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TRANSCRIPT OF PROCEEDINGS

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O/N H-1207468

INDEPENDENT PLANNING COMMISSION

PUBLIC MEETING

RE: BRANDY HILL QUARRY EXPANSION PROJECT

PANEL:

**PETER DUNCAN
STEPHEN O'CONNOR
ANNELISE TUOR**

DATE:

10.00 AM, FRIDAY, 12 JUNE 2020

MR DUNCAN: Good morning. Before we begin, I would like to acknowledge the traditional custodians on the lands on which we meet and pay my respects to their elders, past and present, and to the elders from other communities who may be participating today. Welcome to this public meeting on the proposed expansion of the Brandy Hill Quarry near Seaham in the Port Stephens local government area of New South Wales. Hanson Construction Materials Pty Limited, the applicant, is proposing to expand and intensify operations at the facility, which includes extending the extraction area by approximately 55 hectares from 19.5 hectares to 74.5 hectares; increasing production from 700,000 tonnes to 1.5 million tonnes per annum; extending product transport and operating hours into the evening and night periods; constructing and operating a concrete batching and recycling facility; and importing solid concrete waste for reprocessing and reuse.

My name is Peter Duncan. I am the chair of this IPC panel. Joining me are my fellow commissioners, Annelise Tuor and Steve O'Connor. Before I continue, I should state all appointed commissioners must make an annual declaration of interest identifying potential conflicts with their appointed role. For the record, we are unaware of any conflicts in relation to our determination of this proposed modification. You can find additional information on the way we manage potential conflicts on the commission's website. In line with current COVID-19 regulations, we have moved this public meeting online with registered speakers provided the opportunity to present to the panel via telephone or video conference.

In the interests of openness and transparency, we are livestreaming this electronic public meeting via our website and on Twitter. As always, this public meeting is being recorded and a full transcript will be made available on our website. The public meeting gives us the opportunity to hear your views on the assessment report prepared by the Department of Planning, Industry and Environment before we determine the development application. The Independent Planning Commission was established by the New South Wales Government on 1 March 2018 as an independent statutory body operating separately to the department and other agencies.

The commission plays an important role in strengthening transparency and independence in the decision-making process for major development and land-use planning in New South Wales. The key functions of the commission are to determine state-significant development applications, conduct public hearings for development applications and other matters and provide independent expert advice on any other planning and development matter when requested by the Minister for Planning or Planning Secretary. The commission is an independent consent authority for state-significant development applications and provides an additional level of scrutiny, where there are more than 50 public objections, reportable public donations or objections by the relevant local council.

The commission is not involved in the department's assessment of this project, the preparation of its assessment report or any recommendations within it. This public

meeting is one part of the commission's process. We have also been briefed by the department and met with the applicant, carried out a site visit and met with both Port Stephens and Mainland Council. After today's meeting, we will convene with relevant stakeholders, if clarification or additional information is required on matters raised. Transcripts of all meetings will be published on the commission website. Following today's meeting, we will endeavour to determine a development application as soon as possible.

Before we hear from our registered speakers, I would like to outline how today's meeting will run. I will introduce each speaker when it is their turn to present to the panel. Each speaker has been advised how long they wish to speak. It is important that everyone registered to speak receives a fair share of time. Therefore, I will need to enforce time-keeping rules. You will hear a one-minute bell, and I will ask you to wrap up at that time. If you have a copy of your speaking notes or any additional material to support your presentation, it would be appreciated if you could provide a copy to the commission. Please note, any information given to us may be made public. The commissioner's privacy statement governs our approach to your information.

If you would like a copy of our privacy statement, you can also find that on our website. Thank you, and I will now move to the first speaker. The first speaker today is Andrew Driver, speaking on behalf of the applicant, and Andrew has been allocated 30 minutes. Thank you, Andrew.

MR DRIVER: Thank you very much. I've got a PowerPoint presentation that I'd like to talk to, if that's possible. Okay. Can we see that?

MR DUNCAN: Yes.

MS TUOR: Yes.

MR DRIVER: Okay, so there's the cover sheet. We will move past that. So the things that I wanted to touch on this morning are some of the matters that are somewhat still contentious and things that have been raised since the IPC process has begun; those matters that have been raised with the community and also with the Department of Planning. So hours of operation and some of the concessions that the project has been through, and where we've ended up on those; the timing and delivery of the pathway and the bus bays and how that best ties in with the production minutes; the peak traffic levels; the EPAs general terms of approval for an EPL and in relation to particular to the daily load and haul limit; vegetation clearing of the 50 hectares and the koala habitat; the tank water testing that has been undertaken; our company sponsorship policy and Hanson's engagement with community to date.

Hours of operation. Brandy Hill historically has the Newcastle and Hunter Region areas. I've marked on this Google Earth map Hanson's four major quarries. This has been presented previously to the IPC. So down south of Sydney, we have Bass

Point Quarry in this location nearest Sydney, Gosford. North of the Sydney, we have a major quarry as well, Kulnara. We have Newcastle located here and then Brandy Hill is just north of – north of Newcastle. Further to the north near Port Macquarie, we have another hard rock quarry, which is located at Sancrox. I've highlighted in the areas in blue, red, green and yellow the approximate distribution of those quarries.

As you can see, our major quarries that supply into Sydney is currently Kulnara and – and Bass Point and it should – it should also be noted that Brandy Hill has quite an extensive market coverage as well and it's increasingly pushing down into the Sydney Basin. Our Kulnara Quarry has approximately 10 years left to operate, so this area that's highlighted in green, which is the area for the Kulnara Quarry, it needs to be replaced. Unfortunately, Hanson doesn't have any other hard rock quarries or reserves in the immediate Sydney area, so the Kulnara Quarry will be replaced by Brandy Hill. That is one of the reasons we're – it's of utmost importance that we continue that supply chain into the future.

And that's why we need to have the flexibility of being able to not only operate the quarry, but also have the flexibility of dispatch outlets, because the lead time into Sydney from the Brandy Hill Quarry is the – you know, two to two and a half hour mark. Also we need the flexibility of operating the – on the crushing side, on the quarry operation side, to meet that 1.5 million tonnes per annum. I know there has been some discussion that, well, why doesn't the company just upgrade their facilities to meet that 1.5 tonnes per annum? It's not a – a simple case of – of spending a small amount of capital. Capital is quite significant. We're talking 70 million plus to upgrade that facility to meet the 1.5 million tonnes per annum, if we were given consent conditions that restricted the ability to not operate 24 hours a day.

And in – more importantly, some of the key parts of the quarry processing, particularly the secondary and the tertiary, which hasn't represented an issue that we're aware of within the immediate vicinity of the quarry, that – those processes have been operating quite – outside of what people would probably call normal business hours and up until – up until pre-COVID-19, that was up until 10 pm of an evening. I just need to move – how do I do that? Okay. Thank you. Hanson – we do not agree with some of the Department of Planning's comments in their IPC transcript, particularly on page 10, that quarries are typically a daytime industry.

There is numerous examples around the state of quarries that have 24/7 operation. Hanson itself has Bass Point Quarry, which operates 24/7. Kulnara Quarry is a 24/7 operation. Some of our competitors down in the Marulan area, Boral Peppertree is a 24/7. Holcim Lynwood is a 24/7, and Gunlake down in Marulan is also a 24/7 operation. We also do not agree with the – the department's comments that the Noise Policy for Industry is – encourage daytime operations. We also do not agree with the department's comments that coal mines have a higher capital cost, which require longer production hours to meet the return on investment.

An investment of \$70 million is quite significant. And so, you know, if that was the case, we would be looking for an increase in crushing hours. I'll talk about how the project has progressed through this entire EIS and SSD process, so in this column here initially, we assessed the project based on – on these parameters: primary
5 crushing, 24 hours; secondary and tertiary, 24 hours; load and haul, 5 am to midnight; and on dispatch 24 hours. Where the project ended up prior to draft conditions, we conceded on a number of things working with the community and the Department of Planning and other agencies. So we then were limited, primary crushing from 5 am to 10 pm, but we still wanted to have the opportunity to – to do
10 the secondary and tertiary crushings.

And there's reasons for that, because that's – that part of it at the plant is – is quite – it is quite particular to sizing and sorting the aggregates and making the standard comply to spec. So we were still looking at the 24 hour flexibility for that part of the
15 – the quarry project. Load and haul, we restricted from 5 am to 10 pm. And the dispatch, we restricted the number of dispatches between 7 to 10 pm and then for the 10 pm to 7 am, as you can see listed down in here, we had deliveries reduced as well. Unfortunately, the recommended draft conditions of consent that were presented from the Department of Planning to the IPC were – were not anywhere near those
20 conditions that we conceded on.

So in primary crushing, we've got a – a recommended condition of 6 am to 6 pm. Generally, we're okay with that. And I haven't highlighted that in red. As you can see, the – the contentious that we're still seeking some flexibility on with – I've
25 highlighted in – in red. The secondary and tertiary, which is the utmost importance to meeting the market demands. The department have recommend 6 am to 8 pm, and that is definitely problematic for the quarry operations and the business. In terms of truck dispatches, the 10 movements per hour between 6 pm and 10 pm up to 20 evenings per calendar year is also somewhat problematic, as we were seeking
30 to have 30 loads per hour between 7 am to 10 pm.

And night-time dispatches, which we did concede that we only do 20 times a year between 10 pm to 5 am, and that's with providing seven days notification to the community, that was not taken into consideration at all. I just want to talk about the
35 – the delivery of the path and bus – bus bays. So Hanson spent a – a lot of time dealing with the council and also consulting with the community and Department of Planning. When we consulted with the community, we tried to work out where were the best location for the bus bays, and I think we went a fair way down that – that path. Hanson currently represents only 17 per cent of traffic that uses Brandy Hill
40 Drive.

And based on the 1.5 million peak production, that will only increase up to 30 per cent. However, I think currently under our road maintenance contributions, we are funding 100 per cent of the maintenance on – on Brandy Hill Drive and that's more
45 than likely to continue into the future. During our negotiations with council, council insisted on taking control and – of design and construction of the pathway and the bus bays. So you – that needs to be considered that that's outside of our control; it's

outside of Hanson's control. Funding for the pathway was not considered a priority by Port Stephens Council and that was – came out of some of the discussions and representations that were made by council representatives at our CCC meetings.

5 They considered it to be a – a rural backroad and there were other areas within their LGA that were a priority over the Brandy Hill Drive. Consultation with the department and Port Stephens Council indicated that council – that Hanson should not be responsible for the entire funding of – of the pathway. And so on that basis, we started, you know, negotiating and we offered to pay 50 per cent, which at that
10 time was \$1 million. This has since increased to 1.5, as council would only consider a higher monetary contribution. Council comments in the transcript with the IPC, particularly on page 12. It should be important to note that the – on that transcript it says:

15 *..... \$1.5 million that Hanson will contribute towards the pathways will provide a pathway that will cover at least 90 per cent of the Brandy Hill residents.*

And I think Hanson can be held to pay the contribution within a timely manner, but once that – that money is handed over to council, it should be incumbent on council
20 to deliver that pathway to provide the footpath to 90 per cent of those residents. So to that end, Hanson supports any mechanism that – for council to build the pathway in a timely manner and bearing in mind that's – you know, a VPA can be structured so that that can take effect. Hanson considers it unacceptable that a production limit be condition on the basis of an activity, ie, the delivery of the pathway, which
25 Hanson has no control or obligation on building.

I just want to talk about peak traffic levels. The – some of the numbers that appear in the consent and some of the origins around those numbers – back in 2013, we had a –
30 a peak dispatch number of 32 in one particular hour. And that was – that was a question that was asked by the department, I think, in the last 12 months. And that formulated that – that – that dispatch limit of 30 per hour between 7 am and 10 pm. And then if you extrapolate that out, you – you end up with 300 dispatches per hour. The 300 dispatches per hour is also governed by trying to limit the increase in road traffic noise to two decibels. As you can see over here on the following page, 301
35 dispatch limits, that then correlates to a movement number of 600, which is in the conditions of consent.

The EPA recommended general terms of approval for the EPL and, in particular, the load and haul limit. It was suggested that this should be restricted to 5000 tonnes per
40 day. I just want to talk about that for a little bit. This was on the basis that the air quality impact assessment that was done at the time was done on annual averages. So that was an assumption. Since that time, we've – we commissioned Todoroski Air Services to do a – an assessment on the people haul limitations, and they identified that 24,000 tonnes per day may be extracted during stage 1 and stage 2,
45 while maintaining compliance, but this decreases to 1000 tonnes per day during stage 4 and stage 5.

So we thought it was important to talk to that, because we didn't think that the logic behind the 5000 tonnes per day on the load and haul was – was quite sound when you – when you're proposing an upper limit based on – based on an average. I – it should be also noted that since then we did the assessment on 24/7. Based on the
5 hours that have been recommended in the draft conditions, obviously that would then mean that the – the – the peak load and haul daily volume would have to increase due to the – the restricted hours. Vegetation clearing, we did two additional assessments that were relevant to the koala habitat.

10 There was a draft SEPP produced back in 2019 and also the – the impacts of the recent summer bushfires. And in – in regards to the SEPP, there was no changes to the outcomes. And we had Biosis carry out that assessment for us. Less than one per cent of the koala habitat was impacted by the fire in the Port Stephens LGA and also the IBRA subregion. Therefore, it is concluded that the impacts assessed for the
15 project have not been exacerbated by the recent bushfires. The assessment outcomes are consistent with the biodiversity offsetting scheme and have been accepted by the biodiversity conservation division. We noted that the outcomes of this were conservative.

20 Hanson has also commenced discussions with our neighbour immediately to the north, who holds a significant number of offset requirements and these are already offset statements. Notwithstanding that, Hanson has a large amount of property that contains remnant vegetation which will probably be more than likely assessed and used for – for offset purposes. We can provide the – the documentation how we've
25 considered the – the draft koala SEPP 2019 and also the impacts on the recent bushfire – bushfires to the IPC in relation to tank water testing, this is one of the issues that's from our – during our CCC with the communities.

The tank water testing was undertaken in 2019 as requested by some of the Giles
30 Road residents. We tested three properties. We commissioned BGT to perform the analysis on the water samples against the Australian Drinking Water Guideline criteria. All the residential tank water samples indicated that the tank water supply quality was within the properties required by these guidelines and at least one of these rainwater tanks did have a first flush system installed at the time of the – the
35 testing sampling. Hanson has – we've developed a – a draft policy over 2019 on the back of the have-a-chat sessions and some of the – some of the queries that were raised through the ACCC.

So we have a draft policy, and some of the – the key things with that policy is that
40 we were – the policy would be predominately directed to activities and initiatives which leave a permanent, positive legacy. It will be provided to youth organisations including sporting clubs, where the support enables – to the organisation to sustain its primary aim and it will be prior to – prioritised to initiatives where the benefit will be directly received in the local community. The last point I wanted to touch on
45 was Hanson's engagement with the community. We acknowledge that the community consultation project – consultation process for the project has not met with everyone's expectations.

Increased efforts to engage with the community public exhibition have included formalising the CCC. We've had have-a-chat session. We've got community registration for blast notifications and quarry-related news updates and there's a hotline as well. The outcomes of consultations directly informed Hanson's
5 continual refinement of the project. As you can see, we've gone through a process of refining and conceding on some of the – some of the most contentious parts of the project. We'll continue to engage with the community with ongoing stakeholder consultation. It will be a feature of the quarry, while this consent is in place.

10 It – as I said, the engagement is an ongoing, iterative process with feedback directly between – influencing how we manage the project. Just as a final closing as well, I do note that the proponent has gone first and anything that I – I've said in my presentation I'm expecting to be discussed further by, in particular, objectors to – to the project. We'd just like to request, perhaps, a right of reply at – at the conclusion
15 of today's meeting, just to – to – on the basis of and – yes. That's probably where I'd like to – to leave my presentation. Thank you.

MR DUNCAN: Thank you, Andrew. Andrew, regarding right of reply, we will accept written submissions or – or documents after the meeting, so I think that's the
20 best way to handle it, given there's a lot of speakers today that are lined up to speak. Thank you. I'd now like to welcome our next speaker, Grant Farquhar, representing Hanson, the applicant, as well. Welcome, Grant. You – you also have 15 minutes and we'll provide you advice about one minute towards the completion. Thank you.

25 MR FARQUHAR: Thank you very much. Look, to extend on the comments that Andrew's made, I just wanted to properly contextualise importantly what Brandy Hill Quarry means to the broader industry and the downstream construction component of that. And what the conditions would mean in terms of capability and capacity to – to meet demand, which is in the market, not only from a local
30 perspective, but more broadly down to the Sydney region. So as Andrew highlighted, Brandy currently has been operating up until 10 pm, and this has really been driven by an ever-increasing demand for quarry materials down through the supply chain to those dependent construction material manufacturers.

35 And obviously Brandy Hill is a – a very strategic part of that supply of materials, both locally and, as I said, increasingly through to – to Sydney. And that's going to intensify more in the medium term when the Kulnara operation, which is to the south of Brandy Hill, is – expires and we'll increasingly put focus on Brandy Hill to take up that demand. Look, as – as we understand, part of aggregate supply incorporated
40 into that is a significant freight task. And that freight task is increasingly growing both in – in volume and distance. And that's driven by the extension – extinction of aggregate supplies that are closer to the point of demand. And, you know, the – the closest aggregate quarries are – are towards Sydney in itself and then are – are well and truly beyond 100 kilometres from the point of their demand.

45 I just want to touch on the importance of the aggregate production process and I make it clear that there's two distinct parts, both primary crushing and tertiary

crushing. And these aren't matched in output. Therefore, what you put into the primary crushing circuit does not equal what you're likely to get out of the tertiary crushing circuit. And this imbalance is typically around about 60 per cent of output on the tertiary relative to the primary. And this highlights the need to run longer
5 hours on the tertiary-crushing circuit to achieve a like-for-like output. Now, in the conditions that have been proposed, based on the – the limit of 1.5 million tonne, and if you supply the 60 per cent output through the tertiary component of the plant, we can't actually achieve this proposed 1.5 million tonne.

10 In fact, conservatively, I think we would be lucky to reach 1.2 million tonne, giving consideration for maintenance and downtime. So hence the need to consider the additional crushing hours from that tertiary circuit be beyond those that are being proposed. And as Andrew also mentioned, we – we certainly got other operations that are successfully operating on a 24/7 basis and being able to meet all conditions
15 that have been imposed on those operations as they are. As I said, aggregates is an integral material in the broader downstream construction industry, particularly for elements such as concrete, asphalt and road construction.

Importantly, these downstream operations have moved more and more to a 24/7
20 operation in line with demand to deliver infrastructure, commercial, industrial programs, which increasingly have become shorter and shorter and more intensified in terms of their schedules. And ultimately this need is – is now being endorsed by the City of Sydney, who have now moved to conducting very successful trials in the CBD for commercial buildings. And that's driven by an increased desire to have
25 improved productivity and to alleviate congestion on the road networks. Also the State Government, in recent times, is – opened up broader construction hours to include Sundays. Again realising the need to improve productivity and, importantly, to spread the freight task for construction materials over a broader timeframe. This has significant downstream benefits to the community and all road users on the
30 broader road network.

The current and future infrastructure program that is currently underway and proposed by the State Government, which not only includes the five stages of the WestConnex motorway, Badgerys Creek Airport, all of the infrastructure around
35 Badgerys Creek including the upgraded northern road and other key arterial networks, the Metro West train line, North West Rail Transport and many, many others are not only currently being constructed on a 24/7 basis but will continue to be constructed on a 24/7 basis. The demand in these projects is well in excess of 15 tonnes per annum and that is only these projects, not the broader market in itself.
40 And Brandy Hill is obviously a major source of materials that are needed to supply that demand and it highlights that Brandy Hill is not only for local consumption but, more broadly and increasingly, moving down through to the Sydney market.

In the last couple of years, Hanson's downstream concrete supplier has produced up
45 to 20 per cent of its market requirements in night time hours. This is only anticipated to increase in line with the rapidly changing and intense vacation of construction and, therefore, the broader freight task and the supply of those materials needs to expand

in line with that. Importantly isn't linear. It has significant peaks and troughs throughout the 24/7 cycle and, therefore, it's imperative that flexibility is provided from a logistical standpoint to meet this demand and, importantly, broadening the hours of operation and the supply chain freight task reduces trucking intensity and improves the utilisation of the broader road network for all users, as I've said, and the demand for the entire construction industry needs to be met in a responsible cost-effective and a sustainable way and, therefore, consent conditions that are applied to Brandy Hill will be vitally important to make sure that we can actually meet that demand.

10 So I will leave it at that and, hopefully, that gives you a broader perspective of why it's critically important for the extended hours both to increase capacity and improve the freight task.

15 MR DUNCAN: Thank you, Grant. I think we have a question for you before you go.

MR FARQUHAR: Yes.

20 MR S. O'CONNOR: Grant, I just want to be clear I understood the point that you were making in relation to primary crushing as opposed to tertiary and secondary crushing. And if I understood you correctly, you were saying that, under the current hours that are proposed in the Department of Planning's assessment report, that production could only reach 1.2 million tonnes per annum because you couldn't produce the product you require in the time you have availability; is that correct?

25 MR FARQUHAR: That's correct. That's correct. Therefore, we would be seeking to obviously extend those production hours to allow us to meet that 1.5 million tonne.

30 MR O'CONNOR: And it's not the primary crusher, it's the secondary and tertiary that are the most critical?

MR FARQUHAR: That's correct. Hence why we're okay to accept the conditions of six to six for primary crushing - - -

35 MR O'CONNOR: Yes.

MR FARQUHAR: - - - but certainly seeking to extend the hours of operation for the tertiary crushing component and, if I go back to Andrew's point in the original EIS, we conducted our studies on the basis of crushing through those hours.

MR O'CONNOR: Thanks. That has answered my question.

45 MR DUNCAN: Thank you, Grant.

MR FARQUHAR: Yes.

MR DUNCAN: I would now like to introduce the next speaker: Kate Washington MP, Member for Port Stephens. Kate, you've been allocated 20 minutes, as requested. So we will provide you advice about one minute prior to the completion. Thank you.

5

MS K. WASHINGTON: Thanks. Thanks, Commissioners. This is an unusual way to be proceeding with a hearing. So I will – I think we will all be just trying to do our best. But thank you for the opportunity to address you all today. And I suppose I see my role as perhaps setting a bit of a scene that's different to the scene that has been presented to you by the applicants, as you might have mentioned, and you're going to be hearing today from a lot of different community groups and I know that you've had many submissions from them already. But when we are dealing – I feel like the magnitude of what – of the decision that's before you today is very large when it comes to the community's perspective and, I guess, just to – for the benefit, I just wanted to summarise, as I see it, the main things that we are dealing with, which is in terms of the extraction which we're – it's looking to more than double the current extraction limit.

