



Badgerys Creek Quarry and Brick Making Project | Modification 6

MODIFICATION REPORT

Prepared for CSR Building Products Pty Limited | 3 September 2024





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1 INTRODUCTION

1.1 Summary

Element Environment Pty Ltd is acting on behalf of CSR Building Products Pty Limited (CSR), which operates the Badgerys Creek Quarry and Brick Making Project at 235 Martin Road, Badgerys Creek (the site). CSR is applying to the NSW Department of Planning, Housing and Infrastructure (DPHI) to modify major project consent MP10_0014 (the consent) (Modification 6) under Section 4.55(1A) of the NSW *Environmental Planning and Assessment Act 1979* (EP&A Act).

The modification will allow the import of fill materials subject to specific resource recovery exemptions and orders (RRE/O), but which meet or are better than the criteria for excavated natural material (ENM) under *The excavated natural material exemption 2014*.

This modification report summarises the approved development and site, proposed modification, consent pathway and consultation and environmental assessment.

1.2 Summary of approved project

1.2.1 Consent and modifications

Project approval was issued under Section 75J of the EP&A Act on 27 September 2011 for the ongoing production of bricks and the expansion of the existing quarrying operations at 235 Martin Road, Badgerys Creek.

In October 2016, CSR Building Products Limited (CSR) acquired Boral Bricks Pty Limited (Boral) brick business along the eastern seaboard of Australia (including the site).

CSR modified MP10_0014 and concept plan approval (CP10_0033) to enable the full potential of the site and to allow it to meet the needs of the brick manufacturing businesses. CSR lodged three modification applications on 1, 4 and 21 December 2017 under Section 75W of the EP&A Act (Modification 2, Modification 3 and Modification 4).

Modification 4 to MP01_0014 was for the importation of fill material to backfill the quarry voids to natural ground level to rehabilitate the site and facilitate future redevelopment in accordance with the Western Sydney Aerotropolis Plan. The Modification 4 EA and the consolidated consent uses the term virgin excavated natural material (VENM) to refer to fill material that will be imported to backfill the quarry voids.

Condition 35A and 35B of the consolidated consent require the progressive rehabilitation of the quarry pits as outlined below:

35A. The Proponent must complete the backfilling of Pits 1 and 2 within 6 years of commencement of Phase 1, or as otherwise agreed by the Secretary.

35B. The Proponent must complete the backfilling of Pit 3 within 2 years of the date of completion of extraction activities in Pit 3, or as otherwise agreed by the Secretary.

With a high demand for clean fill material on a number of major construction projects in the Sydney basin and surrounds, there is unlikely to be sufficient VENM available at the rate required to meet the conditions of approval, to backfill and rehabilitate the quarry voids. Therefore, CSR wanted the flexibility to import clean fill that also includes excavated natural material (ENM).

CSR modified MP01_0014 and CP10_0033 under Section 4.55 1A of the EP&A Act to change the word 'VENM' throughout the Project Approval and Concept Plan Approval to 'Fill', and then define 'Fill' in the definitions section as VENM and/or ENM.

Modification 5 to MP10_0014 was granted on 5 January 2022.

Certain sources of fill are being granted to named sources, which do not reference VENM and ENM and, therefore, are not approved to be received at the site. Therefore, CSR proposes to modify the definitions and other relevant sections of MP01_0014 to define 'fill'.

1.2.2 Brick plant expansion and quarrying

CSR, following an internal review of their bricks network decided that it will not pursue the proposed brick plant expansion or quarrying at the Badgerys Creek site. However, the site will proceed with the acceleration of the rehabilitation works required under its current approval to ensure that the site aligns with the approved Western Sydney Aerotropolis Precinct plans as the site has being rezoned enterprise and light industrial.

CSR concurrently is preparing to lodge the site's Master Planning application to the DPHI for consideration, which will deal with the future of the site as an industrial park. The rehabilitation works need to progress to achieve alignment of the precinct plan and master planning application, with CSR aiming to complete it in line with the commencement of operations at Western Sydney Airport.

2 SITE DESCRIPTION

The site is at 235 Martin Road in the suburb of Bradfield, which is in the Liverpool Local Government Area (refer to Appendix A). The majority of site and surrounds are zoned ENT – Enterprise under State Environmental Planning Policy (Precincts – Western Parkland City) 2021.

