

**JACKSONS LANDING COALITION INC.**

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**SUBMISSION TO THE INDEPENDENT PLANNING COMMISSION**

**Glebe Island Aggregate Handling Facility and Concrete Batching Plant**

**SSD 8544**

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## INTRODUCTION

Hanson Construction Materials Pty Ltd (Hanson) has applied for approval to build and operate an Aggregate Handling Facility and Concrete Batching Plant (the concrete plant) on Glebe Island. The Department of Planning, Industry and Environment (the DPIE) has assessed this application in its State Significant Development Assessment SSD 8554. It considers that the application is “approvable”. However, because of the level of objections, the DPIE has referred the application to the Independent Planning Commission (the IPC) for determination.

Jacksons Landing Coalition Inc. (JLCI) is an incorporated society formed by residents of Jacksons Landing, a community comprising more than 1,400 apartments and terraces located directly across from Glebe Island. It is one of the most densely populated areas in Australia.

JLCI strongly opposes the proposed concrete plant.

This submission has two objectives:

(1) to summarise the reasons why the IPC should not approve the proposed concrete plant and

(2) demonstrate the inadequacy and inaccuracy of the assessment undertaken by the DPIE.

This submission begins with general observations about the Hanson proposal and the DPIE’s assessment. It then addresses most of the specific issues raised in the assessment using the four categories adopted by the DPIE:

- strategic considerations
- built form and visual impacts
- operational impacts, including noise and air quality
- trucks and congestion

We commend the submission to your attention.

JCLI personnel will be pleased to meet with Commissioners to discuss this submission.

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## GENERAL OBSERVATIONS

### DPIE ASSESSMENT QUALITY

We view the DPIE's assessment of Hanson's proposal as extremely unsatisfactory and disappointing. Too often, assertions made by Hanson have been accepted by the DPIE without any critical analysis whereas, as detailed below, it will be shown that those assertions are highly questionable.

JLCI, like many other objectors, has been following the course of this application for more than three years. That has involved reviewing Hanson's original Environmental Impact Statement (EIS), its Response to Submissions, and its Further Response, researching issues, making submissions (formal and informal), and meeting with representatives of the DPIE and the Port Authority of New South Wales (the PA).

We have identified numerous specific problems through this process which Hanson has either fudged or simply ignored. We have drawn these problems to the DPIE's attention, but in its assessment they are either glossed over or rebutted with bald assertions.

Three examples illustrate the point.

Firstly, developments should not obstruct views from the ANZAC Bridge. In its documents, Hanson used photos taken from locations on the bridge where the view would not be adversely affected by its plant. We specifically drew the DPIE's attention to the fact that views from many other locations on the bridge would be adversely affected. We even provided the DPIE with photographic evidence. However, in its final assessment the DPIE simply regurgitates Hanson's self-serving photos.

Secondly, we have constantly argued that if the concrete plant were to proceed, there should be a curfew on the arrival and departure of vessels. The movement of vessels at night, with tugs, wakes up local residents. Hanson argued that it could not cope with a curfew because it would have no control over the timing of the arrival and departure of its vessels and it needed a continuous operation. We explained to the DPIE why Hanson's arguments were clearly specious. And yet there is no mention of a curfew in the DPIE's assessment.

Thirdly, we have demonstrated to the DPIE that the position of the concrete plant and vessels servicing it, right next to the channel of water between Johnstons Bay and Blackwattle Bay, could constitute a major problem for water traffic. However, the DPIE has just accepted, and repeated, bald assertions from Hanson and the PA that there would not be a problem.

We cite these three examples to highlight the shortcomings of the DPIE's assessment. We also note that the assessment frequently seeks to burnish its credentials by numerous references to "community consultation". These examples show that the act of consultation is worthless if the issues raised are simply ignored. (These and numerous other examples are set out in more detail below.)

In many instances, the DPIE's assessment identifies an issue that arose during the Hanson application process, notes subsequent information provided by Hanson, and then signs off on the issue as if Hanson's assurances are definitive.

JLCI is just an organisation of interested local residents. It has neither the expertise nor the financial resources to properly scrutinise Hanson's proposal. The public is supposed to be able to rely on the DPIE to provide that scrutiny. In the current case, we believe that it has failed to do so. Many of the flaws in the DPIE's assessment are obvious even to uninformed locals. We worry that if the time and money were available to engage appropriate experts, many more flaws in the DPIE's assessment would be revealed.

#### THE NARROW PUBLIC INTEREST ARGUMENT

Section 4.15 of the Environmental Planning and Assessment Act 1979 lists the matters that a consent authority is to take into consideration when determining a development application. These are:

- the provisions of environmental planning instruments (including draft instruments), development control plans, planning agreements, and the EPA Regulations
- the environmental impacts on the natural and built environments, and the social and economic impacts of the development in the locality,
- the suitability of the site for the development,
- any submissions made, and
- the public interest.

In our view the DPIE has (1) placed undue emphasis on the public interest test and (2) applied a very narrow interpretation of that test.

The assessment seriously downplays the highly adverse environmental, social, and economic impacts that the proposal would have on local communities. It contends that a large concrete plant operating 24-hours-a-day, seven-days-a-week, making one million cubic metres of concrete per year, and requiring 240 vessel movements annually would not have a material impact on the lives of the residents living directly opposite the plant. This does not pass the commonsense test.

The assessment acknowledges 24/7 noise exceedances but says that the residents of hundreds of apartments across from Glebe Island would just have to live permanently with their doors and windows shut. Using a conveniently circular argument, the assessment concludes that local residents would not suffer property devaluation because "the Department's assessment demonstrates the proposal would not have any unacceptable impacts on the amenity of the surrounding area". As if living in permanent lockdown would be an "acceptable" impact.

The hundreds of objections from local residents make a nonsense of the DPIE's attempt to downplay the severe environmental, social, and economic impacts that the Hanson proposal would have on their lives.

In our view, the DPIE seeks to portray objections to the Hanson proposal as just a 'NIMBY' issue. Hence its reliance on the amorphous public interest argument to endorse the proposal. However, the DPIE's interpretation of public interest is too narrow. The assessment concludes that "the proposal is in the public interest as it would supply concrete in close proximity to

the CBD and major infrastructure projects and support the construction industry and broader economy". This focuses on the public interest from a purely economic perspective.

The public interest goes well beyond economic considerations. Sydneysiders love their harbour. They enjoy being on it, walking along its foreshore, and seeing it from many parts of the city. Like the Sydney Harbour Bridge, the elegant ANZAC Bridge has become an iconic feature of the inner harbour. As the photo montage below demonstrates, the proposed Hanson concrete plant would desecrate views to and from the ANZAC Bridge. Can anyone seriously suggest that that would be in the public interest?



Sydney is growing rapidly. The inner city is expanding outward and needs better connections to the west. As part of that, the State Government's own planning proposes opening up a link to the west through Pyrmont and, across the old Glebe Island Bridge. Self-evidently, building and operating a 24/7 concrete plant at the very point that the bridge joins Glebe Island would stifle such an initiative. How could that be in the public interest?

Glebe Island is a vast open area on the harbour and close to the city centre with the potential for major transformation. It could be utilised for any number of public projects. A major step toward redevelopment is the building of the Bays West metro station and the rehabilitation of the White Bay Power Station. Glebe Island's current use as a port does not preclude its rapid transformation to other purposes when desired. However, if Hanson were allowed to build a permanent concrete plant, the redevelopment of Glebe Island, including for public amenities, would effectively be closed down for the next quarter century. How could that be in the public interest?

It is easy to imagine a scenario where Hanson builds its plant and in ten years' time the plant stands in the way of a major redevelopment of Glebe Island. The state would then be forced to pay a fortune to get rid of Hanson. That would not be in the public interest. If that occurred, no doubt people would then be asking how Hanson ever got approval for a

permanent plant; how it got to be in a position to hold the state to ransom in this way. Hanson is proposing to spend \$22 million on this plant. It is going to want to operate it for a number of decades

#### INCONSISTENCY BETWEEN HANSON STATED OBJECTIVES

We also draw to the Commission's attention to the inconsistency in some of Hanson's statements. According to page 6 of the assessment, one of the key Hanson justifications for its proposed new concrete plant is as follows:

The Applicant also advises the proposal would seek to replace the shortfall from the Hymix (a subsidiary of Hanson) concrete batching plant at Bank Street, Pyrmont, expected to be demolished to facilitate the renewal of the Blackwattle Bay District.

However, this justification appears to be incorrect. Hanson made a submission to the DPIE in relation to the draft Pyrmont Peninsula Place Strategy (<https://mail.google.com/mail/u/0/#inbox/QgrcJHrntQGCbXXzxhRDpNzsztnXtqfthq?projector=1&messagePartId=0.1> ).

Page 2 of that submission includes a section entitled "Hanson's Future Vision for Hymix Site". That vision specifically includes the retention and ongoing operation of the Hymix site in Bank St. Something does not add up here. One of the supposed justifications for building a new plant on Glebe Island appears to be incorrect.

It is worth stressing that the Bank St site, literally under the freeway, is self-evidently a more suitable place for a concrete plant than Glebe Island. The noise and visual impact of the current plant is much lower than it would be with the proposed plant.