We've got truck movements that could be at a maximum of 600 per day. Although, I understand that the proponent is seeking for that to be greater with it still pressing for increased truck movements to go later. So it looks like, from this morning's presentation, I can see that there's still – want to have – to be dispatching 30 laden trucks up to 10 o'clock, as I understand it, and we've got the removal of almost 52 hectares of koala habitat. It's leaving a void, as I understand, one kilometre by one kilometre to a depth of 78 metres, which will take 163 years to fill with water.

It's creating, well, 11 new full-time equivalent jobs and allowing the 20 current workers to continue in their roles. And there's then 183 submissions, 93 per cent of them were opposed to the development and the expansion. Five were comments and there were eight supporters in amongst those 183 submissions. And today, I suppose, I want to just broadly address the impacts, as I see them, that are a little bit different for different areas. So you've got the residents that live in Brandy Hill, particularly those on Brandy Hill Drive, whose voice has been – well, they have been involved in discussions with Hanson for some time.

35

Then you've also got the residents at Giles Road whose experience is a little bit more – well, it's different again. And both of those areas and where the residents are have impacts from the current operations of the mine, let alone an operation that will be more than doubled what it's currently doing. Then I would also like to address the environmental aspects to the proposal. So – and there's going to be a number of residents and groups that will be addressing you today that will go to many of these issues in far greater detail than me because they have enormous capacity, they have enormous personal dealings with this on a daily basis. So their submission to you today is going to be far more, in some ways, relevant than my own.

45

But I just want to impress on you that the residents are very capable. They have – they are very intelligent. They do not do this because they want to be doing it. They

are doing it because they feel they have no other option and sometimes, in these development applications and differences that are found with community interest versus the interest of the proponent, the community is sometimes portrayed poorly and I think there has been that risk in the management of the consultation process
5 that they – their needs, their concerns have been dismissed and unfairly so.

So I would – and from years of involvement with community and – and for as long as this – this application or this – the intention that Hanson has been known, the community has been raising concerns with me and they’ve been raising them with
10 council, they’ve been raising them with EPA and with Hanson themselves and many of them have participated in the CCC, the Community Consultative Committee that Hanson created and I know that – I note that Hanson is pointing to its creation of the CCC and, perhaps, before it was required to do so, I would question whether that process has been a genuine – whether the concerns raised by residents through that
15 process have been genuinely heard, particularly when we have seen what was actually ultimately submitted as the development application by Hanson, which did not take into account the matters that have been raised by the community.

So turning, firstly, to issues affecting residents on Brandy Hill Drive., the residents
20 there will no doubt speak to that today. But, in terms of the ways in which the department has seem to accept that there has been some amelioration of the impacts on those residents, the only way that that will be achieved is through a – the voluntary planning agreement that doesn’t exist. So I have real concerns that there is a lot being hung on an agreement, the terms of which aren’t agreed, the conditions of
25 consent, that are proposed by the department themselves, refer to – sorry, I’m just looking for my document – they refer to the agreement itself as – and the payment details specifically, in terms of the \$120,000, which is to towards the bus bays, it will be – to be paid by Hanson within 12 months of the date of commencement of development or as otherwise agreed under the executed document.

30 Again, the 1.5 million, which is meant to be the contribution towards a shared pathway. Again, it’s – the timing of that payment is not prescribed at all by the conditions that are proposed by the department. Again, it’s as otherwise agreed under the executed document. There isn’t – there is – there are no – there’s no
35 certainty and there’s real concern around transparency on negotiations between Hanson and Port Stephens Council about where this will land. Now, I’ve written to council and I’ve asked for details around the design of the bus bays, design of the pathways, costings of both. I haven’t had a response yet. And to think that there are negotiations being done or had with council, without them even appreciating or
40 having final plans and final costings to understand what the taxpayers are going to be – the ratepayers are going to be contribution towards either of these pieces of infrastructure, we – the lack of clarity around that is concerning and we have a history here, in Port Stephens, where council has changed the terms of a voluntary planning agreement, which had been accepted by the community, and they were
45 changed at a council meeting where – so the outcome was not what the community had accepted or agreed.

So there are real – and I appreciate Hanson’s comments today that they are – they don’t want to be beholden to terms for performance that they are not – they’re not required to achieve but, in the mix, we just don’t want community to be lost in this mix and that the timing as well – I know that that was raised with you by Councillors
5 Arnett and Nell and LaMotte – there is – there has to be certainty as to delivery on timing of the infrastructure that’s needed to keep that community safe. So the bus bays and the pathway are things that the community want to see prior to any increase of truck movements on that road, which means any increase in production that might come from any approval from the current application. So that’s aspects in relation to
10 the voluntary planning agreement.

I would also note there that there are ongoing question marks even around the contribution to council from the – to road maintenance. I understand Hanson says it contributes now but in the evidence given by council – or in the submission to
15 council to the – to yourselves, they’re saying that their tonnage is now 8 cents per tonne per kilometre, which is different to what Hanson is currently paying and, again, we just – we just – there seems to be so many uncertainties. So many things that have yet to be agreed that the community is left wondering what it – what exactly it’s going to get, how exactly the impacts on their quality of life are going to
20 be ameliorated by an agreement that doesn’t exist yet. So that’s an aspect of concern.

In relation to the residents on Giles Road and around the other side of the quarry, there are – the impacts are different in terms of the noise, dust and impacts generally
25 on their quality of life. They are – they are real, they are tangible and they will be talking about that later today though I just wanted to – perhaps there’s – draw the distinction between the ongoing impacts of the operations on a daily basis, which goes to the – to Hanson’s request for crushing on site for longer than the department is currently recommending and to longer and later. Given that there are already
30 significant impacts on that community with existing operations, the idea that the operations could be approved to go into – to 10 o’clock at night, I think that that is an unreasonable imposition on the community.

Then turning to environmental impacts. So the – the thing that stands out the most, I suppose – and I – is something that I find quite alarming in many ways – is the idea that the development is going to see the removal of almost 52 hectares of koala habitat. Now, as we know, koalas are the emblematic species that we often talk about. There are many other threatened species that are involved in – and present in that area. When – and we’ve got – we are on the back of the bushfires, as you well
40 know, and I heard the comments today from the representative from Hanson saying that Port Stephens wasn’t, thankfully, impacted by those bushfires. That doesn’t take away our responsibility to the koalas as a species in New South Wales where we have seen up to a third, that’s 10,000 koalas, lost in New South Wales just from the most recent bushfires. So just because we didn’t have them here in Port Stephens
45 does not mean that we haven’t got a responsibility to ensure that the habitat is retained to ensure its species survival.

Now, the New South Wales scientific committee has previously made a – I think it's called a predetermination of the status of Port Stephens' koalas. They have said that the species is endangered. They then sought to have the listing of Port Stephens' koalas raised from threatened to endangered. Due to the changes in the Biodiversity Act, it saw – it meant that Port Stephens' koalas could not have its threat level increased to endangered. So to talk about koalas locally, as a threatened species, we've got to understand that they are actually an endangered species and they've been recognised as that by the scientific committee. It's just not capable – due to short-sighted changes to legislation, it's just not capable of being reflected in the current list status.

Now, as a result of the bushfires, koalas are being – there's a very large and noisy call for koalas to be listed as endangered state-wide, under the EPBC, the Federal Act, and the Minister for federally, has – is being reported as undertaking – as the department still undertaking surveys to determine the status. So their status is, I think, well-known on the ground and it's very, very at risk. Unfortunately, it's not – that risk isn't reflected in its current listing level at a Federal or State level, state-wide or locally. So I – the enormity of the extent of harm to be done to habitat, that is known koala habitat, as a result of this application, I would hope would weigh very heavily on your minds as you make your decision.

I would just like to refer to the EIS for the application itself, which says, expressly, that the – that it's likely the project will modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent the species is likely to decline locally. That's not something that any of us want to see here in Port Stephens. We – I know the Port Stephens' koalas volunteer group will be addressing you later today. They are spending all their time trying to ensure that this – the survival of the species locally and to approve a development which will see and knowingly cause its further decline when it is already on the brink of extinction. That is something that is – something that many of us don't want to contemplate and we would – we don't think should occur.

The other issue that doesn't seem to be discussed very often in any of this is the void that is to be left and, as I said at the beginning, from what I can tell, it looks like it's going to be one kilometre wide by a kilometre long and to a depth of 78 metres. So, by my calculation, that could be up to about 75 gigalitres of water and I understand the proponent is saying it will take 163 years to fill. That is not an insignificant change to the landscape in this area and I – the potential impacts on waterways, I know that there are reports that have been provided both on the biodiversity impacts and on the water impacts by the proponent but, as we all know, they are paid for by the proponent. We've seen it time and time again where those reports are not actually independent.

MR DUNCAN: I don't know whether you heard the bell? Kate, I don't know whether you heard the bell but that was one minute. Do you want a little more time?

MS WASHINGTON: Okay. No, that's – I will just wrap up, if I could.

MR DUNCAN: Thank you. Thank you.

MS WASHINGTON: So I suppose I'm urging the Commissioners, you all today, to
– and I know that you will – listen to the community, their concerns are very
5 genuine, they are very real and they have been longstanding with the current levels of
operation and to – for the operation levels to be more than doubled, the impacts are
going to be very significant and I can hear Hanson's push to go beyond what the
department is recommending and I find that – I think community would find that
upsetting and unreasonable. The conditions, as they are, I would urge, if you are to
10 approve the – approving this project, they need to – we need to ensure that there is
certainty and transparency in outcomes for community because, at the moment, they
are far too vague for anybody to be hanging their hat on thinking that the safety and
amenity and impacts on community have been ameliorated because there's nothing
anywhere that we can see that is actually going to do that.

15 So thank you for your time today. I know it is a – it's a big decision that is in your
hands and I trust that you will take into account not only the obvious importance of
the need for the material that's going to come out of the quarry but also the enormous
impact that that will have on this small, rural, tranquil community. Thanks very
20 much.

MR DUNCAN: Thank you, Kate. Thank you for your presentation. Questions?

MR O'CONNOR: Yes. Just one question, Kate: you made reference to VPAs,
25 which council had agreed to and then changed at a later date, much to the
disappointment of the local community.

MS WASHINGTON: Yes.

30 MR O'CONNOR: Can you provided any examples? It doesn't have to be now but
maybe to us just to understand?

MS WASHINGTON: No, I can do it right now. It was a development in
Medowie to the – and the building of a Woolworths and the – and they were – under
35 the VPA they were required to build a roundabout in the town and town centre and
that was changed to a contribution to a extension on a road.

MR O'CONNOR: Thank you.

40 MR DUNCAN: Thank you, Kate. Thank you for your presentation today.

MS WASHINGTON: Thanks for your time and good luck.

MR DUNCAN: Thank you. We're running a little ahead of time. So we're going
45 to go to the next speaker, Leslie Moore. Leslie, you've been allocated three minutes
and we will give you a bell about one minute towards the end to help you wrap-up.
So thank you for moving your time forward.

MS L. MOORE: Thank you for the opportunity to speak today. Brandy Hill Quarry is in a rural area. Its roots come from the times when quarry mining was originally a hole in the ground. Historical quarries were developed from need when the transport of heavy bulk materials the quarry service the locality. We've lived in for
5 20 years and, yes, we knew the quarry was there when we bought here. Over these years we've had to adjust to the crush noise, dust and blasting as it is and accepted for what it is, the existent. however, this expansion application changes everything. It's just way too much. Hanson is wanting to turn what is there now into a major industrial site to a totally unacceptable level.

10

Approval for this catastrophic application more than doubles present production and also introduces the development of a concrete batching operation. This will mean environmental destruction of the koala habitat, inflicting potential health risks on residents by massively increasing truck movements, increasing toxic dust,
15 crushing and blasting noise, turning a rural area into an industrial blight of all our properties. Hanson is incompatible to this area. This expansion allows for 600 plus truck movements a day. Movements across a main road and onto Brandy Hill Drive. Accidents waiting to happen. Changing the operation hours to 24/7 days a week plus an additional 24/7 operation 20 times a year for night truck. Uncontained
20 clouds of dust heading over the quarry, day and night, making its way into our water tanks. In other words, continuous nightmare for the local residents. It's insane.

25

Hanson has capitalised on the fact that this rural location is now a transport bonus for them, close to major cities, Sydney and suburbs. As transport of this material these days is not so difficult, there are plenty of more remote areas that Hanson could exploit, with little or no impact to residents or even better, cleaning up their current operations. Where does this end? Residents have a right to sleep in peace, to enjoy a quality of life in the area they've chosen to live. An area zoned rural, not industrial. We live here for the lifestyle; peace and quiet, clean air, living sustainably, putting
30 as small a footprint on the environment as possible. Directly in conflict to Hanson's goal. Hanson would try to change the very essence of everything we value if we let them.

35

To approve this expansion would be a terrible mistake. Those of us opposed to the quarry on the Brandy Hill site and – those of us opposed to this expansion of the Brandy Hill Quarry site and operations will just be collateral damage. Today we are sticking out and we expect we will be heard. We're passionate about our beautiful area and its wildlife. We have invested years into maintaining the rural aspect of the land. We care. Zone RU-2 rural landscape overlooking Brandy Hill. That's us.
40 Quote:

45

To maintain the rural landscape character of the land to enable other forms of development that are associated with rural activity and require an isolated location or support tourism and recreation.

Obviously the Hanson expansion fails to meet this criteria in every way. The right way – the only way is not to approve this travesty of a proposed expansion. Thank you very much. I hope you've heard what I've had to say, short and sweet.

5 MR DUNCAN: Yes. Thank you. Any questions?

MS TUOR: Yes, I've got one.

MR DUNCAN: We have a question, fair Leslie.

10

MS TUOR: Leslie, you mentioned that you co-exist with the current operations of the quarry. Can you just briefly describe what you perceive are the impacts from the current operations, particularly noise and dust?

15

MS MOORE: Well, we do co-exist because we try very much not to listen to it. I run an Airbnb up here and it's very, very popular. Booked out every weekend, for weddings and other occasions and the last thing they want to hear is a crusher. Fortunately, the wedding people go up to their wedding and when they get home, it's late and they don't really care. But in the morning, the crusher might wake them up quite early. It's – it has impacted on us in that we – the quarry does let us know when they're going to do a blast and we appreciate that. But sometimes it rattles the entire street and all the buildings and we're quite worried about our foundations and I've just heard about this massive hole in the ground that's going to take a hundred and something years to fill. That's a blight on the landscape, not at all rural.

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25

MR DUNCAN: Okay.

MS TUOR: Thank you.

30

MR DUNCAN: Thank – thank you, Leslie. Thank you for your time today. We're going to take a short adjournment now and we'll be back with our next speaker at 11.30. Thank you.

35

ADJOURNED

[11.04 am]

RESUMED

[11.30 am]

40

MR DUNCAN: Welcome back to the Brandy Hill Quarry expansion project presentations. I would now like to introduce our next speaker, Anne-Marie Abell. Anne-Marie, you've been allocated five minutes and I will let you know about a minute towards the end to give you time to wrap-up. Thank you, Anne-Marie, over to you.

45

MS A. ABELL: Yes, thank you. Thank you for allowing me to speak today. My name is Anne-Marie Abell and I am a resident of Brandy Hill. I'm here on behalf of my family and a number of my neighbours who feel challenged to speak. It is important for you to know the true number of people to be negatively impacted by this proposal has been grossly understated. Page 5 of the assessment report, figure 6, affected properties have been marked. However, there are many properties not marked, none of the properties along Brandy Hill Drive east of the water park line, or even my own property and my neighbouring properties, have not been flagged and we are in a straight running – a street running parallel to Brandy Hill Drive and are already disturbed by truck movements.

Maybe figure 6 is only referring to those impacted by onsite quarry operations. We don't know. But there are literally hundreds of families and properties along the haulage routes and all are and will be negatively impacted by offsite operations. The proposed increase in truck movements will be monumental and not just for those in Brandy Hill. Figure 1, on page 1, showing trucking routes, are predominantly Brandy Hill Drive and Seaham Road, but also Clarence Town Road and Patterson Road and all passed through many rural suburbs yet only a select few of properties within the immediate area, wherever consulted, the applicant totally ignoring all others.

We are aware Brandy Hill Drive was originally constructed for the quarry's use, designed and purpose-built to facilitate the transport of 400 tonne per annum. Then, with no community consultation, an increase to 700,000 tonne happened and now we see an application to increase to 1.5 million tonne. We are perplexed as to how a proposal to increase truck movements to this level is being considered when the haulage routes built over 30 years ago were not designed to handle the volume, let alone now, over doubling it. It concerns us greatly every day when we drive these roads.

Trucks passing each other are forced to move right to the edge of the road or, often, off onto the verge. It is not a pleasant experience. It is dangerous and it is intimidating. My son is just about to get his licence and the thought of him negotiating these roads daily, as an inexperienced driver, worries us no end. The only outcome we can see, if operations are approved to intensify, is a dramatic increase of risk of road accidents and a vast reduction of our safety, the safety of our communities and anyone else who really travels these roads.

We understand the applicant has offered Port Stephens Council 120,000 towards construction of six bus bays and a further 1.5 towards the construction of a pathway. Please tell me if we are wrong but the applicant has referred this as a donation when the money is actually an advanced payment of their already payable road levy. The applicant is not providing any additional funds for this infrastructure at all and, therefore, the road levy money, which is meant for road maintenance, will be reduced while the trucks increase. This doesn't seem right to us. As the applicant is the major heavy vehicle user of Brandy Drive, we believe they should provide 100 per cent funding and this be in addition to their levy.

The recommendation also states to construct the bus bays first then, at a later date, the pathway. To think the bus bays can be built and utilised safely without the adjoining pathways is naïve. Both the bus bays and the pathway must be completed prior to any increase in truck movements and, in all honesty, the bus bays and
5 pathway should have been constructed long ago and certainly whilst ever the quarry is operational because right now no one can walk safely along anywhere on Brandy Hill Drive. If we want to go for a walk we are restricted to only walk in our side streets.

10 Whilst we are very glad to see the department agrees and recognises 24/7 is not acceptable, we are still concerned by the proposed extension of hours and would prefer to see the existing hours of operation continue with no increase. The thought of having trucks barrelling through our beautiful rural community during the night is intolerable. Even the increase in the early morning and – truck early movements will
15 have a detrimental impact on our lives with sleep disturbance being our main issue. And in the warmer months we like to have our windows open. So this would obviously be taken away if this increase was allowed to occur.

I would just like to finish by saying: during this lengthy process, many people in my
20 community have lost trust in the applicant who already blatantly flaunt the rules of their current licence, operating and transporting outside their specified hours. I am yet to see a truck travel at their self-imposed 60 speed limit. My dashcam shows trucks travelling well in excess of the speed and, more importantly too, well before the set start time of 6 am. So for us to see comments in the recommendation like
25 “self-imposed” and “only to occur on 20 nights per calendar year” truly makes us all we respectfully ask the IPC to carefully consider all information provided by the speakers today. Your decision will have a 30 year impact on all of our lives and we hope you will support our communities. Thank you for your time and good luck.

30 MR DUNCAN: Thanks, Anne-Marie. I will just check if there’s any questions?

MR O’CONNOR: No.

MR DUNCAN: No questions. No questions?
35

MS TUOR: No.

MR DUNCAN: No. I just wanted to confirm: you mentioned that not all properties were shown on the map, what road were you mentioning – the location that you were
40 in?

MS ABELL: I’m on Gwandalan Close.

MR DUNCAN: Gwandalan Close? That’s fine.
45

MS ABELL: Yes.

MR DUNCAN: Thank you. I just wanted to confirm that.

MS ABELL: Brandy Hill Drive - - -

5 MR DUNCAN: Okay.

MS ABELL: Yes. Brandy Hill Drive wraps around Gwandalan Close.

10 MR DUNCAN: Okay. Thanks very much for your time today, Anne-Marie. Appreciate it.

MS ABELL: You're very welcome. Thank you very much.

15 MR DUNCAN: Thank you. I will now go to our next speaker, Geoff Pettett. Geoff, if you're there, you've been allocated eight minutes and that's what you requested. So I will also give you an indication one minute towards the end. Thank you, Geoff.

20 MR G. PETTETT: Okay. G'day, my name is Geoff Pettett. I've worked in crushing quarries and open-cut mines in my 40 years working in the Hunter Valley area, which gives me some idea as industries. During that eight kilometres direct line of sight from Brandy Hill Quarry, I've witnessed on several occasions excessive noise and dust coming from you wouldn't think over eight kilometres would affect me but it did just in the fact that I could see the dust and I was
25 concerned about the particular people living in that area. Even raising the issues with Maitland City Council to no avail so in this presentation I will talk about three issues that concern me and possible solutions, if people want them.

30 One was dust. At times, large volumes of dust can be seen rising above the tree line of the quarry. Now, you may know, through the that there's supposed to be no dust above height. This is going above the tree line. So that's very high. And I fear for the locals in the effected area. Plus dust doesn't just stop at a line drawn on a map. It is an insidious by-product of mining that can leave a lasting legacy on health and the environment. From my perspective, the high levels came from the truck
35 loading operation of dry product. So the dust plumes came by the first bucket of gravel in a empty truck bucket is usually lifted higher to allow the truck to go underneath the loaded bucket. Thus, when the bucket is tipped, the – it has a long bucket has been lifted higher and this the product releasing dust.

40 Now, possible solutions could be – this is – if the proponent wants it, would be to – real-time monitoring and shutdown all modifying operations in real-time exceedances, not the next day. At the toolbox talk, say, “Boys, we got it all wrong, we made too much dust yesterday, clean up your act, we will be better today.” It has got to be done when the exceedances are there. And that's important. Plus an easy
45 one – solution is to try and – is dry product and first bucket is lowered to trailer body height on loading. Yes, this takes more time but it's worth it and it's a way other industries already work.

Now, the proponent will say, “We already do that, move on.” But it is not written in conditions of consent. It just doesn’t happen unless it’s an inspection day with notice. And on inspection days, on notice, in the quarries and mines I’ve worked in, when the inspection is going, you’ve got a week’s notice and, all of a sudden, every
5 water cart – everything is cleaned up, every water cart goes swamp, there it is, water and, as soon as the expectation is done, back to – back to the status quo, back to business, and, yes, so I’m just saying I don’t believe in inspections with notice. It should be an on-the-spot inspection and just, you know, see what’s going on. That’s my opinion. And that should be a condition of consent too. On-the-spot
10 inspections. Which is not meaning inspectors in the DPI.

Anyway. Noise. At times, the crushing plant noise, that I know so well, I’ve operated the crushers, I’ve loaded product, I’ve driven trucks, whatever, at these quarries. It can be heard from eight kilometres away from its source. Now, I
15 wouldn’t have thought it would come eight kilometres but I’m telling you it did. It does. And, once again, it doesn’t affect me greatly. I can hear it and it’s just a nuisance noise in the background. The locals, that I have no relationship with, I don’t know anyone on Brandy Hill Drive or the surrounding areas, or any of their groups, I don’t know them, I wish them well, but they must be copping an earful of
20 this because if I can hear it eight kilometres away it has got to be pretty loud.

