



Planning &
Environment

BASS POINT QUARRY PROJECT

Office Relocation & Attended Noise Monitoring Modification
(MP 08_0143 MOD 1)

Environmental Assessment Report Section 75W of the *Environmental Planning and Assessment Act 1979*

1. BACKGROUND

Hanson Construction Materials Pty Ltd (Hanson) owns and operates the Bass Point Quarry, located approximately 2 kilometres south of the town of Shellharbour in the Shellharbour Local Government Area.



Figure 1: Location of Bass Point Quarry

Bass Point Quarry has operated intermittently since the 1880s and continuously since the 1960s. The quarry operates 24 hours per day, seven days per week under Project Approval MP 08_0143, granted on 28 January 2014 under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) by a delegate of the Minister for Planning and Infrastructure.

The quarry is approved to extract and process of up to 69 million tonnes of hard rock to a depth of -40 metres AHD until 2044. Hanson is approved to transport up to 4 million tonnes of quarry products in any calendar year (but no more than 3 million tonnes of quarry products by road in any calendar year) with current production rates averaging 1.5 million tonnes per annum. The nearest residences are located in the village of Shell Cove.

2. PROPOSED MODIFICATION

On 26 April 2017, Hanson applied for a modification to MP 08_0143 under section 75W of the EP&A Act. The modification proposes to:

- redesign amenity bunds along the northern boundary of the site to allow for a suitable level area on which to re-locate the quarry office and amenities; and
- amend the monthly attended noise monitoring requirements in the Project Approval.

The proposed modification would not change product output, operating hours or activities that could result in significant increases to impacts on the community or environment.

The proposed changes are discussed in **Sections 2.1 to 2.2** below and set out in full in the Environmental Assessment (EA, see **Appendix A**) which supported the application.

2.1 Office Relocation

As part of MP 08_0143, the existing site office was approved to be relocated to a central area adjacent to the northern amenity bund (the conceptual office location). The reason for this relocation was to provide an efficient site layout as quarrying progressed across the site. The proposed modification seeks to relocate this conceptual office location 120 metre (m) to the north, to a position on the northern face of the amenity bund. Hanson is seeking this modification to take advantage of the site's scenic outlook and provide a more enjoyable work place for quarry employees. The location has also been chosen to minimise visual impacts to travellers on public roads (see **Figure 2** below).

To facilitate the relocation, Hanson proposes to make minor modifications to the northern amenity bund to provide a suitable level area on which to construct the relocated office and amenities. The modification would not increase the scale of the site office, which would remain single storey.

Hanson has also proposed to update the project layout plan in the Project Approval to reflect the proposed office location as well as other minor amendments reflecting the progression of the project over time, that are generally in accordance with the Project Approval.

2.2 Attended Noise Monitoring

On 5 September 2016, Hanson was issued with a penalty notice following an investigation by the Department's compliance branch which determined that attended noise monitoring was not being undertaken on a monthly basis, as required under the project approval. Hanson has since undertaken monthly attended noise monitoring. Noise monitoring data from October 31 2016 through to 27 February 2017 demonstrates compliance with the quarry's approved noise limits.

It is in this context that Hanson proposes to replace the requirement for monthly attended noise monitoring with attended noise monitoring as detailed in the sites Noise Management Plan including;

- quarterly noise monitoring; and
- monitoring in the event of a complaint.