#### A WORKING PORT

There is a serious flaw at the heart of the DPIE's recommendation of the Hanson proposal, namely the claim that the proposal would represent the continuation of Glebe Island as a "working port". That claim underlies much of the reasoning in the assessment.

There are two distinct parts to the Hanson proposal – an aggregate handling facility and a concrete batching plant. The first is a port activity – the unloading of materials from a ship and their storage. The second part is clearly not a port activity – producing concrete. The first can be justified as the continuation of a working port; the second cannot.

The definition of the word 'port' includes terms such as harbour, dock, mooring, jetty, pier, marina, and anchorage. None of these concepts applies to a concrete plant. A concrete plant is a manufacturing operation. On no interpretation can it be described as a port or port activity. Furthermore it is proposed as a 24/7 manufacturing facility.

Glebe Island is a port not a manufacturing precinct. It is more than a century since the last major manufacturing operation on Glebe Island disappeared – an abattoir that closed in 1915. From time to time the large open space on Glebe Island is used short-term for other diverse

activities (like assembling the New Year's fireworks), however, there is no recent history on Glebe Island of large-scale, long-term manufacturing.

Yet the assessment constantly justifies its support for the concrete plant with references to the working port argument:

Page 10 – “The State Infrastructure Strategy 2018-2038 states that to ensure there is an efficient bulk-handling network to support the Eastern Harbour City, it will be important to maintain Glebe Island as a working port for at least the next 20 years”.

“The NSW Freight and Ports Plan 2018-2023 states that the retention of Glebe Island and White Bay precinct as a working port is essential”.

Page 11 – “While the [Bays Precinct] Transformation Plan identifies the potential for renewal on Glebe Island, it also identifies that the site would continue to support the existing port and maritime economy”.

Page 21 – “the site ... is currently and has historically been used as a working port”.

All this is true, and it can be put forward in support of a port activity like unloading, storing, and on-transporting aggregate. However, it is no justification for building a manufacturing plant on Glebe Island. That would constitute introducing a new activity, changing the nature of the area from a pure port to a place of manufacturing.

The DPIE is clearly aware of this flaw in its reasoning. It attempts to overcome the problem by conflating port activities and manufacturing. For example, page 22 states that the Hanson proposal “would maintain the working harbour, noting Glebe Island has been used for industrial purposes for over 100 years”. “Industrial” is defined as “relating to industry”. “Industry” is defined as “economic activity concerned with the **processing** of raw materials and **manufacture** of goods in factories “. Therefore, the DPIE is wrong to say that Glebe Island has been used for industrial purposes for over 100 years. Glebe Island is a port designated for urban transformation, not an industrial precinct.

To allow Hanson to build and operate the proposed concrete plant would be to change the fundamental nature of Glebe Island. Accordingly, that part of the proposal, the major part, cannot be justified by the DPIE as a continuation of the working port. The DPIE needed to assess the proposal for what it really is, namely a new industrialisation of Glebe Island. It has failed to do that.

## BUSINESSS AS USUAL

Closely related to the flawed working port argument in the assessment is the equally flawed “business as usual” argument. The DPIE contends that the operations of the proposed concrete plant would constitute business as usual for this part of Glebe Island; a continuation of the current activities carried out there. That is incorrect for two reasons. This proposal would represent a change in both the **nature** of the activities and the **scale** of those activities. As discussed above, manufacturing would be a new activity for this site, which is currently used as a port. Just as significantly, the scale of the proposed Hanson operations would be far

in excess of what has occurred there in recent years. There would be a major expansion both on the land and on the water.

The site on Glebe Island proposed for the Hanson plant has been empty for years. The last activity of any significance was more than a decade ago when imported cars were parked there as part of the car terminal. That closed back in 2008. In terms of GI Berths 1 and 2, for more than twelve years there have only been four or five bulk materials vessel visits a year. It is absurd to claim that a change from the very low activity levels of more than a decade to a large new industrial plant making one million cubic metres of concrete per year and 120 vessel visits annually would just be business as usual. Yet the assessment makes that claim.

Page 54 of the assessment states that the proposal would “recognise [the port’s] 24-hour operation”. This is also misleading. The level of activity at GI Berths 1 and 2, and particularly on the site of the proposed Hanson plant, has been minimal for many years. Most of it occurs in normal business hours and is small scale. It is patently wrong to imply that GI Berths 1 and 2 currently operate 24/7. Over the last decade, many residents have moved into Jacksons Landing in the expectation of a minimal amount of disruption from port activities, as confirmed in the Bays Precinct Transformation Plan of 2015.

#### CUMULATIVE IMPACT

A major concern of local communities is the cumulative impact of adding the proposed concrete plant to the existing activities on Glebe Island, the proposed new MUF, and the approval of a doubling of throughput of the Cement Australia silos. The MUF would bring 80 bulk carriers a year to GI Berths 1 and 2. That would mean substantial noise and air pollution. The Hanson proposal would add to all that, the noise and air pollution generated by the concrete manufacturing process and a further 120 bulk carrier visits a year. Put simply, that would be a tipping point for many local residents; a bridge too far. It is untenable to suggest that an increase in port activity on this side of Glebe Island from four or five bulk carriers a year to 200 is either fair or bearable for the people of Jacksons Landing.

For several years we have tried to get the DPIE to acknowledge the intolerable impact that this sudden massive expansion of polluting activity would have on the lives of the residents of Jacksons Landing. Our efforts have been to no avail and in its assessment of the Hanson proposal, the DPIE continues to gloss over the cumulative impact problem. This is a material weakness of the assessment. The main justification in the DPIE assessment is that the adjacent residences were built with alleged additional noise protection. The lived experience of residents has been that this protection is inadequate, and who should have to live with their windows and doors closed 24/7 anyway?

#### CONDITIONALITY

The DPIE recommends that a number of conditions be applied to Hanson. In our view those conditions would do little to prevent the major adverse impacts of this proposal, both on local communities and the general public. Take for example the crucial issue of noise.

The DPIE suggests applying “strict noise criteria based on the best achievable noise levels identified by the Applicant”.

The best achievable ... by the Applicant. That is a toothless condition and it provides no protection to local residents.

We also have no confidence that Hanson would follow any conditions imposed upon it. From a cursory review of the website of the NSW Environment Protection Authority (the EPA), it appears that Hanson has breached one of its Environmental Protection Licences on at least eight occasions and has received at least six penalty notices from the EPA. It has also been fined by the EPA on two occasions, once for an alleged repeat air pollution offence - <https://www.epa.nsw.gov.au/news/media-releases/2018/epamedia180322-epa-fines-doyalson-concrete-plant-for-air-pollution> .

Of greatest concern is the fact that Hanson has been convicted in a criminal pollution case (Search Hanson here) - <https://apps.epa.nsw.gov.au/casesapp/ProsecutionDetails.aspx>

On the basis of this track record, Hanson should not get approval for this project. There is a clear danger that it would treat any fines or penalties imposed for air and noise pollution or other breaches of any conditions imposed as just a cost of doing business.

The DPIE also seems to assume that the PA would restrict and regulate Hanson’s activities to prevent problems. This argument has been used by Hanson itself throughout the application process. The essence of the argument is that Hanson’s rights to operate the concrete plant and berth ships at Glebe Island would depend on its lease agreement with the PA. The PA would supposedly ensure, through that agreement, that there would be no adverse environmental impacts. The flaw in this argument is that the PA cannot be relied on to protect the environment or local residents because it is conflicted.

The PA has two major conflicts. First, as the lessor, it would have an obvious financial interest in Hanson entering into the lease and paying the highest possible rent. It would not want to impose any restrictions on Hanson that would either dissuade Hanson from entering into the lease or reduce the amount of rent that Hanson might otherwise be prepared to pay.

The second conflict is that the PA’s interests are closely aligned with Hanson’s. The PA is developing the MUF next door to the Hanson plant. The PA does not want any restrictions or controls placed on the operation of the MUF, including the berthing of ships at GI Berths 1 and 2. Self-evidently, it would seek to minimise restrictions or controls on the Hanson project for fear that someone would suggest that the same should apply to the MUF.

This is a classic case of the poacher acting as gamekeeper. Based on our experience of dealing with the PA, local residents have no confidence that it would ‘supervise’ Hanson so as to prevent adverse environmental impacts. Quite the contrary. How likely is it that the PA would ever require Hanson to take mitigation measures like a curfew or shore-to-ship power if the PA wanted to avoid doing the same? No doubt the parties would agree between themselves that the relevant mitigation was not reasonable or feasible.

The DPIE seems to take comfort that noise pollution generated by Hanson would be limited by the PA’s new Port Noise Policy. We provided the DPIE a detailed analysis of the serious flaws in that noise policy, which has been drafted more to protect the PA and its clients from

interference than to limit noise. Even if Hanson managed to breach the high noise levels allowed in the PA's policy, would the PA take active enforcement measures against its rent paying tenant? No one should take any comfort in the idea that the PA would act as the future policeman of Hanson's activities.