The would be to purchase in landowners on affected properties at full prices to them, not just management pluck a number out of the air and that’s it. Or the proponent investigate other meaningful noise mitigation solutions to help themselves
25 live and work in the community. Again, this must be a condition of consent for the benefit lastly, spillage on road. The proponent has a duty of care to load correctly trucks carting their product and trucks must be fit for purpose to prevent spillage on the roads. This point affects me and other road users directly
30 experience of the proponent’s lack of care. As the trucks leave the quarry, they travel in all directions over local roads that weren’t made for it but previous – the speaker mentioned that, and highways route is Clarence Town Road to Ilalia, I-I-a-l-i-a, Road and turning right onto the Pacific Highway southbound just before Raymond Terrace. This is a 110 k zone and trucks have a large merged lane of gravel spills onto the roadway from Brandy Hill trucks.
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This spillage I’ve witnessed actually from the trucks in front of me when they were coming around that corner and this can come from two or more sources: either by the trucks or leaking tailgates. I think it’s the latter. I think it’s the leaking tailgates that’s causing their issue. And a solution to that would be a very low cost: a seal – a
40 rubber seal put around the tailgate, I’ve done it before on trucks, that’s where you put contact cement all around it and you put a piece of insertion rubber or other sock rubber and it seals up the tailgates. No spillage. You don’t lose any product.

So a more practical solution and previously – I don’t know whether it was the
45 proponent or the councils did it, but they had a road sweeper cleaning up that very spillage. Now, this is a 110 zone and the road sweeper is about 10 ks an hour. So you have a road sweeper cleaning up a road from gravel from these trucks in a 110

zone at 10 kilometres an hour isn't good practice. I mean, it shouldn't happen. And it was unescorted. It was just a road sweeper there doing this road – this highway. Not good – not good practice. A more practical way is to stop spillage at the source through strong leadership, policy and procedure. Possible solutions: should be

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MR DUNCAN: You have one minute to go.

MR PETTETT: of fitted tailgate seals and weekly drive inspections of seal as to fit-for-purpose. No trucks. It does happen in quarries, I can tell. All trucks inspected spillage on external body parts just means you have to get them loaded, move up a little bit, check your load, make sure there's nothing on that body. And any reports of spillage to your view of carting and mitigations implemented. Now, this should be a major condition of consent. Why? It has the potential to cause an external fatality. Someone gets rocks in their windscreen, cars going down the road, 110 zone, smash, smash, smash. And that's about my thing. And so I thank you for your time. I've been running out of time, I think.

MR DUNCAN: Thank you. Thank you, Geoff. Thank you for your presents.

20 MR O'CONNOR: No questions.

MR PETTETT: Any questions?

MR DUNCAN: I don't think we've got any questions. But thank you for your time today. Appreciate it.

MR PETTETT: Yes. Thank you. Bye.

MR DUNCAN: Bye. We will now go to our next speaker. It's David Kitchener. David, you've been allocated five minutes, which is what you requested, and, likewise, I will let you know one minute before the end to let you have time to wrap-up. Thank you. Over to you.

MR D. KITCHENER: Good morning, Commissioners. Thank you for the opportunity to speak. I live with my wife on the eastern residential blocking, Giles Road, and, as such, where our land directly abuts the land that's owned by the quarry. I would like to start by saying that my opposition is not to the quarry itself but to the proposed expansion. And I would second Ms Moore's comment that the scale of the proposal is too much. It's too big an ask. Like many of the local residents, I was aware of the quarry prior to purchasing the land. That was back in 1998. Back in those days it was a small local operation. It was used for local resource. Many people's driveways came out of the quarry. There was some local jobs and profits went back into our community.

45 I actually rang the quarry manager at the time before we bought the land to ask how long it was likely to take to excavate to the edge of the or something along those lines. I don't recall exactly what the form of the question was but I don't remember

his answer. His answer was, “How long do you expect to live?” So taking that as – well, it’s going to be a while, we bought the land and built our house a couple of years later. The and now it’s a – owned by a large overseas corporation that’s seeking to encroach further on the lifestyle and moving faster on that than we could
5 have imagined it at the time we bought.

If I take it right that their intention is to roughly triple their output, we’re being asked to accept, roughly, three times the dust and, in a practical sense, that means I’m going to be on the roof washing our solar panels more frequently because we’re off-
10 grid here. So the dirt and dust does have an impact on how much power we can generate. We’re going to be asked to accept roughly three times those noise the nights that are so quiet you can hear a pin drop, they will be gone. And getting back to the thing about being off-grid, that doesn’t mean we have to leave our windows open in summer because you can’t run an air-conditioner on and on and off grid
15 power system.

But most concerning is the idea that they’re going to have to roughly triple their blasting. Now, whether that means three times larger blasts or three times more frequent blasts, I don’t think that is going to be good news for what I considered to
20 be a solidly built house that showed no signs of cracking in the first 10 years but is certainly starting to show some now. Putting this together, I’m saying it’s – basically it’s going to totally destroy the ambience of the area and it’s going to be a disincentive to continue an outdoor lifestyle that we’ve come to love here. Whether it’s something like, you know, sitting out and looking at the stars on a clear night, we
25 will have dust and noise, whether we’re gardening during the day or if we’re just sitting in the garden reading a book, that quarry is going to be there with us.

My other principle concern that I would like to raise is the loss of habitat. Koalas, as Kate Washington noted, are an iconic Australian species. They are already
30 struggling after a devastating fire season. I work in a geospatial role for one of the local land services and I’ve done a good deal of work on the fires over the last summer and I can absolutely promise the koalas have had a very tough 12 months. I concede that another 50 hectares will not be the – will not be the end of the koala in New South Wales but I do fear that they are facing the death of a thousand cuts.

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MR DUNCAN: David, that’s one minute to go.

MR KITCHENER: Thank you. Yes. Every bit of habitat counts now. We’re at that point. We and the forest around here is very damaged by the summer
40 drought. We have a lot of trees in recovery mode. A lot are looking pretty much dead. The population of koalas here is already under stress. And we have lots of other wildlife, we’ve got gales, wedged tailed eagles, Burton’s legless lizards, Scarlet honeyeaters, red-naped snakes and quite possibly quails, although we’ve never managed to prove that. They all make their home here. So all this is going to
45 be lost to meet the needs a market that isn’t even local to the Hunter. We’re being asked to be the sacrificial lambs on the order of Hanson seeking to position itself in the Sydney market. That’s really what it’s all about.

If they can just – I can't see they can justify spending five hours to take the truck-loaded gravel to Sydney. So thank you for the opportunity to speak. Thank you.

MR DUNCAN: Thank you, David. Questions?

5

MR O'CONNOR: Yes. If I can just ask one question, David, which relates to your current experience with blasting: how frequent do you currently experience in the blasting?

10 MR KITCHENER: I think – I'm fairly sure the blasting would occur once or twice a week. It doesn't appear to happen on a regular schedule. And they vary. Some you barely even notice but then there's some that really rattle the house. So – but I just can't see how you can roughly triple the output of a quarry without doing a lot more blasting more often. That's the concern. So - - -

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MR O'CONNOR: Thank you.

MS TUOR: David, also, could you just describe your current experience with the noise as well?

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MR KITCHENER: The noise tends to vary with the wind. That – particularly if – the predominant wind here tends to be north-easterly. So if it's blowing from broadly the east we tend to be more aware of it and it's a – it's – it could be enough to keep you awake at night. It's not – it's not deafening by any stretch to the
25 imagination but it's certainly there and it just – I don't know, it has a way of sort of gnawing at you the whole time. It just keeps going and going and going. On the other hand, on days when we have a strong westerly, we don't hear a peep out of the quarry but I suspect people who live on the other side of the quarry are listening to it. So it is somewhat weather-dependent. But our predominant wind around here is
30 north-easterly. That tends to be the main one. So Giles Road residents would probably hear it more often any other area.

30

MS TUOR: And when you do hear it, when you've got the north-easterlies, do you notice a big difference between sort of daytime and early evening or is it just - - -

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MR KITCHENER: I tend to feel that you're more likely to notice it first thing in the morning or last thing in the afternoon. During the day there was probably enough ambient noise around for – because you can hear cars on Clarence Town Road, which is over a kilometre away. So it tends to be, yes, at the quieter ends of the day
40 that you would be aware of it. But at night it is super quiet. It really is. You can hear a pin drop.

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MS TUOR: Thank you.

45 MR DUNCAN: David, thank you for your presentation today.

MR KITCHENER: Thank you.

MR DUNCAN: I would now like to ask our next speaker, Jacquelyn Purcell to present. Jacquelyn, you've requested and been given 10 minutes to speak. So, like the other speakers, I will let you know about one minute towards the end so that you've got time to wrap-up. Thank you.

5

MS J. PURCELL: Okay. No problems. I haven't had the opportunity, unfortunately, to listen to all the other speakers. I've got other things on today so I apologise if I'm not being able to reference what has already been said. But my name is Jackie Purcell and I'm one of the closest neighbours to the Brandy Hill Quarry. I'm actually an engineer that has employed in in the industry for the last 15 years and will practice feasible business. I also understand the quarries produce and it's impossible to have an operation that has absolutely no impact on the community.

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15 So, in theory, I'm not opposed to being a very close neighbour to the quarry and I know that life as we know it would be really difficult without products. But I've got several deep concerns that are failing to be relieved by Hanson. The first of which is the distraction of 50 hectares of koala habitat and, as David has just mentioned, the 2019 bushfires were absolutely devastating to the koala population. So I don't believe that now is the time to be wiping them out even further. I disagree with the solution of purchasing koala credits and that's a suitable strategy to mitigate that 50 hectares and, given those bushfires have now taken out a huge proportion of their alternative natural habitat, I think that that solution is now even less acceptable.

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25 Secondly, 600 trucks a day along these roads is just not safe without significant upgrades time before somebody is killed and do we want to wear – you know, wear that blood on our hands for the sake of not doing this project properly? I think that the 700,000 tonne production limit should remain in place until the footpath is installed and commissioned, not just the bus bays. The bus bays without a connecting footpath are almost useless. I also believe that there should be significant road upgrades to Brandy Hill Drive, specifically overtaking lanes, wider shoulders and increased frequencies to road maintenance. 600 trucks a day down those roads are going to just chew it up no end. And the Brandy Hill Quarry should be covering the maintenance costs of that road, not the local council.

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Thirdly, there is talk of coal fly ash being transported to site and, at this point, we don't know if this is happening. If it is, what it's going to be for or how it will be managed. It's a really toxic product and I don't feel that it's suitable, if this is going to happen, that the quarry will be self-regulating their pollution levels. If it's going to happen and come to site, I think it should absolutely be monitored by an independent third party and monitored constantly. Hanson's inability to commit to an answer about whether they will or will not be importing coal fly ash is beyond concerning.

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45 My final concern comes down to management style. Repeatedly, neighbours have been intimidated by staff and managers of the quarry, made to feel insignificant, nuisance-causing and unimportant. Now, quality and discrimination issues aside, it

shows a distinct lack of respect that this company has for its community. Our concerns over dust issues have not been met, a monitor was installed but it was faulty and a replacement has failed to arrive. Management have admitted that they're happy to breach licensing conditions because the EPA fine is so small relative to their contract value. This is not operating within best practice.

They're not complying with their current lease approvals, so why on earth should we trust them with an increase to conditions? Do we honestly believe that an operator who admits to blatant breaching, at the risk of a fine, is adequately going to self-monitor in the future? The Port Stephens Council can't do anything because the lease conditions are so broad at the moment and they don't have enough funding to take on Hanson in a legal battle. The EPA aren't active and have asked neighbours to do the evidence gathering at the risk of their own personal safety.

Who's going to ensure that these guys are doing what they should be? And why is it up to neighbours to spend hours of their time and countless sleepless nights and potentially their own money to ensure that Hanson are not breaching conditions? It is just not acceptable. Hanson's letter, dated 14 May, which was in response to the department's recommendations, screams of desperation. They need this to get across the line. If this decision is so make or break to their business future then they need to be pulling out all stops to provide a best practice operation.

If they need to spend money, God forbid, on upgrading crushing facilities so that they're able to maintain their production forecasts within reasonable operating hours, then this is what they need to be doing. A best practice operator should be able to design an operation that will adequately manage dust, dampen noise, have reasonable operating hours, designed blasts so that vibration is minimised, upgrade the roads, optimise the mine plant and minimise the devastation of significant habitat and engage with the community in an honest way to actively try and alleviate concerns.

I believe that this operation is far from best practice at the moment and if it is truly so State significant then we need to be getting somebody in here that's going to do the job properly. And that's me.

MR DUNCAN: Thank you, Jacquelyn. Questions?

MR O'CONNOR: Not from me, no.

MS ABELL: No.

MR DUNCAN: No. I think we're right, Jacquelyn. Thank you very much for your time today. We appreciate your presentation.

MS PURCELL: No problems. Thank you.

MR DUNCAN: Thank you. I would now like to introduce the next speaker, Bronwyn White. Bronwyn, you've been allocated 10 minutes as well. Like the other

speakers, I will let you know about one minute towards the end to wrap-up. Thank you. We're just checking the line for Bronwyn, so we will take a short adjournment and we will be back as soon as possible. Thank you.

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ADJOURNED

[11.59 am]

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RESUMED

[12.01 pm]

MR DUNCAN: Welcome back. I'd now like to introduce our next speaker, Bronwyn White. Bronwyn, you've been allocated, as you've requested, ten minutes. I'll let you know one minute towards the end, to give you time to wrap up. So over to you, Bronwyn. Thank you.

MS BRONWYN WHITE: Okay, thanks. Hi everyone, I'm a – a local resident, who genuinely enjoys the rural and attractive natural setting of the Seaham area. I've invested in a 100-acre property – just under 100 acres, in an RU-2 zoned area. Our house is actually on Giles Road, but our corner post – the back of our property actually is on the boundary of It's a really peaceful area. It's a little rural dirt road and tourists and visitors come down there to escape and experience some nature. We purchased the property not for making easy money as bio-off setters, but we purchased the property to actually do activities that are designated or identified as suitable activities in an RU-2 zoned area.

I'll explain to you why I'm actually being affected and what the proposal will actually do to me and my family. I'm a primary producer. Along with being an agricultural primary producer, for the next 30 years my energy has been planned to be creating an eco-agritourism business and I've already been running well-being programs and soft adventure activities on my property. This parcel of land is actually not suitable for subdivision. So I actually really do rely on doing these kinds of activities for my income. This is actually my job. With COVID-19, the world's changed and rural areas are popular destinations for city folk to be escaping hectic lifestyles.

We all know that dust is actually really harmful for plant growth and root development. With no real-time monitoring, human health and my produce has the potential of increasingly being affected as the activities increase due to the extractive industry and processes of the concrete crushing, as well, that they're proposing to do. I do note that it – we were told earlier that the concrete would be coming onto site was clean concrete and it was Hanson's and every like that, but I have actually seen that it's being referred to now as concrete waste. That concerns me a little bit, whether down the track, what kind of concrete waste will we be receiving to this area?

I grow pine nut trees and rosemary for botanical extract and oil. We keep bees and we sustainably manage a native forest. We've got beautiful hardwood forests in this area and it's actually some of the last remaining in the Hunter. We rely on healthy native forests for our business. On the occasions when the jaw-crusher has operated,
5 I experience physiological responses in my heart. The sound, which is apparently within limits, makes me feel pretty unwell and I actually get multiple symptoms from the sound. Whether it's the jaw-crusher, the screening, any mechanical machinery – we know can cause biological harm. I couldn't understand why I was feeling so sick and I kept thinking, there must be something more to all of this.

10 It really bothers me when this machinery is actually operating. I can feel. I know when it's happening and when it's not happening. The legislation actually protects people from their hearing becoming damaged. So when we're measuring sound, we're measuring it to protect the – the harm to – to your hearing, not the harm to the
15 rest of your body. There is actually 30 years of research that proves that acoustic energy – things that we don't hear – can actually damage our cells and our tissues – of residents and there's a lot of research – I don't think there's so much about quarries and I think it's a bit behind, but we know in other kinds of mechanical industries, there is a term called a pulse code and it's something that doesn't get
20 measured.

I think we need to take that into consideration when the review of this expansion – whether it goes ahead or not. I call the quarry, the EPA council and I get told regularly that the noise limits – that they're in – within limits. I almost feel like I get
25 brushed off. But this is a really genuine problem. It's not a hobby. It's not something I wake up and go, I'm going to be a problem for Hanson today and start making some waves. It's not at all. I don't want to waste my time making concerns to Hanson or to the EPA. I want to be doing the fun stuff, the reason why I came to live in this area. We know that you don't see viruses, you don't see x-rays. So you
30 know, you don't – we – if you don't hear something, it doesn't mean that it's actually not hurting us and this is really frustrating to me.

I think there's a lot more that needs to be reviewed before this expansion actually is accepted. I think also we've got to take into consideration the operating hours. A
35 worker gets to home at the end of the day – at the end of their shift. We have nowhere to run away to. What's being proposed is really damaging to people. I've got nowhere to go. It's – it's kind of pretty sad. I actually did some reading recently and I understand that one hertz – you need to actually build a bund to actually protect people from one hertz. You need to build a bund 343 metres wide. So there's no
40 way that we're actually going to be protected. You know, earlier on in the days, I thought maybe, you know, enclosures and the bund that they're proposing and everything would be okay, but I don't think it is going to actually help us. We're still going to be penetrated.

45 There's the wind, the ocean, the birds – nature does not fall into a mechanical series. This sound is just constant, going through your body. I'm in terror – I am really, really terrified that the increase of these activities greater than 150 per cent of what

we're experiencing now will actually impact my respiratory health. I already experience coughing and this has been going on for the last 12 months. I was actually an elite distance runner and after retiring, I've managed to stay pretty healthy and fit, with no asthma or respiratory issues. I'm just concerned now that
5 after having been here for a number of years now, I'm – the dust is actually getting to me. Both my husband and I get blood in the sinuses within a week of a blast happening. There must be something in the air or something's going on to create this. We're both pretty healthy people.

10 I – during the fire time and the drought, I experienced really bad breathing difficulties. I was amazed at that even though there was so much dust and smoke in the air – and we were getting continual reports in the media and from the EPA that the – the levels were really high, but the quarry actually continued. I still saw dust coming from that site. If this is a world-class company that uses world-class technologies
15 and employs over 59,000 people across five continents, then why are they not prepared to take a duty of care for the local residents? Really, really disappointing. This is a really peaceful rural setting and such extreme increase in activity will compromise its zoning. It will have disastrous financial impact on the affordability for residents to actually earn an income from this area. Hanson will be earning an
20 income, but it'll destroy everybody else in this area.

It will deem it unsuitable for ecotourism and reduce the property values and compromise the reputation of the area and the safety of the food and my herbal extract and the produce that people grow here. So the Port Stephens LEP, the RU-2
25 zone, its objectives need to be really looked at carefully because it's – there's three points here I'm going to read out:

To encourage sustainable primary production by maintaining and enhancing the natural resource base.
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How does a quarry maintain and enhance a natural resource base?

To maintain the rural landscape character of the land. To provide a range of compatible land uses, including extensive agriculture.
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MR DUNCAN: Bronwyn, we have about a minute to go.

MS WHITE: Interestingly, these activities are permitted without – sorry, now I've been – so – so without consent, extensive agriculture, home occupations and
40 intensive planned plant agriculture are without consent. The priority of what I'm doing here actually is more relevant to what the extractive industry down the road is offering. I – I just hope that everyone takes into consideration that the dust and the sound testing is actually recorded – they're – these reports are presented, they're written, they're paid for by the developer. How can we trust them? I've seen, you
45 know, really – been really disappointed over the last few years with this process and I do hope that the panel looking at this expansion takes into consideration our health very seriously. Thanks.

MR DUNCAN: Thank you for your presentation, Bronwyn.

MR O'CONNOR: No, nothing.

5 MS TUOR: No questions.

MS WHITE: Thank you.

10 MR DUNCAN: We have no further questions, but thank you for your time today.
We appreciate it.

MS WHITE: Thank you.

15 MR DUNCAN: I'd now like to introduce the next speaker – presenter today, James
Ashton. I think James is going to share a PowerPoint presentation with us as well.
James, you've been allocated 20 minutes as requested. I'll ask you to try to keep to
that time if you can, but I will give you a – an indication one minute before the end,
to allow you time to wrap up. Thank you, James.

20 MR F. ASHTON: Thank you. Thanks. Commissioners, thank you for allowing me
to speak to you today on the matter of Brandy Hill Quarry expansion project
SSD5899, a large-scale expansion of existing quarry operations at Brandy Hill
Quarry. The proposal seeks approval for a 1.5 million ton per annum increase in
25 haulage hours, currently limited under the existing consents at 6.00 am till 6.00 pm,
to an unfathomable 5.00 am to 10.00 pm in draft conditions by the Department of
Planning. As we've learnt, Hanson are continuing to also press for 24-hour dispatch.
My name is Frederick Ashton. As a road user and a resident of the Maitland
Hinterlands, I considered myself to be an impacted resident. I reside within an
impacted community whose rural amenity and social fabric is being dismantled one
30 piece at a time. Or in the case of Hanson's SSDA, in one foul swoop.

As a result of the creeping expansion of large-scale hard rock mining for aggregates
– I emphasise the word large-scale. I'm a friend of good quarrying operations. I
35 have family friends who are quarry truck drivers. I have used the quarry – I have
used the quarry products at my place of employment and I completely understand the
need for high-volume, low-cost aggregates for the orderly development of our
society. I consider Hanson's proposal, however, to be an incompatible land use
development for the reasons that I will outline in my presentation. I am an engineer.
I work in an extractive industry. In fact, I've been involved in development and
40 subsequent approvals of a number of SSDA applications and modifications, so I'm
well aware of the methodology proponents utilised to develop SSDA project
parameters, from which consultants are required to reverse-engineer technical studies
on.

45 Unfortunately as is the case here with Hanson, he who pays the piper calls the tune.
Hanson's has chosen an adversarial approach to grind the community down, to
ignore the existing impacts. To run roughshod over residents and push an SSDA

through. All this with a sole focus to supply aggregates to their Sydney concrete plants at the lowest unit technical cost. The scale of the proposal is an incompatible land use proposal. I'd just like to share my screen and begin my presentation. I'll give that a go. Can the Commissioners see my slide – slide pack? Hello?

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MR DUNCAN: Yes. We can – we can see your slides.

MR ASHTON: Yes, sorry. Sorry, yes. Thanks. I wish to speak to you only six topics today that relate to this project. This presentation will provide you with a review of the regional quarrying operations in the Hunter market and the associated supply demand curve. It will provide an overview of approved modern large-scale New South Wales quarries and their haulage routes, in relation to the state arterial highways, for comparison to Hanson's proposal and provide a summary of the reasonable and feasible mitigation used by other modern quarrying operations in the state. I've also got a slide pack on the broader concept of amenity impacts supported by case law, that I request the Commissioners will consider in their decision-making process and I highlight significant deficiencies in the EIS and the RTS to date. I've also included some requests for the Commissioners. Can the Commissioners see slide 3 being - - -

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MR DUNCAN: Yes.

