



Our Reference: DOC15/216584
Contact: Scott Ensbey
Date: 16 June 2015

Planning Services
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Director – resource Assessments

Dear Sir/Madam

Re: Slys Quarry Expansion Project (SSD 6624)

Issued pursuant to Section 89F(3) *Environmental Planning and Assessment Act 1979*

I refer to the Environmental Impact Statement (EIS) and accompanying information provided for the above received by Environment Protection Authority (EPA) on 20 May 2015.

EPA has reviewed the proposal and has no objection to the proposal proceeding largely as described in the EIS. **Attachment 1** contains EPA's assessment of the proposal, including justification for the recommended conditions of approval.

If the project is approved, EPA recommends that the conditions provided at **Attachment 2** are incorporated into the consent. Adopting these conditions is crucial for the EPA's support of the proposal.

EPA requests an opportunity to review the draft conditions of consent for the proposal prior to finalisation.

It is noted that the current quarry operation at site of the proposal has an existing Environment Protection Licence (EPL) under the *Protection of the Environment and Operations (POEO) Act 1997*. The proponent will need to make a separate application to EPA to vary the conditions of this EPL if project approval is granted.

EPA would appreciate receiving a copy of relevant submissions received by the DPE (or a report summarising these submissions) following exhibition of the EIS. This would assist EPA to review the draft conditions of consent and to perform its later licensing function, if relevant.

If you have any questions relating to this matter, please contact Scott Ensbey on 66402522.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Donohoe'.

16 JUN 2015

Robert Donohoe
Acting Head, Environmental Management Unit – North Coast
Environment Protection Authority

ATTACHMENT 1: EPA COMMENTS ON PROPOSAL

WATER MANAGEMENT

Section 6.2 of the EIS assesses the potential impacts of the proposal on surface water. The proponent utilises MUSIC (Model for Urban Stormwater Improvement Conceptualisation) for assessing potential water quality impacts of the proposal. The EPA acknowledges the use of MUSIC as a tool for assessing potential risk of developments on water quality. However, the EPA does not support the use of MUSIC as a tool for assessing risks and determining Erosion and Sediment Control (ERSED) strategies for quarry and mine developments.

The EPA's requirements for an Environmental Assessment (issued 14 August 2014) outlined our expectations regarding the level of assessment required. This included the development of a formal Soil and Water Management Plan (SWMP) in accordance with *Managing Urban Stormwater: Soils and Construction: Volume 1 and Volume 2E (Mines & Quarries)*. These documents are widely accepted as the NSW standard for assessing and managing ERSED issues.

In the absence of a formal SWMP the EPA is unable to determine if the stated management measures outlined in Section 6.3 are adequate. The EPA's recommended condition of approval (1) requires this to be addressed through the development of a formal SWMP.

GENERAL

The recommended conditions of approval provided in **Attachment 2** are typical conditions applied to all extractive industry Environment Protection Licences. If the proposal is approved, the EPA intends on incorporating these conditions into the existing licence held by the proponent. It must be noted that many of these conditions are currently reflected on the existing licence.

ATTACHMENT 2 – EPA RECOMMENDED CONDITIONS OF CONSENT

SOIL & WATER MANAGEMENT

1. A *Soil and Water Management Plan* (SWMP) must be developed which outlines all management and mitigation measures relating to stormwater management, erosion and sediment control. This must be prepared in accordance with *Managing Urban Stormwater Soils and Construction Volume 1 and Volume 2 E. Mines and quarries*.

The Soil and Water Management Plan must:

- outline of stormwater management measures to control pollutants at the source and contain them within the site.
 - outline of erosion and sediment control measures to minimise disturbance of land, minimising water flow through the site and filtering, trapping or detaining sediment.
 - describe measures for maintaining and monitoring any stormwater controls.
 - provide details of method of storage of topsoil and associated erosion and sediment control
 - describe waste water treatment measures; systems for reusing/recycling waste water; and methods of treating any unavoidable discharge from the site to meet specified water quality requirements.
 - describe the size and location of the sediment basins for each stage of the development of the quarry. The sediment basins must meet the design and operational standards of *Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. This document requires a minimum standard of 90 percentile five-day rainfall event (75mm) to be used to determine basin sizing for quarries.
 - If sediment basins are proposed to be used as water storage for re-use purposes on site (eg for dust suppression, process water, etc) a water balance must be conducted to ensure that the design volume of the basin required for stormwater capture and treatment is not compromised by water storage required for re-use purposes. Such dual purpose basins need to be accurately designed and managed to accommodate both stormwater management and water re-use objectives.
 - Detail a progressive rehabilitation plan for the quarry that includes the exhausted quarry areas "B" and "C".
2. Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation of the development, section 120 of the Protection of the Environment Operations Act 1997 must be complied with in and in connection with the carrying out of the development.
 3. For each monitoring/discharge point, the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the following concentration limits.

Pollutant	Units of measure	100 % concentration
Total Suspended Solids	mg/L	50.
pH	pH units	6.5 - 8.5
Oil and grease	Visible	Nil

The concentration limits in the above table do not apply to any discharge from a sediment basin solely arising from rainfall measured at the premises exceeding 75mm in total falling over any consecutive five day period.

