



MACKAS SAND 2020 PRODUCTION INCREASE

Statement of Environmental Effects

FINAL

October 2020



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Prepared by
Umwelt (Australia) Pty Limited
on behalf of
Mackas Sand

Project Director: **Bret Jenkins**
Project Manager: **Lachlan Sweeney**
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Document Status

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	Name	Date	Name	Date
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1.0 Introduction

Macka's Sand Pty Ltd (Macka's Sand) operates a sand quarry located approximately 25 km north east of Newcastle near Salt Ash, Port Stephens NSW, as shown in Figure 1.1. Quarrying operations occur at Lot 218 DP 1044608 (Lot 218) and Lot 220 DP 1049608 (Lot 220).

Major Project Approval 08_0142 (PA 08_0142) was granted on 20 September 2009 by the Minister for Planning under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the extraction of up to 1 million tonnes per annum (Mtpa) of sand from Lot 218 and up to 1 Mtpa of sand from Lot 220. Sand extraction commenced in Lot 220 in November 2009, while extraction in Lot 218 commenced in February 2015.

A modification to PA 08_0142 (Mod 1) was approved by the NSW Planning Assessment Commission (PAC) on 30 September 2013. Mod 1 allowed for the establishment of an alternative access route to Lot 218 and an increase in extraction depth from 1.0 metre (m) above maximum predicted groundwater level to 0.7 m above maximum predicted groundwater level for both Lot 218 and Lot 220.

A second modification to PA 08_0142, (Mod 2), was approved by the PAC on 16 March 2016. Mod 2 allowed for an increase in maximum hourly truck movements from Lot 218 via the approved alternate access road.

Umwelt (Australia) Pty Limited (Umwelt) has been engaged by Macka's Sand to prepare an assessment of environmental impacts of a further proposed Modification to PA 08_0142 in relation to increasing the extraction limit at Lot 218 by 10%, from 1.0 to 1.1 Mtpa for the calendar year 2020 only.

1.1 Background

Operations at Lot 218 are currently approaching the approved annual extraction limit of 1 Mtpa, with full capacity likely to be reached by early to mid-November 2020. Sand extraction at Lot 220 (also capped at 1 Mtpa) has been less and is not anticipated to reach its 1 Mtpa limit. These areas supply different quality sand products for different uses, as they come from different sand resources originating from separate depositional timeframes and geomorphological processes.

Customers who rely on the sand from the mobile dune sand resource at Lot 218 use the material for a range of purposes including the manufacturing of building products such as fibrous cement board and roof tiles used in the building industry. The sand is also used to produce concrete mixes that have been tested and approved for use where Roads and Maritime Services (RMS) specifications apply, for use in infrastructure construction projects. These products rely on the specific particle size and shape characteristics of the sand resource from Lot 218, and manufacturers cannot substitute this sand with sand from other sources without a lengthy design, testing and approval process being undertaken. These customers have advised Macka's Sand that they anticipate working through the traditional November/December slow-down period. Normally the reduction of production from Macka's Sand Lot 218 towards the end of the year is not a concern as building industry product manufacturing and construction work usually declines through the latter part of the year. However, Macka's Sand's customers anticipate strong ongoing demand through to the end of 2020, fuelled by government infrastructure projects and the focus on the construction and building industry to contribute to the recovery of the NSW economy, following the effects of the COVID-19 pandemic.

Several businesses have advised Macka's Sand of their concerns regarding the limited remaining production capacity from Lot 218 for 2020 as they continue to have increased demand for the production of building products through the normally quiet end-of-year period. They have also advised that it is impractical to change their production formulae to use alternate sand supplies at short notice. Letters from some of Macka's Sand customers identifying these concerns are provided in **Appendix A**.

Macka's Sand would like to increase the annual capacity limit on its Lot 218 operations by 100,000 tonnes (t) within the calendar year 2020 (assuming a modification could be approved late October/mid-November). Mackas Sand advises that production from its Lot 220 operations will not reach the annual production limit in 2020 due to limited demand.