MR ASHTON: - - - presented at the moment?

25 MR DUNCAN: Yes.

MS TUOR: Yes.

MR ASHTON: Thanks. Here we can see the location of seven existing quarries located in the Hunter region. They vary in scale from half a million ton per annum to two million ton per annum. Their approvals vary in vintage, from 1980 through to 2017. There are, in fact, two quarries further proposed in the area that are currently underway in the SSDA process, Eagleton and Karuah South quarries, and several more existing expansions and extensions in progress. Of note here is the location of each quarry. Working from left to right, Quarry Products Newcastle is located Allandale. It immediately adjoins a Hunter Expressway arterial route. There are no quarry truck movements through residential or rural areas. Gravel, this quarry is located and adjoins John Renshaw Drive, an arterial collector road adjoining the Pacific Highway. There are no quarry truck movements through residential or rural areas.

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Further to the – to the right, Teralba Quarry, which is a Metromix operation. This quarry entrances utilises a haul road connection direct to the Pacific motorway. Haulage East, from the quarry in residential areas of Teralba are curfewed and limited within the consent to 85 loads per day between 7.00 am and 6.00 pm to mitigate amenity impacts to residents. Delcon's Martins Creek Quarry, located 23 kilometres from state arterial routes; this quarry is similar in location to Brandy Hill,

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however existing consents recently enforced in the New South Wales Supreme Court require 70 per cent of the product to be transported by rail from the facility and only between the hours of 6.00 am and 6.00 pm to mitigate the amenity impacts to residents.

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A court order occurred during recent proceedings that limited road transport from Martins Creek Quarry to 7.00 am to 5.00 pm Monday to Friday, to protect the amenity of impacted residents. Moving further to the right, Brandy Hill Quarry, as you know, is located 14 kilometres from state arterial infrastructure, relevantly requiring truck and dogs, as you all know, to use local government roads adjoining and impacting upon five large lot residential and RU-2 low density residential and RE-1 public recreation areas along the haulage route. As Mr Driver stated in his submission early this morning, Port Stephens Council consider this road – referring to Brandy Hill Drive – as a rural backroad. That is because it is.

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Boral, moving further to the right. Boral Quarry. You can see there also Eagleton Quarry, which is pending approval. These two quarries and also the quarries at Karuah all immediately adjoin the Pacific motorway and trucking of material, generally speaking, does not impinge on any residential communities. They're connected directly to arterial routes. So from the above local examples, Brandy Hill Quarry expansion plans in the context of its location to arterial infrastructure bears no resemblance to the reality of modern quarrying facilities set in this region. Slide 4, that you can see on your screen now, this slide depicts the supply and demand curve for construction aggregates in the Hunter Valley region, utilising Department of Trade and Investment annual return data and publicly available consent and EPL licence condition limits.

From the graphic can be seen that even beyond 2034, there is still circa two million ton capacity in the market. Any claim that they will be running out of material anytime soon because there's a – an exhaustion of use on aggregate clearly shows that not to be the case. Now turning to slide 5, in 2017 I was lucky enough to participate in a study group that toured the southern highlands modern quarrying facilities. Both government and industry hold this area up as the modern construction material region. The study group was given a full tour of Holcim's Lynwood Quarry. We also met the – met and toured the Boral Peppertree Quarry and performed reconnaissance visits to Gunlake Quarry and Multiquip's Bungonia Quarry. Visiting these facilities gave me a detailed understanding of the reasonable and feasible measures that these proponents were required to develop to exploit those resources.

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The key points from that visit – we learnt that Holcim, at the Lynwood Quarry, spent \$34 million constructing an interchange to connect its private haul road to the Hume Highway. This private haul road was constructed so as not to require trucking to move through the town and village and the residential areas at Marulan. We inspected and visited the six kilometre private bypass road constructed around the village of Bungonia that Multiquip had to construct for their Bungonia Quarry. We also witnessed 22 kilometres of road upgrades to Durara Road by Multiquip,

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bringing it to eight metres standards of AusRoads standards. We witnessed the rail-loading facilities of Boral and Holcim and all up, were of the understanding between \$30 to \$125 million of rail capex has been spent by both Boral and Holcim.

5 So Boral and Holcim transport the majority of their product 100 per cent from Peppertree and a great proportion from Lynwood by rail, from their facilities into Sydney. And in doing so, Holcim have had to build a regional distribution centre of – of – where they offload that aggregate in Sydney and then dispatch to the market. Holcim also has a \$50,000 a year community investment fund and a \$50,000
10 engagement sponsorship fund and there are relevantly restrictions on transport of – of truck movements around all of the roads required by those operations. This is a quick photo. You can see here, Lynwood Quarry, both the primary, secondary and tertiary crushing circuits are fully enclosed. This is, in my view, reasonable and feasible of a modern quarrying facility.

15 Here's some photos of the interchange that they constructed. A \$34 million interchange onto the Hume Highway that connects their private haul road, or their private road from the quarry onto an arterial route. Here we see Boral's Peppertree Quarry, with their rail-loading facility. The photos on the right, we see – I think this
20 is St Peters, one of their off-loading facilities, where the trains offload aggregate and can be loaded into quarry trucks. And then down the bottom there, I think also its St Peters. You can see their concrete batching plant and silos used to store aggregates, as well as cement clinker. Here's a photo of the Bungonia Quarry's six kilometre private bypass road around the village of Bungonia. Of note, the village of Bungonia
25 has residents – a residential population, I think, of around 20 people. I think Brandy Hill has a population of around 600 or 800.

Here's a photo of Holcim's regional distribution centre, located in Rooty Hill, Sydney. This is where they can store 30,000 tons of product and distribute to their
30 projects in an orderly manner in – during reasonable hours of operation. So just quickly, I've got a lot more to get through but I'll try go as quickly as I can. The existing and current impacts of the Brandy Hill Quarry operation are real. They are not perceived. They are not feared. They are real and – and I will ask the Commissioners to please read through the public submissions and when one does
35 read through the public submissions of the EIS, they will read the real impacts documented by residents.

These are not ambit claims or vexatious claims, these are real impacts. Being woken
40 at 5.00, 5.30 already in the morning because of the trucks – because of the quarry trucks. Dealing with the excessive noise. Having – already having illness and being affected by the noise at – of the current operations. Traffic issues of the – due to the quarry trucks. Making the – the almost dead quiet evenings of Brandy Hill alive with trucking noise. Putting up already with the noise from 5.00 am to 7.00 pm and
45 not imaging how it can be – how they're going to be able to tolerate from 5.00 am to 10.00 pm, let alone 24 hours, as is indicated by Holcim. So there's pages and pages and pages, I won't bore the Commissioners, but I wish – I ask the Commissioners to please review those submissions in detail because Hanson – their experts have

conveniently blurred the existing impacts with the proposed future and have explained them all away and it's grossly misleading.

5 I guess a key point also is the amenity impacts from trucks. The noise of quarry trucks is unfortunately unique, due to the vibration of empty bins. Impacted residents can tell the difference between quarry truck noise and say, the example of a – the noise of a milk tanker. So at 60 movements per hour or 30 movements per – 30 loads per hour, as is proposed, that will cause a physical presence of trucking at more than one per minute, often in convoy, causing physical delineation of the
10 neighbourhood. It makes it difficult, if not impossible for residents to move from one side to the other. In relevant case law, the – her Honour Justice Jagot did not accept that compliance with the road noise policy means that all impacts to amenity had been assessed or covered and I would submit to the Commissioners that that is the case here.

15 Just because apparently the road noise policy has complied – been complied with, it does not mean that all aspects of amenity have been assessed. In response to Mr Farquhar's comments about the of Sydney construction hours, here's a
20 screengrab from their website. Nowhere does it state that it's intended to allow operation of quarries from 5.00 am to 10.00 pm. On the contrary, the construction hours are set at 7.00 am to 7.00 pm, so that residents of the City of Sydney can afford – be afforded the amenity of the evenings from 7.00 pm to 7.00 am. There's a number of deficiencies in the RTS, the SIA and the noise impact assessment. It's important that I bring these to your attention. The SIS makes – and the RTS make
25 misleading claims about the mitigation impacts, relying only on a code of practice for drivers to mitigate all of these impacts.

The noise impact assessment incorrectly uses 60 kilometres per hour speed limits for the quarries in their noise modelling. That's referenced in page – page 48 of the
30 updated noise impact assessment. The actual speed limit of Brandy Hill Drive is 80 kilometres per hour. The noise impact assessment has omitted assessment of impact to residents in Woodville, Largs, Bolwarra and residents whose facades are significantly less than those on Brandy Hill Drive. In fact, in Woodville there's a household resident whose facade is only four and a-half metres from the road – from
35 an 80 kilometre an hour road. What impact will that resident incur? The SIA and the RTS has failed to assess numerous of these impacts.

The route change made by Hanson in consultation with Port Stephens Council through Raymond Terrace is a significant project change. The residents of Raymond
40 Terrace, downstream of that change, have not been informed of that change nor have they been afforded the opportunity to inspect the EIS or make submissions in relation to that change, in accordance with section 5.8 of the EBPC Act. Concepts of amenity and the Commissioner's decision-making process. Her Honour Justice Jagot, in a case involving a quarry in the southern highlands stated that:

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Amenity has consistently been described as a wide and flexible concept embracing such matters as character of place and attributes of place which a community values as important contributors to its character.

5 I ask the Commissioners to consider that for Brandy Hill and other impacted areas. That is the case in this project.

10 The residents greatly value the amenity – the rural amenity they are afforded. And Justice Preston identified the nature of the decision-making process under section 79C involving the resolution of polycentric problems. His Honour explained this is involving a complex network of relationships with interacting points of influence. Each decision made communicates itself of decision, changing the conditions so that a new basis must be found for the next decision. I ask the Commissioners to use that decision-making process in assessing this project.

15 As I mentioned in my opening, this project is an incompatible land use. There is land use conflict. As Jagot referenced in her judgment, the impacts of a development can and often do cross zoning boundaries. And that was the case in the Bungonia project but it's also the case in this project. According to the for extractive industries, the Port Stephens LEP is a relevant planning instrument to be considered.

MR DUNCAN: James, that's the one minute to go point.

25 MR ASHTON: Thank you. R5 rule is rule is large lot zones. Provide residential housing in a rural setting whilst preserving and minimising impacts on environmentally sensitive locations and scenic quality. The proposal is inconsistent with a number of those objectives. Very quickly, my request to the Commissioners, if you're persuaded not to refuse this consent and you determine to make an approval, I ask that you require the SIA to be – to include interviews and assessment of residents in Largs, Bolwarra and Raymond Terrace who have been excluded.

30 I ask that the noise impact assessment is revised to consider the speed limit at 80 kilometres per hour and not 60 kilometres per hour which is and that the noise impact assessment assess the impact of residents closer than 15 metres to the I also ask that the be required to provide further details and analysis on reasonable feasible options that will enable a target of tonnages per annum to enable the of operations down to 6 am to 6 pm including, but not limited to, why can't they construct a regional distribution centre for orderly staging of project material as done by Holcim and Boral? Why can't they increase the storage capacity of their silos and bunkers at concrete plants?

40 Why can't they construct a bypass route around Brandy Hill Drive, through rural land to avoid the residential centre of Brandy Hill? The proponents should be required by the Department of Planning to re-exhibit the IS to afford residents in Raymond Terrace ability to comment on the change that impacts them. And I ask you to give weight to the residents, the amenity of the rural character in your decision-making process that Justice Preston laid out.

- In closing, if the resource needs to be exploited at the scale proposed by Hanson, then appropriate capital expenditure is required to mitigate impacts on the local community. If the return on investment required for those reasonable and feasible mitigations demonstrated by other New South Wales quarries does not meet
- 5 Hanson's corporate return on investment hurdles, then the resource must remain in the ground. And this is supported by Preston's case law in Gloucester Resources v The Minister for Planning. Thank you for your time and please make your decision with deep thought and concern for the impacted residents, not just for Hanson.
- 10 MR DUNCAN: James, thank you for your presentation. And if you would like to provide that presentation, could you please email that through to us?
- MR ASHTON: Yes.
- 15 MR DUNCAN: I think we have a question for you.
- MR O'CONNOR: James, in one of your last slides you referenced - - -
- MR ASHTON: Yes.
- 20 MR O'CONNOR: - - - the R5 zone under Local Environmental Plan 2013, Port Stephens Council's LEP and what the objectives were.
- MR ASHTON: Yes.
- 25 MR O'CONNOR: Can you just tell us what R5 zone you were – the location that you were referring to because we understand - - -
- MR ASHTON: My understanding, and I will stand corrected, my understanding is
- 30 the land adjoining Brandy Hill Drive i.e. the large lot subdivisions, is R5, along Brandy Hill Drive which is rural residential large lot, is my understanding. I stand corrected if I'm
- MR O'CONNOR: Thanks for clarifying that.
- 35 MR DUNCAN: Thank you, James.
- MR ASHTON: Thank you. Thanks very much.
- 40 MR DUNCAN: One other question, James.
- MS TUOR: James, I've just got a quick question. So whereabouts do you live? Are you - - -
- 45 MR ASHTON: I reside in Paterson. So I'm not on any of the immediate haulage routes. However, ironically, I have Hanson trucks driving past my house every day at the moment, delivering project material to construction of roads in the Dungog

Shire. But I have family friends who reside on a number of the actual haulage routes proposed by Brandy Hill Quarry. And I also utilise that road network every day as I travel to and from work.

5 MS TUOR: Okay. There's no point in me asking about your direct experience in relation to the number of trucks, noise, those sorts of things. It's more - - -

MR ASHTON: No, no.

10 MS TUOR: - - - getting that information - - -

MR ASHTON: Not for this quarry. I can give you first hand experience for Martins Creek Quarry which is being used as evidence in the Land Environment Court proceedings but it probably wouldn't be appropriate to – yes, separate issues. But I
15 do have first hand experience of 600 quarry trucks per day driving past my house for a number of years and the effect on amenity made it unliveable.

MS TUOR: All right. Thank you very much.

20 MR DUNCAN: That's all the questions. Thank you, James.

MR ASHTON: Thank you. Thanks a lot.

MR DUNCAN: The next presenter today is Carmel Northwood from Port Stephens
25 Koalas. Carmel, I understand you asked minutes. You would like a little longer. We've allocated eight minutes as you've requested. I will let you know at the seven minute mark to wrap up. We would like to keep on time as best we can.

MS NORTHWOOD: I'm sure you would.
30

MR DUNCAN: Thanks, Carmel.

MS NORTHWOOD: I'm the past president actually. And I've sent you guys, via
35 email, two files about our records from Port Stephens Koalas, about rescues and releases out in the area of that quarry. I don't know that you have them in front of you but one is a map showing where we've done rescues and releases. And the other is a list of the animals that we've recorded.

40 So there are about – we've got over 80 incidents of which about 30 died. Either they were found dead or they died in care and couldn't recover. About 30 were released. And 20 are sightings called out to have a look at a koala that somebody is concerned about and don't end up rescuing it. So generally these figures are under-recorded because this isn't Port Stephens Koalas territory. It only shows where koalas are coming to grief and people are kind enough to let us know.

45 There are two other wildlife groups neighbouring us that have or have had responsibility for this area, The Native Animal Trust Fund. It's also called Hunter

Wildlife Rescue. And Wildlife In Need of Care that are called WINC. There is also data accessible through the SEED database, the New South Wales Government one, Sharing and Enabling Environmental Data. But Hanson's haven't mentioned any of these resources and haven't contacted PSK to my knowledge.

5

The ecological studies that were limited to just two investigations taking a few days each in 2014. So I'm asking you to please respect the local knowledge that I'm presenting to you. For example, that Hanson's say no breeding females have been found on their site. But they must be there considering the koala stats I'm presenting to you. So many staff said they rarely saw koalas but there are only two koalas that the ecologists found were both in close proximity to their works and in an area where the expansion is planned to occur.

10

So this isn't just empty habitat. It's actually occupied. I want you to be clear that this is definitely koala occupied habitat. They are really difficult to spot in trees. And techniques that the ecologists use are extremely unreliable. I think they are pure guesstimates. I suggest that Hanson's should employ some sniffer dogs, for example, from OWAD, O-w-a-d, to get more precise information about the habitat there and who's living there as far as koala. They would be able to investigate more DNA to establish the relationships between the koalas as well. And OWAD dogs can also sniff out quolls that the ecologists thought might be there but couldn't find.

20

I found the EIS references to the DNA on the site pretty obtuse because there was obviously there. And that's – and this threat to wildlife wasn't addressed at all. Koalas have pretty bad eyesight and can fall in and drown. Habitat could be a mitigation manager, but it would be more I find it quite difficult to understand why their mitigation plan is to advise their staff and drivers about what to do in a case of a koala being found or injured during this project, when they're already operating there in a Koala habitat and koalas must be crossing their land. So none of our rescues have been from their property, I might say.

30

Their arguments, you know, should really have been in place as well. And they should be able to provide evidence of evidence of their attention to detail in the stewardship of the wildlife in that area. They do move around a lot, koalas, looking for fresh growth on trees and for a suitable mat. They do not tend to live in tiny little areas. They regularly move around their home ranges that overlap with other koalas. So finding two koalas there means the – I mean, that's all you would expect to find because if there is a lot more in that small area where they looked. It would mean that the koala's were trapped and unable to disperse. And the population would be under a huge threat of ox extension.

40

I also want to note that a lot has changed since those reports were reported, from what I refer to our black summer, where a huge amount of habitat was destroyed in eastern Australia and has impacted vastly on koala populations. Areas such as Hanson's that haven't been burned are really more valuable than ever before. I'm uncertain whether it's still possible to buy credits for offsets because we all know that there has been difficulties experienced in these in the past, like the trees

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being planted or they weren't watered or, in any case they didn't result in like for like.

5 I hope that DPIE are now investigating the fire impacts from last summer and may reconsider the lessening of the koala from merely being vulnerable to endangered which I believe they definitely are. So I'm also concerned about statement of mitigations of, for example in appendix 7 or it might be in appendix 8 or appendix 7, I can't recall now, but the statement was ecologists or fauna rescuer to be present during vegetation clearing to minimise impacts on koalas displaced or injured during
10 the clearing. This is like accepting that they are going to be injured. If this was an OH & S kind of investigation you would be trying to find out how to mitigate it a bit more than this and I think you should be in touch with the local people who do the rescues.

15 The traffic at night are definitely going to be – impact all wildlife that are nocturnal, like koalas. But koalas are also crepuscular, meaning that they are most active at dawn and dusk. So I believe than increased traffic movements are a huge threat to the local koalas, not only on the Hanson property but on the surrounding roads. Noise is a great stressor for koalas too created by blasting and crushing as well as the
20 traffic. But the biggest stressor of all for koalas is their habitat being destroyed which puts them in the path of cars, dogs and also the symptoms of disease becoming rife. And so it is a major threat to the koala population out there.

I myself have been out there on rescues and releases and have experienced the heavy
25 flow of trucks so I can't imagine what it would be like if it was increased two or three times more.

MR DUNCAN: Carmel, that's your one minute mark.

30 MS NORTHWOOD: Okay. So dealing with the traffic will be increasingly difficult for rescuers. I'm concerned that residents have already lost a teenage girl walking to school along the verge of the Brandy Hill Drive last year. And I can't believe that although the documents show that Brandy Hill Quarry were in discussions with council over five years ago about a pedestrian footpath but they're still not there,
35 considering they're mining exactly the right materials there. I found references to the site being the best site for the cement works and expansion of the quarry so they don't have to find an alternative green field site as a better environmental solution as completely illogical. And this should be considered as an invalid argument, in my view.

40 Surely they can't argue a case for the storing and unspecified alternative habitat as a basis for justifying the destruction of a known and precious koala habitat. There is also nothing said in relation to habitat connectivity efforts to be made by Hanson although it is mentioned in the EIS compromising koala survival generally in New
45 South Wales. There is also nothing mentioned about why the cement plant and moving their offices could not be accommodated by removing an area of their existing rather than continuing with the stage 5 habitat destruction.

In my point of view, there are many good reasons to delay the approval of this project and, at minimum, that Hanson's be asked for further information, action and evidence of their goodwill and expected performance within this area.....

5 MR DUNCAN: Carmel, thank you for your presentation. Questions.

MS TUOR: Carmel, could you just expand – you mentioned that you said it could be hard to purchase offsets. Can you just expand on what you meant by that?

10 MS NORTHWOOD: Well, trying to find a like for like is going to be pretty difficult when a lot of the hubs around this area have been burnt, including the ones nearest us in Anna Bay. Salamander Bay was burnt in March, just this March and over at parts of that were burnt the summer before. And I just do not find it realistic that they will be able to find a like place to be able to satisfy a reasonable
15 offset.

MS TUOR: Thank you.

MR DUNCAN: Thank you, Carmel. Thank you for your presentation today.
20 We're going to take an adjournment now for around 30 minutes and we will back at 1.20. I would just like to remind people that we will take further written submissions for the next seven days, closing on Friday, the 19th of June. Please note you are able to email or post your submissions or, alternatively, use our "Have Your Say" portal on the IPCN website. Thank you and we will see you back at 1.20.
25

ADJOURNED [12.48 pm]

30 **RESUMED** [1.20 pm]

MR DUNCAN: Good afternoon and welcome back to the Brandy Hill Quarry expansion project public meeting. I'd now like to introduce our next presenter, and
35 that's Peter Rees. Peter, you've allocated – you've been allocated five minutes, is that correct?

MR PETER REES: That's correct, Commissioner, yes.

40 MR DUNCAN: I'll – I'll provide a – an alert to you around the four minute mark, so that it gives you time to wrap up. So thank you very much for – for being available. Over to you.

45 MR REES: Thank you, Commissioner. Look, I live on Clarence Town Road, Woodville, which is west to the Brandy Hill Quarry site. In April 2017, I wrote to the Department setting out my objections both personal, as to the proposal effecting

my home and my family, and also wider I don't know whether you have that letter before you. Do you?

MR DUNCAN: We'll have that letter, but it was not before us at the moment.

5

MR REES: Okay. Well there's an addition on page 3, the fourth line. Before the word Heights, insert "Bolwarra". I will make detailed submissions in writing to you next week, but today I only wish to briefly outline some main points which will be in them. At the time of my letter, the applicant proposed 24/7 operations but since then, 10 the applicant may have resiled from that position. I can't tell, because I can't understand its letter of the 14th of May this year, to the Department. I can't make sense of it, as my written submissions will show, but certainly a balance between the amenity of the neighbourhood and the commercial interests of the applicant is not demonstrated. Turning to the Department's proposed conditions on traffic 15 movements, A12 and A13, they also do not achieve a reasonable balance.