The approximately 200 ha site is bound by Badgerys Creek and Western Sydney Airport to the west, Ingham's Property Group site to the south, South Creek to the east and Australian Native Landscapes and rural residential properties to the north.

The site is generally cleared of vegetation except for the creek lines and some isolated stands of trees scattered across the site. The site is accessed via a private road off the southern end of Martin Road. Martin Road joins Elizabeth Drive (a designated B-double route) at a T junction intersection to the north, with CSR currently constructing a signalised intersection to allow safe flow of heavy vehicles onto Elizabeth Drive

3 NEED AND PROPOSED SECTION 4.55(1A) MODIFICATION

CSR proposes to modify MP01_0014 under Section 4.55(1A) of the EPA& Act to allow importation of fill material from construction projects in the Sydney basin that satisfies or is better than the specifications of *The excavated natural material exemption 2014*.

As summarised in Section 1.2.1, MP10_0014 was modified to allow import of VENM and ENM, which are defined in the definitions section of the consolidated consent. However, certain sources of fill are being granted to named sources, which do not reference VENM and ENM and, therefore, are not approved to be received at the site.

Examples are:

- *The Sydney Metro West (Stage 1) tunnel spoil order and exemption December 2023.*
- *The Western Harbour Tunnel Stage 2 tunnelling material order and exemption February 2024.*
- *The Sydney Metro West (Eastern Tunnelling Package) tunnel spoil exemption April 2023.*
- *Patons Lane Processed Soils exemption 2024.*

Therefore, CSR proposes to modify the definitions and other relevant sections of MP01_0014 to define ‘fill’ as *Material such as VENM, ENM and soils in the form of tunnel spoil that meet the criteria of a current EPA resource recovery order and EPA resource recovery exemption, and has been approved by the EPA to be applied to land at the following premises: Lot 2 DP1278780.*

CSR does not propose to modify any other aspect of MP01_0014, for example, the project summary under the definitions or the terms and limits of consent under Schedule 2, except as required to reference Modification 6.

4 PLANNING APPROVAL PATHWAY

4.1 NSW Environmental Planning and Assessment Act 1979

As outlined above, Project Application PA10_0014 was approved under Section 75J, Part 3A of the EP&A Act on 27 September 2011.

Part 3A (Major Infrastructure and Other Projects) of the EP&A Act was repealed by the NSW *Environmental Planning and Assessment Amendment Act 2011* (Part 3A Repeal Act) in October 2011.

Under the Part 3A Repeal Act, projects deemed to be transitional Part 3A projects continued to be subject to Part 3A of the EP&A Act. The definition of transitional projects includes certain projects that were the subject of an existing approval under Part 3A.

These transitional arrangements closed on 1 March 2018. This means that all future modifications to Part 3A projects after this date are to be assessed under the State significant development (SSD) and State significant infrastructure (SSI) pathways under Part 4 of the EPA Act.

The regime requires a transfer from a transitional Part 3A project to SSD or SSI (as relevant). The mechanism for transferring a transitional Part 3A project to SSD or SSI is set out in clause 6 of Schedule 2 of the EP&A Regulation, involving an order of the Minister (published in a Gazette) declaring the project to be SSD or SSI.

Relevantly, a project ceases to be a transitional Part 3A project on the making of the declaration. The Project was gazetted as SSD for the purposes of future modifications on 13 August 2021.

Therefore, modification applications to the Project Approval are to be made under Section 4.55 of the EP&A Act. Section 4.55(1A) allows modifications with minor environmental impact, where:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if-

- a. it is satisfied that the proposed modification is of minimal environmental impact, and [refer Section 5]
- b. it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and [refer Section 2]
- c. it has notified the application in accordance with- [refer Section 4]
 - i. the regulations, if the regulations so require, or
 - ii. a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and
- d. it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.

The proposed modification is substantially the same development as approved for the following reasons:

- Terms of consent – the modification will not change any of the construction or operational aspects described in the documents listed in Condition 3 of the consolidated consent, other than to change the description of fill material. This will not have any environmental impact as CSR commits to only accept material with characteristics equal to or better than those

described in *The excavated natural material exemption 2014* and which is subject to a RRE/O listed on the EPL.

