

18 January 2022

Keiran Thomas
Director Regional Assessments
Department of Planning Industry & Environment
Level 16, 4 Parramatta Square
Parramatta NSW 2124

Dear Keiran

BASS POINT QUARRY PROJECT APPROVAL 08_0143 MODIFICATION 3

On review of the proposed application to modify Project Approval (PA) 08143, Australand would like to seek consideration that the application includes the importation of other fill material classified with a resource recovery order and exemption as approved by the Environmental Protection Authority (EPA).

The restriction of incorporating the importation of only Virgin Excavated Natural Material (VENM) and/or Excavated Natural Material (ENM) for use in landscaping and progressive rehabilitation at the Quarry may place unnecessary restrictions on material well suited for the proposed use, however does not meet the explicit criteria of the VENM and/or ENM resource recovery order and exemption.

Australand believes further consideration should be given to broadening the permissible material classifications for importation to the site for the following reasons:

1. There is currently significant construction activity within the Shell Cove and broader Shellharbour LGA which will likely result in the need for exportation of excavated material over time. Inherent within the local geology of the area are naturally elevated levels of copper marginally exceeding the ENM resource recovery order and exemption. Classification restrictions outlined within a planning consent does not give consideration for the EPA to consider the stability of such fill material based on merit and could exclude an appropriate reuse consideration for material not suited in other application or restricted by other planning consents.
2. In consideration of the above, broadening of permissible importation materials will allow excess fill material to be disposed of locally. The ability to source suitable fill sites for material that has received a classification other than VENM or ENM is difficult in the Illawarra region. An additional fill site consideration such as the Quarry could assist in reducing unnecessarily truck travel lengths, road use and noise generation through local communities and arterial road networks without adversely impacting the geological characteristics of the locality.
3. Further to these considerations, disposal of material that does not meet the VENM and/or ENM resource recovery order and exemption has a risk of placing unnecessary burden on the resources and capacity of licensed waste facilities.

Australand considers that the Modification Report and subsequent modified Consent could be suitably addressed through the inclusion of wording such as 'or other material approved by the EPA' where reference is made to VENM and/or ENM. This terminology is common within Consents approved by Shellharbour City Council (and other Councils) where applicable to the attributes of the site. We consider that the robust assessment therefore undertaken by the EPA would give the appropriate consideration necessary to ensure the material is suitable for reuse within the locations proposed at the Quarry.

Regards,

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