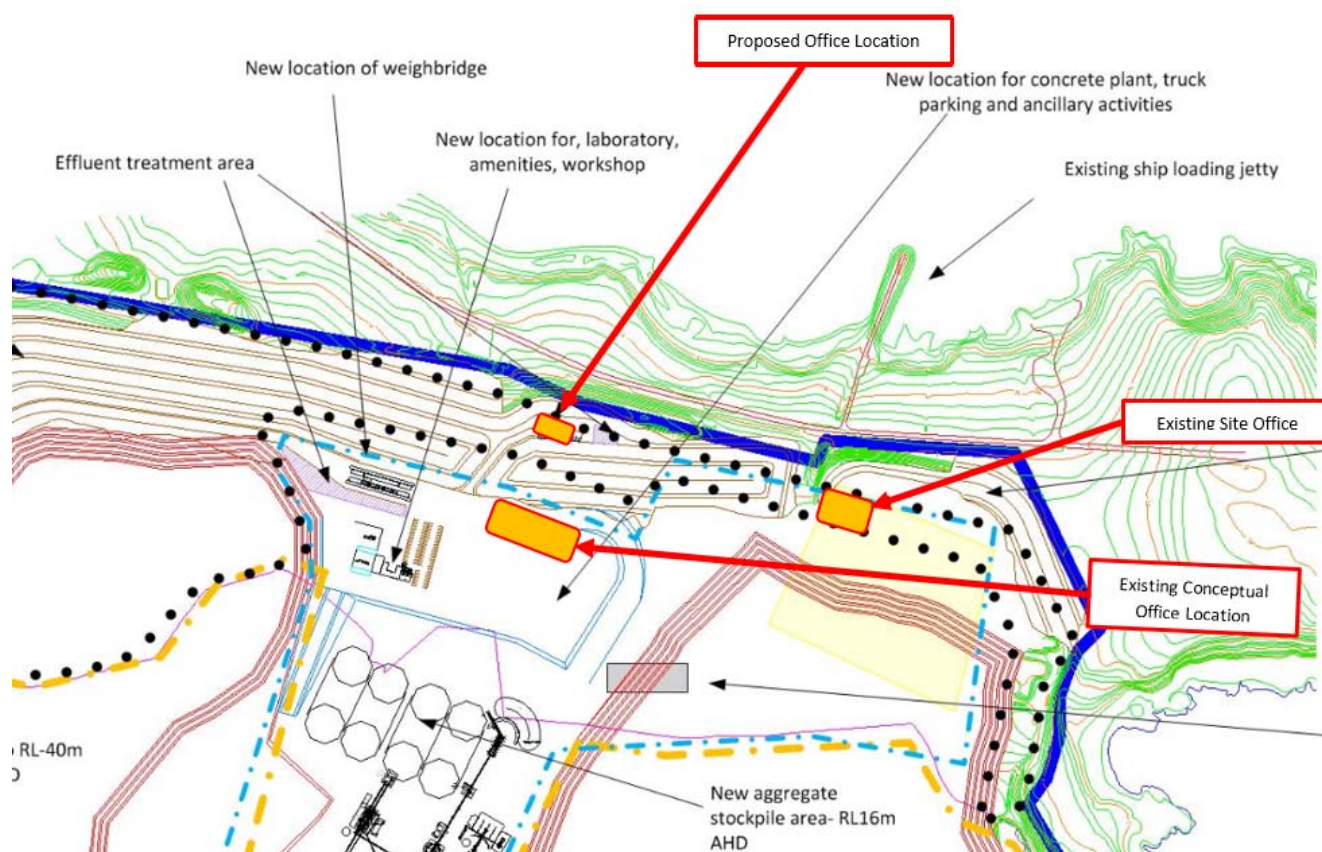


Figure 2: Location of proposed quarry office

3. STATUTORY CONTEXT

3.1 Section 75W

Project Approval MP 08_0143 was granted under the now repealed Part 3A of the EP&A Act. The project remains a 'transitional Part 3A Project' under Schedule 6A of the EP&A Act. Consequently, the modification must be assessed under the former section 75W of the EP & A Act. The Department is satisfied that the proposed modification falls within the scope of section 75W and may be determined accordingly.

3.2 Environmental Planning Instruments

A number of environmental planning instruments (EPIs) apply to the modification, including the:

- *State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007*;
- *State Environmental Planning Policy No. 14 – Coastal Wetlands (SEPP 14)*;
- *State Environmental Planning Policy No. 71 – Coastal Protection (SEPP 71)*;
- *Shellharbour Local Environmental Plan 2000*;
- *Shellharbour Local Environmental Plan 2013*; and
- *Illawarra Regional Strategy: 2006-2031*.

The Department has considered the proposed modification against the relevant provisions of these EPIs. The Department considers that the modified development could be undertaken in a manner that is generally consistent with the aims, objectives and provisions of these EPIs.