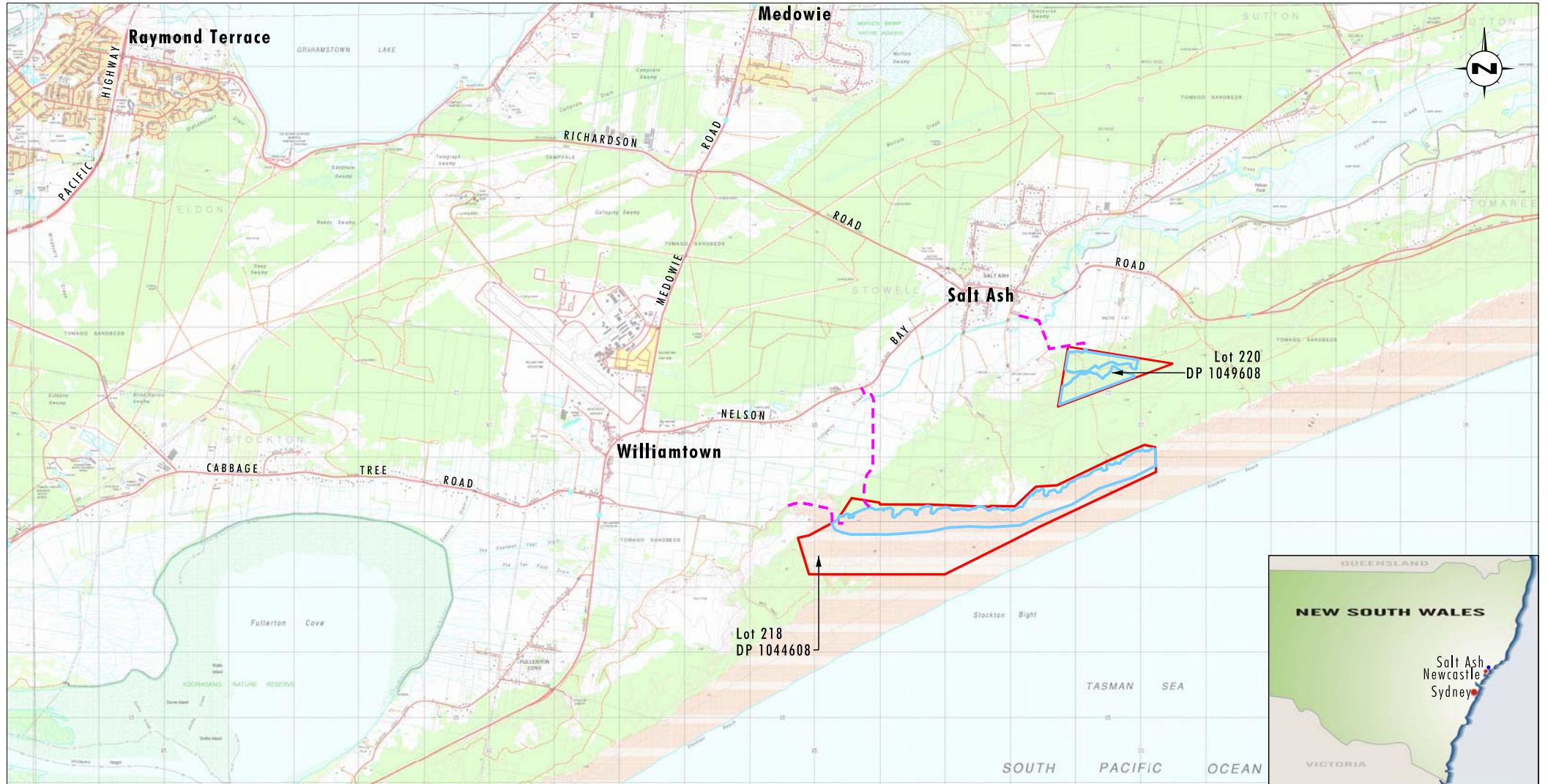


Image Source: Department of Lands, 2006

0 1 2 4 km
1:85 000

Legend

- Lot Boundaries
- Approval Areas
- Site Access

FIGURE 1.1

Locality Map

2.0 Proposed Modification

Schedule 2 Condition 6(a) of PA 08_0142 limits the transportation of not more than 1,000,000 t of product from Lot 218 in a calendar year, subject to conditions.