The DPIE even uses the PA's relationship with Hanson as justification for recommending against imposing any time limit on Hanson's consent. Page 36 states that "the duration of use can be controlled through leasing agreements with the Port Authority of NSW". As the recipient of rental payments from Hanson, it is very clear where the PA's loyalties would lie.

## INCONSISTENCY WITH OTHER STATE GOVERNMENT PLANS

One of the most remarkable aspects of the DPIE's assessment is its inconsistency with aspects of a number of its own published plans. We refer in particular to the Bays Precinct Transformation Plan (BPTP), the Pyrmont Peninsula Place Strategy (PPPS), and the draft Bays West Place Strategy (BWPS). This is discussed in detail below under the heading 'Strategic Considerations'.

## OPEN-ENDED TIMEFRAME

We object to the permanent nature of the proposed plant. This would condemn local communities to all the unacceptable noise, air, and visual pollution consequences of the plant on a permanent basis. It would condemn the wider public to a permanent eyesore on Sydney Harbour and would deny them indefinitely the potential environmental, social, and economic benefits of a redeveloped Glebe Island.

As noted above, the DPIE claims that an open-ended timeframe is not a problem because the PA would control "the duration of use". That is cold comfort. The conflicted PA may well allow Hanson to remain long after other parties wanted the concrete plant gone.

## SPECIFIC COMMENTS

### STRATEGIC CONSIDERATIONS

The assessment presents two key strategic justifications for the Hanson proposal. The first is that it would maintain the working port on Glebe Island. The second is that it would provide concrete for infrastructure and construction projects in the CBD. Each of these warrants comment.

#### Maintaining the working port

This justification for Hanson's proposal is misconceived. As discussed above, building and operating a concrete plant cannot be described as maintaining the working port. Manufacturing concrete is an industrial activity. It is not a port activity.

The aggregate handling facility component of Hanson's proposal would constitute a port activity. However, there is also a misleading aspect to this part of the justification. The section

of Glebe Island that fronts Johnstons Bay and Pyrmont has seen very little activity for more than a decade. Since the car import terminal was closed in 2008, only a handful of bulk carriers have berthed at GI Berths 1 and 2 each year. Accordingly, the proposal for 120 vessels a year to ship aggregate through GI Berth 1 would represent a complete transformation of that part of the port. It would go well beyond “maintaining the working port”.

This transformation would be inconsistent with the fact that, as page 21 of the assessment acknowledges, “Pyrmont has been redeveloped over the last 20 years predominantly for residential development”. This redevelopment has occurred under the aegis of the State Government and its planning department. Having allowed Pyrmont, and Jacksons Landing in particular, to develop into one of the most densely populated areas in the country while GI Berths 1 and 2 were largely dormant, it would be bizarre (and unscrupulous) to now allow activity at those berths to be massively expanded. It would demonstrate a complete lack of coherence in the state’s strategic planning.

#### Providing concrete for the CBD

The fact that there is demand for concrete in the CBD justifies building a concrete plant within an appropriate distance of the CBD. However, it does not justify building one on Glebe Island, let alone on the section of Glebe Island right on the foreshore of Sydney Harbour directly across from the densely populated Jacksons Landing and immediately adjacent to the Anzac Bridge.

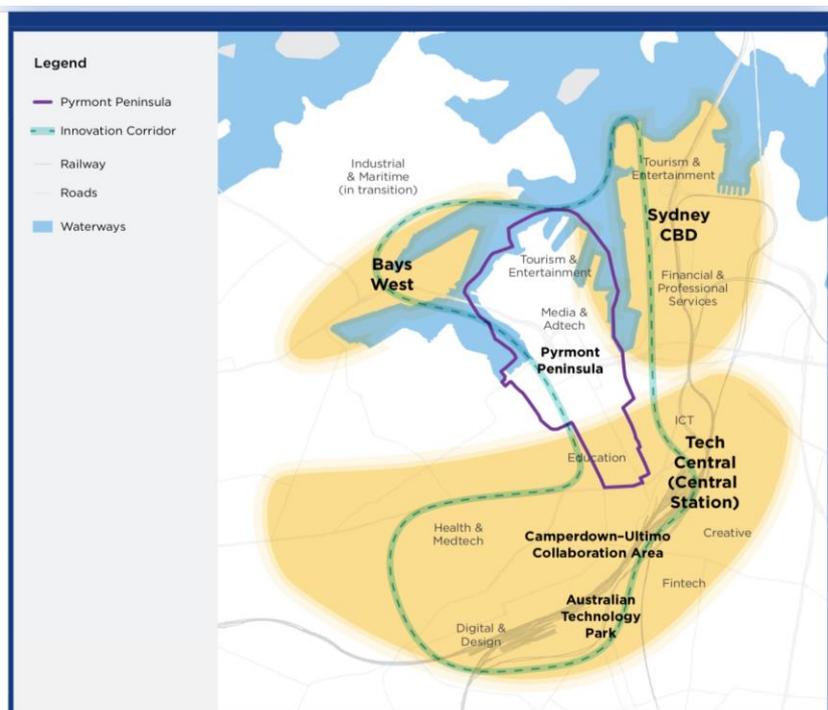
#### Inconsistency

Putting aside the specific issues identified above, there are some fundamental inconsistencies between the DPIE’s conclusions in the assessment and the state government’s strategy for Glebe Island and its environs as articulated in a range of other published plans.

There appear to be two different and conflicting narratives here.

The first narrative, and the one widely promoted by the state government, is that this area is being rejuvenated and rehabilitated. Significant public money is being invested to improve public spaces, foreshore access, transportation links and the like. Key components include the redevelopment of the White Bay power station, the redevelopment of the Pyrmont Peninsula, the post-West Connex/Rozelle Interchange restoration, and the new Bays West station on the Metro West line. The latter represents an enormous investment of public money. According to the brochure, it will be “a catalyst for the long-awaited renewal of the area”.

The redevelopment of Pyrmont is the subject of a comprehensive plan, the PPPS. That plan extols the virtues of the Pyrmont foreshore, including the wonderful views of the ANZAC Bridge. It also emphasises Pyrmont’s role in the important “Innovation Corridor”. One of the objectives is to “to establish long term collaboration with businesses and industry across the Innovation Corridor.” Here is the location of the Innovation Corridor –



All of Glebe Island is inside the Innovation Corridor.

The PPPS also highlights the strategy of creating a new link between Pyrmont and Bays West. It refers to “a walking and cycling connection to Bays West via a new link in the vicinity of Glebe Island Bridge”. Two of the “Pirrama place priorities” are as follows:

“Create a continuous harbourside foreshore promenade with a new active/public transport link to Bays West.

**Restore/reinstate/interpret the historic Glebe Island Bridge structure to provide active transport access to Bays West.”**

The “Transport Strategy” supporting document to the PPPS discusses the “Glebe Island Bridge active transport link to Bays Precinct” and describes “the Glebe Island Bridge rehabilitation” as a “key intervention”.

The restoration of the Glebe Island Bridge is also part of the strategy outlined in the draft BWPS. Page 46 of that document describes the following as “non-negotiable” – “Active travel (walking and cycling) connection to Pyrmont across Johnstons Bay.” And “Bridge connection over Johnstons Bay either via reinstated existing bridge or newly constructed bridge.”

The Premier Gladys Berejiklian recently claimed that “We are, for the first time, treating Pyrmont and the Western Harbour Precinct as the gateway to the CBD”. The Premier is not the only person promoting the regeneration and development of Pyrmont as a vibrant and attractive destination; a westward expansion of the City of Sydney. Recently, the Western Harbour Alliance and the Committee of Sydney launched a range of ideas for Pyrmont. The NSW Treasurer Dominic Perrottet attended the launch and said that “if we work together we could really transform this area for the better”.

The ideas put forward included a major transformation of the north western shore of Pyrmont, including swimming and recreational boating, directly opposite the proposed site of the Hanson



The second narrative, and the one less publicised by the government, is a massive expansion of activities on Glebe Island. Key components include the MUF, the proposed Hanson plant, and the proposed doubling of the operations of Cement Australia.

Something does not add up here. The state government appears to be saying different things to different audiences. If the state government genuinely plans to treat Pyrmont as the gateway to the CBD and to rejuvenate the Bays West precinct, as a minimum the Hanson proposal should not be allowed to proceed. A concrete plant would significantly increase air, water, and noise pollution in the area and would be a permanent and disfiguring eyesore on the Sydney foreshore. It would be in complete conflict with the government’s first narrative and would seriously undermine the benefits promoted in that narrative.

Take for example, the Innovation Corridor promoted in the PPPS. This is completely at odds with the proposed concrete plant. Not only is there nothing innovative about a concrete plant but its presence on Glebe Island for the next twenty-five years would ensure that none of the innovative industries contemplated by the PPPS would go near Glebe Island.

Another example of inconsistency is the old Glebe Island Bridge. The PPPS and the draft BWPS propose rehabilitating the bridge to connect Pyrmont and the CBD to Bays West. Building and operating a concrete plant at the point where the bridge joins Glebe Island would make a mockery of that proposal. The plant’s presence would be totally incompatible with a restored swing bridge for at least two reasons. First, the 240 vessel movements a year associated with the plant would cause havoc around the opening and closing of a swing bridge. Secondly, the

attractiveness of the bridge as a route to Bays West would be seriously compromised by an ugly concrete plant with all its noise, dust, and truck traffic.

