



14 December 2015

Mr Howard Reed
Director, Resource Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Our ref: 22/17528
Your ref: 16783

Attention: Thomas Watt

Dear Thomas

SSD 6624 - Proposed Slys Quarry Expansion Additional Response to Submissions

This letter provides a response to the Office of Environment (OEH) biodiversity comments from their letter dated 24 June 2015 and to your email dated 02 December 2015.

1 Biodiversity

Since the OEH response to the original *Environmental Impact Statement* (EIS), there have been numerous discussions between GHD and OEH, as well as additional fieldwork and reporting. The attached *Biodiversity Assessment Report* has been updated to address the OEH comments. The draft *Biobanking Assessment* provides more detail on the proposed biobank site to show the required credits are possible to achieve. This would be finalised and submitted following project approval but prior to establishing the biobank site.

2 Sand Quarry

The Condition of Consent 11 for Development Application No. 94/231 states “*Extracted material to be trucked from the site at an average annual rate of 25 outward movements per week, being a maximum of 1,300 movements per annum*”. Assuming the quarry would operate 5.5 days per week and 10 hours per day, as indicated by Condition of Consent 10, this would mean, on average, there would be an additional 1 truck per hour on Tullymorgan-Jackybulbin Road.

Based on the above, the conclusions of the *Traffic Impact Assessment* would not change as the Tullymorgan-Jackybulbin Road and Tullymorgan-Jackybulbin Road/Pacific Highway intersection would still be able to accommodate the increase.

3 Objection

The following provides a response to the issues raised by Mr Hill:

3.1 Community Consultation

Mr Hill raised concerns regarding the community consultation undertaken during the EIS preparation. We acknowledge that GHD or Newman Quarrying have had no contact with Mr Hill. The EIS does claim to have consulted the “nearest landholder” but a more accurate description would have been “nearest resident”. We acknowledge this omission but also recognise Mr Hill has now had the opportunity to comment on the proposal and a response to the issues raised is outlined below.

I have since contacted Mr Hill to discuss the issues in detail and believe most of his concerns can be resolved via communication with the Quarry Manager which is being arranged.

3.2 Hours of Operation

Mr Hill raises concerns regarding the proposed operation hours. As previously discussed with DPE, the proposed extended hours of operation are primarily to service the Pacific Highway upgrade. Newman Quarrying has accepted a reduction in operating hours of 7am to 6pm Monday to Friday providing workers are able to arrive before 7am to ‘start up’ the quarry and leave after 6pm; no excavation, crushing or loading would be permitted outside these hours as requested by Mr Hill. However, it has been requested that the Saturday operating hours are extended to 4pm as proposed. Alternatively, permit the short-term extension of the operating hours following approval by DPE or EPA.

Mr Hill raises concerns about the extended operating hours would result in the operation of the quarry before dawn and after dark in winter. We can confirm the quarry would not operate at night.

3.3 Noise

The location of the proposed dwelling is unknown, however, based on the background monitoring done for the *Noise Impact Assessment*, the likely noise criteria for it would be 35dB(A). As shown on Figure 1, the 35dB(A) contour (orange line) does not extend onto Mr Hills’ property. While noise from the quarry may be experienced by Mr Hill, the *Noise Impact Assessment* indicates it will be within the relevant criteria.

As further reassurance, if the proposal is approved, it is likely there will be a requirement for compliance monitoring, as recommended in the *Noise Impact Assessment*, which would confirm if the noise criteria is achieved.