In accordance with the provisions of the *Environmental Planning and Assessment Act* (EP&A Act), Division 4.9, Section 4.55 (1A) *Modifications Involving Minimal Environmental Impact*, Macka's Sand requests the modification of Schedule 2 Condition 6 (a) to allow the transportation of an additional 10% of product from the Lot 218, being an additional 100,000 t, increasing the total tonnage to 1,100,000 t of product in the calendar year 2020 (the proposed Modification).

The proposed modification represents an increase of 5% of total approved tonnes under PA 08_0142. The proposed modification will not result in changes to the Lot 218 operating hours, the sand extraction rate, the sand screening processing rate, or the product sand transportation daily rate. The proposed modification will not require increased road transport truck hourly rates leaving the site above the approved hourly trucking rates. The development will remain substantially the same as the originally approved operations.

2.1 The Proponent

Macka's Sand Pty Limited (ABN 86 122 903 860) is the proponent for the proposed Modification. Macka's Sand undertake sand extraction operations on Lot 218 under agreement with the landowners, the Worimi Local Aboriginal Land Council (WLALC). The WLALC was formed under the *Aboriginal Land Rights Act 1983*. The objectives of the WLALC are to improve, protect and foster the best interests of all Aboriginal people within the WLALC area and other people who are members of the Council.

2.2 Land Ownership

Lot 218 and Lot 220 are owned by the WLALC and contain approximately 20 Mt of sand resource. The extraction of sand from these lots enables WLALC to generate income, employment, training and economic development opportunities for WLALC. These outcomes were part of the agreement between WLALC and the NSW Government that led to the establishment of the 4438 ha Worimi Conservation Lands on Stockton Bight in February 2007.

2.3 Comparison of the Approved Development and the Proposed Modification

Table 2.1 provides a summary of key approved aspects of the Mackas Sand Lot 218 operations, in accordance with PA 08_0142, compared to the proposed Modification.

Table 2.1 Comparison of Approved Development and Proposed Modification

Project Component	Approved Development (PA 08_0142)	Proposed Modification
Extraction limit	<p>Schedule 2 Condition 6(a):</p> <ul style="list-style-type: none"> Extraction limit of 1 Mtpa of sand from Lot 218. <p>Schedule 2 Condition 6(b):</p> <ul style="list-style-type: none"> Extraction limit of 1 Mtpa of sand from Lot 220. 	<p>For the 2020 year only:</p> <ul style="list-style-type: none"> Extraction of 1.1 Mt of sand from Lot 218 No change to Lot 220 extraction limit

Project Component	Approved Development (PA 08_0142)	Proposed Modification
Project life	Schedule 2 Condition 5: <ul style="list-style-type: none"> Quarrying operations may take place on site until 31 December 2029 	No change
Project boundary/ Schedule of Lands	Per Schedule 1	No change
Extraction Area	Lot 218 DP 1044608, Salt Ash	No change
Extraction Depth	Schedule 2, Condition 7(b): <ul style="list-style-type: none"> No sand extraction within 1 m of the maximum predicted groundwater level on Lot 218, unless the core sample testing program demonstrates that extraction to within 0.7 m of the maximum predicted groundwater level can be undertaken without disturbing acid sulphate soils. 	No change
Disturbance areas	Appendix 1, Proposed Disturbance Area Lot 218	No change
Key infrastructure	Extraction plant and equipment (front end loaders/screens), weighbridge and access roads	No change
Operating hours	Schedule 3, Condition 9: <ul style="list-style-type: none"> Quarrying: 24 hours/day, 7 days/week. Transportation: Mon-Fri 6am to 6pm (to 7pm in daylight savings time) Sat 7am-4pm 	No change
Transport - trucking hourly rates	Schedule 3, Condition 4B – laden truck movement hourly rates	No change
Equipment fleet	Replacement of quarrying equipment is required during the Project life	No change
Rehabilitation and final landform	The final rehabilitation ground surface level will remain at least 1 m above the maximum predicted groundwater level.	No change

2.4 Approval Pathway

Umwelt has lodged a Scoping Document for the proposed Modification through the DPIE Major Projects portal. A Scoping meeting was held in 22 October 2020 and the approval pathway was discussed. The proposed Modification approval pathway was confirmed to be in accordance with the provisions of the EP&A Act, Division 4.9, Section 4.55 (1A) *Modifications Involving Minimal Environmental Impact*.

