

From: [James McDonough](#)
To: [Tahlia Hutchinson](#)
Cc: [Jessie Evans](#); [Bradley James](#)
Subject: RE: Request for EPA Correspondence - Eagleton Quarry Project
Date: Thursday, 4 July 2024 1:15:39 PM
Attachments: [Eagleton+Quarry+Project+--+EPA+Comments+on+Draft+Conditions_.pdf](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)

Hi Tahlia,

Apologies, the advice from EPA re Deep Creek Quarry was attached in error. Please see attached advice from EPA following its review of the draft conditions of consent for the Eagleton Quarry Project.

Regards,

James

James McDonough

Team Leader, Resource Assessments

Energy, Resources and Industry | Development Assessment and Sustainability

Department of Planning, Housing and Infrastructure



dphi.nsw.gov.au

Level 17
4 Parramatta Square
Parramatta NSW 2150

Working days Monday to Friday



I acknowledge the traditional custodians of the land and pay respects to Elders past and present. I also acknowledge all the Aboriginal and Torres Strait Islander staff working with NSW Government at this time.

Please consider the environment before printing this email.

From: Tahlia Hutchinson [redacted]
Sent: Thursday, 4 July 2024 1:01 PM
To: James McDonough [redacted]
Cc: Jessie Evans [redacted]; Bradley James
[redacted]
Subject: Request for EPA Correspondence - Eagleton Quarry Project

Good afternoon James,

Thank you for providing the Department's advice on the draft conditions for the Eagleton Quarry Project.

The Commission acknowledges the Department's comment regarding the EPA's review of the draft conditions that occurred after the EPA's correspondence dated 20 March 2024, which did not include any objection to the proposed operating hours.

Can you please provide this correspondence from the EPA outlining their review of the draft conditions? The Commission notes in the [Department's correspondence to the Commission](#) dated 29 May 2024, the final EPA letter attached (page 24) relates to the Deep Creek Quarry project, and the Department may have attached this in error in place of the relevant correspondence relating to the Eagleton Quarry project.

If you could please provide this by **COB today 4 July 2024** that would be appreciated. Please note the Department's response will be published on the Commission's website.

Kind regards,

Tahlia Hutchinson (nee Sexton) | Senior Planning Officer

Office of the Independent Planning Commission NSW
Suite 15.02 Level 15 135 King Street Sydney NSW 2001
[REDACTED] | p: (02) 9383 2120 | | www.ipcn.nsw.gov.au



New South Wales Government
Independent Planning Commission

FOLLOW US ON:



Please consider the environment before printing this e-mail.

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorised to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.



Your ref: SSD-7332
Our ref: DOC24/299961-2

NSW Department of Planning, Housing and Infrastructure,
Planning and Assessment Division
Locked Bag 5022
PARRAMATTA NSW 2124

Returned via Major Projects Portal

Attention: James McDonough

By email: [REDACTED]

Dear Mr McDonough

EPA Advice – Draft Conditions of Consent - Eagleton Hard Rock Quarry (SSD-7332)

Thank you for the request for advice from Public Authority Consultation (PAE-68335458), requesting the NSW Environment Protection Authority (EPA) to review the draft conditions of consent for the proposed Eagleton Hard Rock Quarry (SSD-7332) (the Proposal) at Barleigh Ranch Way, located on the northern side of Six Mile Road and south of Italia Road approximately 8 km north of Raymond Terrace, NSW in the Port Stephens Local Government Area.

The EPA understands the Proposal is for:

- Extraction and processing of up to 600,000 tonnes per annum (tpa) of hard rock over a 30 year quarry life;
- Extraction and processing activities 7am – 6pm Monday to Friday and 7am-4pm Saturday;
- Transportation of processed material to market via truck primarily via Italia Road;
- Up to 170 truck movements per day or 20 truck movements per hour, 6 days per week between 5am-6pm Monday to Friday and 5am-4pm Saturday;
- Blasting activities 9am – 4pm Monday to Friday, with up to two blasts per day, but not more than 4 per week during the construction phase; and, no more than one blast per week during operation;
- Construction of on-site infrastructure;
- Water management system with controlled discharge of treated water to Seven Mile Creek and on-site storage to prevent discharges during rainfall events up to the one in 500 year ARI 24 hour storm event and one in 500 year ARI 72 hour storm event

Based on the information provided, the Proposal will require an environment protection licence under sections 43 and 47 of the *Protection of the Environment Operations Act 1997* (the Act) for *Extractive activities* under clause 19 of Schedule 1 of the Act. The EPA notes that the Proponent will, in due course, be required to prepare and implement a climate change mitigation and adaptation plan (CCMAP) and to report on the effectiveness of their plan over time, as indicated in section 5b of the EPA Climate Change Action Plan 2023-36.