- Staged development – the modification will not require changes to the development stages under Condition 5A of the consolidated consent.
- Limits of consent – the modification will not involve changes to the volume of materials received to or dispatched from site and there will be no change to the volumes in Table 1 of the consolidated consent.

As described in Section 4, DPHI concurred the modification should be submitted and assessed under Section 4.55(1A) as it will have minor environmental impact and will be substantially the same development for which consent was granted.

4.2 NSW Environmental Planning and Assessment Regulation 2021

Part 5, Division 1, Section 100(1) of the Environmental Planning and Assessment Regulation 2021 (EP&A Reg) specifies requirements for modifications to a development consent. These requirements are addressed in Table 4.1.

Table 4.1 EP&A Reg requirements

Clause	Report section
100 Content of modification application	
(1) A modification application must contain the following information—	
(a) the name and address of the applicant,	1.1, 2
(b) a description of the development that will be carried out under the development consent,	1.2
(c) the address and folio identifier of the land on which the development will be carried out,	2
(d) a description of the modification to the development consent, including the name, number and date of plans that have changed, to enable the consent authority to compare the development with the development originally approved,	3
(e) whether the modification is intended to—	3
(i) merely correct a minor error, misdescription or miscalculation, or	
(ii) have another effect specified in the modification application,	
(f) a description of the expected impacts of the modification,	6
(g) an undertaking that the modified development will remain substantially the same as the development originally approved,	4.1
(h) for a modification application that is accompanied by a biodiversity development assessment report—the biodiversity credits information,	Not applicable
(i) if the applicant is not the owner of the land—a statement that the owner consents to the making of the modification application,	Not applicable
(j) whether the modification application is being made to—	Not applicable
(i) the Court under the Act, section 4.55, or	
(ii) the consent authority under the Act, section 4.56.	
(2) Subsection (1)(i) does not apply if the consent of the owner is not required under section 98.	Not applicable
(3) If a modification application under the Act, section 4.55(1A) or (2) relates to BASIX development, or BASIX optional development if the development application was accompanied by a BASIX certificate, the application must be accompanied by—	Not applicable
(a) the BASIX certificate, or	
(b) a new BASIX certificate if the current BASIX certificate is no longer consistent with the development.	

5 Consultation

5.1 Department of Planning, Housing and Infrastructure

A modification scoping letter was sent via email to DPHI on 25 June 2024. A DPHI officer spoke to a representative of Element on 26 June 2024 to clarify the nature of material proposed to be received on site and the corresponding RRE/Os, which were provided to the officer via email later that day.

The DPHI officer replied via email on 15 July 2024 requesting the submission of a modification report that describes the material referred to in the subject RRE/Os and stated it would be an administrative modification. This document comprises the requested modification report.

CSR and Element met a DPHI officer on 26 July 2024 to further discuss the project. The officer advised that it isn't DPHI's preference to grant a blanket exemption to allow receipt of material under RRE/Os from named sources within the Sydney basin as that could inadvertently enable disposal of other wastes to land. The officer advised DPHI would consider alternative wording that has been agreed between CSR and the EPA. Subsequent EPA consultation is summarised below.

The officer was generally supportive of the material coming to site and added the modification would be administrative in nature as no significant environmental impacts are predicted.

5.2 NSW Environment Protection Authority

CSR and Element met an EPA officer on 12 August 2024 to discuss the project. The officer was advised CSR would prefer wording in the consent that allows it to import material from named sources that are generally in accordance with the VENM/ENM RRE/Os. The officer agreed to workshop this with the resource recovery team.

The EPA officer replied via email on 3 September 2024 with the following suggested wording to be inserted to the consent:

Soils in the form of tunnel spoil that meet the criteria of a current EPA Resource Recovery Order and EPA Resource Recovery Exemption, and has been approved by the EPA to be applied to land at the following premises: Lot 2 DP1278780.