This Statement of Environmental Effects (SEE) addresses the requirements of Section 4.55 1(A) a) and b) and provides an assessment of potential environmental impacts in **Section 3.0**.

In addition, the EP&A Act Section 4.55 (3) requires the consent authority to take into consideration relevant matters referred to in Section 4.15 (1). The development, in its Modified form, would continue to be permitted under the provisions of relevant environmental planning instruments currently applying to the approved operations.

3.0 Environmental Assessment

Umwelt has reviewed the key aspects of the proposed Modification to identify potential incremental changes to the operation and its approved impacts, that could occur as a result of the proposed increase in approved annual production.

As detailed in **Table 2.1**, no aspects of the Macka's Sand operations will change as a result of the proposed Modification with the exception of the extraction tonnage limit from Lot 218. The proposed Modification lies wholly within the footprint of the approved operations at Lot 218. Key potential issues were identified and reviewed through a preliminary environmental risk and review analysis to determine if any issues may require further assessment. **Table 3.1** identifies the environmental and social issues relevant to the approved Lot 218 sand extraction activities and identifies and assesses the potential for further evaluation of these issues as part of this Modification application.

Table 3.1 Screening Assessment of Environmental and Social Issues

Issue	Assessment/Comment	Further Assessment Required
Groundwater	No changes to operating depth or potential exposure of aquifers will occur as a result of the proposed Modification.	No further assessment required.
Surface Water	There are no changes associated with the proposed Modification that have the potential to alter any existing surface water drainage characteristics within Lot 218 or the surrounding area.	No further assessment required.
Ecology	The proposed Modification will not change the active extraction pit area, and extraction will occur within the approved disturbance area only and would not result in any change to the disturbance footprint or result in any impact on any component of terrestrial ecology. There is no potential for changes to interaction with groundwater, resulting in no impact to groundwater dependent ecosystems (GDE).	No further assessment required.
Aboriginal Cultural Heritage	The proposed Modification does not involve any change to the area of impact associated with the Project. The existing controls stipulated in the Project's Aboriginal Heritage Management Plan will continue to apply.	No further assessment required.
Historic Heritage	The proposed Modification does not involve any change to the area of impact associated with the Project and would not impact any historic heritage items or places.	No further assessment required.
Traffic and Transport	The proposed Modification does not involve any change from the approved Project in relation to approved product transport methods or hourly trucking rates. Further analysis of hourly trucking numbers and rates is provided in Section 3.1 Traffic and Transport.	Refer to Section 3.1 "Traffic and Transport".
Noise	The proposed Modification does not involve any change to the type of plant and equipment to be used at Lot 218 and no change to the current operating hours or product transport hours and rates, or the current daily production rate. As such, there would be no changes from the approved Project regarding noise generated.	No further assessment required.

