

27 May 2020

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Dear Sir,

Re: Brandy Hill Quarry Expansion Project (SSD 5899) – Applicant Questions

Thank you for your letter dated 25 May 2020 and the opportunity to provide additional information concerning the proposed Brandy Hill Quarry Expansion Project (the Project) to aid your discussions with Port Stephens Council (Council). While these responses are provided in advance of our briefing meeting planned for 29 May 2020, we would be comfortable to discuss these matters further at that meeting, should you require any further clarification.

The responses to the questions are provided in the order originally presented.

Did any discussions take place with Council about whether the quarry site should be dedicated at no cost to Council at the completion of quarrying in accordance with Condition 6 of the 1983 development consent?

Our understanding is that Council is aware of Hanson's plans for progressive rehabilitation, the proposed final landform and the final land use as a water body surrounded by native vegetation. This is indicated by the comment in the Council submission on the *Environmental Impact Statement* (EIS) that refers to the Rehabilitation Plan for the ongoing operation. No discussions have taken place regarding the dedication of the land to Council at no cost. Given the final landform would be significantly different to that proposed under the existing consent, Condition 6 of Development Consent P9/1/12/1920 is no longer considered relevant. Regardless, the land on which the Quarry is located may be dedicated to Council under agreement upon closure of the Quarry, however this arrangement would be made at the time of closure and should not form a condition of development consent for the proposed Project.

The Department's Assessment Report indicates that the practical limit of production is 1.35 million tonnes per annum, rather than the 1.5 million tonnes per annum applied for. Does the lesser output extend the life of the quarry beyond 30 years? If so, by how much?

It is accurate that a lower extraction rate would in practice extend the life of the Quarry. It is difficult to quantify by how much as annual product dispatch also relies on demand. It is anticipated that at maximum of 1.5 million tonnes per annum would not be reached in the first year following an approval. However, the proposed extraction rate of 1.5 million tonnes per annum is based on projected demand in the Port Stephens region, the Newcastle and Hunter regions and to maintain supply into the Greater Sydney Region. The Quarry is strategically located to supply each of these markets.

This projected demand was also the reason for the operating hours as proposed in the EIS and later modified in the Amended Response to Submissions. Hanson has consulted with the

Department of Planning, Industry and Environment (the Department) regarding the operating hours in the draft conditions of consent that result in the practical limit on production. Hanson has agreed to the operating hours proposed by the Department, excluding the limitation on secondary and tertiary crushing and on product transport during the evening period (6:00pm to 10:00pm). This remains a point of contention (as discussed below).

Regardless, it is important to Hanson that a limit of 1.5 million tonnes per annum remains in the consent so that demand may be satisfied. It is accepted that should the proposed operating hours presented in the draft conditions of consent remain, reaching this limit would require an expensive upgrade to processing equipment.

What caused the spike in noise complaints from the local community in 2018?

The noise complaints received in 2018 were discussed briefly in Section 1.6.6 of the Amended RTS. It is noted that the majority of complaints were provided anonymously to the NSW Environment Protection Authority. It is Hanson's experience that the increased awareness of an existing operation caused by a planning proposal can lead to an increase in complaints. This may be caused by the local community becoming more aware of the operation and therefore taking more notice or through certain members of the community trying to raise issues with the relevant authorities. Regardless of the community intentions in making complaints, Hanson investigates all complaints received. Where possible, feedback is provided to the complainant.

Does Hanson have any concerns about the recommended conditions contained in the Department's Assessment Report?

Hanson's concerns regarding the draft conditions of consent have been expressed in correspondence provided to the Department in April and May 2020.

While Hanson is satisfied with the majority of conditions, the proposed operating hours for secondary and tertiary crushing and for product transport during the evening period remain a concern. In addition, Hanson does not agree with the removal of night-time product dispatch (10:00pm to 5:00am) which was proposed to occur on only 20 nights each calendar year.

It is fundamental to operate the secondary and tertiary plant for extended hours to meet current and future demand. Secondary and tertiary processing provide the sizing and shaping required to produce materials that meet the relevant Australian Standards. It is a slower and less intensive process compared to primary crushing. Therefore it does not produce the noise and dust generally associated with primary crushing and that is expected by the community when asked about crushing and screening.

The Department's Assessment Report has indicated that the lost capacity due to reduced operating hours may be made up through upgrade to the operating equipment at the Quarry. This is not considered reasonable due to:

- the high cost of undertaking such an upgrade;
- the marginal benefit in terms of outcome;
- the potential for impact from evening operations from this equipment; and
- the demand is sufficiently high that any upgrade would not achieve a reduction in hours required, as intended.

Excluding a complete replacement of equipment (very expensive and not considered reasonable or feasible), the upgrade of secondary and tertiary equipment would provide marginal benefits. Furthermore, assessment undertaken during the evening and night-time periods indicated that this could occur with acceptable impacts. It should also be noted that

these operating conditions were presented to the community with the feedback received indicating general acceptance. It is noted that the Brandy Hill and Seaham Action Group continued to oppose the proposed operating hours, purporting to reflect the views of the community, which was not consistent with the feedback Hanson received in the more casual consultation sessions held at the Quarry.

