



19 June 2020

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Originally sent by email to:
Daniel.Stokes@epa.nsw.gov.au
Rebecca.Scrivener@epa.nsw.gov.au

Dear Daniel

Re: Dowe's Quarry Expansion Project – EPA General Terms of Approval Comments

Following our discussion on 18 June 2020 regarding the proposed General Terms of Approval (GTAs) for the Environment Protection Licence (EPL) for the Dowe's Quarry Expansion Project, I am following up formally to request consideration of changes to a number of conditions to more closely align these with the assessed operation and to ensure that the conditions of any EPL remain practical in terms of implementation, monitoring, reporting and any audit of the conditions.

We respectfully request consideration of the following changes and requests for clarification.

1. Condition L3.3 – This condition specifies that clay and crusher fines generated from the Sunnyside Crushing and Screening Facility may be stored or disposed at Dowes Quarry. However, it specifies that only clay and crusher fines generated from Dowe's Quarry may be returned to the Quarry. There are several small quarry operations within the Tenterfield Shire that generate material that is processed at the Sunnyside Crushing and Screening Facility. These are small, predominantly granite quarries that are operated on a campaign basis. Clay or crusher fines generated from crushing activities may be transported to Dowe's Quarry for storage or disposal. Transport to Dowe's Quarry for storage and eventual use as backfill of the Quarry extraction area is considered a beneficial outcome for long-term storage of this material. I accept your comment that this is an existing condition in EPL 20598 but we believe it requires update. We note that this would not increase the number of traffic movements for the operation or the total volume of fines handled on-site. It is also consistent with the existing development consent 2014.078/1.

It is therefore considered more appropriate that this condition be adjusted as follows.

L3.3 *Clay and crusher fine products from the licensee's 'Sunnyside Crushing and Screening Plant' that have been produced during the processing of raw quarry product ~~from Dowe's Quarry~~ may be received at the premises for storage and/or disposal purposes.*

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2. Condition L5.8 – this condition limits blasting to no more than once per day with a maximum of 12 per year. The Environmental Impact Statement refers to blasting occurring ‘typically’ no more than once per month as an indication of frequency however goes on to request weekly limits in the interest of practicality. The Air Quality Impact Assessment considered blasting daily in order to be conservative and in terms of annual blasting assumes 12 large blasts. The blast size considered in assessment was up to 50,000t and covering an area of 1,736m² (see page A-89 of the Air Quality Impact Assessment). We also note that the 12 larger blasts far exceed operational requirements to despatch 230,000t of product per annum. We are concerned that this condition will push the Company to preference larger blasts in order to meet the frequency limits and may for example create a situation where having undertaken 12 blasts by October, the Quarry would need to close until such time as the next blast can be undertaken. From a practical perspective it is more likely that blasts would be smaller and in some cases designed to trim areas with smaller volumes targeted to ensure stability of the working area.

It is considered likely that the controls applied to blasting would limit potential impacts no matter the size of the blast. In addition, the flexibility to undertake more frequent blasts at smaller size would be beneficial in terms of the community experience, environmental impacts and operational efficiency. Ultimately, the annual extraction limit is the limit on blast frequency. Setting a stringent limit on blast frequency would require blasts to be larger on average to fragment sufficient material until the next blast. This is not in anyone’s interests.

Suggested alternative wording for the condition is as follows.

****L5.8** Blasting at the premises is limited:*

- a) to 1 blast each day on which blasting is permitted,
- b) to a maximum of 24 blasts per reporting period.

3. Condition L7.1 and Condition L7.2 refers to limits on extraction and processing. It is assumed that this requirement would be consistent with the recent amendment to the *Protection of the Environment Operations Act 1997*¹ and for the purpose of monitoring would be taken as material despatched from the Quarry (either processed materials or raw materials to be transported to the Sunnyside Crushing and Screening Facility). The limit of 470tph is the practical limit of processing and cannot physically be exceeded.

No change is requested to this condition as long as the approach to monitoring is clarified.