Issue	Assessment/Comment	Further Assessment Required
Air Quality (dust)	The proposed Modification does not involve any changes to the type of machinery, location of plant, approved number of daily vehicle movements, daily production rate or the area of exposed material. As such, there would be no change to the approved air quality impacts.	No further assessment required.
Visual	The area of disturbance would not change as a result of the proposed Modification. As such, there would be no change to the approved visual amenity impacts.	No further assessment required.
Greenhouse Gas and Energy	The proposed increased production of 10% at Lot 218 for the year 2020 is likely to produce an increase of around 10% in terms of diesel fuel consumed for 2020, and Greenhouse Gases produced both on site and during transportation, with regard to Lot 218. However, this would be offset by a reduction in production and transportation from Lot 220. As such, the proposed Modification is not likely to affect the achievement of any NSW or Australian Greenhouse Gas targets. The proposed Modification will not result in a significant increase in energy usage.	No further assessment required.
Bushfire	There will be no change to the bushfire risk as a result of the proposed Modification. No new structures are proposed which would require assessment of asset protection requirements.	No further assessment required.
Waste	The proposed Modification would not require any change to the existing waste management practices of the Project.	No further assessment required.
Chemicals, hazardous substances and dangerous goods	There will be no change to the storage and/or handling of hazardous substances or dangerous goods as a result of the proposed Modification.	No further assessment required.
Social Impacts	The proposed Modification would not have any additional impacts for the local community above those already approved. No increase to approved hourly trucking numbers would be required for the proposed 10% production increase for the remaining months of 2020. There have been no community complaints received since the commencement of operations. The supply of additional sand products to the NSW building and construction sector will assist that sector in supporting the recovery of the NSW economy, following the impacts of COVID-19.	No further assessment required.
Rehabilitation and Landscape Management	There will be no change to the rehabilitation requirements or landscape management as a result of the proposed Modification.	No further assessment required.

3.1 Traffic and Transport

Schedule 3 Condition 4B of PA 08_0142 details the approved limits for hourly laden truck movements leaving Lot 218. Assuming a laden truck and dog (trailer) combined has a 32t capacity then a theoretical total of 63,360 t could be transported from Lot 218 in one week. Assuming that the proposed Modification was approved, the additional 100,000 t of product could be transported from Lot 218 over a two to three-week period.

Transport access to Lot 218 is via a dedicated intersection with Nelson Bay Road. Transportation of additional sand products from Lot 218 resulting from the proposed Modification would not contribute any increased product transport on the local road network compared currently approved transport levels.

The currently approved conditions controlling product transportation will continue to apply unchanged, in accordance with the current Project Approval PA 08_0142 Schedule 3. These conditions include:

- Condition 4B (a) to (i) which restrict laden truck movements and apply strict hourly limits on laden truck movements
- Condition 9 which restricts overall transportation hours
- Condition 31A which ensures that the access intersection is of an appropriate design for the approved transport limits
- Condition 33 which ensures all loads are covered and vehicles leaving the site are clean
- Conditions 33A and B which requires that a Drivers Code of Conduct is approved and applies to all drivers of project related vehicles including product trucks from Lot 218
- Conditions 33D and E which require vehicle monitoring by both video recording and weighbridge truck counts.

Mackas Sand utilise an automated weighbridge monitoring system to control truck movements in compliance with these complex conditions.

Given the ongoing application of these detailed approved conditions, and given the established and approved transport management mechanisms in place at Mackas Sand, there will be no change to traffic impacts resulting from the proposed Modification.

4.0 Community Consultation

Mackas Sand operates with an established Community Consultative Committee (CCC) including an independent chairperson, Mrs Margaret MacDonald-Hill.

Umwelt informed the CCC chair of the proposed modification including the nature and scale of the proposed Modification along with the justification for the proposed production increase. Members were provided with the project overview by the CCC chair, and if required, Mackas Sand and Umwelt will provide a briefing to the committee.

In addition, Umwelt informed the landholder, the Worimi Local Aboriginal Land Council of the intention to request a minor modification. The Worimi LALC were provided with a brief overview explaining the nature and scale of the proposed Modification and Umwelt and Mackas Sand representatives will attend a Worimi LALC Board meeting on 3rd November to provide a more detailed briefing, including outlining the customer requests for additional sand to supply state infrastructure projects.

5.0 Environmental Management

As required under PA 08_0142, environmental management of sand extraction operations is undertaken at Lot 218 in accordance with the following approved documents:

- Environmental Management Strategy
- Maximum Extraction Depth Map
- Groundwater Monitoring Report
- Soil and Water Management Plan
- Landscape Management Plan
- Biodiversity Monitoring program
- Weed Management Plan
- Rehabilitation and Decommissioning Plan
- Aboriginal Cultural Heritage Management Plan
- Non-Indigenous Heritage Management Plan
- Noise Management Plan
- Unexploded Ordinance Management Plan
- Operational Management Procedure
- Driver's Code of Conduct.