Page 36 of the assessment states that “Inner West Council and public submissions raised concerns about impacts on the planned re-opening of the Glebe Island Bridge”. However, the DPIE concludes that “the proposal would not preclude the re-opening of Glebe Island Bridge because the site does not encroach on the bridge or the likely route of any future connections”. This is disingenuous because the concrete plant is right next to the pathway leading from the Glebe Island Bridge.

Extended pedestrian access and cycleways are clearly part of the connection between Pyrmont and Bays West contemplated by the PPPS and the draft BWPS. Indeed, they are described as “non-negotiable” in the latter. But the DPIE argues that “bicycle and pedestrian access cannot be provided through the site as it forms part of the working harbour and access to the port area is restricted as it is a customs area secure zone”. Again, this is disingenuous. What exactly is the DPIE saying here? Either the state government is serious about reopening the bridge to facilitate a pedestrian and cycle connection between Pyrmont and Bays West or it wants a major concrete plant on Glebe Island for the next twenty-five years. It cannot have both.

Sydney is currently flourishing and going through something of a renaissance – the new airport, the new light rail, the new metros, the rejuvenation of Barangaroo, Darling Square, Green Square, and the extension of the NSW Art Gallery. In the context of this renaissance, why would anyone entertain establishing a twenty-five year plus concrete plant on the edge of Sydney Harbour? It would be an eyesore for international visitors arriving at the White Bay cruise terminal or travelling by ferry to the new fish markets. It would be a blight on the view of Sydneysiders strolling on the Pyrmont boardwalk and enjoying Pyrmont’s parks. Its 34-metre high silos would disfigure the elegant lines of the ANZAC Bridge. Perhaps most importantly, it would seriously limit any other desired redevelopment of Glebe Island and Bays West. Why would the DPIE contemplate tying the state’s hands in this way?

Interestingly, the DPIE cites its own draft BWPS as supporting the Hanson proposal. That draft shows a concrete plant on the Hanson site. We were extremely surprised by that draft given that the assessment of the Hanson proposal by the DPIE had not yet been concluded and the process of determination by the IPC had not even commenced at the time of the draft’s release.

The DPIE also cites the Bays Precinct Transformation Plan (BPTP) without any substantive analysis. The earlier Hanson Response to Submissions devoted considerable space to addressing that plan. It is worth examining Hanson’s responses to some of the principles of the BPTP as they illustrate both the inconsistency of the Hanson project with the BPTP and the contortions Hanson will go to in its attempt to justify the unjustifiable. **Why is the DPIE’s assessment silent on the BPTP principles?**

BPTP Principle – *“Build on the unique history of The Bays Precinct.”*

Hanson response – “The proposed development will building (sic) on the history of The Bays Precinct by allowing an existing port facility to remain in use”.

It is not at all clear how continuing to use the port would build on anything. It seems very unlikely that escalating noise, air quality and visual pollution to a new high and introducing manufacturing to the area were what the drafters of the BPTP had in mind when they talked of building on “the unique history of the Bays Precinct”.

BPTP Principle – *“Establish a powerful and enduring governance model based on whole-of-government collaboration that fearlessly pursues public benefit.”*

Hanson – “This principle is not relevant to any specific development application.”

Hanson, and the PA, are fearlessly pursuing self-interest with complete disregard for local communities and the wider public. The DPIE appears to be standing aside.

BPTP Principle – *“Be transparent and communicate the issues and challenges we face and the investments needed to realise the Precinct’s potential.”*

Hanson – “This principle is not relevant to any specific development application.”

The reality is that a concrete plant clearly does nothing to “realise the Precinct’s potential”. On the contrary it would be a retrograde step setting the area back for at least the next twenty-five years. Hanson’s investment would be solely directed at private profit at the expense of public amenity.

BPTP Principle – *“Allow the time to invest in genuine and early engagement with, and broad acceptance of our plans from, all categories of the public, government and industry.”*

Hanson – “The proposed development is consistent with this principle as it will allow the site to be utilized on an interim basis until the Government determines that the site should no longer be zoned for industrial purposes and the future use of the area is determined.”

There is clearly no “broad acceptance” from the public of Hanson’s proposal, as evidenced by the hundreds of objections. It is also completely disingenuous to describe its open-ended twenty-five year plus industrial plant as utilisation on “an interim basis”.

BPTP Principle – *“Unlock public access to the Harbour’s edge and waterways along the entire coastline.”*

Hanson – “Although the proposed development will prevent public access to this part of the foreshore, this is consistent with both the existing situation, and other working harbours.”

This project is in complete contravention of the laudable goal of unlocking public access to the harbour’s edge, one of the greatest features of development in Sydney in recent decades. This development would lock the public out for decades. It is also completely inconsistent with the existing situation.

BPTP Principle – *“Prioritise planning for public spaces, White Bay Power Station and Sydney Fish Market.”*

Hanson – “The proposed development is not inconsistent with this principle.”

The proposed development is of course inconsistent with this principle. It would prioritise planning for private spaces and would lock away for decades space that might otherwise have been used for public spaces. The presence of a large concrete plant on Glebe Island would be

a major blow to any redevelopment of the White Bay Power Station and no one should pretend otherwise. Organisations like Google and other technology companies would not want to locate anywhere near a long-term concrete plant.

*BPTP Principle – “Generate optimal housing supply outcomes based on a model of diverse housing options, the highest design principles and activated public spaces.”*

Hanson – “The proposed development does not address this principle, but it does not prevent other applications from addressing housing.”

Hanson’s answer conveniently overlooks the reference to “activated public spaces”. Industrialising Glebe Island would explicitly prevent the activation of public spaces. Building a concrete plant there would prevent any public benefit for decades. The Hanson development would also severely limit residential and commercial options.

*BPTP Principle – “Ensure the land use and associated development is diverse, beautifully designed and creates ‘great places and great spaces’.”*

Hanson – “The proposed development is for an industrial use, which is consistent with the historic use of the site and with the zoning of the land. It is acknowledged that the site will be redeveloped in future to create an integrated urban renewal outcome including a port.”

Hanson’s proposal runs entirely counter to this principle. It is the antithesis of ‘great places and great spaces’. Once again Hanson relies on the same deeply flawed argument that its concrete plant is “consistent with the historic use of the site”. A concrete plant would constitute a divergence from the historical port usage.

## BUILT FORM AND VISUAL IMPACT

### Built form

The DPIE’s assessment concludes that the concrete plant “would be compatible with the existing built form of the surrounding area”. This is incorrect. Below is a picture of the proposed site.



The three defining features of the site are (1) the beautiful and fine lines of the ANZAC Bridge, (2) the flat, low, and solid forms of the Sydney City Marine buildings and The Moorings, and (3) the flat expanse of the Glebe Island wharves. The contrast with the proposed Hanson plant could not be more obvious.



That plant is of a completely different form to the ANZAC bridge, the Sydney City Marine buildings, and The Moorings. It is disjointed and asymmetrical, a mishmash of silos, bins, conveyor belts, other mechanical elements, and different size buildings. It exhibits none of the elegance of the bridge or the low-profile solidity of the other nearby buildings.

It speaks volumes about the inadequacy of the DPIE's assessment that in assessing the concrete plant's compatibility "with the existing built form of **the surrounding area**" it makes absolutely no mention of the Sydney City Marine buildings. Those buildings are by far the closest built form to the proposed site. The DPIE conveniently ignores them and the rigorous planning process that was applied to their construction (see below under 'Visual impact'.)

The next closest built form to the proposed Hanson site is The Moorings, a large office building on James Craig Rd across from the Sydney City Marine complex. It sits to the north east of the ANZAC Bridge like the Hanson site. The form of this office building is long and low,

and it is built below the level of the ANZAC Bridge, like the Sydney City Marine buildings, so as not to obscure views to and from the bridge. In spite of its proximity to the Hanson site, The Moorings is also omitted from the DPIE's analysis of the built form in "the surrounding area".

The only structure in the vicinity of the Hanson site with which the concrete plant could be described as "compatible" is the Glebe Island Silos. However, those silos are further away from the site and were constructed many decades ago before stricter planning controls.

The PA is currently proposing to build the MUF next door to the proposed Hanson site. By comparison with the concrete plant, that structure would be long, low, and symmetrical. At 34 meters, the silos of the concrete plant would be nearly twice the height of the MUF.

The assessment of the built form issue is characterised by glaring omissions and selective analysis. Contrary to the DPIE's assertions, it is clear that a concrete plant on the proposed site would be far from compatible with the existing built form in the surrounding area.

#### Visual impact

This is one of the most troubling sections of the assessment. The conclusion on this issue on page 27 is that "the visual impacts of the proposal are acceptable as they are consistent with the impacts that would be reasonably expected from development within a port and employment zone".

