnes per annum of materials for recycling.

The EPA has reviewed the information and provides the following comments and recommended conditions of approval detailed at **Attachment A**. Please note that the recommended conditions of approval do not repeat conditions already a part of Environment Protection Licence (EPL) 3393 held by PBM. The PBM licence is available at

<http://www.epa.nsw.gov.au/prpoeoapp/ViewPOEOLicence.aspx?DOCID=58231&SYSUID=1&LICID=3393>

Noise

The EPA has reviewed the Noise and Vibration Impact Assessment (NVIA) prepared by Spectrum Acoustics (Ref 151080 dated November 2015) and the relevant section of the EA.

The EPA notes that "Project Specific Noise Levels" have been proposed in the EA based on measured "ambient" noise levels in August and September 2015. The EPA advises that unless ambient levels have been measured in the absence of the project in question they cannot be used as the basis for setting limits.

In addition to the existing noise conditions on EPL 3393 the EPA recommends an amendment to the meteorological conditions under which existing noise limits apply as detailed in the current environment protection licence. The proposed change notes that the noise limits do not apply under stability category F temperature inversion conditions and wind speeds greater than 2 metres/second. This condition is detailed in Attachment A and is consistent with EPA's standard conditions.

The EPA notes PBM has in place a number of noise mitigation and management measures for existing operations at the premises to ensure compliance with existing noise limits. The EPA expects these measures to remain in place for future operations.

The EPA provides the following minor comments in relation to the NVIA:

1. In Table 6, Section 4.4 of the NVIA, the sleep disturbance criteria for R2 and R3 appear to have been swapped, based on the night-time LA90 levels for R2 and R3 in Table 4. This should be checked and amended if necessary.
2. Table 12 presents modelled and measured noise levels during noise monitoring carried out on the morning of May 15, 2015. The measured noise levels, particularly at R1 (22 dBA), are very low when compared against the 33/31 dBA daytime/night-time ambient L90 noise levels measured in Table 4. The NVIA should explain in more detail how these attended measurements were carried out, and how the quarry contributed noise levels were derived, particularly as these were used to verify the accuracy of the computer modelling.

Air Quality

The air quality assessment within the EA predicts compliance with the EPA's published impact assessment criteria for total suspended particulates, PM₁₀ and PM_{2.5}. The assessment advises that, *"the comparison of model predictions between current and proposed operations highlighted that the proposed increase in Quarry extraction and production activities would unlikely result in a noticeable change in ambient air quality in the local environment"*. This conclusion is supported by the maximum predicted increase in 24 hour PM₁₀ of <1.5 µg/m³.

The EPA recommends that an air quality management plan be developed and implemented for the project with the aim of minimising the emission of air pollutants from the premises at all times.

Surface Water Management

Negligible changes are proposed to surface water management at the premises. The EA states that Stage 2 works will "not adversely affect water quality within the surrounding environment". Whilst PBM have achieved compliance with existing EPL3393 limits for discharges from Dam 3, the EA does not predict the frequency of discharges from the premises or make comparison with existing discharge frequencies. However, given the footprint of the quarry remains the same, existing discharge limits, operational and monitoring conditions within EPL 3393 require the appropriate management of surface waters and erosion and sediment control at the premises.

The EPA recommends that a Stormwater Management Plan be developed and implemented for the project with the aim of minimising and mitigating the impacts of stormwater runoff.

Please contact Rebecca Akhurst on (02) 4908 6807 if you require further information regarding this matter.

Yours sincerely

 17-12-15

PETER JAMIESON

Head Regional Operations Unit – Hunter

Environment Protection Authority

Encl: Attachment A - EPA's Recommended Conditions of Consent - Possum Brush Quarry – Modification to Development
Consent DA 283/97 MOD4.

ATTACHMENT A

EPA's Recommended Conditions of Consent - Possum Brush Quarry – Modification to Development Consent DA 283/97 MOD4.

Works to be undertaken in accordance with information supplied

Except as provided by these recommended conditions of approval, the works and activities shall be undertaken in accordance with the proposal contained in:

- (a) The development application DA 283/97 MOD 4 submitted to the NSW Department of Planning and Environment; and
- (b) The document "Environmental Assessment for the Stage 2 Operations and the Modification of Development Consent DA 283/97 at the Possum Brush Quarry, via Nabiac, November 2015" prepared by prepared by R.W. Corkery & Co. Pty.

unless otherwise specified in these conditions of approval.

Compliance with the Existing Environment protection Licence

The EPA advises DPE that all existing conditions of environment protection licence 3393 are relevant for the proposed modification, with the additional changes shown below.

Noise

The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

- a) Wind speeds greater than 3 metres/second at 10 metres above ground level.
- b) Stability category F temperature inversion conditions and wind speeds greater than 2 metres/second at 10 metres above ground level; or
- c) Stability category G temperature inversion conditions.

Note: This represents a modification to condition L4.3 of environment protection licence 3393

Blasting

Offensive blast fume must not be emitted from the premises.

Definition: Offensive blast fume means post-blast gases from the detonation of explosives at the premises that by reason of their nature, duration, character or quality, or the time at which they are emitted, or any other circumstances:

1. *are harmful to (or likely to be harmful to) a person that is outside the premises from which it is emitted, or*
2. *interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted.*

Air Quality

The proponent must develop and implement an air quality management plan prior to the commencement of modified project operations. As a minimum, the air quality management plan must include the following parts:

- *Key performance indicator(s);*
- *Monitoring method(s);*

- *Location, frequency and duration of monitoring;*
- *Record keeping;*
- *Response mechanisms; and*
- *Compliance reporting.*

EPA December 2015