Each of the above reports and management plans, along with noise, air quality and groundwater monitoring results are available on Macka's Sand website (www.mackassand.com.au.com).

The sand extractive activities approved under PA08_0142 are subject to Environmental Protection Licence EPL 13218. If required, a variation to the existing EPL will be requested to ensure consistency with the proposed Modification.

The *Hunter Water Regulations 2015* are a regulation under the *Hunter Water Act 1991* that applies to the Chichester, Grahamstown, Nelson Bay, North Stockton and Tomago Catchment Areas. Lot 218 lies within the North Stockton Catchment. Under Clause 15 (1) of the Regulation, a person can only engage in an extractive industry with an approval given by the Director-General of the Department of Trade and Investment.

A permit under the *Hunter Water Regulations 2015* for sand extraction operations on Lot 218 was granted on 7 June 2012 (under the then *Hunter Water Regulations 2010*). A modification to this permit will be sought if required as the proposed Modification application seeks to alter the approved maximum annual extraction limit for sand from Lot 218.

6.0 Alternatives

Mackas Sand does not have an alternative source of sand of equivalent specification to the sand sourced from the operations at Lot 218 near Williamstown.

Should the proposed Modification be not allowed, Mackas Sand is likely to reach the full annual production limit for Lot 218 by early to mid-November 2020, forcing a shortage of raw material onto parts of the building material manufacturing and construction sector, that rely on the specific grades of sand produced at Macka's Sand Lot 218. These customers have advised Mackas Sand that they are unable to revise their product mixes to use alternate sand sources, and produce and test alternative products, in order to meet product demand during 2020. This in-turn will limit those businesses from continuing their business activities until 2021 when Macka's Sand can recommence production from Lot 218, causing a potential supply interruption to parts of the building and construction sector, reducing that sector's capacity to support NSW economic recovery from the effects of COVID-19.

