



DOC18/530463-01
Your Ref. SSD 7056
MOD 2

Sally Munk
Principal Environmental Planner– Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

By email: sally.munk@planning.nsw.gov.au

Dear Ms Munk,

Exhibition of Modification Request for Boral St Peters Concrete Batching Plant and Materials Handling Facility (DA 14/96 MOD 11)

The Environment Protection Authority (EPA) refers to your email dated 30 July 2018 requesting input to the submission for the proposed modification by Boral Resources (NSW) Pty Ltd (Boral) relating to St Peters concrete batching plant and materials handling facility located at 25 Burrows Road South, St Peters, in the Inner West Local Government Area (DA 14/96 MOD 11).

The EPA has reviewed the environmental assessment (EA) [Boral St Peters concrete plant and materials handling facility, Environmental Assessment Modification 11, July 2018] prepared by EMM Consulting Pty Limited (EMM) on behalf of Boral (the proponent).

The project includes:

1. increasing production rates of concrete from 260,000 to 750,000 cubic metres per annum;
2. increasing material throughput from 240,000 to 1,000,000 tonnes per annum;
3. construction of a new concrete reclaiming machine, upgrading of the site's surface water management system, and installation of a second weighbridge;
4. modifying the layout of the materials handling facility;
5. modifying condition 5 of DA 14/96 to permit 1 and 2 above;
6. deleting condition 36a of DA14/96 relating to placement of depositional dust gauges on Burrows Road South.

Under Clause 13(1) of Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act), concrete batching plants are not a 'scheduled activity' and do not require an Environment Protection Licence. As an Environment Protection Licence for this proposed development is not required, it is not considered Integrated Development under the *Environmental Planning and Assessment Act 1979* (EP&A Act), and the EPA is not formally involved in the planning process.

However, the EPA is, and will remain the Appropriate Regulatory Authority (ARA) under the POEO Act for the premises given that the existing and proposed production capacity of the concrete batching

plant exceeds 30,000 tonnes per annum (see Clause 92(b) of the *Protection of the Environment Operations (General) Regulation 2009*).

Under the POEO Act, the scheduled activity of lime and cement handling (Schedule 1 clause 6) has a licensing threshold of 30,000 tonnes per annum and the activity of extractive industries, which includes the storage of extractive materials (Schedule 1 clause 19), also has a licensing threshold of 30,000 tonnes per annum. Please note that the relevance of these clauses to concrete batching plants is currently being reviewed in proposed amendments to Schedule 1.

Matters for consideration by the EPA for concrete batching plants are limited to the matters regulated by the POEO Act in relation to air, noise, water and land pollution and the management of waste. Based on the information provided, the EPA acknowledges that most issues have been addressed. These are detailed in Attachment A.

If you have any further questions please contact David Thompson on 9995 6859 or davidj.thompson@epa.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Erin Barker', with a stylized, cursive script.

ERIN BARKER
Unit Head Sydney Industry
Environment Protection Authority

20 August 2018

Attachment A

Modification to Boral St Peters Concrete Batching Plant and Materials Handling Facility (DA 14/96 MOD 11)

Air Quality Management (Dust)

The EPA acknowledges that an air impact assessment (including dust) has been undertaken for the proposed modification MOD 11. The EA identifies some potential to increase ambient particulate matter concentrations off-site, and increased depositional dust at receivers R3 and R4 of up to 1.9 g/m²/month, which are conservative estimates; actual impacts may be greater.

The previous modification had required placement of depositional dust gauges in these locations. The proponent has requested the removal of this condition due to difficulties in finding suitable locations. It is noted that the Proponent has not discussed this matter with the EPA.

The EA indicated that for the proposed expansion, all pollutants and averaging periods are expected to be below the applicable NSW EPA assessment criteria at all neighbouring receptors, as would all predicted cumulative pollutant concentrations.

The EPA acknowledges that the Proponent undertakes dust monitoring at four other locations around the site. However, the EA does not identify these locations or how they might resolve any issues for off-site receptors.