The second point I wish to make is that the SEARS requirement in respect of noise offset – sorry, offsite transport impacts for the residential developments west of noise 20 receptor 11 has not been met. Now noise receptor 11 is near Croft Road, which is off Clarence Town Road, pretty well bordering the quarry. So west of that, right through Woodville, across the bridge into Largs, the edge of Largs and up Bolwarra Heights and Bolwarra, down to the Flat Road. Nothing at all. The applicant was required by the SEARS to include a qualitative assessment of potential offsite transport impacts. We have no information in respect of noise or vibration effects from passing quarry 25 generated heavy traffic. For more abundant caution therefore, there should be a restriction on the hours of operation for that traffic, as indeed the traffic in Brandy Hill Drive, so as to avoid sleep disturbance and the likely impacts on health of the occupants of affected residences.

30 Let's consider the residential development west, along this route. There's a small residential development in Woodville, near Joes Close and properties sparsely and scattered rural residential development down to the old church and shop. Across the bridge, it's a different matter. From the intersection of Dunhill Drive with Paterson Road, more houses have been built. Some of those facades and between ten and 35 probably 12 to 15 metres from the road boundary. I think it common sense and logical that people who occupy those residents will be adversely affected by truck movements after dark – let's say 6.00 pm. I doubt if any of those occupants are aware of the proposal which is now before the Commission. I – could I ask the Commission, because I was not able to discover it from the locality tour notes and 40 site inspection paper on their website, whether or not after leaving Clarence Town Road, the Commissioners did inspect southwards into the edge of Largs by way of Bolwarra Heights, down to the Flat Road roundabout?

MR DUNCAN: We – we did. We went down Clarence Town Road. We did go 45 down that way. That's correct.

MR REES: But did you go – did you go over the bridge, up Paterson Road southbound, Bolwarra Heights, down to the large roundabout?

5 MR DUNCAN: We went as far as the bridge. No. We didn't go that far, no.

MR REES: That – that's the part of my submission. That is where the residential development lies.

10 MR DUNCAN: Okay.

MR REES: That is what will be impacted and which – the submissions of the applicant are silent on that impact. They – those residential properties are on the westerly traffic route, which Hanson says at least 25 per cent of its traffic will travel and the material put in my submission is that those residences have not been assessed and therefore, it can in no way be said that the qualitative assessment of potential offsite transport impacts has been met in respect of those. The evidence concentrated on Brandy Hill Drive. Nothing down our way.

15 MR DUNCAN: Okay. Thank you. We – that's almost time, if you'd like to wrap up when you're ready.

MR REES: I'm just – I'm getting there. I'll cover social impact in relation to the Chief Judge's statement in Gloucester Resources v The Minister for Planning. Paragraph 344, you know that's [2019] LEC 7 . Paragraph 354. He says:

25 *As I have found earlier, the project may well comply with the applicable criteria for air quality and noise, but people perceive that project will have a negative effect on their health and wellbeing.*

30 I'll also make suggestions as to of the Department's conditions, however at this point in time, in order for you to determine the – and perhaps the Commission of the wider effect of quarry traffic on the western road network, I would ask the Commission to consider requesting Hanson to provide details to the Commission of one, the types of product transport trucks that will use the route of Clarence Town Road west of its intersection with Croft Road. For example, truck and dog combinations. Secondly, the unladen weight of each of those type of trucks and thirdly, the loads – that is quantifying the loads that those types of vehicle can carry.

35 In closing, I'd like to make a further comment on the Department's A12 condition and this is after hearing James Ashton's extensive and experienced evidence to you, I would say this: that A12 seeks to allow 60 movements per hour between 7.00 am and 6.00 pm six days a week. Now for each hour therefore, there will be a truck entering or leaving the site every minute. This is hardly can be seen as reasonable, even if it meets the criteria. The traffic congestion at the intersection of Brandy Hill Drive and Clarence Town Road will be unmanageable and perhaps the transport of products should be other than by truck over that 30 year period. Thank you very much.

MR DUNCAN: Thank you, Peter. We will – we will review the letter that you've submitted and also you are able to make further submissions for the next seven days, until the end of – end of the day next Friday the 19th, if you wish.

5 MR REES: Thank you. I would ask that the Commission note to direct Hanson to provide those three points.

MR DUNCAN: Thank you.

10 MR O'CONNOR: I've got one question for you too, please.

MR REES: Go ahead.

15 MR O'CONNOR: Peter, you raised those concerns about not properly assessing future impacts of trucks on the western part of the travel route. What's – being a resident on Clarence Town Road, what's your current experience of the traffic noise? How would you rate it? I'm not trying to assess what it might be if it was increased, but just the current traffic noise.

20 MR REES: I'm talking about truck traffic noise early in the morning. I can hear the trucks coming 30 seconds before they arrive and 30 seconds when they go and that's because during summer, the window is open and you need the fresh air. I'm a little way back from the main road, probably about 30 metres, but I do hear them. Of course, during the day there's background traffic, which to some extent absorbs
25 quarry truck noise. However, that depends on atmospheric conditions and today, for example, it's southerly and I quite distinctly heard Hanson quarry truck going – going west, irritatingly so, I suppose. It had four wheels on the dog – four axles on the dog and three on the truck and I don't know whether it was – I suppose it was laden. So your question is extremely broad. I can only say, but there is background
30 noise during the day. That would absorb a quarry truck, but after – after 6.00 pm and before 6.00 am, there's hardly any – peak traffic starts at about 6.00 am.

MR O'CONNOR: So that's your major concern at the moment, is the traffic early morning and evening?

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MR REES: Personally yes, but I have a greater concern, I suppose, for the poor people over the – over the bridge, up Bolwarra Heights, and the proximity of their houses to the road, hence the road noise. Potential for great sleep disturbance and therefore adverse effects on their health both physical and mental.

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MR O'CONNOR: Thank you, Peter.

MR DUNCAN: Thank you, Peter.

45 MS TUOR: Just in relation to those people – I think you said the intersection with Paterson Road, the new houses. And you mentioned that the residents were not

aware of the proposal. Can you explain what you meant by that? Sorry, the sound's gone.

5 MR REES: Well, I've had – I can't say from personal experience that I've gone knocking on every door to ask them whether they've been aware of the proposal. But even my new neighbours, they weren't aware of the proposal. There's been no – no publication at all of, you know – hello, this quarry's going to increase want traffic rattling past your place at odd hours and I think they should have been asked. I think that – I say you've only got to look at the houses and the way these
10 subdivisions are allowed. They've got no backyards. The houses have got about ten metres or approximately to the road boundary and then you've got the bitumen. Now to have those trucks rumbling by at unreasonable hours, which I would say after 6.00 pm and before 6.00 am, in – and laden. That'd seem like an express train going by. No one wants that. It's common sense.

15 MS TUOR: Thank you.

MR DUNCAN: Thank you, Peter. Thanks. Thanks for your time today. I'd now like to introduce our next presenter, Councillor Paul Lemottee from Port Stephens
20 Council. Councillor, I think you've been allocated five minutes, is that correct?

MR PAUL LEMOTTEE: Thank you. I actually only asked for three.

25 MR DUNCAN: All right.

MR LEMOTTEE: I didn't think I'd need five.

MR DUNCAN: I'll let you know about a minute before the end. Okay. Thank you.

30 MR LEMOTTEE: Okay. Thank you, Commissioners. My point is this: if the IPC is of a mind to approve this development, then I think it would be a major failing of the whole process if the development were allowed to occur and begin operating prior to this footpath being constructed along Brandy Hill Drive. Now the current situation with the draft conditions in the VPA is such that that's precisely what could
35 happen. And I've got some new information as to how that sort of came about and a suggestion as to what I think can be done about it. When the Council negotiated with the – or met with the Department of Planning several times during the assessment process, the Department of Planning a number of times expressed the view that they did not think it was a safety issue and the provision of a footpath was more or less a
40 community facility that would be provided like a normal section 94-type contribution, must as you might provide a playing field or a playground or something like that.

45 And as a result of them not deeming it an actual safety issue, it's not in the condition of a consent that it be done prior to the commencement of operations or the upgrading of operations. But this is a very interesting point. When you now read the Department of Planning assessment report, they clearly identify the pathway as

something that's needed to manage pedestrian safety. They have now identified it as a safety issue. Therefore I, and many of us at Council, believe as – having been identified as a safety issue, it needs to be a condition of consent rather than something in the VPA that says that this footpath and other issues related to pedestrian safety such as bus stops, have to be in place prior to the increasing in trucks.

There are a lot of other issues surrounding this particular development, as we all know, but that is the one that I wanted to bring to your attention today and my suggestion is the IPC needs to add a condition to make the construction of this footpath be done prior to the ramping up of traffic movements with trucks, for this development. Ta.

MR DUNCAN: Thank you. Questions? Any questions?

MS TUOR: No questions, thanks.

MR O'CONNOR: We've – we heard that point the other day and we – it's been received. Thank you very much.

MR LEMOTTEE: You're most welcome. Take care.

MR DUNCAN: Thanks. Thanks, Councillor. I'd now like to introduce our next presenter, Donna Lidbury. Donna, I believe you've been allocated five minutes as well and we – we will let you know around four minutes into the presentation, so that you've got time to wrap up.

MS DONNA LIDBURY: Yes. Thank you. We're actually residents on the RU-1 zoned property within Nelsons Plains and the – the last gentleman that actually just spoke to you on behalf of issues with Clarence Town Road, I feel that the residents within our community of Nelsons Plains have – have actually not been considered with this proposal. We're just as heavily impacted by the transport and haulage movements as do residents within Brandy Hill. We actually only live around 7.8 kilometres to the entrance of the actual quarry and we've actually – over the last 25 years, we've actually noticed an increase in local traffic due to expansion of the populations around the area, but combined with additional proposed haulage movements within a – and the area that we actually undertake agricultural activities is just not compatible with this – with the current rural environment.

I actually do support the majority of the speakers before me already today, in regards to the noise impact to residents and especially impacts with dust. We've – we actually – we actually just feel that at the current condition of the road, it's Seaham Road, which is a state road. That pavement in particular has been inundated with two significant floods, the last one being in 2015, which – that particular road was inundated for at least ten days and the pavement of Seaham Road at the moment is in need of significant upgrades and – to compensate for this new development, if it's approved. Also concerned about Hinton Road intersection, which wasn't addressed

and the – the current status of that intersection, where we actually have haulage movements at 90 kilometres an hour past our very front door, where we have compression braking already occurring.

5 I'm sitting here in my dining area today listening to Hanson truck drive past my property and I can actually hear trucks braking because we have residents that use that intersection and people in the wider community, that turn right on Hinton Road and you have vehicles sat stationary in the middle of a 90 kilometre road, when they're turning right, and you've got heavy-loaded vehicles coming behind them that
10 have an in – a decline in the road topography and you can't see a lot of people's turning light until you actually get too close to them. So we're concerned about obviously the impact of traffic in the area, potential accidents. Our children also catch a bus out the front of our property here. We actually won't allow our children to get off the bus on Seaham Road of an afternoon. We actually collect our children
15 off Hinton Road, because we're concerned of the safety of our schoolchildren getting off buses of an afternoon.

And our schoolchildren actually stand within about one and a-half metres of the pavement opposite Ralstons Road, when they're catching buses of a morning. So
20 there's multiple schools that actually use a makeshift bus stop on Seaham Road and again, there seems to be a lot of focus on pathways and bus stops all along Brandy Hill and I think that's a band-aid solution for everyone. Not just Brandy Hill residents but the community that live in a close proximity of this quarry, which actually hasn't really been identified with any of the submissions, you know, put
25 forward by Hanson. Now I've also experienced a lot of driver activity over the last ten to 15 years. I actually work for a company in the Central Coast, so I also used to drop my children off to a primary school at Tarro. So I actually followed a lot of trucks coming from the quarry.

30 They exit out onto Raymond Terrace Road and then they proceed through to Tarro and they use that as their haulage route to the Central Coast and Sydney and I also follow trucks coming back that way that also use the Tarro – and I again, Peter Rees, his comments about other people in other areas not being specifically aware that there is impacts and I'm assuming that because there's no traffic management plan
35 that's been adopted as yet, that people within areas such as Woodbury and Tarro and but a lot of those residents aren't aware that the Hanson truck activities could impinge on their lifestyle or their rural amenity. So it's a bit - - -

40 MR DUNCAN: Donna, about one minute to go, if that's okay?

MS LIDBURY: Yes. So in summary, I'll put something in a bit more detail before the deadline for written submissions, but I think the Nelsons Plains residents have been greatly missed off the impacts of this. It all seems to be focussed on Brandy Hill Drive but these vehicles do go beyond Brandy Hill Drive and I would hate to see
45 trucks going past our front – front property, 600 movements a day. We can't even get out our driveway now. It's almost impossible to get out of there. We can't drive tractors. We actually run beef cattle. Our neighbours all run beef cattle around us.

But the farmers in the area seem to be completely missed off the, you know, off these critical impacts. It's all to do with just putting in paths as a band-aid solution to actually approve the quarry, not necessarily looking after the farmers in the area which I represent. That's probably all I have to say. Thank you very much.

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MR DUNCAN: Thanks Donna, and you do have seven days until the 19th of June
- - -

MS LIDBURY: Yes.

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MR DUNCAN: - - - to make a submission if you wish and there's - - -

MS LIDBURY: Yes. Yes, I will be. Yes.

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MR DUNCAN: Either email or have your say on our website or else in writing, whichever you prefer.

MS LIDBURY: Yes.

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MS TUOR: No questions.

MR DUNCAN: So that's no further questions and thank you for your time today, Donna.

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MS LIDBURY: Great. Thank you very much.

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MR DUNCAN: Thank you. I'd now like to introduce the next presenter, Neil Ritchie. Neil, from the Brandy Hill and Seaham Action Group and Neil, you've requested 30 minutes, so like the other speakers, I'll ask if you can keep to the time and I'll let you know about a minute before the end, if you wish to sum up. Thank you, Neil.

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MR NEIL RITCHIE: Thank you very much. Good afternoon, Commissioners. My name is Neil Ritchie. with Brandy Hill and Seaham Action Group and I'm also a member of the Martins Creek Action Group. Mr Ashton and Mr I was the IT manager for particularly in safety so best practice or lack of is the focus of the local community

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MR DUNCAN: Can you hear me, Neil? Neil, can you hear me? I think – I've got some background noise. We might take a short adjournment to see if we can clean that up, because you're very hard to hear from our end.

MR RITCHIE:

45

MR DUNCAN: Just a short adjournment and we'll get going again. Thank you.

ADJOURNED

[1.43 pm]

RESUMED

[1.48 pm]

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MR DUNCAN: Back again. Can you hear us, Neil? Neil, can you hear us.

10

MR RITCHIE: Yes, I can hear you now. Sorry, I was just shutting down my computer to block that background noise.

15

MR DUNCAN: Yes. That's a lot clearer line, Neil. So, we're happy to start up again, and, if you would like to start from the beginning to give you the full amount of time.

20

MR RITCHIE: All right. Thank you, I do appreciate that. member of Brandy Hill and Seaham Action Group and member of the and also a member of the Martins Creek Quarry Action Group that Mr Ashton was a member of. under the CCC committees for Brandy Hill and the Martins Creek Quarry. manager of Australia and for 20 years before retiring industry business is the focus of my presentation today. Thank you, Commissioners, for allowing me to address you. Brandy Hill and Seaham Action committee members try to represent that community, but we also are all directly impacted by the quarry. That impact depends on where we live and what we do there but that have our objectives individually.

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30 So, as we each make our submissions, we are all going to have representing the community and ourselves. The key issues submissions to the department so I will and the environment. I live on Brandy Hill Drive and ride a bike and walk for exercise, so I concerned with children and pedestrians. So kids and traffic safety associated with any making those comments today regarding the adverse effects of the operation As Mr Ashton said, they're not hypothetical. Imagine they're envisaged. Who have experiences due to and ground operation side of the despite complaints to Hanson over the years. Local and cumulative impact of Martins Creek Quarry trucks when that quarry was also breaching its consent conditions, and a lot of their trucks used Brandy Hill Drive.

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40 Now, the kind of night time operations that Hanson wants would multiply the style of harm that we have already experienced, and those concerns have increased over time because Hanson has never seemingly engaged best practice for the sake of the community and character, and has only ever sought to address minimum standards while pushing their 24/7 agenda in their own interests of market share and profitability. And in my presentation, I've outlined the true numbers of residents impacted by this quarry which, although we understand Pardon me. I will also give evidence that most vehicles coming from the quarry are standards level 2 vehicles which have been entirely suppressed by Hanson in the ERF and, therefore,

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completely overlooked in this determination along with the facts that do not meet minimum standards for these vehicles with the existing volume of daily traffic.

5 So the lack of any commitment to upgrade the roads, intersections and private entrances, seem to offer sufficient grounds for you to reject this project unless they are addressed. Thirdly, I will identify where the department's recommendations I welcome, but also where they don't go far enough to protect the area's character and amenity. Fourth, I will cover Mr Ashton mentioned some that provide precedence relative to Brandy Hill Quarry that are relevant to Brandy Hill Quarry.
10 And, lastly, I will explain why Hanson's ongoing 24/7 be given little weight by the IPC other than meeting the adverse impacts on community and the environmental harm that would arise from an over 400 kilometre round trip the road haulage to Sydney and back. So that's what I will cover.

15 Chantal Parslow will speak with reference McLaren. James Moore will give some expert analysis of his and Margarete Ritchie will speak about amenity. So, firstly, what are the true numbers of residents impacted by this quarry? The department figure 6 on page 5 stating in there I quote:

20 *Over 40 residences within one kilometre of the quarry boundary and more than 50 residences located along Brandy Hill Drive.*

Now, that understates the actual figures. It's not 40. It's 69 residences within one kilometre. Not 50, but 82, driveways and lanes along Brandy Hill Drive. And that
25 ignores the additional 21 driveways along Seaham Road to the which the previous speaker mentioned. And it also ignores the greater population in the 10 side streets in Brandy Hill and through Malcolm Plains. So the population directly affected by haulage along and on the primary route based on 2016 which gives two figures. One is at state suburb and the other is and I will just read the out:

30 *Brandy Hill 156 for the suburb Malcolm Plains 362.*

And, in addition which is the area most affected by noise, and some of Brandy Hill is affected by quarry noise as well:

35 *Seaham has a census population of 1007/419.*

So the total census population within about four kilometres of the quarry and along the primary haul route is in the order of 2200. Now, Peter Rees talked about the
40 other route to Maitland and there's a significant population there that is not in any of our figures. So, just in closing on the numbers, Margarete and me directly at a CCC meeting about individuals we must realise we don't count. Fortunately, the department has recognised that the amenity and character of our community of individuals do count my many recommendations to preserve the amenity, we
45 implore you to at least uphold those recommendations given we are a much larger community than indicates. We even go further than the department in order to to preserve the amenity.

The next I will just talk about level 2 trucks on council roads. Brandy Hill Seaham Action letter dated 29 May to the - - -

5 MR DUNCAN: We will – I think we’ve lost that caller, so what we will do is take the next presenter and re-establish that later in the session today. So, I would now like to request Chantal Parslow Redman to do a presentation. Chantal is also from the Brandy Hill and Seaham Action Group, and has requested 20 minutes. Chantal, thank you for being here and presenting. I will let you know about one minute to go to wrap up. So, over to you.

10 MS C. PARSLOW REDMAN: Hi, test. Can you hear me?

MR DUNCAN: Yes, we can.

15 MS PARSLOW REDMAN: Fine. All right. In April 2017, 193 submissions were received in relation to the Brandy Hill Quarry Expansion Project. 169 of these were objections. I am one of those objectors. Good afternoon, my name is Chantal Parslow Redman. Today, I will speak to you about the keys impacts the quarry currently has on my family, and how the proposed expansion will profoundly affect
20 my future. First, I will give you a quick background of myself, my family and why we choose to live where we live. Secondly, I will go over some of the main points of contention regarding the Brandy Hill Quarry Extension Project, and these include biodiversity and environmental impacts that include coral habitat destruction, daily noise disturbance and excessive hours of operation, air quality and health impacts,
25 safety concerns and numbers of trucks.

Thirdly, I will give a brief overview of the process and my participation in consultations with the Brandy Hill Quarry that have led to this point. Lastly, I will conclude with my appeal to you to read the community submissions and note what is
30 at stake if this grant is – if this extension is granted approval. Today, I wish to tell you how the quarry’s current operations and expansion proposal profoundly affects the quality of life in my family and my community. It’s our community, our future, our lifestyle, our health and the health of the environment that is at stake. So, firstly, who I am. I am a business professional and mother to three young children. I live at
35 3 Giles Road in Seaham. A beautiful, off the main drag, rural residential road. We live on a hill, and our house is in the line of sight to the quarry which is approximately one kilometre away.

The topography of our area is such that noise bounces off the surrounding hills and travels along the valley. My family is subjected to daily noise, dust and other
40 impacts of the quarry’s operations. My family moved to Seaham five years ago as part of our tree change. We looked forward to a lifestyle and quality of rural living, great communities, great schools, clean air, safer roads and a healthier environment. We chose to move to Seaham as we wanted our children to grow up in a home not a
45 house. Where, for the first time, we mark the heights of our three beautiful kids on the frame of a door. This is something that we’ve never done before when we were living in Melbourne, overseas or, mostly recently, in Stockton.

Before buying our property in 2015, I did a high level of due diligence in regards to current and future industry and housing developments in our area. I rang Port Stephens Council and spoke directly to a town planner to specifically ask about the Brandy Hill Quarry. I was told that under no circumstances was the quarry going to be granted any additional licences, was, in fact, running out of rock, and would be ceasing operations soon. It was under this reassurance that I purchased our property. If I had known that the quarry was going to most likely continue operating for an additional 30 years, I would not have moved my young family here. I'm the executive director and owner of STOK Marine, a work boat business based in the Port of Newcastle, and the mother of three young children aged three, five and seven years old, with a home based office and enjoy living on a nine acre rural property.

I am 41 years old and have an MBA and Master of International Business and a Dean's Scholar of Bachelor of Arts with First Class Honours in Politics. My professional background includes work as a sessional academic, a business development manager and a policy adviser for several Victorian government departments. These included the Department of Primary Industries and the Department of Natural Resources and Environment. My honours thesis was in the field of ecological sustainable development, and I have published work in this area. I am an active member of the local community. I'm a member of the CCC, the Community Consultative Committee for the Brandy Hill Quarry Expansion Proposal, I'm on the committee of VOWW, the Voice of Wallalong Woodville and surrounding areas, and I am a member of the Brandy Hill and Seaham Action Group.

I've also helped establish a Facebook group for our road several years ago as a communication tool for Giles Road neighbours. This site is regularly used as a conversation platform by residents who are concerned about the level of noise of quarry operations, blast disturbances, dust events, and the wellbeing of koala and other wildlife. So onto my key concerns. The Department of Planning, Industry and Environment notes in their letter and relevant documents to the IPC that:

The project has the potential to adversely impact the surrounding environment, and the amenity of the local community.