7.0 Justification and Conclusion

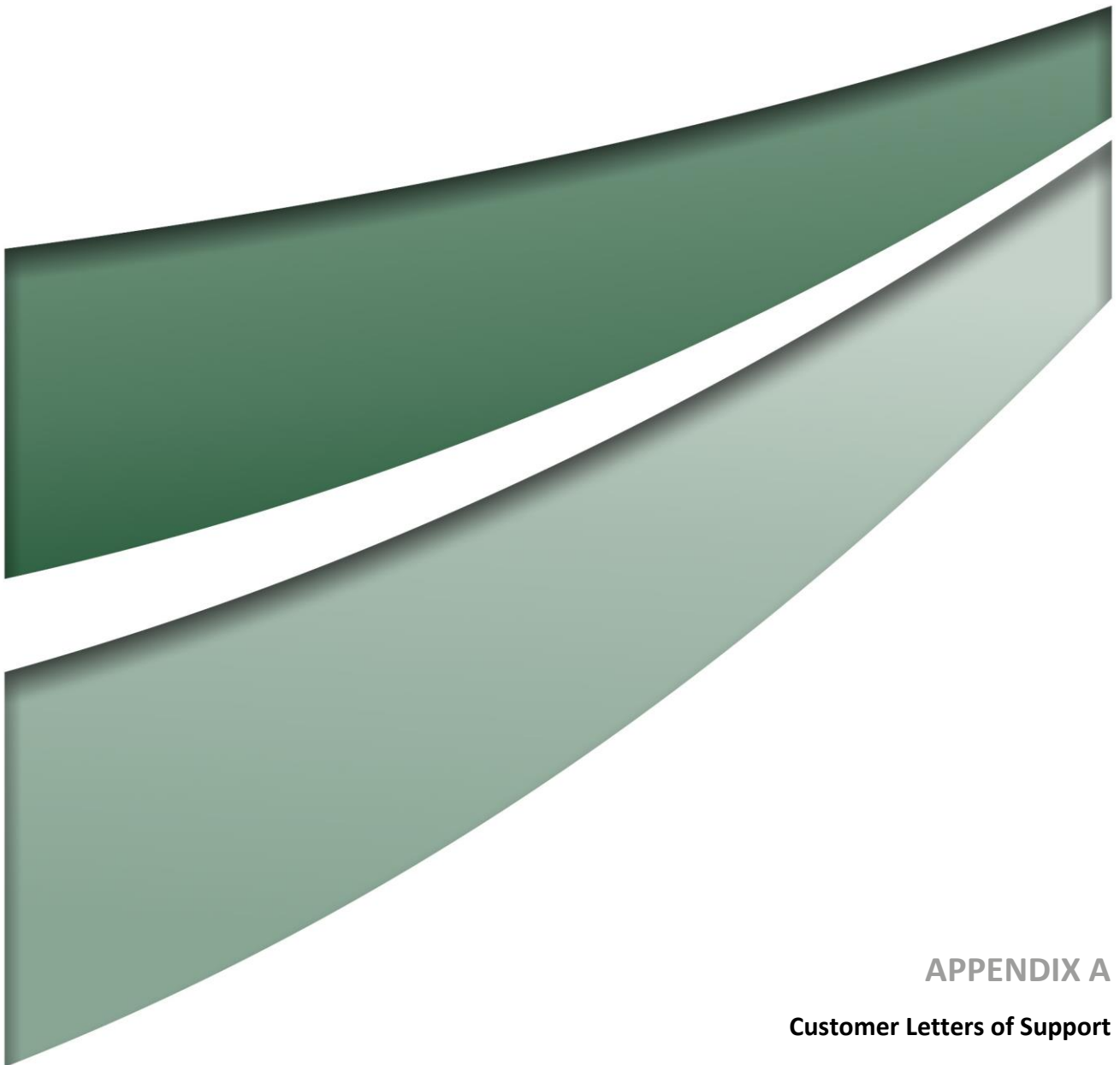
The potential environmental and socio-economic impacts of the proposed Modification have been identified through an environmental screening and risk review process. The assessment of potential environmental and social impacts has found that there will be no increase in impacts as a result of the proposed Modification.

The site is considered suitable for the proposed Modification for the following reasons:

- The site was approved for sand extraction in 2009, and has been used for sand extraction since 2015.
- The site contains extensive sand resources and is located within proximity to markets for these resources.
- The site has convenient, efficient access to its core markets, which assists in reducing supply costs, greenhouse gas emissions and other environmental impacts per tonne kilometre of product transported.
- The proposed Modification would not increase or change the impacts already assessed and approved as part of the approved project.

The proposed Modification will facilitate the continued supply of high quality construction and industrial grade sand into the greater Sydney and Hunter region markets to meet identified demand for these materials, through allowing Mackas Sand to provide an additional 100,000 t of sand in 2020.

The proposed Modification will support the development strategy of the area, through the supply of high-quality construction materials and assist in achieving the aims and objectives of the various strategic and regional planning policies. In addition, the proposed Modification will assist the building and construction sector to support economic recovery in NSW from the impacts of COVID-19.



APPENDIX A

Customer Letters of Support

Attn: Robert McKenzie
Mackas Sand and Soil Supplies
2684 Nelson Bay Rd
Salt Ash
NSW 2318

Via Email: robert@mackas.com.au

6 October 2020

Dear Robert

Critical Importance of Sand supplied from Mackas Sand and Soil

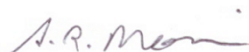
We understand you are applying to amend your DA to increase your annual production capacity at Salt Ash and have requested Holcim provide a letter in support of your application.

As you are aware, Mackas Sand and Soil is a key supplier to Holcim of high grade fine sand used within Holcim's concrete operations in the greater Sydney and Newcastle regions. Mackas fine sand forms part of many of Holcim's concrete mix designs, including those for ongoing NSW major infrastructure projects. Due to its nature, the sand cannot be easily substituted within the market nor within these projects.

The long term relationship that has been built between Holcim and Mackas Sand and Soil has provided Holcim confidence in its supply chain and reduced risk to our customers.