This is quite a leap given that even Hanson concedes that its proposal has major problems from the perspective of visual impact. On page 24 the DPIE refers to Hanson's own "Visual Impact Assessment" (VIA). That VIA found that there would be "**high impacts** on views from the nearby infrastructure corridor (including the ANZAC Bridge and approaches)" and "**high to moderate impacts** on views from public open spaces along the foreshore". It also found that "the impact on **the majority of individual areas of public open space** would be either **high or high to moderate**". Locations designated as having a high impact included the Waterfront Park at Pyrmont and the Glebe Foreshore Walk, which includes the view of the three bridges (Sydney Harbour, ANZAC and Glebe Island).

Given the strong element of advocacy in all of Hanson's materials, these concessions regarding the visual impact are very telling. They indicate just how bad that impact would be.

It is confusing how the DPIE gets from Hanson's concessions to the conclusion that the visual impacts of the proposal would be "acceptable". The explanation is that the assessment fudges the issue, its analysis is very unsatisfactory and different aspects are conflated so as to muddy the waters.

Anyone who has followed this application process and reviewed the various statutory and regulatory requirements knows that there are three distinct aspects to the visual impact issue. They are (1) the appearance of the proposed plant, (2) the impact of the plant on views toward landmarks and heritage items, and (3) the impact of the plant on views from landmarks and heritage items. These need to be addressed separately.

### *The appearance of the proposed plant*

There is no escaping the fact that the plant would be ugly and inconsistent with its surroundings. That would be inevitable given its tangle of silos, bins, conveyor belts, and other mechanical elements. You can't make a silk purse out of a concrete plant. The key point is not that concrete plants are ugly but rather that they are completely unsuitable for the foreshore of Sydney Harbour, one of the most beautiful harbours in the world.

The proposed Hanson site is particularly prominent and close to the heart of Sydney. It can be seen from many parts of the inner harbour region including Pyrmont, Balmain, Glebe and Barangaroo. This is acknowledged in the Hanson concessions quoted above. The site is viewed by thousands of Sydneysiders and visitors every day, both from the parks and foreshore walks that surround the area and from boats on the water.

Why would the DPIE countenance allowing an industrial eyesore to disfigure this prime harbour site for at least the next quarter century? It is not a sufficient answer to say that the city needs more concrete. If that is the case, build concrete plants in less prominent locations and with less adverse visual impact.

On page 27 the DPIE contends that "the proposal's design and materials are consistent with the visual amenity and industrial waterfront character of Glebe Island, the harbour and surrounding foreshores". This is self-evidently incorrect. This part of Glebe Island has always been an open and largely empty expanse of wharf. It has never had a large-scale industrial facility like the proposed Hanson one. There is nothing about the proposal that is consistent with the current character of this part of Glebe Island. This is another example of the specious "business as usual" argument used throughout the assessment to try and justify what would in fact be a major change for this part of Glebe Island. It does not bear close scrutiny.

The DPIE's only answer to this proposed eyesore on Sydney Harbour is a condition requiring Hanson to arrange a wall of shipping containers stacked three high for "visual screening", which is totally unreasonable, unacceptable and a useless solution to a much larger visual issue.

We note that there is a jarring inconsistency between the DPIE's conclusion in this assessment and elements of its very recent plan for Pyrmont – the PPPS released in December last year. The PPPS advocates the completion of the foreshore walk as reflected in the document's "Five Big Moves". Number 1 Big Move is "Build and link a world class foreshore". "It will provide 9.4 kilometers of uninterrupted foreshore promenade and create a new global destination for Greater Sydney."

The foreshore is described as "a breathtaking waterfront promenade" and "the much-loved green and open spaces along the waterfront". The harbour is described as "one of the world's most treasured harbours" and the PPPS seeks to enhance Pyrmont's "role as an attractive waterfront tourism and entertainment district supporting the global attraction of the Sydney Harbour". It will be "a waterfront destination showcasing the best of Sydney." There is no discussion of the impact of having an ugly concrete plant on this fabulous harbour and foreshore promenade for the next twenty-five years.

*Views toward landmarks*

Appendix C of the assessment refers to the requirement in the Glebe Island and White Bay Master Plan to “maintain existing views to landmarks and heritage items”. The DPIE’s conclusion on this requirement is that “the proposal would have **no adverse view impacts** on panoramas or landmarks”. That statement is blindingly incorrect. It is also inconsistent with Hanson’s own findings of high impact.

Again, on page 27 the assessment states that “the proposal would not significantly impact on views towards the ANZAC Bridge”. Look at this photo montage taken from Hanson’s EIS.



The DPIE cannot possibly reconcile this photo with its statements that “the proposal would have no adverse view impacts on ... landmarks” and “would not significantly impact on views towards the ANZAC Bridge”. Its conclusions are indefensible. The concrete plant would have a disastrous impact on views of the iconic ANZAC Bridge.

The ANZAC Bridge looks particularly beautiful at night.



Imagine the damage that would be done to this view if the proposed concrete plant were approved.

Again, there is an inconsistency between what the DPIE concludes in the assessment and what it says in the PPPS. The foreword from the Minister for Planning and Public Spaces in the PPPS refers to Pyrmont’s “stellar harbour backdrop”. Elsewhere the document talks of “its stunning waterfront location” and asserts that “Pirrama (the northern end of Pyrmont) will be a place with fantastic harbour views”. Page 69 is more specific – “The head of the [Pyrmont] Peninsula is prominent when viewed from the Anzac Bridge and **the bridge itself provides a stunning backdrop to the area.**”

There is even a picture in the PPPS of the bridge as “a stunning backdrop” from Pyrmont –

transport connections, with more cycleways and improved ferry and bus services, will also enhance Pyrmont and its sustainability.



**New employment spaces for making, creating and producing, and new affordable and social housing**

will enrich the area’s vitality with a genuine mix of places, experiences and communities. Social and other infrastructure, particularly public green and open spaces, a richer, broader tree canopy and integrated and decentralised parking options will make Pyrmont a leader in social and environmental sustainability.

**A tapestry of publicly accessible open spaces**

in pockets, rooftops, and neighbourhood and regional parks will weave with links to the foreshore and a stunning waterfront promenade, including seamless connections from the Sydney Fish Market to Walsh Bay and beyond.

That view of the bridge would look very different with the proposed concrete plant obstructing it for the next twenty-five years.

*Views from landmarks*

The analysis of this issue is derisory. One look at the above photo montage of the concrete plant makes it obvious that the concrete plant would obscure views of Sydney Harbour and the city from a large section of the ANZAC Bridge. That is not the impression given by the DPIE's assessment.

Page 27 states that "views from the ANZAC Bridge would be acceptable as views from the bridge would be transient and constantly changing as viewers move along the Bridge". What does that mean? Is the DPIE saying that the loss of harbour and city views from a large section of the ANZAC Bridge is acceptable because viewers can move to a different part of the bridge?

Significantly, the assessment provides no evidence of, or discussion about, the loss of views from the ANZAC Bridge. Rather, in yet another example of the DPIE's selectivity, the assessment only includes on page 25 the following 'before and after' Hanson photos showing the view from one largely unaffected location on the ANZAC Bridge.



From that location the silos would block out the view to Balmain but there would be no impact on the views to the Harbour Bridge, the CBD, and the Pyrmont foreshore. Of course, when you look at this photo it is obvious that this location is the wrong location from which to assess the impact on the key views. If you walk further to the west along the bridge, a very different picture emerges. From a substantial section of the bridge to the west of where the Hanson photo was taken, the proposed silos would in fact obliterate the key views.

The following photo was taken on the bridge from a position west of the Hanson photo. It shows the wonderful views that would disappear behind the Hanson silos.



The Hanson silos would be 140ms long and would tower above the ANZAC Bridge carriageway. Therefore, the adverse impact on these views would apply for a significant length of the bridge. (Note that one of the Sydney City Marine buildings can be seen in the foreground of the above photo. As discussed below, those buildings were specifically required to be built so as not to obscure views from the ANZAC Bridge.)

It is yet another major failing of the DPIE’s assessment that the substantial adverse visual impact of the Hanson proposal was not properly addressed.

#### *Sydney City Marine*

As a final point, we draw the Commission’s attention to the planning process for the Sydney City Marine (SCM) development on James Craig Rd. This is highly relevant to the Hanson proposal given its close proximity to the proposed Hanson site and the fact that it raised many of the same issues regarding views to and from the ANZAC Bridge.

The original SCM development dates back to 2005. The relevant documentation makes it clear the visual impact of the development was a key consideration. In a letter of 18 October 2005, (<https://majorprojects.accelo.com/public/028fde196e2b7265bd89656455c92ab2/DGRs.pdf>) the Director-General’s “Key assessment requirements” included the following – “an assessment of the visual impact of the proposal on the surrounding areas, particularly the ANZAC Bridge and the old Glebe Island Bridge”.

The photo below from the cover of the report shows the buildings on this side of the ANZAC Bridge. All the buildings sit well below the carriageway of the bridge. There were concerns expressed about the visual impact and that impact was the subject of significant consideration.



The original SCM development was subject to several modifications. Views to and from the ANZAC Bridge played a fundamental role in assessing these.

The first modification dates back to 2007. One of the proposed modifications involved increasing the height of the tallest building by 1.35ms to 24.35ms. This proposal was analysed by the Sydney Harbour Foreshore Authority – Planning Assessment Team.