The EPA does not support the removal of condition 36a from DA14/96.

Noise Impact Management

The EA finds that the proposed structures are generally in keeping with best practice management on concrete batching plants. Boral's predicted noise levels demonstrate that operational noise from the proposed modification will not increase existing site noise levels by more than 1dB, which will satisfy the requirements set-out in the Noise Policy for Industry (NPfI). Maximum noise levels from the site are predicted to satisfy the NPfI sleep disturbance trigger levels at both representative residential assessment locations (R1 and R2). However, the EPA recommends that noise monitoring be undertaken at the site for the first year of operation, to validate the modelled noise impacts, and include a commitment to publish all monitoring results on the proponent's website as soon as possible.

Further information on managing noise from construction activities can be found in the *EPA's Interim Construction Noise Guideline* (INCG) at <http://www.epa.nsw.gov.au/resources/noise/09265cng.pdf> and *Assessing Vibration: a technical guideline* (EPA, 2006).
<http://www.environment.nsw.gov.au/noise/vibrationguide.htm>

The EA indicates that vibratory rolling will impact people at the nearest off-site building (located 45m from the site). The EPA suggests that the following measures be implemented to minimise human impact:

- scheduling works during standard hours (in accordance with the INCG);
- scheduling work generating high vibration levels to less sensitive time periods; and
- minimising consecutive or long periods of works in the same locality.

Water Quality Management and Erosion and Sediment Control

The proponent should continue to be mindful of water quality management and sediment/erosion control from site activities. Soil/water impacts from potential changes to each activity/section of the proposed works will need to be managed appropriately. Each proposed activity/section may vary in requiring management methodologies that are more suited to achieve the EPA's discharge

expectation of meeting the water quality objectives for the receiving environment. ANZECC water quality triggers should be adopted for all activities including potential discharges.

According to the EA, minor modifications are proposed to improve aspects of process water management and these modifications will reduce the discharge of stormwater by up to 91%, and will ensure that site runoff meets the pollutant load reductions recommended in the Botany Bay & Catchment Water Quality Improvement Plan (CMA, 2011). The proposed changes are expected to improve the site's environmental performance, and the proposed comprehensive analyte monitoring at two discharge locations will provide an ongoing check of this performance.

The proponent needs to be aware of the strict liability provisions of the POEO Act, in particular, section 120 – pollution of waters.

General Advice

The proponent should continue to be mindful that all site personnel must be aware of the details of any works plans, environmental legislation/guidelines and associated pollution controls before and during the undertaking of relevant activities.

The proponent should note and be aware of its responsibility to notify each relevant authority of any pollution incident, in accordance with Section 148 of the POEO Act. Incident triggers and notification protocols need to be detailed so that compliance with section 148 of the POEO Act is achieved.

Recommended amendments to conditions:

Construction

Vibratory rolling must be limited to INCG standard hours and work generating high vibration levels must be scheduled to avoid extended periods in the same locality.

Condition 33c

Notes: Noise generated by the development is to be measured in accordance with the relevant requirements, and exemptions (including certain meteorological conditions), of the Noise Policy for Industry (2017).

Condition 36d

the management of any vibration transmitted to a place of another land user and any sound level at any point on the boundary of the site greater than the levels specified in the NPfL.

Condition 36a

Prior to any increase in production at the concrete batching plant (as approved under MOD 11 to this consent), an off-site dust deposition monitor must be established on Burrows Road South near sensitive receptors R3 and R4 (as identified in Figure 7.1 of the Environmental Assessment for MOD 11). The location of the monitor must be approved by the EPA. If a suitable location cannot be determined for the monitor, the EPA must be consulted on, and approve, any alternative measures.

Further recommendations:

The Environmental Management and Monitoring Plan referred to in Condition 36 should be updated following approval of MOD 11 and a copy forwarded to the EPA.

The Annual Review referred to in Condition 36b should be also provided to the EPA.