Mackas Sand and Soil is situated in a strong location to service the greater Sydney and Newcastle markets. If this supply was unavailable, Holcim would be required to source alternative sand options potentially further from the network, to fulfill the supply demand, at an increased risk to the supply chain. Material supply chain disruptions will also require protracted and lengthy testing and QA requirements and requests, adding risk of delays to all customer segments, including major infrastructure projects.

Regards



Stephen Mossie
General Manager, NSW and ACT Concrete

12 October 2020

Dear Robert

I would like to express my concerns about today's conversation in relation to the shortage of supply from Macka's Sand for Hanson Construction Materials for the remainder of the year.

Macka's Sand is a critical ingredient for the supply of concrete to several projects in our Hunter and Northern concrete plants, the shortage of supply will impact our customers including NSW government projects that are locked to your specific material.

Can you please confirm what actions you have taken to ensure the supply of material is maintained for Hanson Construction Materials for the rest of the year.

Yours Sincerely



Michael Benic

Area Manager



Level 18
2-12 Macquarie Street
Parramatta NSW 2150
1300 049 649
enquiriesNSW@hymix.com.au

hymix.com.au

12/10/20

Dear Robert,

I would like to express my concerns about today's conversation with Michael Benic in relation to the shortage of supply from Macka's Sand for the remainder of the year.

Macka's Sand is a critical ingredient for the supply of concrete to several projects in our Central Coast and Newcastle concrete plants, the shortage of supply will impact our customers including NSW government projects, RMS projects that are locked to your specific material (Belmont, Mayfield and Berkley Vale in particular)

Can you please confirm what actions you have taken to ensure the supply of material is maintained for Hymix for the rest of the year, we anticipate the Hymix and Hanson Business will require at least another 40-50,000 tonne for the remainder of 2020.

Regards,

Brad Mooney
Area Manager



Gunlake Concrete Pty Ltd

PO Box 1665
Double Bay
NSW 1360

19 October 2020

To whom it may concern

We have recently been informed by one of our principal suppliers, Macka's Sand and Soil, that they are unable to maintain sand supply to Gunlake Concrete Pty Ltd for the remainder of 2020.

On the surface this may seem like a trivial commercial issue that a market supplier has reached its supply limit, but when it is a supplier of a severely limited product, that supplies to the majority of the Sydney Construction material industry it very quickly becomes a significant and essential matter that the NSW Government needs to address.

Taking this level of sand supply out of the Greater Sydney Market, at the same time that other sand sources are also being restricted or exhausted, will severely impact industry ability to supply the market, including the NSW Government Infrastructure program and its essential Post Covid'19 recovery plan.

We urge the NSW Government to urgently review the ability of Macka's Sand & Soil to continue to supply materials at previous supply levels to ensure that ongoing economic activity in NSW can continue, especially when considering the impact that the Covid pandemic has had thus far.

Yours Sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by a horizontal line that extends to the right and then loops back down to the 'G'.

Gunlake Concrete Pty Ltd



ACN 076 108 695
ABN 16 076 108 695

Date: 19th October 2020

RE: Fine Sand Supply to Hunter Readymixed Concrete

To Robert McKenzie,

Robert, I would like to thank you for your recent correspondence regarding fine sand supply from your facilities at Williamstown and Salt Ash.

At Hunter Readymixed Concrete we have been fortunate to have a long term and honest business relationship.

However, in light of our recent conversations regarding current issues around sand supply I would like to emphasise the problems this will cause in the construction industry.

Changes to current mix designs for ongoing RMS (TfNSW) works will need to cease as RMS will not consider raw material changes to these mixes should we have to go elsewhere for fine sand.

Our current workload for the likes of McDonald Jones Homes and Mojo Homes is at an all-time high. Restrictions on sand supply will only hinder these operations and will be detrimental to the industry.

Yours sincerely

HUNTER READYMIXED CONCRETE PTY LTD

A handwritten signature in dark ink, appearing to read "B. Lawrie". The script is fluid and cursive, with a prominent 'B' and a trailing flourish.

Regards,
Brendan Lawrie
General Manager
HRMC