4. Condition L7.3 - Limits truck movements to 120 loads/week with a maximum of 28 loads per day. This condition omits that 120 loads per week would be an average of four consecutive weeks. The average of four consecutive weeks was intended to allow principally for periods of poor weather where operations would not occur. As reflected in Section 4.1.6 of the Submissions Report, peak traffic levels may reach 168 laden loads in a week but would need to be followed by three weeks at 104 laden to satisfy the averaging requirements. The key limits on the operation remain the annual production limit and the limit of no more than 28 loads per day

Suggested alternative wording for the condition is as follows.

L7.3 No more than 120 loaded trucks are to be dispatched per week (averaged over four consecutive weeks) with a maximum of 28 loaded trucks on any one day.

¹ www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/amendment-regulation-for-scheduled-activities

5. Condition L6.2 – this condition refers to operating hours and it is noted that it has not included extraction or processing activities. For the purpose of clarity for personnel and the community it is requested that these be included (with extraction occurring from 7:00am to 5:00pm Monday to Saturday and processing from 7:00am to 5:00pm Monday to Friday and from 7:00am to 1:00pm on Saturdays).
6. Condition O2.7 – This condition requires that no overburden removal can occur while fresh rock is being removed and transported. It is appreciated that this condition is intended to reflect the modelled peak day at which the Quarry is operating at a rate of 470tph over the whole day in order to meet demand. It is reiterated that during these periods it would not be physically possible to stop extraction activities to concentrate on overburden management. However, on an average day when the Quarry is operating at a lower rate of 250tph for example, there would be capacity for extraction activities to be interrupted by overburden handling to ensure that both activities are done efficiently, and material is not double-handled (thereby causing additional dust).

In addition, it is confirmed that the peak or worst case scenario would be when the maximum level of extraction and processing is occurring (470tph processing with transport to the stockpiling area). This essentially involves fresh rock removal and transport. Where for example both fresh rock removal and transport and interspersed overburden removal and transport were occurring, the dust generation would be less than the peak modelled scenario principally due to the necessary slow down of processing activities and through the avoidance of double-handling of materials.

This condition does not reflect the realities of a Quarry operation and we request that it be removed, unless a more practical outcomes is considered that ties the condition directly to peak processing periods.

7. Condition O2.10 – This condition sets a maximum height of stockpiles at 10m. However, it is noted that the Overburden and Fines Stockpile is intended to reach a height of 35m in Stage 1 and Stage 2 of operations. Product stockpiles would not exceed 10m.

Suggested alternative wording for the condition is as follows.

O2.10 The maximum height of all *processed product* stockpiles at the premises is 10 metres

8. Condition O4.3 – This condition requires bitumen seal for ‘entire length’ of quarry access road. The Air Quality Impact Assessment refers to bitumen seal over 600m of the access road external to the Quarry Site boundary (the boundary of the licenced premises). However this was increased to 785m as described in Section 4.1.1 of the Submissions Report This extends the existing seal and is considered appropriate.

We note your feedback that this may be a matter for the development consent and not the EPL. However, if a condition is warranted, we suggest the following alternative wording.

O4.3 A bitumen seal must be applied and regularly maintained along *a 785m* length of the quarry access road *from the intersection of the road with the Mount Lindesay Highway*. The seal must be applied prior to the commencement of the project operations.

It is appreciated that the EPA has fielded a number of queries and concerns from the local community regarding this application. While the conditions provided in the GTAs are detailed, it is agreed that other than the above queries, the conditions are consistent with the Project as proposed and the mitigation that is intended to be a component of the operation. The EPA’s consideration of these

matters is appreciated, and we would also appreciate a prompt reply so that Tenterfield Shire Council may continue with its assessment.

Feel free to contact myself or Terry Woods with any further queries on the application.

Yours sincerely



Nick Warren
Principal Environmental Consultant

Copy: Darryl McCarthy Constructions
Tenterfield Shire Council