It impacts my family on a daily basis. Noise, crushing, dust, safety, trucking, environmental concerns etcetera. Its current operations and projected expansion has affected the quality of our life so dramatically that we have seriously discussed selling and moving our family away. Now I will talk to you specifically about biodiversity and the environmental impacts koalas. The proposed expansion will destroy nearly 50 hectares of foraging and breeding koala habitat. This habitat is critical to the survival of the species as noted in a recent consultancy report. Biosis Proprietary Limited found five species to be directly under threat by the Brandy Hill Quarry proposed expansion, and these were the koala, the grey headed flying fox, the spotted quoll, the regent honey eater and the swift parrot.

Biosis Proprietary Limited found that within the locality the clearing of 45.8 hectares of koala habitat would adversely affect habitat critical to the survival of the species.

The report found the Brandy Hill Quarry development and the clearing of koala wilderness to be so significant that it will impact koalas at a national level. Proposed mitigation methods to minimise impact of the koalas and four other threatened native species present on the site are insufficient. Main mitigation methods requires the
5 purchasing of koala credits. In the wake of the recent catastrophic bushfire season, the utility of existing credits has been greatly reduced or eliminated. It is an absolute travesty if this proposed development is allowed to obtain credits to overcome the issue of clearing the vital pocket of local koala habitat.

10 Seaham and Brandy Hill's koalas are a core within Australia's eastern population of koalas. Numerous more koala populations occur along the coast, but are increasingly threatened and separated as a result of bushfire, urban and rural development, roads and other forms of development. These increasingly disjunct and threatened koala populations are not – are under extreme pressure, particularly in
15 the wake of our recent catastrophic bushfire season. The existence and effectiveness of biodiversity credits is under parliamentary review. They may even cease to exist in the future. Steps must be taken now to revoke or suspend the application of credits given our recent environmental tragedy. I urge you to review DPIEs published draft document of March 2020 titled New South Wales Government Koala
20 Habitat Protection Guideline Implementing State Environmental Planning Policy Koala Habitat Protection 2019.

The overarching aim of these guidelines are to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a
25 permanent free living population over their present range, and reverse the current trend of koala population decline. No disturbance of this core koala habitat or its wildlife corridors at the Brandy Hill Quarry site should be allowed whilst a current government inquiry is underway. We must be proactive in protecting our local koalas and their natural breeding habitat, and not allowing the loss of important
30 habitat linkages by allowing industry and land use in areas that will lead to koala population destruction. I will now talk to you about noise and hours of operation. My family and I are subjected daily to crushing and machinery noise from the quarry.

35 On multiple days and occasions the noise has been so excessive that it is audible within my house, affects my ability to sleep, concentrate or go about daily activities. It has caused me a great deal of stress. My husband is a tub master in Newcastle Harbour and works shifts. The crushing noise affects his ability to sleep, and on particularly bad days has gone to sleep at a relative's property to get away from the
40 noise. We've even discussed moving to get relief from the doof doof doof of the crusher. The quarry has done little to alleviate this noise, and has even tried to deny its existence or impact on my life. In our CCC meeting in 2019, a quarry manager even stated that the proposed enclosed machinery may not alleviate these sound issues, and, moreover, most recently at a meeting of the CCC this week on Tuesday,
45 I sought clarification on timing aspects of when the enclosed machinery would be installed.

Hanson management said they were not enclosing machinery if they didn't get 24/7 operations. I am incredibly alarmed at this statement. I live on a hill in Giles Road and the noise travels very differently throughout and around the different residential properties. The quarry did blast noise tests on my property at my request, and have
5 undertaken daily noise monitoring for general activities – sorry, but have not undertaken daily noise monitoring for general activities despite my request and my approval to put a sound monitor on my property. Blast noises are sometimes so loud that the windows rattle and vibrations are felt. It is important to note that the proposed sound monitoring locations on Giles Road are in areas that do not
10 necessarily capture the real experiences of residents.

Noise monitoring must take place in key affected residential areas. I'm extremely alarmed that the quarry, as per their letter to the DPIE on 14 May 2020, are still proposing to crush from 5.00 am to 1.00 am Monday to Saturday, and to undertake
15 secondary and tertiary plant activities 24/7 from Sunday to Monday. This will make my family's life unbearable. I note the DPIE, in their Brandy Hill Quarry Expansion Project section 7 evaluation point 7.5 states that:

*Crushing activities are a key source of potential amenity impacts on the local
20 community, and that processing on the secondary and tertiary circuit should be restricted from 6.00 am to 8.00 pm Monday to Friday.*

Despite this being far more palatable than Hanson's desire to crush 24/7, it is still an excessive noise disturbance on the local community, and it should only be allowed to
25 operate during daylight and/or business hours. Hours that any other noise related activity within a community must abide by. Hanson must establish full noise and dust enclosure and suppression measures prior to start up, not at later stages of the proposed expansion. I will now talk to you about air quality and health impacts. I request further comprehensive investigation into noise and dust emissions. Despite
30 my repeated requests for a proper investigation into dust particulates and local water quality, ie, tank water, swimming pools, gardens etcetera, Hanson has only tested my tank water and one other. My results did show some areas of concern.

I am alarmed over the potential health implications of the proposed concrete batching
35 plant. Fly ash and silica, the content of these materials, are injurious to your health, and an active pollutant once airborne. There has been a lack of elemental analysis by Hanson on dust pollutants. The company has not cooperated when approached about this. Earlier in the process, Hanson undertook staged dust collection on my property, and the dust monitor was later found to be faulty. Despite my request, the company
40 has not done further dust monitoring on my property with a functioning machine. Hanson must undertake a full dust and particulates emission analysis, and also establish full noise and dust enclosure and suppression measures prior to start up.

Excuse me. And now onto safety and number of trucks. There has been inadequate
45 attention given to the increased safety concerns along Brandy Hill Drive and Clarence Town Road. The projected number of trucks at 600 per day is terrifying. Noise exceedance has already been noted on Clarence Town Road in terms of traffic

even without the dramatic increase in estimated truck movements from the quarry. If noise is already being exceeded beyond the allowable limits with a current daily estimated usage of around 130 Hanson trucks, how can any increase be possible? This is a rural residential road frequently used by the residents, school buses and
5 locals. It should not be an industry corridor. Documentation provided by DPIE has only counted a half of the Brandy Hill Drive residential properties that occur along the road.

Therefore, all impact statistics and road usage projections are incorrect, and do not
10 give an accurate account of how increased trucking activity will affect the local environment. I also note that the establishment of bus bays and footpaths must go hand in hand. There are massive safety issues and concerns if bus bays are erected without any footpaths. Potential for vehicle and road fatality will be greatly increased as children get off school buses with no safe way to walk home. And,
15 now, a brief overview of the process. In the several years that I have been involved in consultations with the Brandy Hill Quarry, my concern and level of objection to the process has increased rather than decreased. Information supplied by the quarry has been subject to discrepancies, inaccuracies and inconsistencies such as operating hours, number of trucks, tonnages etcetera.

20 I note that any in length application process such as this one, participants can become frustrated and dogmatic, as this affects our lifestyle and our livelihoods. People can become emotionally involved. That said, Hanson's lack of cooperation, inconsistencies, information supplied, lack of transparency and inability to answer
25 genuine questions of concern such as dust regulation, water quality and noise disturbances has become the norm. As such, I believe it is important to how it aspects the community engagement process. I would also like to make a disclaimer here. That by speaking to you today, I am concerned that I may be subject to further harassment and intimidation. CCC meetings have become increasingly volatile. In
30 meetings, I have witnessed and been subjected to bullying and harassment tactics by Hanson management staff.

Hanson management staff have made statements in meetings such as, "There's
35 nothing you can do." "We're not going to change anything." "You chose to move here." "The quarry was here first so live with it." "We're happy to cop the fine" in response to operating out of hours. "Hanson has a legal team a mile long so bring it on" in response to whether Port Stephens Council could undertake legal action regarding Hanson's operating out of hours. "What's your problem? Are you drinking the water? Well, then, be quiet" when asked whether additional water tank
40 analysis could be undertaken. "As individuals, you don't count" in response to community members. Despite my apprehension about speaking out today for fear of retaliation, I have been in a number of newspaper articles, and have spoken, on many occasions, to community members and at community events etcetera.

45 A few days after being quoted in the Newcastle Herald regarding my concern about the quarry development and its potential to destroy significant koala habitat, I was the victim of retaliation. My electric steel property gate was rammed repeatedly by a

vehicle until it buckled and the mechanisms were broken. Police were called. I do not know who carried out this retaliation, however, it continues to be a great source of worry and concern. Numerous community individuals have voiced to me that they are too worried to speak out for fear of retaliation. Hanson has not displayed
5 good community engagement or good corporate citizenship. There has been inadequate communication and a lack of willingness to work with the local community. I have been told by Hanson management “There’s nothing you can do so why do you keep fighting this?”

10 Under its current operations, I am not confident the company is abiding to its areas of consent or self regulating. The company does not work at best practice. This alarms me greatly and affects my ability to believe that they will act as better operators in the future. And now for my concluding comments. Today, I have spoken to you
15 about my background, why may family loves where we live, and why we choose to live here. In response to the Department of Planning, Industry and Environment’s recommendations, I continue to have key areas of concern. I have highlighted the unfathomable impact the destruction of 50 hectares of koala habitat and breeding territory will have on Port Stephen’s koalas. Koala credits are not a viable mitigation method, and must not be used.

20 I have talked to you about noise disturbance and hours of operation, and how the relentless crushing noise has dramatically affected my family’s quality of life. I have spoken of the concern I have about inadequate dust and particulates measuring and monitoring, and how the potential affect is on the health and welfare quality of local
25 residents. I briefly spoke to you of the safety concerns surrounding the massive increase in trucking movements along the rural residential road where, at peak times, a truck will pass nearly every minute. How can this be allowable in a high density family residential and school zone? I gave you a brief overview of the arduous consultation process and my participation in consultations with the Brandy Hill
30 Quarry that have led to this point.

It has been an extremely taxing and stressful time where I have questioned many aspects of the process. Whilst I would greatly prefer the quarry to cease operations, all indications from authorities show that they will most likely continue. If this is the
35 case, it must not be to the detriment of the health and the wellbeing of the local community, or the death knell to nearly 50 hectares of koala habitat. No additional licences should be granted until the quarry demonstrates an ability to meet best practice. Operations must only be during daylight hours and during weekdays, and must satisfactorily all community concerns. Please remember what is at stake here.

40 This impacts my children, my community, my lifestyle, my health and the health of the environment. Please remember that out of 193 submissions in relation to the Brandy Hill Quarry Expansion Project 169 were objections. I leave you with some food for thought, a recent statement I heard from a community member, this is the
45 Ruby Princess of extraction. Thank you.

MR DUNCAN: Thank you Chantal. We’ve got a question for you.

MR O'CONNOR: Chantal, I'm – I was interested that you mentioned you'd had the water quality tested in your rainwater tank. Can you tell us about that experience and what the results were?

5 MS PARSLOW REDMAN: Well, I can. I'm just trying to call you up on the screen for the moment. I can't see you. It'd be easier if I could actually see you. I'll just have to – bear with me, I – you're a tiny little screen there. So a couple of years ago I asked my water quality be tested. It did come back all within, I guess, regulatory limits. There were a couple of little bits and pieces that I showed a
10 friend who does water quality testing who actually said, "Oh, that's a bit alarming." So that's chromium, chromium – there's chromium – there's three levels one's okay and one's not great. And they said it really shouldn't have been there in the first place water test, and they also should be taken throughout the area to see if it's just a discrepancy in my water or if it was on – in other tanks around the area.

15 I've approached Hanson several times about this. They did test one other tank in the area and from my understanding that came back all clear, but I haven't seen those results. To my knowledge no other tanks have been looked at. But as I said they're – everything did come back within regulations and limits but it – the fact is some of
20 the stuff that did come back in the water shouldn't have been there in the first place, and it wasn't typical tank water results that should have been there. Hanson has stated that it could have been from bird poo or frog poo or other things like that, which is just not the – you know, not the answer.

25 Chromium doesn't come from that. It's from an airborne pollutant. That's how it gets in the water in the first place. So I'm still concerned. My fear hasn't been alleviated and I think other water tests should be undertaken throughout the area, especially at a radius around the quarry not just two tanks on one road.

30 MR O'CONNOR: Thank you.

MS TUOR: Just one quick question. So that noise that you experience at the moment, that's essentially during daylight hours, is it, between - - -

35 MS PARSLOW REDMAN: No. It's from early – early in the morning, so probably from about 6, sometimes a little before 6 am. So I wake up to the sound, and some mornings you can actually hear it in my bedroom. So you wake up to the sound. The best way to describe it is if you think back, or maybe you still do, if you ever go to a – been out to a dance club or a nightclub and you walk outside and you can still
40 feel the vibration in your heart, so you've got the of music, that's how the crusher sounds from my house. And you wake up to the vibration, and that's from early am to sometimes late at night. They actually have crushed beyond their operating hours consent, so sometimes till 10, 10.30, at night.

45 When I approached the quarry manager about this they denied it, and when I spoke to the operations manager I actually have text messages that do say, "Oh, yes, we were operating till 10 or, you know, 10.30 last night. We had a quota to fill so that's

why we were crushing.” So they definitely go beyond the 6 to 6 that they’re currently supposed to do and it does impact dramatically on my – on my way – on my lifestyle I’m living here. Outside some days it’s actually absolutely unbearable. You can’t even be out in the garden with the children without you being able to hear
5 it. There definitely is days where wind patterns or the cloud – you know, cloud cover or the density of moisture in the air effect.

There’s other days where it’s a crystal blue sky and you can still hear the quarry quite loudly. Other days it can just be a background noise, but other days it’s so full
10 on that if someone comes to my house they actually stop and go, “Wow, what’s that.” And, you know, I’m – and I’m on a nine acre rule property. It’s certainly not a noise that you should be hearing. I should be waking up and hearing the noise of the birds and the sounds of the crickets and just general rural activity, not having to put up with an industrial noise that’s incessant and actually affecting the quality of
15 my life and actually causing a great deal of stress.

MS TUOR: Is there a noticeable difference in the noise that you note – perceive during the daytime as opposed to in the early morning and the – when it is after 6 pm at night?

20 MS PARSLOW REDMAN: It generally depends on what crushing activities they’re doing, and normally it’s quite full on early in the morning for – say, from about 6 till 11, then it, sort of, quietens down for a couple of hours and starts up again in the afternoon from about 2 onwards. I don’t know if that’s to do with meal
25 breaks or shift changes at the quarry. There’s definitely a difference when – after a blast happens for the next – well, I don’t know, three or four days after a blast. It’s very extreme, and I’m assuming that’s because they’ve got big rocks that they’re breaking down. I don’t – I’m not sure. There’s definitely different patterns, and then you can also – you can go for, you know, a few days where it’s just every day all day
30 long and then you’ll get a couple of days of reprieve where it’s just background noise and then it’ll start up again.

MS TUOR: Thank you.

35 MR DUNCAN: Okay. Thank you, Chantal. That’s all the questions, and thank you for your presentation today.

MS PARSLOW REDMAN: Thank you, and thank you for listening to all the residents of Giles Road. We have been forgotten in a lot of this and so it’s been
40 really important that we had this opportunity and I do thank you for your time. And, you know, it’s been a very big process, a very arduous process. We have our livelihoods and our lifestyle at stake here, and also the wilderness and – and – and the way we live. So it’s such an important thing that you are looking at, so please take the time to read the submissions and – and – and listen to our genuine concerns
45 because my concerns have actually increased rather than decreased as I’ve been involved in this process.

MR DUNCAN: Thank you.

MS REDMAN: So – yeah, thank you for your time.

5 MR DUNCAN: Thank you, Chantal.

MS TUOR: Thank you.

10 MR DUNCAN: Our next presenter is James Moore. I believe James is coming in via telephone. James, we've allocated 15 minutes for you as you've requested. I'll let you know at about the 14 minute mark when it's time to wrap up, if that's okay. James, over to you.

15 MR J. MOORE: All right. Okay. Should I – I've got my speaker on on the Zoom. Should I switch it off?

MR DUNCAN: Please proceed. I – at this stage we can hear you well.

20 MR MOORE: Right. Okay. Listen, I just want to make a quick comment on what Chantal just said about those operating hours, because in a letter on – from the 11th of May from RW Corkery they made the comment that already in 2020 the normal operating hours to 10 pm of the secondary and tertiary equipment have been required on 60 evenings. It is noticeable that Hanson has not received any complaints about these evening operation. My little note on that is this implies that it is illegal - - -

25 MR DUNCAN: James – James, I'm sorry, it would be good if you could turn the Zoom speaker off.

30 MR MOORE: Zoom speaker is muted. Sorry – sorry – right, it's muted now. So did you hear what I was saying then or do I have to start again?

MR DUNCAN: No, we can hear you but it was – there was some echo there.

35 MR MOORE: Right. Yep. Okay. So my is that this implies Hanson's quite happy to operate illegally so long as it's not detected. To me that is totally unacceptable. Now, my name is James Moore. I'm a multi-disciplined engineer with first class certificates in marine engineering. I'm honours in associate diploma in mechanical engineering, process engineering – project engineering I can keep going on. Can you hear me?

40

MR DUNCAN: Yes.

MR MOORE: Hello?

45 MR DUNCAN: Yes, we can hear you.

MR MOORE: Yeah, okay. I've worked in a number of diverse industries before being employed in the extractive industry, that is, the coal mining industry, in 1980. Over the ensuing 34 years my responsibilities include 20 years as process plant manager in which 10 years included logistics manager with responsibility for
5 securing contracts for the transport of coal to the Port of Newcastle, initially by road, then by a mix of road and rail, and finally rail alone. In 2000 I joined the strategic planning team at Mount Arthur with full responsibility for surface infrastructure material handling and processing parts.

10 I moved to Brandy Hill in December 2013 in the full knowledge that Hanson was engaging in the process of seeking a new development consent for the Brandy Hill Quarry. This did not bother me at the time because I believed the application process required to be gone through and would require honest, open and transparent and a workable outcome for community and Hanson, and I believed that could be achieved
15 because of the years that I'd worked in the same sort of processes and the experience I've had in there. In – in 2014 I approached the Brandy Hill and Seaham Action Group and offered assistance. In 2019 I was elected as president of VOWW – that's the Voice of Woodville and Wallalong – of which the Brandy Hill and Seaham Action Group is a subcommittee.

20 The responsibility of these positions is not taken lightly and at times it becomes onerous. You will have heard, or will hear from others, of their journey since 2013 of the real concerns that they – that are held by the members of the community that extends well beyond the perimeter of Brandy Hill. There are also many who reside
25 in the local area who firmly believe their lives will be adversely affected through intimidation and threats, loss of amenity and social fabric and loss of safe passageway and a diminished road safety if this proposal – proposed expansion of Hanson as it stands becomes reality. My personal opinion is that this proposal will have a huge and detriment impact on the surrounding communities. The impact of
30 potentially 600 trucks per day, six days a week, operating from 5 am to 10 pm is inconceivable and to me absolutely unwarranted, and I'll – I'll come back to that a bit later.

35 If approved by the IPC it'll also set a precedent regarding the appropriateness of scale of quarrying operations in the region where communities are not on arterial roads. And I just make the point at this time, Hanson keep talking about the input into the Sydney market and they come over to me as if they're saying, "We are the only ones that can do it." But between here and Sydney, down through the Central Coast, there is quite a few other operations that also supply. So, you know, their –
40 their arguments are not always valid. Right. It is my intention to address the following subjects, proposed ramp-up time and using the 1983 consent for plant machinery.

45 I wish to start with the statement the only current legal consent condition for the operation of Brandy Hill Quarry is that issued on the 21st of December 1983 where annual production was limited to 400,000 tonnes. I do acknowledge Hanson has been operating under a set of conditions that were granted without community

engagement and has not yet been challenged, because we're currently in this process, and the belief that annual production limit is 700,000 tonnes. I do know that this annual capacity and operating hours have been exceeded on occasions with impunity, even to this very day, and I've just mentioned what has come through in Corkey's letter.

I do know that attempts by Brandy's should be public information – sorry, I should start that again. I do know that requests from Brandy Hill and Seaham Action Group to get what should be public information is routinely blocked under the pretence that it is commercial-in-confidence. I have an expectation that out of this process a condition of the future consent will give the community the right to have full disclosure of production and environmental issues and all relevant events. I respect the right of Hanson's commercial transactions to be confidential.

UNIDENTIFIED MALE: attention to the plant.

MR MOORE: All right. As I've said, there have been some recent submissions by Corkey. It shows that the primary crushing plant is three hundred and – sorry, I have a balance sheet that was issued in 2017 that showed that the primary crushing plant was going to be 350 tonnes per hour and the most recent letter from Corkey tells me that their primary crushing plant is 450 tonnes per hour. So I've run that through a model of mine where I've used best practice, and so I before delve too much into that I'll just say that using best practice and standard engineering processes for availability for number of days to work through utilisation for unexpected process down time I derive at 294 days as being the operational days.

At a – I'm also looking at the primary crusher going back to meet the New South Wales noise – industry noise limits which is 7 am. So if the primary crusher was to operate six days a week from 7 am its – whoops, I've lost myself – it has – there is a capacity of 1.2 million. If it operates for a 12 hour day there is a capacity of 1.3 million. They are enormous increases. They are over 200 per cent increases on what the current consent conditions, or approaching 80 per cent and 90 per cent production on what Hanson believe is their starting point, but that is and I've also looked at the trucking components and it's conceivable that the capacity that Hanson is seeking, that of 3.435 million tonnes, is inconceivable.

There are other ways that they can get notionally 1.3 or thereabouts tonnes off the site by being more generous to the community and stop going down this line of all things at all times. Okay. Just by the way, I will be putting all this into a written submission.

MR DUNCAN: Just stop. All right. James, you've got seven days to do that so by 5 pm, Friday the 19th, and we'll take it either in writing, email or – or through our website portal.

MR MOORE: Yep, yep, yep. I just want to talk – I just – I keep getting feedback. I'm – I'm going to talk about product and despatch for Saturday when it should

be not be moved forward. The argument is not valid, and – and this is talking about construction operations happening from 7 am on a Saturday morning. If – those who work in industry know that 7 am is a start time but by the time you go through due process of work instructions and – and then also doing the risk assessments and that
5 the people are not pouring your concrete from 7 am. So – so they don't have to start at 7 am and their argument of having to restock plants is nonsense because if they're running an effective business that would have been done on Friday or before the event, not at the last minute.