The EPA noted the following in regards to use of tunnel spoil at the site:

- 1. Although the definition of tunnel spoil may be similar to that of excavated natural material (ENM) as defined by EPA Resource Recover Order – The Excavated Natural Material Order 2014, the use/application of tunnel spoil is not covered by this Order and Exemption. The use/application of tunnel spoil must be covered by an EPA Resource Recovery Order and EPA Exemption Order specific to the tunnel spoil used/applied.*
- 2. To use/apply tunnel spoil, PGH need to apply for the use of each tunnel spoil covered by a Resource Recovery Order and Resource Recovery Exemption and have it listed on the licence. The EPA will not issue a blanket approval for the use/application of all tunnel spoil.*
- 3. Tunnel spoil can only be used for the purpose(s) specified in the Resource Recovery Exemption for that spoil. PGH must meet all conditions listed in the Exemption, such as testing, monitoring and record keeping requirements. It is important that PGH check each Exemption to ensure that the material is used in accordance with the uses listed in the Exemption. If PGH intend to use the tunnel spoil in a manner not permitted or listed in the Exemption, PGH will need to apply to the EPA for a specific exemption for this use (see [Apply for an order and exemption \(nsw.gov.au\)](#)).*

4. *The EPA may apply additional conditions to the environment protection licence for the premises in relation to use of tunnel spoil, if it deems it appropriate. This may include additional testing/monitoring requirements before applying tunnel spoil in a location where it may come into contact with groundwater.*

The proposed modification and suggested changes to the project approval in this document are based on the above.

6 ENVIRONMENTAL RISKS AND MANAGEMENT MEASURES

6.1 Key risks associated with the importation of excavated natural material

Modification 5 identified the primary risk associated with the importation of any fill material to the site was if the material included contaminants that don't comply with the requirements of the relevant resource recovery orders and exemptions.

The modification identified importation and placement of ENM to the site would be strictly controlled by the ENM order and the ENM exemption.

CSR has prepared a fill management plan in accordance with Condition 39A of the Project Approval. The fill management plan clearly outlines the management measures/controls that are in place to ensure that the ENM received on site meets the requirements of the ENM order and that it is placed on site in accordance with the ENM exemption.

The modification report stated receipt and placement of ENM on the site would not result in any greater environmental risks than the approved project as:

- Trucks transporting ENM to the site would follow the same haul routes as is identified for VENM importation in Modification 4 and the Project Approval.
- The truck movements associated with the importation of both VENM and ENM would not exceed the truck movements in the Project Approval.
- The operating hours during which ENM will be imported would be the same as for VENM importation as outlined in Modification 4 and the Project Approval.
- ENM would be emplaced in the same locations as the emplacement of VENM identified in Modification 4 and the Project Approval.

Therefore, the modification report concluded there should be no greater environmental risk associated with using VENM and/or ENM as engineered fill material at the site.

The import of fill subject to named source RRE/Os is not expected to adversely impact the environment because CSR will commit to only accept material with characteristics equal to or better than the definition of ENM in Section 1 of *The excavated natural material exemption 2014*, which defines ENM as:

Excavated natural material is naturally occurring rock and soil (including but not limited to materials such as sandstone, shale, clay and soil) that has:

- a) been excavated from the ground, and
- b) contains at least 98% (by weight) natural material, and
- c) does not meet the definition of Virgin Excavated Natural Material in the Act.

Excavated natural material does not include material located in a hotspot; that has been processed; or that contains asbestos, Acid Sulfate Soils (ASS), Potential Acid Sulfate soils (PASS) or sulfidic ores.

Additionally, CSR's rehabilitation work is being supervised by a Level 1 geotechnical supervisor and environmental consultants to ensure the site can be certified as suitable for an industrial land use upon completion.

Therefore, it is likely the material to be accepted under this modification would have less potential contamination than that approved under Modification 5.

An example of the material proposed to be received at the site is naturally occurring rock from the Sydney Metro West Stage 1 tunnel, which under *The Sydney Metro West (Stage 1) tunnel spoil exemption* can only comprise naturally occurring rock with no more than 0.4% non-natural material and has not been contaminated by manufactured chemicals or process residues (except for trace amounts of shotcrete, steel fibres and grout).

The above example would have 1.6% less non-naturally occurring material compared to the maximum allowable for ENM, which could result in a better overall environmental outcome if the equivalent volume of material under *The excavated natural material exemption 2014* were received on site.