Extended operating hours for product dispatch are also becoming important especially considering growing trends for concrete delivery and manufacture over 24 hours each day. Concrete production facilities are generally constructed on small industrial blocks in order to be close to market. As a result they do not have the storage required to keep up with demand. Extended hours are particularly important considering the minimum of two hours lead time for transportation into Sydney and the likelihood of congestion in built up areas such as in Sydney and Newcastle.

Hanson's proposal for night-time product dispatch was intended to permit a level of flexibility that would allow Hanson to satisfy demand for late night delivery for projects that require it. This proposal was put forward by Hanson directly to the CCC in response to concerns regarding operating hours. Hanson would provide 7 days' notice to the community of any intended night-time delivery. It should be noted that night-time operations on 20 days a year represents one night every two and half weeks or less than two days each month.

Further information to support Hanson's position regarding evening and night-time period operating hours will be provided during the briefing meeting.

What expectation in terms of timing does Hanson have in relation to the delivery of the bus bays and shared pathway along Brandy Hill Drive?

Recommended Condition A11 stipulates that Hanson cannot transport more than 700,000 tonnes of materials from the Quarry until the bus bays are constructed. It is therefore in Hanson's best interests that the bus bays are constructed as soon as possible following an approval. However, the agreement with Council stipulates that the bus bays would be designed and constructed by Council. Therefore, Hanson has no control over timing for construction of this infrastructure. Similarly with the construction of the shared pathway, Hanson has agreed to provide \$1.5 million to fund this infrastructure (which was considered to be three quarters of the total estimated cost of construction). However, Hanson has no control over design or construction.

In summary, Hanson does not have any expectations in terms of timing as this is under the control of Council. However, it is preferred that the timing remain relatively consistent with the agreed payment schedule for funding contributions. That is, construction within 12 months for the bus bays and construction within 2 years for the shared pathway. Ultimately timing for construction is a matter for Council.

Given at the end of quarrying a large artificial waterbody will have been created on the site, how does Hanson propose to ensure the waterbody does not represent a hazard or become a source of pollution?

As noted in Section 2.20 of the Amended RTS, it is not anticipated that the water in the final Quarry landform would become stagnant or overflow. The final water level is predicted to reach an elevation of 30m AHD at equilibrium which is below the lowest ground level at the extraction boundary of approximately 35m AHD. In addition, natural evaporative processes would develop a natural evaporative sink with groundwater continually entering the landform to replace water removed by evaporation. It is noted that the water in the final landform would be more saline than the nearby Deadman's Creek, however this is a function of the more saline groundwater.

Access to the Quarry final landform would be secured by fencing and safety bunding that would limit vehicular access. This would ensure that the water body is not a safety hazard.

It should also be noted that the final landform would be guided by the final conditions of consent, a Biodiversity and Rehabilitation Management Plan and any closure plans for the operation. The Biodiversity and Rehabilitation Management Plan would be developed in consultation with the Biodiversity Conservation Division and Port Stephens Council and would include performance and completion criteria for evaluating the performance of the rehabilitation of the site, including contingency measures and triggers for remedial action, should they be required

Can the Applicant provide further information about its existing Community Consultative Committee?

The Community Consultative Committee (CCC) was formalised in accordance with the DPIE *Community Consultative Committee Guideline 2019* in September 2017. The first meeting of the CCC was held on 11 November 2017. The meetings are chaired by an approved independent chairperson (Lisa Andrews <https://www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Community-Consultative-Committees/Chairpersons>).

There are seven community members, one Council representative and four Hanson representatives generally attending including the following people.

- Lisa Andrews (Independent chairperson)
- Cr Paul LeMotee (Council representative)
- Margarete Ritchie (Community Representative (VOWW & BHSAG))
- Neil Ritchie (Community Representative (BHSAG))
- Rod Adams (Community Representative)
- James Moore (Community Representative)
- Peter Rees (Community Representative VOWW)
- Pre McGee (Community Representative)
- Chantal Parslow Redman (Community Representative)
- Andrew Driver (Hanson Development Manager)
- Belinda Pignone (Hanson Environment and Compliance Coordinator)
- Brad Nelson (Hanson Quarry Manager)
- Shaun Boland (Hanson Production Supervisor)

There have been five CCC meetings since inception in 2017. At the end of the May 2019 meeting it was determined that the following meeting should occur once the negotiations between Hanson and Council regarding the Planning Agreement had been finalised. Due to the length of time taken for this process, a meeting was not scheduled again until April 2020 (subsequently postponed to 9 June 2020 due to COVID-19 restrictions).

In addition to the meetings, Hanson has also provided information and answers to questions supplied by CCC members, organised site tours for CCC members (as well as the general public) and implemented air quality monitoring and tank water quality testing at the request of members. During preparation of the Amended RTS, Hanson identified that consultation with CCC members alone was not sufficient to communicate with the local community. As a result, two informal community meetings (have-a-chats) were held for community members outside

of the committee to allow interaction with Hanson staff outside of the formal CCC meetings. One of these meetings occurred at the Quarry.

I trust that the above provides suitable clarification for your discussions with Council. Feel free to contact me with any further queries.

Yours sincerely,

HANSON CONSTRUCTION MATERIALS PTY LTD



ANDREW DRIVER

Development Manager- Eastern Region

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