The relevant documentation highlights the centrality of visual impact in analysing developments in this area. The conclusion on page 7 of the Authority’s report was as follows – “View impacts on the surrounding area particularly those to the 3 Bridges view will not take place. Consequently, it is considered that the height increase is acceptable”. The clear implication is that there would have been a problem if there had been any view impacts.

The second modification is the most interesting because it was considered much more recently, namely in 2015. That modification involved the building of a “light box” (<https://majorprojects.accelo.com/public/0c24b858f87974ec6460b2cf4114028d/Modification%2075%20W%20application.pdf> ). Page 5 of the application reads – “The light box consists of a single, internally illuminated rectangular box. It is 3m high and **4.7m wide**.” (This compares with the 140m width of the proposed Hanson silos.)

Page 18 notes that “the height of the proposed lightbox is less than the height of the existing railing on the ANZAC Bridge”.

Pages 9-19 of the application contain a significant discussion of the visual impact issue and, again, the importance of views of the three bridges. This was clearly considered a very sensitive and important issue in 2015. Page 17 discusses the scenic value of the views of “the Sydney CBD and Sydney Harbour Bridge across White Bay” and says that “the most sensitive view affected by the proposed light box is that from the ANZAC Bridge towards the Sydney Harbour Bridge”.

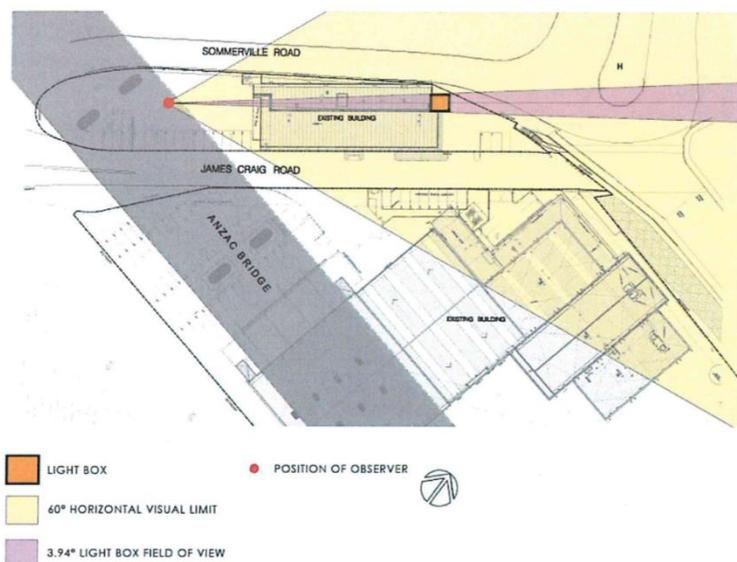
The importance of the visual impact issue is evident from the Environmental Assessment Report prepared by the Department of Planning and Environment in June 2015

(<https://majorprojects.accelo.com/public/dbbf0cb4409ff36f301d180077f456ac/Department's%20Assessment%20Report.pdf> ). It involves a comprehensive analysis of the issue. Relevant considerations were that the light box would not contravene the requirement that “built form must not present a wall of development to the public domain” and must “maintain existing views to landmarks” (page 8).

Figure 4 on page 7 is particularly interesting. It analyses the impact of the light box on views **from** the ANZAC Bridge to Sydney Harbour and the city skyline.

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The proposed siting of the light box does not fall within any of the viewpoints or view corridors identified in the Master Plan for Rozelle and Blackwattle Bay Maritime Precincts. However, the DCP states that views from public places to the water and to landmarks should not be obstructed by development. The EA indicates that the proposed light box would obstruct views from the ANZAC Bridge towards the Sydney Harbour Bridge. Based on a 60 degree horizontal view limit, the light box would shield 3.94 degrees (6.66%) of the horizontal view from the closest point of the ANZAC Bridge to the light box, as shown in **Figure 4** (below).



There is a great deal of analysis for a structure measuring just 3m high and **4.7m wide** and sitting **below** the level of the ANZAC Bridge carriageway. Look at the remarkably narrow scope of the view obstruction in the picture above that they were concerned with in that case. Contrast this with the DPIE’s apparent lack of interest in the loss of views that would be caused by Hanson’s proposed **140 m** long silos. There is a clear inconsistency between the DPIE’s approach to the SCM development and its approach to the Hanson proposal.

### Conclusion

The above review of the appearance of the proposed plant and its impact on views to and from major landmarks reveals the inadequacy of the DPIE’s assessment of the visual impact issue. Contrary to what the DPIE concludes, the impact would be high severe. This seriously undermines the DPIE’s key assertion that the concrete plant would be in the public interest.

## OPERATIONAL IMPACTS

### Noise

Noise is the single biggest issue with the Hanson application for local residents and the major cause of objections. This primarily reflects the experience of local residents of the noise generated by both vessel movements and vessels berthed at GI Berths 1 and 2 over the years. For more than twelve years, the period during which many of the towers in Jacksons Landing were constructed, this has not been a major issue because there has been very little use of those berths by large vessels, typically 4-6 per year.

The Hanson proposal would see two dramatic changes to the noise profile of the area – the operation of a large industrial plant producing one million cubic metres of concrete per year and the 120 bulk carrier visits annually. The latter would produce two major sources of noise – the noise of vessels arriving and departing, with tugs, at all times of the day or night, and the noise and vibration of those vessels unloading and at berth. Local residents have no experience with the noise of a large industrial plant across the water, but they are all too familiar with vessel noise which both wakes people while asleep and disturbs their enjoyment of their homes while awake.

The DPIE's assessment of the noise issue is extremely disappointing. The basic conclusion is that there would be exceedances but that would just be business as usual for a port and the local residents would be OK because they could keep all their windows and doors shut. The actual lived experience of being woken at night by vessel movements and being kept awake by an industrial plant and vessel generators is ignored in preference to a range of Hanson's (no doubt self-serving and overly optimistic) 'predictions' and 'estimates'. The lived experience of residents is that, despite having windows and doors shut, noise disruption of sleep still occurs. The proposed significant increase in frequency of disruptions, verses the last decade, is a major issue that is not addressed in the assessment.

### *The concrete plant*

The assessment admits to a predicted 2 decibel noise exceedance in Jacksons Landing from the operations of the concrete plant alone. If it admits to that, no one doubts that the reality would be much worse. The assessment takes the view that exceedances would be "acceptable" because the residences in Jacksons Landing were constructed with noise "attenuation" features as a requirement. Therefore, the residents would just have to close their doors and windows to reduce the noise to a bearable level. Given that the plant would operate on a 24/7 basis, the DPIE is effectively saying that residents would have to keep their doors and windows shut permanently. That cannot possibly be considered reasonable and in any event is not a solution to the issue.

There is (at least) one major flaw in the DPIE's reasoning. The original development consent condition for Jacksons Landing that set out the noise attenuation requirements stated that "the Development shall address the noise impacts from traffic and operations of the port". In other words, the attenuation measures required for residences in Jacksons Landing were designed to protect residents from traffic and port noise not noise generated by an industrial manufacturing plant. This supports the view that it was never envisaged that Glebe Island would be turned into an industrial precinct.

The DPIE inadvertently concedes this point on page v where it states that the Jacksons Landing residences “were constructed with in-built noise attenuation, in recognition of their proximity to the **working harbour**”. A working harbour has berths and warehouses and onward transport facilities, but not manufacturing plants and industrial facilities.

Residences in Jacksons Landing have balconies and windows facing the water. That was one of the major reasons for developing this residential area. The presence of the balconies and windows makes it clear that attenuation was not intended to be required 24/7 because of the operation of large industrial facilities on Glebe Island. Therefore, it cannot be acceptable for the DPIE to now say that it would be OK to have excessively noisy 24/7 manufacturing activities on Glebe Island because, thanks to port noise attenuation measures, local residents could avoid the noise by living with permanently closed doors and windows.

The only mitigation recommended by the DPIE is for Hanson “to place shipping containers stacked three high (7.8 m) along the eastern site boundary to provide noise shielding to the nearest residences in Pyrmont”. This absurd suggestion proves that the DPIE does not take noise mitigation seriously.

#### *Vessels arriving, departing, and at berth*

For the residents of Jacksons Landing, there is a frightening analysis on page 30 of the assessment. It states that “there would be marginal to moderate noise impacts from a ‘good’ performing ship (1 dB(A) exceedance during the day and evening and up to 5 dB(A) at night) at Bowman Street, Pyrmont, and up to 4 dB(A) at night at Refinery Drive, Pyrmont.” This compares with exceedances of up to 10 dB(A) at night for a ‘poor’ performing ship.

In other words, in accepting what it euphemistically describes as a ‘good’ performing ship, the DPIE accepts exceedances of ‘only’ 4-5 decibels across Jacksons Landing. How can that be acceptable? 10 decibels exceedance represents a doubling of noise so 4-5 decibels is a huge exceedance. No doubt the 4-5 decibels prediction could be a material underestimation.