Another example is *The Sydney Metro West (Eastern Tunnelling Package) tunnel spoil exemption April 2023*, which can only comprise naturally occurring rock that contains no more than 0.90% w/w shotcrete, 0.02% w/w steel fibres and 0.003% synthetic fibres. If all present in the material, the combined contaminants would comprise 0.95% of the total material composition, which would be slightly lower or equal to that under the *The excavated natural material exemption 2014*.

To ensure the conditions of each relevant RRE/O are implemented, CSR will commit to revising the fill management plan required under Condition 39A of MP01_0014 to reflect the 'General requirements' in Section 5 of each relevant RRO. Each revision of the fill management plan will be forwarded to EPA for review and approval prior to accepting related fill on site, and CSR will apply to EPA to list the subject RRE/O on the EPL. Material will only be accepted once it has been listed on the EPL.

6.2 Other environmental risks

The original EA and subsequent approved modifications assessed a number of environmental issues. The potential impacts of the proposed modification in relation to the environmental issues identified in the original EA and subsequent modifications are considered in Table 6.1.

Table 6.1 Assessment of impact of proposed modification

Environmental issue	Consideration	Potential impact Mod 5	Potential impact Mod 6
Noise and vibration	<p>The proposal to import ENM (in addition to VENM) will not:</p> <ul style="list-style-type: none"> involve any new noise or vibration generating activities that weren't assessed in the original EA or subsequent modification EAs; result in a change in the position of either point or line noise sources assessed in the original EA or subsequent modification EAs; increase the approved truck movements outlined in Condition 12 of Schedule 2 of the Project Approval; or operate outside of the approved operating hours outlined in Condition 1 of Schedule 3 of the Project Approval. <p>There is no change in the noise criteria for the site as the proposed modification does not seek to alter the noise criteria stipulated in conditions 5 and 6 of Schedule 3 of the Project Approval.</p> <p>Therefore, the proposed modification will not result in any additional operational or road traffic noise impacts.</p> <p>The Noise Management Plan will be implemented to minimise noise impacts from the proposed modification.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Air quality	<p>Air quality impacts associated with the importation of ENM (in addition to VENM) and other material subject to RRE/Os include dust and vehicular emissions.</p> <p>The proposed modification does not increase the volume of imported fill material, the disturbance footprint associated with the backfilling of quarry voids, or the location and distance of haul roads.</p> <p>The proposed modification does not increase the size of the brick storage area to the east of the brick factory, nor does it exceed the transportation limits of the Project Approval or introduce any new types of air pollutants. Therefore, no additional air quality impacts greater than those reported in the original EA or subsequent modification EAs are predicted.</p> <p>There is no change in the air quality performance criteria for the site as the proposed modification does not seek to alter the air quality criteria stipulated in Condition 9 of Schedule 3 of the Project Approval.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.

Environmental issue	Consideration	Potential impact Mod 5	Potential impact Mod 6
	<p>Therefore, the proposed modification will not result in any additional air quality impacts and does not substantially alter the development for which Project Approval was granted.</p> <p>The Air Quality Management Plan will be implemented to minimise air quality impacts from the proposed modification.</p>		
Surface water	<p>The proposed modification does not increase the disturbance footprint associated with the approved project.</p> <p>The proposed modification will not require changes to the site's surface water management, nor would it require changes to water access or increase the area of impermeable surfaces (hardstand) on the site.</p> <p>The importation of material for engineered fill is unlikely to pose any greater risk to surface water quality than the importation of VENM, as it is strictly controlled by the ENM order and exemption and will also be carefully managed in accordance with the Fill Management Plan.</p> <p>The proposed modification does not seek to introduce water discharge limits of any Environment Protection Licence.</p> <p>Consequently, the proposed modification would not result in any additional impacts on surface water runoff quantity or quality and does not substantially alter the development for which Project Approval was granted.</p> <p>The Soil and Water Management Plan will be implemented on site, to minimise surface water quality impacts from the proposed modification.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	Better environmental outcome as material proposed to be imported will have less potential to contain contaminants than that under the ENM RRE/O. Therefore, there will be less potential to pollute surface water.
Traffic	<p>CSR will carefully manage the total number of truckloads per day, associated with the proposed modification, to ensure they do not exceed the approved daily truckload limit.</p> <p>The proposed modification will also not alter the approved days and hours of truck arrival and dispatch.</p> <p>Therefore, the proposed modification will not alter the intersection performance or carrying capacity of the approaching roads and does not introduce any new heavy vehicles as assessed in the EAs.</p> <p>The requirements of the Traffic Management Plan will be adhered to during the proposed modification operations.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Aboriginal heritage	The proposed modification does not increase the disturbance footprint associated with the approved project.	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.