3.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, under the Minister's delegation of 16 February 2015, the Director, Resource Assessments may determine the application, as no public objections were received, Shellharbour City Council (Council) did not object to the proposal and Hanson has reported no political donations.

4. CONSULTATION

Under section 75W of the EP&A Act, the Department is not required to notify or exhibit the modification application. Given the minor nature of the proposed modification the Department did not consider that public exhibition was warranted. However, the EA was made publicly available on the Department's website and no community submissions were received.

The Department notified Council and the Environmental Protection Agency (EPA) of the application and invited them to comment on the EA. Neither Council nor the EPA lodged a submission on the proposed modification.

5. ASSESSEMENT

5.1 Office Relocation

The existing quarry office is readily visible to persons using Bass Point Tourist Road. It is only visually screened by six trees with the remaining foreground area consisting mainly of low cut lawn. A 1.8 m high cyclone security fence also sits between the lawn area and the public road.

The proposed office location would be positioned on the northern face of the northern amenity bund allowing the office to take advantage of the scenic views northwards towards Shellharbour South Beach. The site would be screened by the existing vegetation along Bass Point Tourist Road. The proposed modification requires the redesign of the northern amenity bund to include a level pad on which to build the office. This redesign would not affect the ability for this amenity bund to mitigate noise, air quality and visual impacts.

Hanson has emphasised that good building and office design can result in health and productivity improvements for employees. The proposed office location would take advantage of the coastal vista and would make the work place a more pleasant and dynamic environment.

The modification has the potential to improve visual impacts with the proposed office location being more shielded by vegetation from the nearby public road. The new office building would be constructed using modern design aesthetics which would lessen its visual presence in the landscape. Photos provided by Hanson of the quarry from Shellharbour South Beach demonstrate that the dominant visual element of the quarry is the processing plant's stacker conveyors. When looking at **Figure 3**, the relocated site office would be further right of the conveyor stackers and would benefit from additional vegetation screening in this location. Overall, the relocation of the Bass Point Quarry offices would have negligible visual impacts on Shellharbour South Beach.

The Department is satisfied that the proposed modification would not result in any significant environmental impacts.

5.2 Attended Noise Monitoring

The quarry operates under an existing Noise Management Plan approved by the Department under the conditions of approval. Approval conditions also require monthly attended noise monitoring to be undertaken to evaluate compliance with set noise criteria. The monitoring locations (R4, R5, R6, R7, R8, R9, R11, and R12) are shown in **Figure 4** below.

Since October 2016, monthly attended noise monitoring has been performed by Harwood Acoustics. Hanson provided noise monitoring data obtained over a seven month period between October 2016 and April 2017. The monitoring data has indicated that Bass Point Quarry's noise emissions have complied with the approved noise limits.

Hanson proposes to amend the approval conditions to remove the requirement for monthly attended noise monitoring in favour of the measures set out in its Noise Management Plan.

The approved Noise Management Plan sets out a monitoring program, including:

- unattended continuous noise logging overall ambient noise levels which result from both quarrying and processing operations and from other environmental noise sources; and
- attended noise monitoring projects noise emissions separated from background noise.