The EPA acknowledges that the draft approval has generally addressed the EPA's recommended conditions of consent provided on 6 November 2017 (DOC17/545163) based on the 2017 Environmental Impact Statement and 2017 and 20 March 2024 (DOC24/189461-4) based on the 2023 Project Amendment.

Phone 131 555
Phone 02 9995 5555
(from outside NSW)

TTY 133 677, then
ask for 131 155

Locked Bag 5022
PARRAMATTA
NSW 2124

6&8 Parramatta
Square 10 Darcy
Street
PARRAMATTA NSW
2150

info@epa.nsw.gov.au
www.epa.nsw.gov.au
ABN 43 692 285 758

Amended draft conditions

The EPA recommends you make the following changes to draft conditions of consent:

Noise

- Condition B1 – amend Table 2 “Morning Shoulder” column heading to read “Evening and Night”
- Condition B1 – add the following note to Table 2 to define time of day:
Time of day is defined as follows:
day – the period from 7 am to 6 pm Monday to Saturday or 8 am to 6 pm on Sundays and public holidays
evening – the period from 6 pm to 10 pm
night – the remaining periods.
- Appendix 4 Condition 1(b) (ii) – modify clause to read “stability category E or F and wind speeds greater than 2m/s at 10m above ground level”

The above changes are recommended to clarify proposed noise criteria in line with the recommendations of the *Noise Policy for Industry* (EPA, 2017) (NPfI). The EPA notes the proposed evening and night noise criteria are based on the minimum criteria for these periods recommended by the NPfI.

Blasting

- Condition B14 – modify clause (a) (i) to read “ensure the safety of people, livestock and fauna (including microbats roosting in the Balickera tunnel) from blasting impacts of the development;

The above changes are recommended based on concerns raised by the Biodiversity and Conservation Division branch of Department of Climate Change, Energy, the Environment and Water (BCD) on potential cumulative blasting impacts on fauna in the locality. The EPA understand that BCD will raise these concerns separately. Accordingly, these concerns may be addressed by alternate means.

Air

- Replace condition B16 and B17 with the following:

The Applicant must:

(a) maintain the premises in a condition which minimises or prevents the emission of dust from the premises;

(b) carry out activities occurring in or on the premises in a manner that will minimise the generation, or emission of dust from the premises;

(c) prevent or minimise dust or other air pollutants in the operation of any plant operated in or on the premises;

(d) ensure that all trafficable areas, stockpile areas and vehicle manoeuvring areas in or on the premises are maintained, at all times, in a condition that will minimise the emission of dust to the air, or emission from the premises of wind-blown or traffic generated dust;

(e) ensure that trucks entering and leaving the premises carrying loads of dust generating materials have their loads covered at all times, except during loading and unloading.

- Modify condition B18 (d) with the following: “engage a suitably qualified and experienced person(s) to prepare an Air Quality Management Plan that includes, but is not limited to:
 - Key performance indicator(s) that are quantifiable, measurable and auditable;
 - Monitoring method(s);
 - Location, frequency and duration of monitoring;

- Record keeping;
- Response mechanisms; and
- Compliance reporting

The Air Quality Management Plan must include measures that:

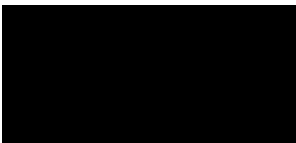
- represent both proactive and reactive management;
- are benchmarked against international best management practice for the control of fugitive particle emissions; and
- achieve emission controls equal to or greater than the control efficiencies included in the project air quality assessment, Eagleton Quarry Production Increase – Air Quality and Greenhouse Gas Assessment (25 January 2017) Pacific Environment Limited.

The Air Quality Management Plan must be implemented prior to the commencement of any dust generating activities at the site.

The above changes are recommended based on the EPA's recommended conditions of consent provided in 2017 (DOC17/545163) and the EPA's approach to regulation of dust from extractive industries. If the approach to the regulation of dust provided in the draft conditions of consent is alternatively adopted, the EPA recommends inserting the following phrase at the end of conditions B18 (b) and B18 (d) – "unless a suitable alternative is approved by the Planning Secretary"

If you have any questions about the advice above, please contact Anthony van der Horst on [REDACTED] or via email at [REDACTED].

Yours sincerely



CORRIE FORD
Manager – Operations
Environment Protection Authority

19 April 2024