Environmental issue	Consideration	Potential impact Mod 5	Potential impact Mod 6
	<p>The proposed modification will take place within the approved site boundary and will not impact known Aboriginal heritage items or sites.</p> <p>The proposed modification will not impact on any Aboriginal heritage values or land not previously assessed as part of the approved project.</p> <p>Site operations, will be managed in accordance with the Aboriginal Heritage Management Plan.</p>		
Bushfire	<p>Liverpool City Council's Bushfire Prone Land Map (Sheet 8) and the bushfire prone land maps in the 'Eco Logical Australia. October 2020 Draft Bushfire Management Plan: Aerotropolis Core, Badgerys Creek and Wianamatta-South Creek Precincts. Prepared for Western Sydney Planning Partnership', identifies parts of CSR's property bordering along both South Creek and Badgerys Creek as containing bushfire prone land ('Vegetation Category 1' and 'Vegetation Buffer'). No new development is proposed in proximity to bushfire prone land associated with either South Creek or Badgerys Creek that is not included in the Project Approval.</p> <p>The proposed modification will not impact on any land not previously assessed as part of the approved project.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Visual	<p>The proposed modification does not increase the disturbance footprint associated with the approved backfilling of the quarry voids or finished product storage.</p> <p>The proposed modification does not increase the height of the landscape or built structures or require any changes to existing buildings, or infrastructure on site.</p> <p>Consequently, the proposed modification would not result in any additional visual impacts to the approved project and does not substantially alter the development for which Project Approval was granted.</p> <p>Site operations, will be managed in accordance with the Visual Impact Management Plan.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Biodiversity	<p>The proposed modification does not increase the vegetation or ground disturbance footprint associated with approved VENM importation and emplacement.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.

Environmental issue	Consideration	Potential impact Mod 5	Potential impact Mod 6
	<p>The proposed modification does not alter the number of truck movements within or to and from the site and therefore would not increase the potential for fauna vehicle strikes.</p> <p>Consequently, the proposed modification would not result in any additional biodiversity impacts.</p>		
Historic heritage	<p>The proposed modification will not impact known historic heritage areas within the site or result in new ground disturbance.</p> <p>Consequently, the proposed modification would not result in any additional impacts on historic heritage.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Groundwater	<p>The proposed modification does not involve any changes to the approved quarrying activities including extent and depth of excavations.</p> <p>The proposed modification does not involve the importation of material to backfill quarry voids that contains pollutants that could impact on groundwater quality.</p> <p>Therefore, the proposed modification is unlikely to result in a change to the groundwater impacts assessed as part of the approved project.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	Better environmental outcome as material proposed to be imported will have less potential to contain contaminants than that under the ENM RRE/O. Therefore, there will be less potential to pollute groundwater.
Socio-economic	<p>The proposed modification does not alter the number of truck movements (transportation limits) of the approved project or result in any additional environmental, social or economic impacts than those identified and thoroughly assessed in the EAs.</p> <p>Consequently, the proposed modification would not result in any additional social or economic impacts and does not substantially alter the development for which Project Approval was granted.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Waste	<p>The proposed importation of material for engineered fill is strictly controlled by the related RRE/Os and will also be carefully managed in accordance with the Fill Management Plan.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.
Rehabilitation	<p>As no change is proposed to extraction areas or overburden stockpiles and the proposed modification does not increase the vegetation or ground disturbance footprint associated with approved quarrying, overburden emplacement, engineered backfilling of quarry voids, raw material stockpiling or finished product storage, the proposed modification will not require any changes to the rehabilitation approach described in the original EA and subsequent modification EAs.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.