10 Another comment there – another is what they call a morning shoulder period, and that is rejected out of hand. It is not necessary. There is enough room for them to do whatever they want there without having a shoulder period and have a reasonable outcome for their business that does not disenfranchise people. There – there is also – the – the – when they move to make changes they do not communicate
15 with the community consultative committee, of which, again, I'm a member of that. They don't consult with us. The concept that they have engaged with us to – to be able to go forward on the that they're looking for is an untruth. There has not been engagement that objectively discussed those issues.

20 There's a whole heap of issues there which I think I'll just stand aside in the sake of time. I want to talk about traffic from proposed increases. The sheer magnitude of the four-fold increase of material proposed to be transported to and from the quarry by road, because there's also an input to the quarry as well, will present a significant loss of amenity, not only to those on Brandy Hill Road but on Clarence Town Road
25 west of the quarry, on the connecting roads to Melbourne Street, East Maitland, from Brandy Hill down to Seaham Road, particularly through the area of Nelsons Plains where there are intersections that are impossible to get out of now, where there is a pre – a pre-school centre, where there are bus stops at – I think the young kids take their life in their hands when they try to cross the road.

30 With the – that number of vehicles there'll also be a loading on road infrastructure and there are emissions of pollutants, notably particularly it's from exhaust emissions, brake linings and tyre degradation, and the fine dust from the vehicles themselves, whether it's via wind flow through the covered loads or the mud which
35 is carried onto the roads from all sources. And with this wet weather there has been a lot of mud coming back off the tyres of the trucks heading back to Hanson. And yet there appears to be no attempt to measure this transport emission of dust and pollution, nor of the noise, and the noise is generated here by imperfections in the road, empty bins on the truck and it's an intermittent but piercing noise which well –
40 and I know a bit about noise – which well exceeds the noise – noise levels. But it's because it's not often enough repeated it doesn't actually drag the average up high enough for people to say, "Hey, there's a problem here."

45 Yep. I'll just go back to road hazards. There's – there's one thing that I'm adamant about is these sorts of hazards, whether it's dust emissions, whether it's people safety, they can be reduced if the speed of the vehicles is reduced, and there's a huge difference between a truck travelling at 80 kilometres an hour and a truck travelling

at 60 kilometres an hour in your stopping distance, in the emissions levels, and the safety of those people that are on the road. One of the most intrinsic noise from the heavy – I’ve talked about that one.

5 It remains my understanding that Hanson has imposed on its own employed drivers a 60 kilometre an hour speed limit. In – in – when I talk about their code of conduct I actually find it quite commendable, but I have offered in my written document some improvements, and one of those improvements has to be, in my opinion, that of the – the that come into that site under the same controls that the Hanson drivers are
10 under, and that includes monitoring off – off their – this is using high precision GPS – monitoring of their position, their speed, their loads registered by the weighbridge. And – and if they are also brought into this field of, “When you are hauling from here you travel along these local roads at 60 kilometres an hour,” and that will have a significant – or that will have a reduction, a positive reduction, on noise – a positive
15 effect on noise reduction and safety.

I won’t talk – we know about the bus stops. Oh, yeah, and there’s another request for Hanson to – and, as I say, people may delay in getting these bus stops up and running. Therefore they will approach the secretary to get an exemption from having
20 to wait till they are in place before they start producing at the higher rates. We categorically reject that. Infrastructure has – and safety infrastructure has to be in place before there can be any granting of their increased capacity. That’s a fundamental safety thing for the community. How much more time have I got?

25 MR DUNCAN: You’ve got a few – you’re just about that. You’re there now. That’s 15 minutes.

MR MOORE: Okay. Okay. Well, the – the other thing I was going to talk about was dust and noise emissions. That is all scripted. I’ve got that written out, but
30 there’s significant things that can also be achieved there.

MR DUNCAN: Okay. We’d be happy to receive that in writing if you wish to send it through to us.

35 MR MOORE: I – I will most certainly will do that.

MR DUNCAN: Okay.

MR MOORE: Yep.
40

MR DUNCAN: James, thank you.

MR MOORE: Right.

45 MR DUNCAN: Thank you for your presentation. We have no more questions - - -

MR MOORE: Yep.

MR DUNCAN: - - - James, but thank you again for your time today.

MR MOORE: Okay. Thank you.

5 MR DUNCAN: Thank you.

MR MOORE: Cheers.

10 MR DUNCAN: We're now going to go back to Neil Ritchie. Neil, we had about eight minutes before, but I'd like to see – see you continue if you wish with your presentation.

MR RITCHIE: Yep. Thank you very much. Sir, can you hear me now?

15 MR DUNCAN: Yes, we can.

MR RITCHIE: Very good. All right. I think before the phone cut out I got up to just starting to speak about trucks.

20 MR DUNCAN: Yes.

MR RITCHIE: Is that correct?

25 MR DUNCAN: That's correct.

MR RITCHIE: Okay, sir. I'll just start there. So, as I said, we sent a letter to the IPC outlining of the trucks which applies to Brandy Hill Drive which have annual average daily counts exceeding 1500. So I see on the IPC website that Maitland's council has responded to those issues more clearly regulations about trucks and roads. Maitland City Council has confirmed that the haul route through can be used, that all vehicles must comply with general mass limits, and that means, it allows them to go on general access roads which includes the bridge at Dunmore – sorry – the Dunmore Bridge at Woodville. So a truck and dog with four axles, like Peter Rees described before, has the highest of the truck/trailer combinations with a GML 50.5 tonne.

30
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So that road and the bridge have a 50.5 tonne maximum limit, as do all other general access roads. So the Maitland Council are proposing Maitland route is that all trucks must not exceed the GML, and of course the GML maximum of 50.5 is only for a seven axle truck and dog, and that's three axles on the truck, four axles on the dog combinations, and other truck/trailer combinations with fewer axles have a lower GML. Another way of saying that is vehicles that are under that GML can use general access roads PBS level 1 trucks. So operating is PBS level 1. So Port Stephens Council's response in these matters are further explained – and commissioners will understand this but for the people listening further explain that the general mass limits are usually significantly less than the truck/trailer

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combination can legally carry, in other words the maximum gross tonnage if you put them across a weighbridge.

5 For example, a three axle truck and a four axle dog usually has an allowable
maximum combination mass of 57.5 tonne. That's an additional seven tonne of
payload over the corresponding general mass limit in a three axle dog on a truck,
again, has a maximum gross mass between five and 10 tonne above the GML.
So the vehicles that could use the Maitland Bridge must be only partly loaded and
therefore be somewhere between five and 10 tonne short of a full load. Now, any
10 vehicle loaded higher than its GML is classified as PBS level 2, and that's what my
letter to IPC was all about. And those trucks must only use roads approved for that
classification of vehicle.

15 That's because the handling and braking of a truck weighing beyond its GML is
compromised and roads of a higher standard are needed to accommodate them
safely. So that was a little of why I can say Maitland City Council is happy
providing that only level 1 vehicles use that route and no level 2 vehicles, and that
same rule could be said about any other general access route into Maitland City
Council's area and through Port Stephens area that are classed as general access
20 roads, such as the road via Wallalong and Hinton so as mentioned roads from
Raymond Terrace Road to Tarro.

25 Now, in addition there's an undeniable economic fact that transport costs per tonne a
kilometre are minimised by trucks loading to the maximum allowable gross mass on
general access roads that's the GML, and over two weeks, as they're commonly
called B-double weeks, transport operators will always load trucks to the maximum
allowed gross mass. Now, Brandy Hill Drive was deemed to be a double route
some years ago to allow a couple of B-double grain carrying trucks to access some
farms. So Brandy Hill Drive is classed as a B-double route. So, as you'd expect,
30 operators will put the maximum loads they can into trucks down that route.

35 So I put some questions to Hanson, has Hanson been cognisant of the level of
vehicles to use the Maitland route and other routes, and have they factored that into
the estimate that 25 per cent of the trucks coming out of the quarry would use that
route. Is that restriction covered in their driver's code of conduct, and if what
actions has Hanson taken to prevent breaches of those load regulations before I
turn to Port Stephens Council's response, the the daily traffic along Brandy Hill
Drive and the gravel trucks from the quarry are almost all three axle dogs or four
axle dogs behind a truck. With the four axle dogs they're becoming very common.
40 In fact, yesterday I observed four out of the five gravel trucks that went past in a
short period were all four axle dogs.

45 Now, I admit that none of those trucks ever showed me their weighbridge tickets, but
I think anyone would think it would be reasonable that on a B-double route those
trucks would be loaded to their maximum to minimise costs 57 and a half tonne
or something less, certainly more than the 50.5 for general access roads. So Port
Stephens Council response where the council said, and I quote:

It is council's understanding that the quarry trucks are predominantly truck and dog configuration, which is a level 1 classification, not level 2 as indicated in a letter.

5 So if the rest of Port Stephens Council response in IPC was based on that
understanding without any supportive evidence I submit to you that what they said
must be totally disregarded. A simple check of Hanson's weighbridge records will
determine which of Port Stephens Council's understanding per residents'
10 observations is the truth. Council should not be making unsubstantiated assumptions
as to the vehicle configurations or associated mass limits of those vehicles when they
are assessing a development application determining potential conditions of the
consent are not appropriate. An accurate approach would be an assessment of
recent weighbridge records generated by that quarry and a forecast of how the
15 vehicle mix is expected to change over the life of the project given that we're talking
now of setting conditions for the next 30 years.

So that weighbridge inspection would determine the number of vehicles currently
operating and projected to operate at level 2 mass limits on Brandy Hill Drive
Port Stephens Council response they also say, and I quote, that:

20

These assets include roads that do not meet the current desirable guideline of road
shoulder width.

25 *It is correct that Brandy Hill Drive does not meet current desirable guidelines
..... in a number of places –*

and then it continues:

30 *In such cases a risk assessment should be undertaken considering all factors
which would contribute to the safe operation of a vehicle and its interaction
with other uses.*

So has Port Stephens Council performed a risk assessment for the proposed
extension based on the expected number of level 2 trucks? Was a risk assessment
35 done in 2011 when Hanson had the EPA increase tonnage from 400,000 per year to
700,000 per year? I expect not, because they don't believe there are any true
trucks, level 2 trucks, here. That proper risk assessment must be done before Port
Stephens Council can make any valid recommendation to the IPC regarding
transport. Now, as this quarry is the primary generator of level 2 traffic on Brandy
40 Hill Drive that proposes a significant increase, and my figures indicate that the
proportion of traffic will exceed 90 per cent – 90 per cent.

It is recommended that the quarry to bring that road at its cost to the required
standards before any further increase of level 2 vehicle traffic is permitted. Now,
45 further, Port Stephens Council's response regarding the pre-entrances, and I quote:

Intersections. The entry requirements quoted refer to acceleration lanes and it is not relevant in this case because the intersection is a cross-intersection with stock control.

5 Now, they were referring to the cross roads on Clarence Town Road leading into
Brandy Hill Drive with the entrance to the quarry on the other side. Now, that
statement ignores the expectation that on average 25 per cent – in 25 per cent of
trucks will turn right out of the quarry and head to Maitland. They will return in
empty vehicles that will turn left into the quarry, not straight ahead. So again, Port
10 Stephens Council’s response is not based on accepted facts.

..... a significant increase in level 2 traffic proposed by the quarry it’s recommended
that as a minimum council investigate potential intersection upgrades for Brandy Hill
Drive at the intersections of both Seaham Road and Clarence Town Road, including
15 the consideration of improved signage and delineation, dedicated turning lanes,
deceleration and acceleration lanes, or lane separation, all to improve safety. It’s
further recommended that the quarry be required to install a driveway access at the
intersection of Clarence Town Road that meets the minimum standard for
commercial accesses, as defined in provision 3.4 of Australian Standard AS 2890.2,
20 and that’s about major driveways catering for heavy vehicles and articulated
vehicles, which these all are.

Provision of a fit for purpose driveway access would provide significant
improvements to safety at that location. Port Stephens Council I believe would be
25 derelict in its duty of care to residents, truck drivers and other road users if it does
not undertake a proper assessment based on fact and does not employ every means
available to bring it and other freight routes up to the required standards.
Accordingly, we ask council as a priority to review all aspects of the traffic issues
outlined in the submission and include a more accurate assessment of the actual
30 current traffic generated by the quarry that’s level 2 and what increases there’d be
from this development.

So based on our understanding of the regulations, supported by we don’t
understand how any consent could be given for this ongoing operation without a
35 commitment for a component to cover the costs of upgrading all of the designated
..... roads and intersections to meet the standards. So I’ll just move on. I think I’ve
made my point about traffic. Now, what were the department’s reasonable
recommendations and the shortcomings. So – well, the department’s conclusion, and
I quote:

40 *On the basis the department considers that the project should predominantly
remain a daytime operation.*

..... that the proposed exceptions fall fair beyond the daytime period and residents, as
45 you’ve already heard, don’t trust Hanson on their past record and just
unacceptable to any activity outside the daytime period.

The dawn and dusk periods are also when wildlife is most active and other people have mentioned that. So limiting haulage in those periods will protect the native animals. Now, I move on, the proposed VPA does mention bus bays and a pathway, and as mentioned, the funding – well, we regard it as a sham and something
5 totally inadequate, especially any costings from Port Stephens Council because Hanson has not added – sorry – offered any additional funding for the bus bays, just pay some money in advance sorry – and also that money in advance for six bus bays, and the bus bays are not just on Brandy Hill Drive but along Seaham Road, as other speakers have mentioned. Will that money really off-road safe bus bays for
10 a bus to fully pull in safely, park, fully pull out safely; I doubt it.

Now, the offer for the pathway we also suspect is in the absence of a proper costing from council. It is totally inadequate. Council officers suggest that it could be 3 to 4 million dollars which puts the one and a half million in context. But as other people
15 have said, the bus bays and the pathway must be built before there's any extension continue operation of the quarry because one without the other is just not addressing safety. And, now, the department recommended that existing remain until – 700,000 tonnes, that is – until the bus ways – bus bays are constructed, and we argue both bus bays and pathways – that most bus – there must be – must both be
20 built so to go – you've driven along that road, you've since the two cuttings with very narrow lane and no shoulders, and the two causeways over culverts where there's, again, narrow shoulders. Would you ride, cycle, push a pram, take your kids no, you wouldn't. That's where the road and the footpaths must all be upgraded.

Now, why should Hanson be the principal contributor to the safety infrastructure bus bays, roads, intersections, shoulders, etcetera? Well, as I mentioned, any average daily traffic exceeds 1500 on those roads but the number of level 2 vehicles that are not quarry trucks per day averages less than 20, two lots of 10, 20 only, where Hanson is proposing putting up to 600. So in the absence of any loads – other
30 contributors to heavy traffic, Hanson should be the ones that contribute the most for these upgrades. Just moving on, also compare Hanson's offering of the pathway to other – other – other Southern Highland's quarries that James Ashton's already – already mentioned, considerable investment with infrastructure, before the quarries could operate while drawing attention to the restrictions to traffic volumes applied
35 until the infrastructure was built even though other parties were responsible for the new infrastructure.

And that issue's been raised with – well, by Port Stephens Council. But obviously those things should not be part of a VPA. They just should be pre-requisite –
40 mandatory pre-requisites before the quarry can increase production. So just further – some of the other things that we were pleased to see in the department's recommendation was that semi loads must be covered. That's a given, but there must be an additional requirement to ensure all loose gravel is removed from the outside surfaces of trucks before entering the road to avoid windscreen and other
45 damage, and that's as per consent conditions for the Gunlake Quarry.

Now, Hanson has directly to this matter. A car windscreen repairman told me as I was getting another windscreen replaced that he had attended most properties in Brandy Hill because it was a windscreen damage hot spot. Who else would put that gravel on the roads. Now, I also agree with signage on trucks for easy identification for compliance re the code of conduct. We agree that the self-imposed speed limit of 60. I was there when we did a trial and we liked that. Now, the driver's code of conduct may help but it still doesn't stop the renegades with noisy exhausts calling truck buddies engine brakes which they're allowed to use contrary to all of the signs saying

10 So the executive summary of the department recommends enclosure of all fixed processing equipment, or partial enclosure, of a mobile crusher from stage 1. Now, that's a given and that then relates to what Chantal talked about. And we say the annual tonnage must not be allowed to increase above 400,000 tonnes, which was the last MOS that a valid consent until all those noise attenuation factors were achieved. So I move onto precedents. When I went to the Brandy Hill Quarry, and Mr Ashton's already mentioned Gunlake, Lynwood quarries, etcetera. All of that infrastructure needed to be built – upgrade roads to standards, and that was all done prior to them being allowed to haul on those roads.

20 Now, Gunlake received approval only for 10 years of road haulage. After that – well, before the end of that time they must get an independent study of the total cost of the environmental impacts of road versus using rail, because they could connect into the railway network.

25 MR DUNCAN: One minute to go, Neil.

MR RITCHIE: Okay. Thank you. I'll just move on. So Martins Creek Quarry never sought 24/7. Daracon in that proposal recognised the shortcomings of the road and are plans to upgrade roads and intersections to meet the pre-required standards give minimum weight to Hanson's ongoing push for 24/7. The – the department have mostly dismissed it as well. Road freight over the distances to Sydney is not environmentally sustainable, given it's also 50 per cent greater than from the Southern Highlands such as the Gunlake Quarry. So in summary we believe that the of L2 traffic on the local roads, and the lack of any commitment to upgrade those roads to the required standardssufficient to reject this project.

40 The department's conclusion on the basis the project should remain predominantly day time is essential to preserve the character and amenity of our area. We have had it for only daytime and I hope you actually of course daytime so just the information available to you understates the properties – the number of properties affected. The true numbers, as I've mentioned, are much greater bus bays and the shared pathway are a necessary prerequisite, a mandatory prerequisite, before any increase in production, and they should be funded outside the VPA. That completes my presentation. Thanks for listening. Hopefully I can hand over to the next speaker.

MR DUNCAN: Thank you. Thank you, Neil. Is there any questions for Neil?

MR O'CONNOR: Yes, Neil. Just one question related to the location of the bus bays. You did say those six bus bays would be on Brandy Hill Drive and Seaham Road. Did I understand that correctly?
5

MR RITCHIE: That's correct. That – that was in some of the documentation. We've always pushed for both. I live on Brandy Hill Drive. The issue – the same issues apply to Seaham Road, and really any of the other haulage routes. But Brandy Hill Drive and the side of Seaham Road down to the flat plain, which you did drive along, are all residential and they all have the same issues. There's pretty much the same number of buses. I think there's something in the order of eight school buses morning and afternoon.
10

MR O'CONNOR: Thank you.
15

MR RITCHIE: I think perhaps along those roads.

MR O'CONNOR: Thank you.
20

MS TUOR: I'll follow on from that. So my understanding is that there would be six bus bays. So is that three on Brandy Hill, three on Seaham, both – on both sides of the road or on one side of the road or - - -

MR RITCHIE: Look, that's not up to us. We – we've left that to council and the bus companies. They would be the proper experts in determining that. So the council came up with the number six.
25

MS TUOR: All right. So it's something we need to clarify. Also you said you live on Brandy Hill Road yourself?
30

MR RITCHIE: Brandy Hill Drive, that's correct.

MS TUOR: Do you have an understanding or – about truck movements that currently occur on that road, particularly at night, say, in the 10 pm to 5 am period?
35

MR RITCHIE: There's – there's very few – the EPA do not acknowledge 10 pm to 5 am, but we are aware, and our neighbours are aware, and many people along Brandy Hill Drive are aware of trucks that leave early in the morning, certainly before 6 am, soon after 5. There's – there's a regular almost convoy of Hanson trucks leaving. Well, we brought that to Port Stephens Council's attention and I think they brought it up with the quarry, but as we all know the quarry just continues to they think they can get away with.
40

MS TUOR: So the noise levels that you currently would experience from traffic during that 10 pm to 5 am period, can you just describe what that noise level would be?
45

MR RITCHIE: Okay. Well, look, generally in this quiet rural area there is no traffic, you know, between 8 pm and 6 am. It's really, really quiet, and that's all part of the character and the of living here. So – so look, any extra trucks in the night time period, you know, really, 6 pm to 6 am, really stands out. It's very obvious and,
5 yes, any increase in overnight traffic against almost zero yeah, I'm sure documentation the council or the department – I think it's the department – recognise that there's almost no traffic all night.

10 MS TUOR: All right. Thank you.

MR DUNCAN: Okay. Thank you, Neil. I'd now like to introduce the next speaker and it's Margarete Ritchie. Margarete, you've also asked for 30 minutes. Is that correct?

15 MS M. RITCHIE: Yes. I'll just take the hot seat.

MR DUNCAN: Yes. While you're getting ready, Margarete's also from the – the Brandy Hill and Seaham Action Group. Thank you, Margarete.

20 MS RITCHIE: Good. Thank you.

MR DUNCAN: When you – when you're ready.

25 MS RITCHIE: Thanks, very much.

MR DUNCAN: Okay.

30 MS RITCHIE: Yep. Yeah, the – unfortunately the – the delay that Neil had to have on his talk was because of an extremely noisy fan on our computer so we're dealing with an iPad - - -

MR DUNCAN: Okay.

35 MS RITCHIE: - - - and I hope it comes through okay.

MR DUNCAN: It's quite clear, yes.

40 MS RITCHIE: Good. So look, I'll just introduce myself first of all. I'm Margarete Ritchie. We've lived on Brandy Hill Drive for 30 years and we moved here knowing that there was a quarry with a 30 year life, and we knew that there were about – we were told 27 laden trucks per day. Everyone in the area thought it was acceptable at the time. It was just Brandy Hill Drive, nowhere else, nothing – nothing happened, no other side streets. So, you know, with that understanding we moved here. It was reasonably quiet. Before retirement I taught at Raymond Terrace High, then at
45 Maitland High. I've been – I was a founding member of the Brandy Hill Garden Club. I'm currently president of that.

I've been involved with the Voice of Wallalong and Woodville, which is a community organisation that looks after social impact issues with Port Stephens Council and any other concerns, and my husband and I we're – we're active in P&C. He's a volunteer with the Sea and RFS, and we – we have productive bees here, bee hives, and we are known for the bees, the – the – the product, the honey, that we sell it from our property. The reason I'm telling you this is that I've always felt that I have avenues to disseminate information from this particular process.

So I first initiated the – the – the public meeting that we had initially back in 2013, July, regarding the quarry expansion. Where we found out about it – through an article in the paper and there were no letterbox drops through council or from Hanson. It was just a – a story in the paper. And at that meeting there were 160 local residents and I was asked – I chaired the meeting and I was asked to establish what is now called Brandy Hill and Seaham Action Group and I volunteered to be a – a community on the CCC because of my connection to the local community.

A lot of the residents are uncomfortable for a whole lot of reasons, and some of them Chantal addressed today. They're not comfortable to speak up on issues dealing with the quarry, even though they are impacted in some way. They've expressed to me and other Brandy Hill and Seaham Action Group members that they'd like us to express their view. So, please, keep in mind that what I have to say, even though it incorporates lots of personal experiences, also talks about their issues. And I'd like you also to note that, as Donna before from Nelsons Plains has said, very little has been mentioned in any documentation of the impact of extra trucks on residents of Seaham Road, particularly from the end of Brandy Hill Drive, going right past a couple of significant intersections to Hinton Road and then onto and beyond.