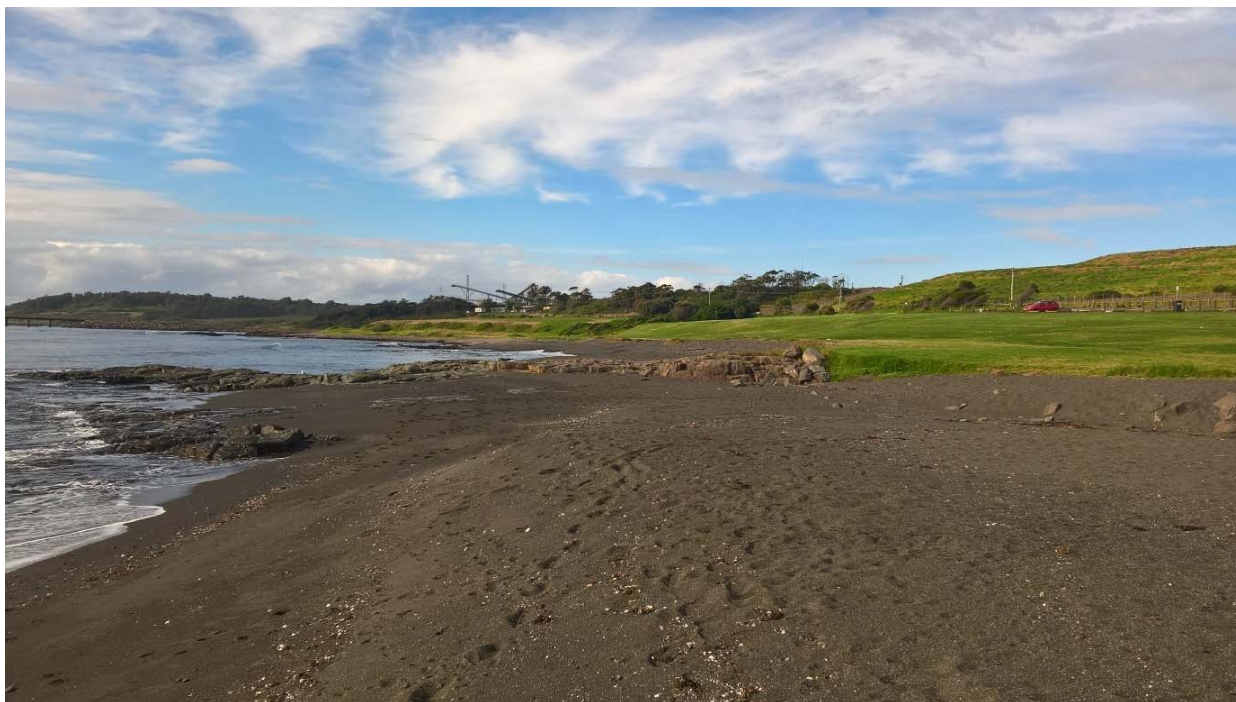


Figure 3: View of Bass Point Quarry from Shellharbour South Beach



Figure 4: Monitoring locations

Attended monitoring quantifies maximum (L_{Amax}) and average (L_{Aeq} (15minute)) intrusive and ambient noise levels over 15 minute measurement periods. Noise monitoring measurements are conducted at the closest residential locations (R6, R7, R8, R9, R11 and R12).

The Department notes that methods of compliance evaluation are not static and can change as circumstances demand. Hanson could therefore vary the monitoring type and frequency with the agreement of the Secretary. The Department's current standard conditions for hard rock quarries no longer require monthly attended monitoring.

The Department considers that the requirements imposed under the Noise Management Plan condition would be effective in ensuring compliance with approved noise criteria.

5.3 Conclusion

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. The assessment has shown that the relocation of the quarry office and a reduced frequency of attended noise monitoring would have no significant impacts on the environment and community.

The Department is therefore satisfied that the proposed modification is in the public interest and should be approved.

6. RECOMMENDED CONDITIONS

A Notice of Modification (see **Appendix B**) and a consolidated version of the Project approval as proposed to be amended (see **Appendix C**) have been prepared.

The Department has taken the opportunity to update other conditions of approval that are consistent with current practices and contemporary standards. The Department has incorporated the updated project layout plan. The Department considers that the environmental impacts of the project can be appropriately managed through the proposed amended conditions of approval.

Hanson has accepted the proposed modified conditions of approval.

7. RECOMMENDATION

It is **RECOMMENDED** that the Director, Resource Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **determines** that the modification request falls within the scope of section 75W of the EP&A Act;
- **approves** the modification application MP 08_0143 MOD 1, subject to conditions; and
- **signs** the attached Notice of Modification (**Appendix B**).



Genevieve Seed
Senior Planner
Resource Assessments

29/6/17



Howard Reed
Director
Resource Assessments

29.6.17

APPENDIX A: ENVIRONMENTAL ASSESSMENT

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8421

APPENDIX B: NOTICE OF MODIFICATION

APPENDIX C: CONSOLIDATED CONSENT