Environmental issue	Consideration	Potential impact Mod 5	Potential impact Mod 6
	<p>Allowing the importation of material to backfill the quarry voids will help meet one of the rehabilitation objectives of Condition 34 of Schedule 3 of the Project Approval, which involves returning the pits to natural ground level while being geotechnically stable.</p> <p>All rehabilitation will be undertaken in accordance with the Rehabilitation Management Plan for the site.</p>		
Land contamination	<p>The proposed modification does not increase the disturbance footprint associated with approved quarrying, overburden emplacement, backfilling of quarry voids or raw material stockpiling.</p> <p>All activities associated with the proposed modification will take place within the approved project boundary.</p> <p>The proposed modification will not impact on any land not previously assessed as part of the approved project. Therefore, the likelihood of encountering contamination when undertaking activities associated with the proposed modification is low.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	Better environmental outcome as material proposed to be imported will have less potential to contain contaminants than that under the ENM RRE/O. Therefore, there will be less potential to pollute land.
Hazards	<p>The proposed modification does not introduce new hazards to the site that have not previously been considered in the original EA. The material proposed to be imported for use as engineered fill is not a dangerous good.</p> <p>The proposed importation of material for engineered fill is strictly controlled by the relevant RRE/Os and will also be carefully managed in accordance with the Fill Management Plan, therefore minimizing the risk of hazardous material being accidentally imported to the site and used as engineered fill.</p> <p>Consequently, the proposed modification is not considered a hazardous activity and does not substantially alter the development for which Project Approval was granted.</p>	No impact greater than assessed in the original EA and subsequent modification EAs.	Better environmental outcome as material proposed to be imported will have less potential to contain contaminants than that under the ENM RRE/O. Therefore, there will be less potential to generate hazards.
Greenhouse emissions	The proposed modification will not change the approved site development plan or lengthen the on-site finished product receipt or dispatch routes or the haul roads for importing fill. The proposed modification will not increase any of the approved extraction, production, receipt or dispatch limits and will therefore not result in a change in greenhouse gas emissions from the site.	No impact greater than assessed in the original EA and subsequent modification EAs.	No impact greater than assessed in the original EA and subsequent modification EAs.

Environmental issue	Consideration	Potential impact Mod 5	Potential impact Mod 6
	<p>The proposed modification does not alter the number of truck movements (transportation limits) of the Project Approval and therefore would not increase the amount of diesel usage assessed in the EAs.</p> <p>Consequently, the proposed modification will not result in a change in greenhouse gas emissions from the approved project.</p>		

7 SUGGESTED CHANGES TO THE PROJECT APPROVAL

To allow for the importation of material subject to resource recovery exemptions and orders from named sources in the Sydney basin in addition to ENM and VENM to backfill the quarry voids the following change to the Project Approval is recommended.

Define 'fill' as: ***Material such as VENM, ENM and soils in the form of tunnel spoil that meet the criteria of a current EPA resource recovery order and EPA resource recovery exemption, and has been approved by the EPA to be applied to land at the following premises: Lot 2 DP1278780.***

8 CONCLUSION

The receipt and placement of ENM on the site is strictly controlled by the ENM order and exemption. Additionally, CSR proposes to import material subject to resource recovery exemptions and orders from named sources in the Sydney basin with material characteristics equal to or better than those described in The excavated natural material exemption 2014.