They also have the same experiences as far as truck traffic goes that we do on Brandy Hill Drive. In the application to speak for this meeting that was – it was that – or you advised that – we were encouraged to speak on how the project effects us personally and our organisation, and I hope that the emphasis I have on amenity, health and safety resonates with you. And there'll be some photos of amenity and some other health aspects aspects that I'll show and a lot – you know, great big photos. They're photos of something that happens in our yard.

So you can't – if I talk about amenity first, you can't break it down into facts and figures such as truck numbers, decibel readings, hours of operation and so on. But all of those things affect our amenity. It can be a feeling, a – a change of ambience, something that can't be quantified but is reality nonetheless. All dictionary definitions refer to the pleasantness or attractiveness of a place, a positive element or elements that contribute to the overall character or enjoyment of an area such as open land, trees, interrelationship between them, less tangible factors such as tranquillity. It has a psychological or social component. A pleasant environment equates with amenity and the amenity or character provides a sense of place and includes physical safety.

The department's guidelines stipulate that both character and amenity must be considered when making a decision on any plan, and that was from the secretary of Department of Planning back in 2017. According to the department's own documentation now the amenity is the pleasantness, attractiveness, desirability,
5 which is very important to stakeholders, state significant projects should aim to minimise impacts. Well, Hanson has made little attempt to recognise that there will be considerable impact to the whole community and to minimise an impact, and you can have a look at the letter that Hanson wrote to the department on May the 14th this year.

10

A question at a CCC meeting with reference to night-time operations and finding alternatives to night haulage several recommendations, just suggestions – just, you know, off my own bat, just something I was thinking of, and I was told quite bluntly that this project is for the good of the state and we're just an individual, "you don't count". So throwaway lines such as this do nothing to enhance community
15 engagement to the residents of Brandy Hill, Seaham and Nelsons Plains consider to be the character of their area. The question was asked at a committee meeting of the Voice of Wallalong and Woodville, and Brandy Hill and Seaham Action is a sub-committee of that – a lot of the members live at Brandy Hill, Nelson's Plains and
20 Seaham, Woodville, Wallalong. That's where they come from.

20

The answers included the ruralness; the open landscape; the trees; the gardens; the natural environment; the birds and the animals that call it home, animals such as koalas, wallabies birds such as just ordinary old kookaburras and something
25 that's not quite so common but the new Holland honeyeater ability how to ride a horse; the room for small farm activities such as raising alpacas, beekeeping, private vineyard, horse breeding, riding lessons; a place to host a cross country and other athletic events; the fresh clean air; the lack of industrial or town noises; a place to relax in and distress for whatever reason you have seen some of this
30 activity and landscape as you travelled on the roads around the site and where we were going to the site inspection earlier on.

30

Now, these are all reasonable expectations that people had, or have, when purchasing property in this rural environment. We are a community of people, not just one
35 individual. There is a garden club with members holding meetings in and homes. The Seaham RFS has many volunteers living in Brandy Hill, including the brigade captain. There is an annual RFS Santa run with children eagerly awaiting Santa on the side of the road as he delivers some – distributes the lollies.

35

One thing we've already lost is the ability to work, ride bikes, especially along Brandy Hill Drive, and horse riding, which used to be quite common on the edge of the road, from property to property is now just non-existent, especially in the last I would say seven or eight years since the quarry exposed a – increased its production from 400,000 to 700,000, and then we had the accumulative effect which basically is
45 what we would expect now if Hanson went – Hanson went to 1.5 million.

45

The rural character of this area used to attract cycling clubs from Newcastle and Maitland, up to 50 cyclists Clarence Town Road, High Street, Wallalong, Brandy Hill Drive, Seaham Road, as a weekend racing circuit or social training ride. Our son was a competitive cyclist in the Newcastle club and when these rides
5 became less frequent and then died out all together he told us it was because there were now too many trucks and the road shoulders had deteriorated as a consequence making it too dangerous. The character and amenity for my family revolves around the gardens, the birds and the animals, and I'm not sure I have someone on board to show some photos at this stage. Is that possible?

10 UNIDENTIFIED MALE:

MR DUNCAN: We can see the photos. Yes.

15 MS RITCHIE: Yes. Could I have photo number 1, please.

MR DUNCAN: We've got photo 1.

20 MS RITCHIE: Now, if you can see it, we're just looking at a photo of wallabies at a dam here. I'm just trying to point out what amenity is rather than what Hanson believes we have. So if you can't see the photos, I will continue but if you can't then - - -

25 MR DUNCAN: We can see the photos at the moment. It's a pond, a field and two wallabies or kangaroos.

30 MS RITCHIE: That's right. Now, our children regularly visit and feeding the various birds. They take great delight as does seeing wallabies with their joeys and they're thrilled to find out had been returned to our bushland after having been injured is a tranquil place. It's a refuge in troubling times such as COVID-19, where our daughter, son in law and baby had to isolate because they returned from so for them it was an absolute blessing. But we live it every day and we recognise the tranquillity is so important other residents throughout this area and a sense of place will be severely impacted upon by this development through lack of
35 understanding the character and amenity or the value we place on our properties, be it psychological or monetary.

40 The term applies to the that residents have when they have no control over their sense of place. Billy Albrecht, who was a former professor of sustainability, is now retired, however he has a worldwide following with nostalgia. I have including his letter to support this submission and I will just use one little sentence. And all about a negative sense of place. And he says:

45 *The children of these impacts constitutes an amenity and health burden on people who have a reasonable expectation that their lives should not be negatively impacted in such a way.*

I would like you to read his full document when you receive it. With all my research into the term amenity, it has highlighted that this element is crucial to the wellbeing of residents and only hope that the Commissioners give it the weight it deserves in any determination they make in this project health safety, health can be

5 into two parts. There's mental health and then there's physical. So mental health can't be dealt with in the same way as physical health. The problem can take years to manifest itself and there is a tipping point which brings it all to the surface and it needs to be dealt with.

10 There is a long list of stressors. We are subject to truck noise along Brandy Hill Drive near Road as well as Clarence Town Road. The truck noise isn't just – it's can be continuous and it can be different things. It's the rattling of empty trucks, the engine breaking as they travel downhill or approach intersections, the road surface itself if rough. If it was hot mixed it may be much better. The noises carry
15 throughout the whole locality not just the road it's on. We can hear the traffic a kilometre away on Seaham Road as it's coming down the hill. I can hear it coming. I know that the trucks are on the road.

The noise generated by the proposed number of trucks would make outdoor life
20 unbearable at times. I have experienced this personally when I have not so long ago. It means that every time a couple of trucks came along, if they coincided – if full trucks coincided with empty trucks, then you would end up with, you know, four trucks passing each other four times the amount of noise. And you just had to stop. You can't continue a conversation because no one can hear you. And that's in the
25 back yard.

I experience activity of quarry transport times two, from 2013 and in particular when Hanson and Boral from Martins Creek Quarry were both contracts that required them to use Brandy Hill and Road as its route. There are about 350
30 trucks per quarry that passed one day on this road. And I found the constant noise so distressing that I was quite shocked at my reaction. It was actually my tipping point and I had anxiety and depression that went through the roof. And if I became a little bit distressed at this stage, it's because it's real and no one considers that amenity or mental health has any part to play – excuse me. I'm really sorry.

35 MR DUNCAN: Take your time. Take your time.

MS RITCHIE: Anyway, there was a specialist letter accompanying my written submission about this and I hope you get the chance to read it. Now, if you have a
40 look at photo 2, you can see why I value my gardening time. I to have a large garden and it was, you know, one of the reasons we moved to Brandy Hill. I have included this photo, taken quite recently, so that you can appreciate that I do value my time outdoors. And have created a wonderful garden that I regard as just a collection of plants but others go "Wow, look at that". And it's only when I've had
45 time during this COVID-19 isolation time that I've actually looked at it and gone "Wow, look at that". I just love where I live except for the truck noises.

If I can refer you to a short video, number five, and it will be photo number 5, if you can see that and you can hear the truck noise made by two trucks that pass each other on the road not very far from where I live. Actually, you know, 100 metres. Have you been able to see that?

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MR DUNCAN: Yes, we have. Yes, we can see that. Two trucks passing.

MS RITCHIE: We can also see the edges of the road are so tight that there's no chance to walk on the edge when two trucks pass like that. They must go over those edges of the road and, you know, as I said, I represent the community a lady, you know, about five years ago. She was 82 at the time walked the road all the time. She was first into the gutter where she – you know, you can't see it because of grass is everywhere. And twisted her ankle. And that was the last time she walked on that road. She now walks on the edge of the road of her local side street.

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So all I can say about this is that when Hanson talks about 600 trucks a day and states that it won't really make that much difference, I beg to differ. I have experienced that number and it will change the character and the ambience and it does affect our mental and physical health. Impact to mental health is not to be ignored by the trucks, earlier than you would normally wake has been issue for many residents. In summer we all appreciate the windows being open. We get fresh air. We don't turn on the air conditioning. Therefore we will hear trucks before 5 am, empty trucks that go up that road to Hanson's from, you know, 4.30. They are supposed to be there, at the moment, Hanson's say, 5 o'clock. We're subjected to this daily and it already impacts upon people's wellbeing.

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So I can only ask you the question, how do you feel when you're woken up and you're denied the last few hours of sleep before you have to start your day? Cranky comes to mind but it can be more serious than cranky. Try to get a better understanding of the term "sleep disturbance" and its effects on wellbeing better understand how big a problem this is worldwide and the ramifications on mental and physical health. Even the World Health Organisation recognises the extent of the problem and all the tiers of government have undertaken studies on this issue.

30

All reports have recognised that noise that is not part of the natural environment is a health risk and sleep disturbance can lead to mental and physical issues such as hypertension, cardiac problems. Our natural environment in the evening produces sounds such as lowing cows, frogs, crickets. For us, that's what we expect. That is our background noise and it is not intrusive. It's the sudden, intrusive noise such a truck engine from crusher that causes problem and our sleep is disturbed.

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Our rural environment is vastly different to an urban environment when it comes to noise issues and Hanson fails to understand that. And all the meetings we've had with them, that's quite obvious most recent correspondence to the department says sleep disturbance complies with appropriate criteria. We are concerned that these criteria are not defined and equally minimum standards they refer to throughout their report to our circumstances.

45

Much has been made of the driver code of conduct. It sounds great. So why do the residents still experience braking, engine braking, extremely noisy practices, speeding trucks etcetera. I directly contact the companies but I gave up. And the quarry manager has admitted that once a truck has left the quarry, they've got no control over driver behaviour. This is mainly the contractors because Hanson truck drivers follow rules quite well and we acknowledge that.

Other than 24/7 road transport and the implications on people's health and wellbeing, other residents are impacted day and night with consequences to their health and because they're running short on time, I'm assuming – you have heard most of these from people on Giles Road, Chantal Bronwyn and others. They do cause anxiety and stress and some people have had their entire aspirations for future businesses, like, eco farmers and so on destroyed meetings message to residents will be closed practice. They even stated this in their interview with a reporter from the local paper. Again, I don't continue very much on this because

..... has mentioned a bit about the distance that needs to be travelled for Hanson to transport their product to the Sydney market. We all hear from Hanson having to Sydney. I'm wondering if any consideration is being given to a product that must be transported such great distances by roads, through towns and suburbs using diesel trucks which are known to be a greenhouse gas and diesel, in particular, contributors to environment. And thus a concern our road and the others we're particularly exposed by this number of trucks. Hanson – I've already mentioned ambient noise, background, croaking frog sounds, crickets.

According to Hanson this far outweighs the noise of haulage trucks. However when this environment we expect them, welcome them as a sign of healthy ecosystem. We don't live in this area to experience truck and blasting noise. It is intrusive at every level. It is the added anxiety of not knowing what we're inhaling. What is in the water we're drinking? Are we harming our children's health. We make valid concerns which are dismissed or just not even addressed.

..... CCC meeting, Hanson did not stop work on a high pollution day, when gale force winds were predicted and occurred and dust was being blown from the coal mines into our area as well, I was told that if they had a customer who needed a product, they would provide it and cop the fine. Self-regulation is pointless and the EPA stated that it would be us to residents to call in the complaint. In other words, our health is not at the forefront of Hanson policies.

I would like to show you photos three and four. And I will talk about physical health and safety which is severely impacted. Many residents who have stopped working along Brandy Hill Drive and Seaham Road. The increase in truck traffic has made walking on the roadside impossible in many places. After a disagreement with Hanson's consultant's report regarding the condition of Brandy Hill Drive, where it was reported that it was between 1.5 and 2 metres of verge outside the white line. We did our own measurement and found the culverts and in particular have less than 20 centimetres. That's my husband in one of those photos with measured at

a metre and we were doing measurements that way. We did the entire Brandy Hill Drive, both sides.

5 When trucks pass at these pinch points, they have to drive over the outside while line, as I've already mentioned, so they miss each other. We probably have noticed how narrow those pinch points are when you're driving up Brandy Hill Drive. Children have to negotiate these areas to reach school bus stops. I have witnessed a parent pushing a pram on the outside of the safety rail. And if you refer to photo 6, you will see a photo of an actual bus stop with a little shed and if you look, uphill of 10 that, on the left-hand side, you can see there is a railing that's now been replaced. It was there until just recently. The railing was falling down and they've now put there.

15 But this particular mother was pushing her pram, lifting one side up so that only two wheels, the uphill side of the wheels were on the grass, with a toddler in there, and she was pushing that pram so she could accompany her child to the bus stop. Now, that is the extent of the danger that we're talking about, about children walking to these bus stops. There's also one in photo 7 of one opposite Drive and Seaham Road. That is looking down as trucks are coming around the corner, cars are coming 20 around the corner line of sight, and that is actually where the primary school bus drops children off of an afternoon.

There have been near misses between buses and trucks. One example is a truck needing to slew to the wrong side of the road as the driver came around the corner on 25 Brandy Hill Drive and only noticed the bus at the last minute. This was reported at a CCC meeting and the response was, the risk from one truck is no different to the risk of 100 trucks. That just beggars belief. I'm not a mathematician but I would have thought one truck carries one risk, 100 trucks carries 100 risks. I don't know what you think. And one major issue is that children have no way of accessing the bus 30 stop safely other than walking on the verge which is quite a dangerous undertaking. Many actually drive their children and the dangerous undertaking of actually pulling up on the side, letting the children off, to then wait for a bus to come is, in itself, an insanity.

35 So there are other safety issues along the haulage route. There are seven roads leading on to Brandy Hill Drive. Two have line of sight and cuttings on curves. If you wish to look at photo 8, please see at with a limited line of sight, crest. Driveway entrances has been reported, 83 or so on Brandy Hill Drive, 25 on Seaham Road to Hinton Road. Very little line of sight for a lot of them and – 40 especially on Seaham Road, and if you increase truck traffic, it makes it extremely difficult to get out safely.

45 And my concern is, when you turn into a driveway and you're hoping, if there is a truck behind you, that they have seen you, they've seen your indicator etcetera. We really fear rear enders. That is photo number 10 which is Clarence Town Road and the intersection there. And it shows two trucks coming across that road with a car in between, sandwiched in between and they're just crossing across a road with a crest

to one side, where we know that the time taken for people to see a truck coming across that crest, the truck's coming – the time it takes for a truck to come across Clarence Town Road don't match. Seven seconds versus 12 seconds for a truck to cross.

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MR DUNCAN: Margarete, we have a minute to go. If that's okay.

MS RITCHIE: Right. Okay. I will send the rest of my presentation to you. I will just quickly – there is a bit more about a showing where people can and can't exercise, one I will refer you to in the rest of my presentation that you can read. There is an old photo that I will also send with a koala on Brandy Hill Drive so the fact that they do exist and that they are impacted on along with all this early morning and late in the evening and this is when Hanson expect to be driving trucks.

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15 So there are also statements from – EIS guidelines for extractive industries that have not been addressed at all and I will send those to you as well.

MR DUNCAN: Thank you.

20 MS RITCHIE: I would think that basically you have understood that there are lots of issues here. I think we have covered every issue possible that we can, on behalf of the community and ourselves, and we don't believe Hanson has readdressed so thanks for listening and I hope that you can understand where we're coming from. Thank you very much.

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MR DUNCAN: Margarete – thank your presentation, Margarete. Questions? We have no further questions but thank you for the photos and we look forward to receiving your further presentation. Thank you.

30 MS RITCHIE: Right. Thank you.

MR DUNCAN: I would now like to ask Jennifer Beale to present. Jennifer, you've requested 10 minutes and - - -

35 MS BEALE: May I have, yes.

MR DUNCAN: I will let you know at about the nine minute mark so over to you.

40 MS BEALE: Yes. Okay. I have a prepared statement that I'm just going to read from and then any questions obviously.

MR DUNCAN: Thank you.

45 MS BEALE: Hello, my name is Jenny and I live out at 2A Giles Road, Seaham with my husband and three adult children. In 2008 we purchased our five acre property and at the time our four children were young teenagers. We loved living out of town in the open spaces and clean air, with many pets and a vegetable garden.

When our solicitor was doing the usual searches before we purchased the property informed that there was a quarry situated at the end of Brandy Hill Drive. We were also advised that the quarry had a 30 year lease which was due to expire in the next five years and that it would close once its lease had expired which I now know
5 has not happened and in fact the quarry has applied for an additional 30 year lease and with concrete and concrete waste being brought onto the site. An increase in truck noise and an application of 24 hours a day, seven days a week.

..... major concerns with the expansion are the water quality and the environment in
10 which I live long term health effects on my family, the pets and the livestock and native animals that live in the vicinity. The properties in Giles Road all have water tanks for drinking, washing and swimming as many have swimming pools or dams that are used for swimming. I am one of the lucky ones that has a filter on my rain tank that feeds my house. Within the last three years that filter needs to be changed
15 every three months rather than every six to 12 months as the dust has increased.

Also, during the drought, the main tank was being refilled from the other two tanks that I have on my property. Unfortunately the additional two tanks do not have filters and they feed directly into my swimming pool and a drinking trough that the
20 livestock and native animals use. The livestock and native animals also use the dam that I have on my property which is obviously not covered or filtered. The dams and are used are the needy animals and birds and everybody has already told you the number of native animals but I'm going to tell you again. Some of the native animals that reside around here are wallabies, kangaroos, echidnas, wombats,
25 goannas, frill-necked lizards, water dragons, possums and koalas.

We have many bird species as well ranging from kookaburras, various breeds of parrots, wrens, willy wagtails, cockatoos, honeyeaters, owls, native minors and
30 butcher birds and many others. The dams also has yabbies, frogs, turtles, ducks and fishing – has fish that reside in them. We have no idea what effect these fine dust particles that are emitted by the quarry will have on the environment that we all live in. We also have many residents who have bee hives. We also don't know what the effect of fine dust particles have on the viability of the survival of that species.

35 I have requested from the quarry a water quality test to be conducted on my water tanks and a dust monitor to be erected on my property and that hasn't happened. I also have concern about the concrete batching and recycling that is going to happen. Can we be sure that the concrete that is being returned to the site is clean and has no harmful substance in it. Is the concrete for recycling or is it just waste concrete that
40 needs to be broken down and dumped on the site? What are the long-term effects on our health, on the health of our pets and the local flora and fauna from the dust particles that the concrete batching and recycling are producing., The ash that is being brought onsite, what is that doing to our health?

45 Also, when they're blasting – when the quarry blasts, my house rocks and shakes. It's up on stilts. The number of blasts have increased over the last three years. I have noticed around my swimming pool that the concrete is starting to crack and the

tiles are cracking. We erected a free-standing garage about five years ago and there are several cracks appearing in the floor slabs. Also the noise has increased as the blasting and crushing has increased. The noise cannot always be heard. It depends on the way the wind is blowing. When the wind is blowing towards us the noise can
5 be quite deafening and sometimes you cannot stay outside as it is that bad and you can still hear it inside. I have also requested from the quarry a noise monitor but again this has not happened.

10 The truck movement which is going to increase if they get their expansion to over 600 trucks a day. That means access to Clarence Town Road out of Croft Road and out of Brandy Hill are almost going to be difficult. The state of the roads are going to deteriorate faster meaning that we're going to have more delays because the council is going to have to repair the road more often. And there is an increase of road accidents already in black spots around here. We can also hear truck
15 movement on Clarence Town Road, especially when it's heading into Maitland and returning from Maitland. And sometimes when they are shuffling their trucks in the yard, we can also hear that. That depends on the wind direction.

20 The empty trucks make more noise than the full ones do unfortunately. There is also going to be an increase in road kill of the native animals. And fortunately the council or the State RMS have just lowered the speed limit on Clarence Town Road from 100 kilometres to 80 kilometres. Well, that hasn't slowed the trucks down at all. They're still doing their 100ks. Increase in the operating hours, if the quarry is granted an increase in operating hours, which I understand is either to 24/7 or 5 am
25 till 1 am, it means that there is only four hours a day in the middle of the night when we will – that there will be peace and quiet. Those are all the issues I am concerned with above and will also increase.

30 In conclusion, I feel that the quarry is not community minded. In the 12 and a-half years that we have resided at this address, only twice have I attended a community forum with the quarry and that was two years ago and I only knew that was happening because a neighbour was on a community action group and asked me to go. At the meeting I asked the quarry representative why all residents in the vicinity of the quarry were not notified. He informed me that an ad in the newspaper was
35 quite sufficient. I asked him in the future could other forms of media be used, like, Facebook. I don't think that has happened.

I have not attended any meetings since as I haven't seen that advertised. I left my email address with the quarry representative to be notified of any happenings so I do
40 receive notification of when they are blasting but that is all. At that meeting I also requested tank water testing and noise and dust monitors to be installed at my property but that has not happened as I previously indicated. The quarry has also told me that they did a door knock in Giles Road to gauge the residents' feelings about the quarry. Well, that has not occurred. I would like to thank you all for
45 allowing me to put forward my concerns.

MR DUNCAN: Thank you, Jennifer. Any questions?

MS TUOR: No.

MR O'CONNOR: None for me.

5 MR DUNCAN: No, there's no questions, Jennifer. Thank you very much for presenting today and - - -

MS BEALE: Thank you for allowing me again.

10 MR DUNCAN: Thank you.

MS BEALE: Thank you. Goodbye.

15 MR DUNCAN: That closes the meeting for today. I would like to thank all our speakers and participants in this process. And remind everybody that the transcripts will be made available on the Commission's website. The Commission will be accepting comments from the public for the next seven days and close at 5 pm on Friday, the 19th of June. These comments will be sent to the Commission – or can be
20 sent to the Commission via post, email or through "Have Your Say" portal on the Commission's website. Again, on behalf of the Commission panel, thank you to all our presenters for their time today. Thank you.

RECORDING CONCLUDED

[3.47 pm]