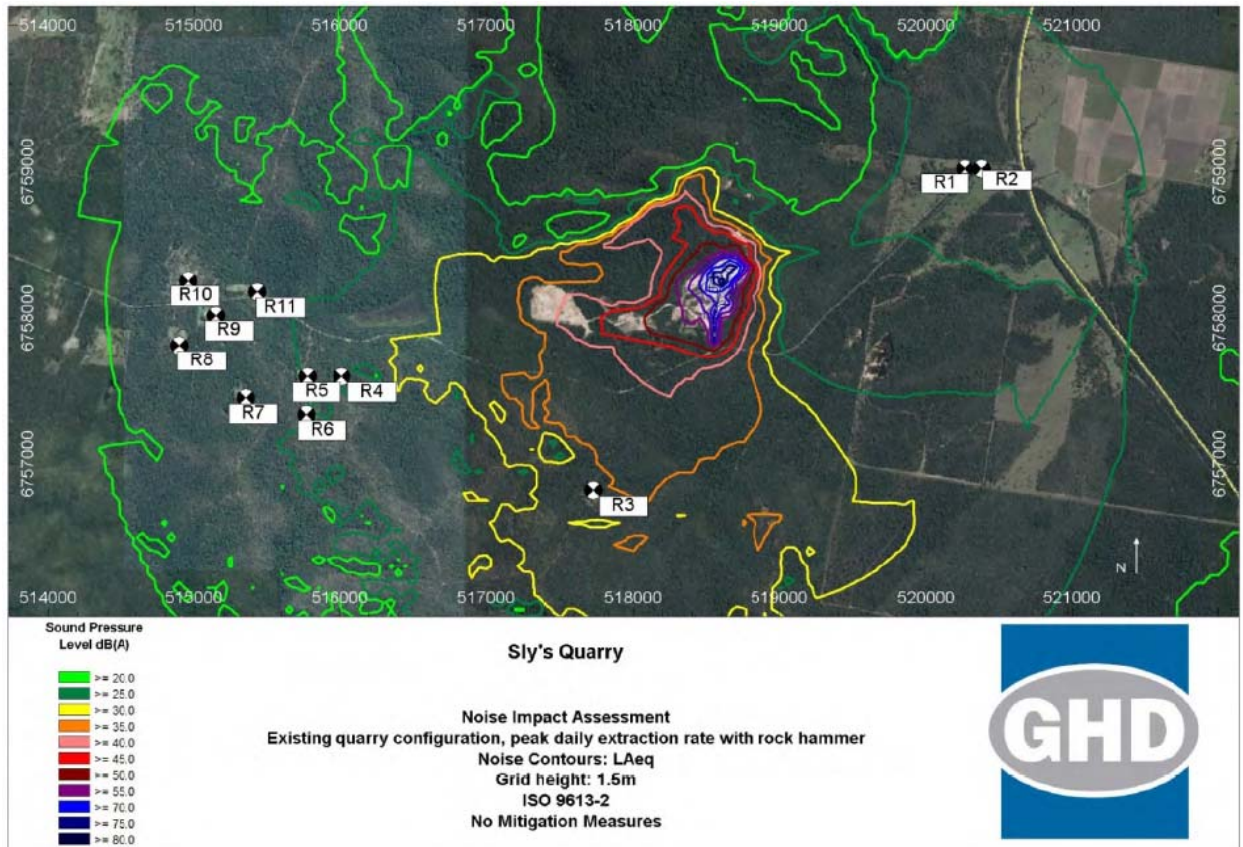


Figure 1 Predicted operational noise levels – Peak daily production with rock hammer (worst case scenario)

3.4 Past Compliance

Although not directly relevant to the current application, Mr Hill claims the current operation has not complied with some of its current conditions of consent. In regards to the rehabilitation of Areas B and C, this has partially been done and if the current proposal is approved, the rehabilitation of Areas B and C would occur within 12 months.

As mentioned in the EIS, the volumes in Table 2-1 are the volumes sold, not extracted, so they don't necessarily indicate over extraction. The volumes are reported to both Council and EPA annually who have not raised any concerns to date. It should also be noted that the existing quarry has been audited by EPA on numerous occasions over the past few years without any penalty notices issued.

3.5 Traffic

Mr Hill raises concerns in relation to vehicle conflicts, dust and school children. Traffic impacts are certainly a concern for everyone involved with the quarry but the *Traffic Impact Assessment* suggests the Tullymorgan-Jackybulbin Road is suitable to accommodate the proposal. To minimise the chance of traffic conflicts, the Drivers Code of Conduct would be strictly enforced by Newman Quarrying.

The management of dust of the road would be included as a requirement in the Environmental Management Plan (EMP) for the quarry, if approved.

In regards to the proposed traffic solutions, the speed humps and wheel wash are considered impractical and would be addressed by other measures in the EMP. We would not object to the reduction in the speed limit but understand it is a matter for RMS and Council.

3.6 Ambit Claim

It is acknowledged the proposed life of the quarry extends well beyond the expected Pacific Highway upgrade works which is the main reason for the increased extraction rate but it is impossible to predict if another development in the future would also have a large demand for resources. The proposed extraction life is to future proof the quarry in case such a development does occur. However, to reassure Mr Hill, the quarry would only operate at its full capacity if there is the demand, so if there is no demand, the quarry would not extract 500,000 tonnes just because it has the approval.

3.7 Visual Amenity

Mount Doubleduke is certainly a local feature but it extends to an elevation of 229m Australian Height Datum (AHD) which is approximately 105m higher than the extent of the quarry. The quarry is likely to be visible from some smaller peaks to the west but these are heavily vegetated which would screen the view. These peaks would block the view of the quarry from areas further west. To the south, the quarry could be viewed but the vegetation and topography are likely to significantly screen the view.

3.8 Environment and Habitat

The impact of the quarry on native wildlife has been assessed in detail according to the BioBanking methodology.

3.9 Minor Issues

In Appendix 2 of Mr Hill's submission, a number of minor issues are raised. In regards to the comments relating to cyclists and pedestrians, there seems to be a misunderstanding, the *Traffic Impact Assessment* does not claim cyclists or pedestrians do not use Tullymorgan-Jackybulbin Road but there are no provisions for them eg footpath or bike lane.

In regards to the discussion regarding other sources of quarried materials, we acknowledge there are other quarries in the area but not many, as the EIS suggests.

The history of the quarry was based on anecdotal information and we accept the exact year the quarry commenced may not be correct. It was more to demonstrate that a quarry has existed at the site for many years which Mr Hill's submission supports.

3.10 Proposed Conditions

We oppose the proposed condition to limit the quarry to Stages 2 and 3 south and limit the life of the quarry, as this would severely affect the viability of the quarry. The justification provided by Mr Hill for these proposed condition has been addressed above.

The proposed conditions 2, 6, 7 and 8 have been addressed above.

In regards to conditions 3 and 4, we have no objection to these, although they would be covered by other measures in the Drivers Code of Conduct.

Proposed condition 5 would be resolved via the contributions the quarry would pay to Council.

The proposed condition 9 could be incorporated into the EMP, if considered necessary.

We trust the above addresses all outstanding issues associated with the proposal but please contact the undersigned, if anything further is required.

Sincerely
GHD Pty Ltd



Ben Luffman

Senior Environmental Scientist/Planner
02 6650 5600

Attachment: *Biodiversity Assessment Report*
Draft Biobanking Assessment