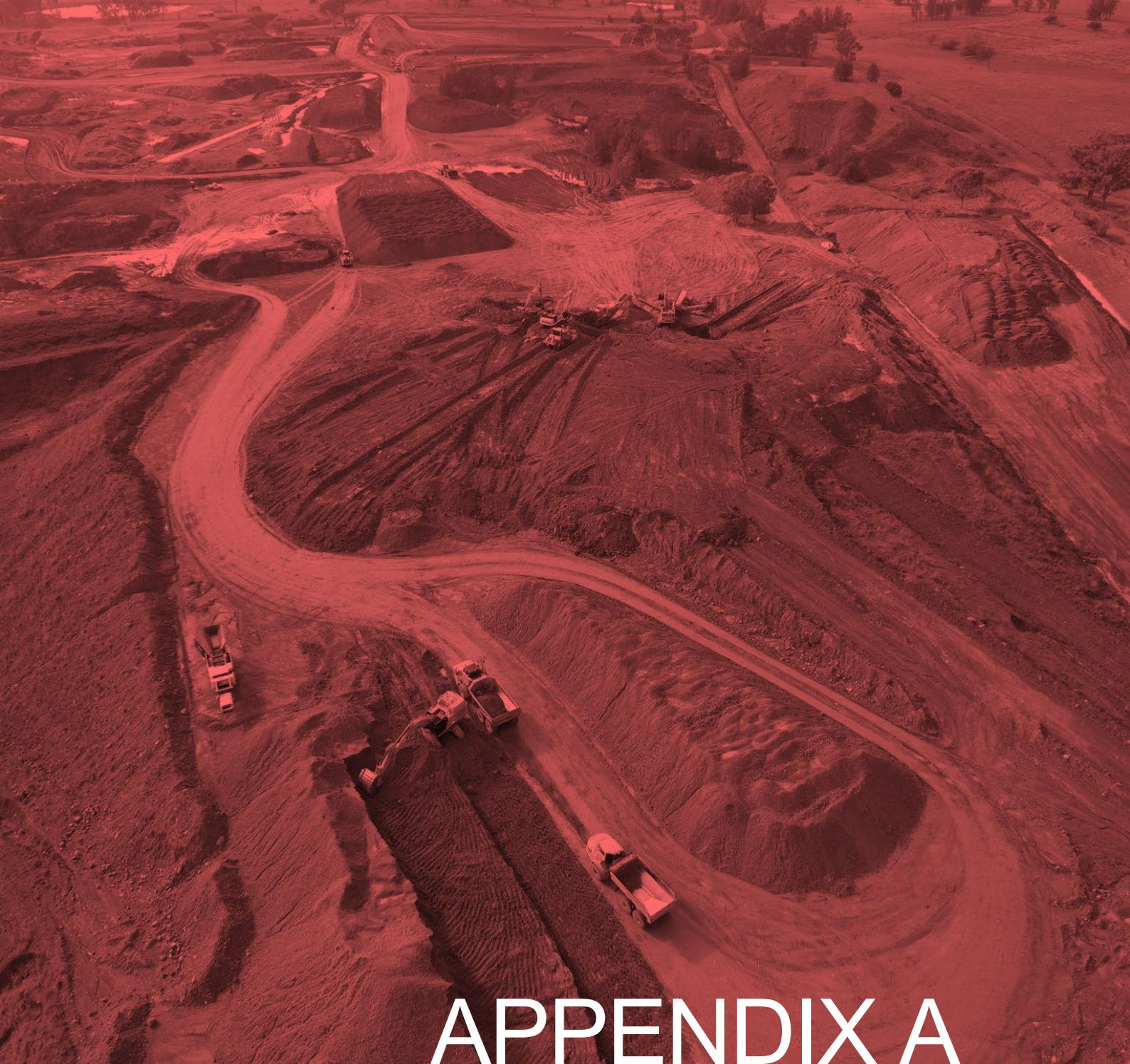
The importation of clean fill in the form of the other material referred to above can be carefully managed to prevent any contaminated material being brought to site (as is the case with VENM). The importation of material in addition to ENM and VENM will not result in any additional or greater environmental impacts than those already identified and fully assessed under Modification 5.

Therefore, there is no reason from an environmental impact or legislative perspective why material subject to resource recovery exemptions and orders from named sources in the Sydney basin can't also be received at the site for use as engineered fill.

Following the review and evaluation of the potential impacts of the proposed modification against key environmental issues identified in the original EA and subsequent modification EAs, it is concluded that the proposed modification would result in minimal environmental impact and not substantially alter the development for which Project Approval was granted.

The existing environmental management plans will be reviewed by CSR following approval of the modification and amended as necessary.

The modification is therefore considered to be in the public interest and is recommended for approval.



APPENDIX A

REGIONAL CONTEXT

Figure 1.1
Regional context

CSR ADVANCED MANUFACTURING HUB - MODIFICATION 3
ENVIRONMENTAL ASSESSMENT