Once again, the DPIE appears to think that exceedances would not be a problem for the residents of Jacksons Landing because they could just keep their doors and windows closed all night, every night. It is worth noting that many people in Jacksons Landing know from experience in winter that even with their doors and windows shut, the noise of a bulk carrier being guided at night by tugs into a berth at GI Berths 1 and 2 can be loud enough to wake a person. That is based on actual experience not theoretical, ‘predicted’ noise assessments.

Local residents also know from lived experience that a major problem with vessels at berth is vibration noise, particularly from generators. The DPIE simply accepts Hanson’s assertions on this issue at face value – “The Applicant’s assessment of tonal, intermittent and low-frequency noise indicated these ‘annoying’ characteristics would not be present at the development at levels or frequency warranting the application of a modifying factor.” It is not reasonable to accept that if Hanson’s assessment says it would be OK, then that seems to be good enough.

In addition to relying on many Hanson predictions, estimates, and assurances, the DPIE views the PA as a future controller of noise from the concrete plant and its vessels. As discussed above, the PA is conflicted with Hanson as its tenant. Its commercial interests are closely

aligned with those of Hanson. Its Noise Policy for Glebe Island is self-serving and designed solely to protect the AP and its clients, not local communities nor the general public.

We are particularly disappointed by the absence of any meaningful vessel noise mitigation measures in the assessment. There is much talk of a dedicated Hanson vessel although that offers little comfort given that Hanson would only have to “minimise ship noise **as much as practicable**”. What constitutes practicable seems to be left entirely to Hanson’s discretion. In a similar manner, while the DPIE talks about “applying strict noise criteria”, those criteria are “based on the **best achievable** noise levels identified by **the Applicant**”. Obviously, Hanson would be driven primarily by financial considerations. If the neighbours have a problem, well they can just keep their doors and windows closed.

The use of a dedicated vessel would create the ideal situation in which to introduce shore-to-ship power. Increasingly, shore-to-ship power is being used overseas to prevent air and noise pollution in ports. Its use is growing exponentially in Europe, in the US and throughout Asia. Europe is requiring ports to provide shore to ship power by 2025.

On page 44 the DPIE concludes that “the provision of shore-to-ship power is not feasible at this point in time due to the lack of capability of vessels that will visit the site being able to connect to such a supply.” We understand that Hanson has not yet acquired the single, dedicated vessel that it would use for this project. Why could it not ensure that that vessel had the capacity to connect to shore power?

An even more glaring problem with the assessment is the DPIE’s failure to include as a condition a night-time curfew on the arrival and departure of the Hanson vessel. The concept is not even discussed in the assessment.

It is indisputable that the movement of bulk carriers at GI Berths 1 and 2, assisted by tugs, is a major cause of sleep disturbance for the residents of Jacksons Landing. The Hanson proposal would mean 240 such movements a year. Accordingly, absent a curfew, sleep disturbance would be a huge problem.

Hanson says that its vessel would be at berth for 12 hours on each visit. Therefore, it could easily arrive between 7-9 am and leave between 7-9 pm the same day. There would be no need for local residents to be woken by vessel movements at night or to be disturbed by the noise of the vessel’s generators.

When the curfew idea was first raised, Hanson said that it would not be feasible because, due to “weather and sea conditions”, it would have no control over when a vessel would arrive. We made the obvious point that this would not prevent a curfew on departures. We also pointed out the absurdity of the “weather and sea conditions” argument for arrivals. Hanson’s vessel would be coming from Bass Point, less than 100 kms from Sydney. With the benefit of weather forecasts and the knowledge of tides and currents, it is untenable for Hanson to suggest it would have no control over the time its vessel would take to travel just 100 kms.

Presumably recognising the weakness of its “weather and sea conditions” argument, Hanson provided a second reason for rejecting a curfew. It says that it is making a significant investment that is “premised on the basis of the ship operating continuously”. It is not clear

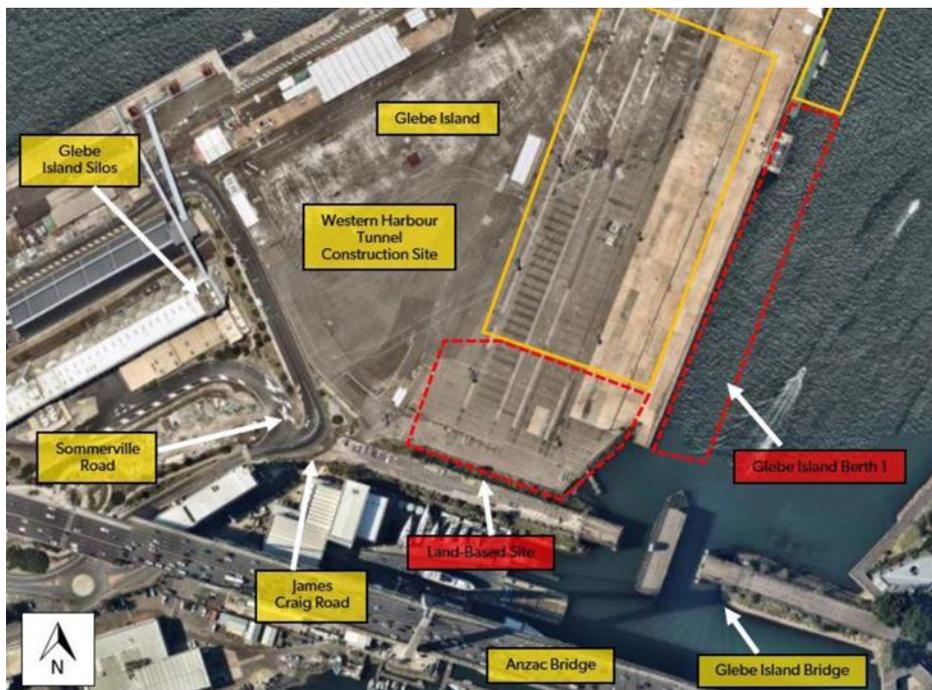
why local communities should have to suffer the adverse health impacts of broken sleep because Hanson is making a significant investment. If continual operation has a major adverse environmental impact, it should not be allowed. It does not become acceptable simply because Hanson needs it to make its investment work. An investment that does not work without causing unacceptable environmental problems should not proceed.

There is also the obvious analogy with Sydney Airport which operates under a night-time curfew. It is difficult to argue that a much more significant (and valuable) piece of the state’s infrastructure like the airport can function with a curfew but that a curfew would somehow be unreasonable for Hanson.

In a number of instances, the DPIE relies on the EPA’s Noise Policy for Industry to justify its findings. That policy specifically advocates mitigating the impact of noise by limiting “a noisy operation to a less-sensitive period”. Furthermore, a curfew meets the criteria in that document for “reasonableness”.

We have pointed all this out to the DPIE and yet there is no mention of a curfew in the assessment. This highlights the unwillingness of both Hanson and the DPIE to countenance any meaningful mitigation measures. Hanson wishes to maintain maximum flexibility for commercial reasons. The DPIE appears happy to favour Hanson on every point and to ignore the input and needs of local residents.

As a final point in relation to the vessel noise issue, there is one potential noise problem with the proposed vessel berthing arrangements that is not mentioned in the DPIE’s assessment. It can be seen from the photo below that there would be very little overlap between the Hanson site and its berthed vessel. Only the very southwestern end of the vessel could be reached by the onshore conveyor belts from the plant.



This raises the question of how aggregate would be extracted from the other end and the middle of the vessel. That practical question has not been answered by Hanson but it is an important one. We are very concerned that Hanson might seek to use the ‘crane and claw’

method to shift aggregate down the vessel to the southwestern end where it could be unloaded by Hanson’s conveyor belt.

Crane and claw operations are extremely noisy. The EPA specifically told the PA that crane and claw unloading could not be used for vessels at the proposed MUF, and the PA has agreed to that restriction.

#### *Conclusion*

The DPIE does not seem to appreciate the gravity of the noise issue for Jacksons Landing residents. The noise from the Hanson proposal would clearly have a significant adverse impact on their lives. The assessment acknowledges on page 21 that “Pymont has been redeveloped over the last 20 years predominantly for residential development”. It cannot be right that for several decades the state would promote that development and encourage people to move into what has become one of the most densely populated areas in Australia and would then change course and allow the amenity in that area to be ruined by excessive noise from a large 24/7 industrial plant serviced round the clock by 120 vessel visits a year.

#### *Air pollution*

Air pollution was raised in 80% of public objections to the Hanson proposal. This is a highly technical issue. That makes it difficult for us to understand or comment on most of the air quality analysis undertaken by Hanson and the DPIE. Rather than analysing predictive models, we fall back on lived experience. We know that on the rare occasions when a bulk carrier is berthed at GI Berths 1 and 2, we can see and, if the wind is blowing in the wrong direction, smell and taste the fumes belching from its funnel. Fortunately, that has not been a material issue in Pymont for many years, given the very infrequent berthing of bulk carriers at GI Berths 1 and 2.