4. Sediment basins must be treated, if required, to reduce the Total Suspended Solids level to the concentration limit of 50 mg/L provided by the EPA's recommended conditions of approval, or a licence under the Protection of the Environment Operations Act 1997, before being released to the environment.
5. The applicant must maximise the diversion of run-on waters from lands upslope and around the site whilst land disturbance activities are being undertaken.

6. The applicant must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.
7. All sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.
8. The applicant must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.
9. The applicant must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:
 - a) the clear identification of each sediment basin and discharge point;
 - b) the collection of representative samples of the water discharged from the sediment basin(s); and
 - c) access to sampling point(s) at all times by an authorised officer of the EPA.
10. The applicant must endeavour to maximise the reuse of captured stormwater on the premises.
11. Each sedimentation basin must have a marker (the "sediment basin marker") that identifies the upper level of the sediment storage zone.
12. Whenever the level of stormwater and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of stormwater and other material in the sedimentation basin.

WASTE

1. The applicant must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by a licence under the Protection of the Environment Operations Act 1997.

NOISE

1. Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of 35 dB(A).
2. For the purposes of compliance with the above condition:
 - a) noise from the premises must be measured or computed from at 30 metres from residential Receiver 3 as identified in the Noise Impact Assessment (April 2015) for the proposal;
 - b) noise from the premises must be measured over a period of 15 minutes using the "FAST" response on the sound level meter.
 - c) A modifying factor correction must be applied for tonal, impulsive, or intermittent noise in accordance with the document NSW Industrial Noise Policy (NSW EPA, January 2000).
3. The noise limits set out in above apply under all meteorological conditions except for the following:
 - a) Wind Speeds greater than 3 metres/second at 10 metres above ground level; or
 - b) Temperature inversion conditions up to 3o C/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
 - c) Temperature inversion conditions greater than 3oC/100m.
4. A noise compliance assessment must be undertaken within two months of commencement of the proposed increased extraction rate. The assessment must be conducted by a suitably qualified and experienced acoustical practitioner and shall assess compliance with noise criteria presented above. A report must be provided to the EPA within 1 month of the assessment.

BLASTING

1. Blasting operations at the premises may only take place between 09:00 to 15:00 Monday to Friday.

2. The time of blasting, the air-blast overpressure level from blasting operations and the ground vibration peak particle velocity from blasting operations must be measured from Receiver 3 for each blast.
3. The airblast overpressure level from blasting operations in or on the premises must not exceed:
 - a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period; and
 - b) 120 dB (Lin Peak) at any time.
4. The ground vibration peak particle velocity from blasting operations carried out in or on the premises must not exceed:
 - a) 5mm/s for more than 5% of the total number of blasts carried out on the premises during each reporting period; and
 - b) 10 mm/s at any time.
5. All sensitive receivers are to be given at least 24 hours notice when blasting is to be undertaken.

HOURS OF OPERATION

1. Activities at the premises must be conducted during the following hours:
 - 7:00 am and 6:00 pm Monday to Friday;
 - 8:00 am and 1:00 pm Saturday; and
 - at no time on Sundays and Public Holidays.
2. This condition does not apply to the delivery of material outside the hours of operation permitted by condition L6.1 if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible, or within a reasonable period in the case of emergency.

DUST

1. Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown, traffic and/or processing generated dust.

FUEL AND CHEMICAL STORAGE

1. All chemicals, fuels and oils stored at the premises must be contained within appropriately designed bunded areas that meet the following requirements:
 - a) comply with any relevant Australian Standards for the liquids being stored; and
 - b) have impervious flooring and walls; and
 - c) have a minimum capacity of 110% of the volume of the largest container stored within the bund.

Note: Additional information on bunding design, construction and maintenance can be found in the EPA's Guide: *"Storing and Handling Liquids: Environmental Protection, Participants Manual"*

MONITORING RECORDS

1. All records required to be kept by the EPA's conditions of approval, or a licence under the Protection of the Environment Operations Act 1997, must be:
 - a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
2. The following records must be kept in respect of any samples required to be collected:
 - a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and

- d) the name of the person who collected the sample.

Requirement to monitor concentration of pollutants discharged

1. The applicant must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The applicant must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

Discharge point

Pollutant	Units of measure	Frequency
Total Suspended Solids	mg/L	Special Frequency 1
pH	pH units	Special Frequency 1
Oil and grease	Visible	Special Frequency 1

< *Special Frequency 1* > means sampling any discharge, whether controlled or otherwise, which has not occurred from rainfall exceeding 75mm over any consecutive five day period.

Testing methods

1. Subject to any express provision to the contrary of the EPA's conditions of approval, or a licence under the Protection of the Environment Operations Act 1997, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before any tests are conducted.

Environmental monitoring

1. The applicant is required to install and maintain a rainfall depth measuring device.
2. Rainfall at the premises must be measured and recorded in millimetres per 24 hour period, at the same time each day.

Reporting conditions

1. The applicant must provide an annual return to the EPA in relation to the development as required by any licence under the Protection of the Environment Operations Act 1997 in relation to the development. In the return the applicant must report on the annual monitoring undertaken (where the activity results in pollutant discharges), provide a summary of complaints relating to the development, report on compliance with licence conditions and provide a calculation of licence fees (administrative fees and, where relevant, load based fees) that are payable. If load based fees apply to the activity the applicant will be required to submit load-based fee calculation worksheets with the return.