We are very conscious of the reports of Balmain residents about the awful air pollution generated by ships at the White Bay Cruise Terminal. Comparing the White Bay and Pymont situations is useful in understanding the scale of the environmental impact if the Hanson

project was allowed to proceed. White Bay involves a relatively small number of cruise ships, almost all over the summer season, very few of which stay overnight. That part of Balmain is not densely populated. By contrast, the Hanson project would involve 120 vessel visits throughout the year with many of them staying overnight, sometimes multiple days, and thousands and thousands of trucks. This would occur opposite one of the most densely populated areas in Australia.

The grief and distress that air pollution has caused at White Bay would be insignificant compared to the impact at Pyrmont. It appears that Hanson's, and the DPIE's, response would be that the people of Jacksons Landing would just need to shut all their doors and windows. That is patently not acceptable and would certainly not be the response of local residents. The protest over White Bay would be nothing compared to what would follow 24/7 air pollution opposite Pyrmont.

The chronic air quality problem in Sydney following the bushfires has greatly heightened the city's sensitivity to air pollution and its adverse health impacts. We are increasingly aware of the dangers of even minor levels of air pollution. The Sydney Morning Herald recently reported that "researchers say there is 'no safe level' of PM2.5 air pollution after a large-scale study found a significant association between cardiac arrest and exposure to fine particles" (<https://www.smh.com.au/national/no-safe-level-study-links-pm2-5-pollution-to-increased-risk-of-cardiac-arrest-20200128-p53v98.html>) .

There is now a trend of heightened concern about air pollution in most developed countries. Just last December, Ella Debrah became the first person in the United Kingdom, possibly the world, to have 'air pollution' as the cause of her death on her death certificate. Litigation is now proceeding in London.

Pyrmont is now facing the possibility of 80 bulk carrier vessels a year at the MUF and 120 at the Hanson plant. Why would Sydney take the retrograde step of concentrating so much air pollution in one of the most densely populated places in Australia? The consequences of such concentration would be dire if the 'modelling' and 'predictions' used by Hanson to promote their business venture proved to be overly optimistic.

#### Water pollution

Water pollution does not even rate a mention in the DPIE's assessment. Local residents know that it is a problem.

The recent photo below shows the adverse environmental impact of water pollution from vessels berthed at GI Berths 1 and 2. This ugly oil slick is about 100 meters long. It illustrates why the proposed Hanson concrete plant would be a blight on Sydney Harbour and why it would make a nonsense of the PPPS. That document extolls the attractiveness of Pyrmont as a destination "graced by a beautiful waterfront promenade". The concrete plant would involve 120 bulk material vessels a year berthing at Glebe Island and polluting the water.



### Lighting

This is a major issue for local residents and was raised in many objections. Bright lights on the plant itself and vessels at berth would both detract from views of the ANZAC Bridge and have an adverse impact in many of the apartments overlooking Glebe Island.

The assessment contains the usual glib assurances that lighting would not be a problem. Page 38 states that the DPIE “considers vessel lighting acceptable as it would be minimised with controllable and dimmable open-deck lighting, would be turned off when not in use, and can be angled away from residences”. Who would monitor this? Local residents know from lived experience how vessels sit there with their lights and generators going all night. Complaints are met with the usual answer – ‘safety requirements’. There is never any accountability on this issue. Hanson would likely be no different.

### Marine traffic

The issue of marine traffic is given surprisingly little attention in the DPIE’s assessment. In Appendix C in relation to the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, the assessment has the bland statement that the proposal “would not have adverse impacts on the use of the waterways”. In relation to the Sydney Harbour Foreshores and Waterways Area DCP 2005 it simply asserts that the proposal “would not cause congestion of the waterway and foreshore”. The DPIE’s conclusions are set out on page 38 as follows:

The Department considers the proposal would not result in any significant adverse marine navigation or safety impacts as:

- the use is compatible with the surrounding waters and would not adversely affect the movement of commercial shipping, public water transport and recreational boating, including dragon boating.

- Glebe Island Berth 1 is an existing berth used for delivery of raw materials, and it has been used historically for many years by the maritime industry
- there would be no impact on the potential re-purposing of the Glebe Island Bridge, as vessels would not be required to pass through it
- TfNSW and the Port Authority did not raise any concerns.

A quick look at the photo of the area on page 2 of the assessment casts significant doubt on these conclusions.



The same problem is evident in the photo from page 53 of Hanson’s EIS.



Only a very short stretch of GI Berth 1 would front the Hanson site. That short stretch would be only a few meters from the central pylon of the old Glebe Island Bridge. In order to unload

raw materials to the Hanson site, Hanson’s vessel would have to berth extremely close to the bridge and to the channel of water between Johnstons Bay and Blackwattle Bay.

A couple of points stand out. First, it is difficult to see how marine traffic could safely pass through this channel of water during periods when the Hanson vessel was manoeuvring into and out of GI Berth1. Secondly, it appears that large barges and boats would have trouble passing through that channel given how close they have to go to the side of GI Berth 1 to get through. This is illustrated in the following photo of one of the Polaris Marine barges manoeuvring through the channel. (These barges pass through this channel very regularly.)



Vessels of this size pass through this channel every day.



Frequently, there is already congestion without a vessel sitting at the very tip of GI Berth 1.



There is also a constant stream of recreational vehicles that pass directly alongside GI Berth 1.





How does the DPIE conclude that a vessel berthed in front of the Hanson site “would not adversely affect the movement of commercial shipping, public water transport and recreational boating, including dragon boating”? The above pictures indicate that this is not the case.

The DPIE’s conclusion defies logic. It seems to be based on the stated view that “Glebe Island Berth 1 is an existing berth used for delivery of raw materials, and it has been used historically for many years by the maritime industry”. There are two fatal flaws in this reasoning. Firstly, boats that deliver raw materials at GI Berth 1 do not use the part of the berth directly in front of the Hanson site. They berth much further to the right (or north east).

Secondly, the volume of marine traffic going through the channel between Johnstons Bay and Blackwattle Bay has increased dramatically over the last twenty years. In addition to fishing boats, barges, and other traditional vessels, there are ever increasing numbers of ‘party boats’, super yachts, launches, speed boats, sailing boats, dragon boats, kayaks, canoes, and paddle boards. There are plans to run ferries soon from the new fish markets and from Annandale.

The DPIE’s conclusion is a mystery to the residents of Jacksons Landing who are very familiar with just how busy this channel has become. We can only assume that the DPIE has relied on the assurances of Hanson who prepared a “Navigation Impact Assessment” for the DPIE and “concluded that the proposal would not have adverse impacts” (page 38). Presumably, the DPIE was also influenced by Hanson’s would-be landlord, the PA, which “did not raise any concerns” (page 38).

The problems identified above would be further exacerbated if the Glebe Island Bridge was repaired and returned to operation so that it opened and closed again, as has been suggested (including by some DPIE publications). Oddly, the DPIE states that the Hanson proposal would have “no impact on the potential re-purposing of the Glebe Island Bridge, as vessels would not be required to pass through it”.

The impact of the Hanson proposal on maritime traffic and safety does not seem to have been properly considered. It is just another issue on which the assessment appears seriously deficient.

#### Property devaluation

Section 4.15 of the EP&A Act lists “economic impacts of the development in the locality” as one of the relevant matters in considering a development application.

On page 46 of the assessment, the DPIE concludes that “the proposal would not result in any impact on property values”. On page 40, the DPIE concludes that “the proposal would not result in any **significant** impact on property values”. Putting aside the inconsistency in the DPIE’s conclusions, the key issue is how the DPIE reached them. The only logical method would be to ask local real estate agents. However, that was not the approach of the DPIE. The ‘evidence’ it presents for its opinion on property values is its own opinion on the impact that the concrete plant would have “on the amenity of the surrounding area”. It asserts that there would be no impact on that amenity and therefore there could not be any impact on property prices. It seems that black is white if the DPIE says so.

There is no doubt that the possible arrival of a Hanson concrete plant has had a negative impact on property prices in Jacksons Landing. Local residents know that even if the DPIE does not.

## TRUCKS AND CONGESTION

We recognise that reducing aggregate truck movements in the Sydney basin is a worthwhile ambition. However siting the concrete plant on Glebe Island will result in a massive increase in truck movements in a small and already highly congested area.

Traffic analysis conducted by AECOM on behalf of Hanson has been questioned by independent traffic analysis and, as the figures for likely movements have come from the proponent, we would ask how the DPIE was able verify these figures?

AECOM estimates the daily movement in and out of the Hanson facilities as: -

Cement Trucks	70
Aggregate trucks	482
Concrete trucks	1378
<b>Total movements</b>	<b>2064</b>

Should the Hanson plant be run at peak operations over 24 hours, as approved by DPIE, daily truck movements in the range of 6,200 are feasible. These figures, it should be noted, only represent the Hanson Glebe Island component and do not take into account the cumulative impacts of the Multi User Facility, the Cement Australia facility and the White Bay Cruise Ship Terminal, nor the movements associated with waste processing from the various tunnel projects.

The area around Glebe Island is already gridlocked at different times of the day and new developments such as the Sydney Fish Market, White Bay Power Station and the White Bay Metro Station will only exacerbate the Hanson plant issues.

The addition of thousands of slow truck movements daily to the existing traffic congestion can be avoided by siting the proposed Hanson Concrete plant elsewhere.

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