

1 April 2022

James McDonough  
Team Leader, Resource Assessments (Coal & Quarries)  
Department of Planning, Industry and Environment  
4 Parramatta Square, 12 Darcy Street  
PARRAMATTA NSW 2150

Dear James,

## **SANCROX QUARRY EXPANSION (SSD 7293) – RESPONSE TO FURTHER ADVICE FROM PORT MACQUARIE HASTINGS COUNCIL AND BIODIVERSITY AND CONSERVATION DIVISION**

We refer to your correspondence, dated 26 August 2021, requesting a response to the issues raised in the further advice provided by the Department's Biodiversity and Conservation Division (BCD) and Port Macquarie-Hastings Council (Council) in relation to the Response to Submissions (RTS) report for the proposed Sancrox Quarry Expansion Project (SSD-7293).

We note that further advice was received from BCD dated 16 September 2021 as a result of clarifications requested by Hanson.

This letter provides responses to each of the issues raised by the BCD and Council, and is supported by an Addendum to the Biodiversity Assessment Report (BAR) prepared by SLR Consulting, that documents the changes made to the biodiversity assessment as a result of the issues raised by BCD.

Key terms used in this letter are as follows:

- BAR: Biodiversity Assessment Report, including:
  - BAR Addendum: An addendum report to the BAR provided at **Attachment 1**.
  - Revised BAR: The BAR submitted as part of the RTS, prepared by SLR and dated May 2021.
- BCD: the Department of Planning and Environment's Biodiversity and Conservation Division.
- Council: Port Macquarie-Hastings Council.
- DPE: Department of Planning and Environment.
- FBA: The Framework for Biodiversity Assessment.
- RTS: The Response to Submissions Report for the Sancrox Quarry Expansion project, dated 20 May 2021.

## **Issues Raised by Biodiversity and Conservation Division**

### **1. Further information must be provided in the BAR and FBA calculator in accordance with the FBA and operational manuals.**

Section 3.1 of the BAR Addendum report at **Attachment 1** provides a detailed response to the BCD queries in relation to the attribution of biodiversity values under the Framework for Biodiversity Assessment (FBA) calculator. In particular, it provides discussion around the Landscape Score arising from habitat connectivity and future vegetation cover.

### **2. The anomaly in the BAR and FBA calculator regarding the number of plots for vegetation zone NR 263 Mod/Good must be corrected.**

Section 3.2 of the BAR Addendum report (see **Attachment 1**) explains the error made in relation to the reporting of plots for vegetation zone NR 263 Mod/Good and the changes made to the FBA calculator.

### **3. Further avoidance of biodiversity values should be incorporated into the proposed development.**

Avoidance of impacts have been addressed comprehensively in Section 3.3 and Appendix C of the BAR Addendum report (see **Attachment 1**).

With respect to Hanson's capacity to avoid biodiversity impacts, it is highlighted that the proposed quarry expansion is required to be located adjacent and contiguous with the existing quarry pit and associated infrastructure, due to the location of the geological resource, so there is no real possibility of locating the proposed pit to another location within the site (or beyond the site).

With this underlying geological constraint identified, Hanson has made a range of specific changes to the proposed quarry expansion in order to avoid impacts on biodiversity values (native vegetation and fauna habitats):

- The western boundary of the quarry pit expansion has been reshaped (to approximate the lot boundary) and pulled to the east, reducing potential 'edge effects', and ensuring that there is as much vegetation as possible retained on-site – resulting in a 300m wide corridor for north-south connectivity for Koala and other fauna to move around the existing and proposed quarry pits.
- The development footprint has been reduced from the originally proposed 60.60 hectares to 49.9 ha, a reduction of approximately 10 ha, reducing clearing of native forest vegetation (PCT 1262) by a similar amount.

These avoidance measures result in the loss of access to approximately 14 million tonnes of resource over the life of the quarry, which would correspond to a loss of up to \$350M to the local and regional economy. This is a very significant reduction in quarrying resource that Hanson has committed to in order to avoid biodiversity values.

It is also highlighted that the proposed quarry expansion is to be staged, with associated vegetation clearing to be completed progressively over several decades. This means the impacts on flora and fauna across the development footprint will be progressive and will allow time for mobile fauna species to disperse from the impact area over time and relocate prior to impacts arising from later stages of clearing.

As part of the quarry expansion, Hanson is also proposing to revegetate cleared grazing land within the wider Hanson owned property. Around 17.1 ha of cleared grazing land occupies the western parts of the site (west and north-west of the proposed expansion pit). Revegetation of these cleared grazing lands will, over time, widen the post-development connecting link of contiguous woody vegetation around the western side of the site, resulting in the retention of a 300m wide biodiversity corridor, and improvement to the connectivity of habitat for the Koala and a range of other mobile native fauna species. This 300m wide biodiversity corridor is up to 3-times the width of the pinch point immediately south of Sancrox Road indicating that the function of this corridor will be retained. Proposed revegetation works will commence after approval and will therefore be well established prior to impacts associated with later stages of the quarry occurring.

Taking these measures into account, the following areas are relevant in the assessment of net impacts on biodiversity values across the entire Sancrox Quarry site:

- Total Sancrox property = 145.4 ha
- Total area of vegetation removal = 30.4 ha
- Total vegetation retained on-site = 63.9 ha
- Total land currently cleared to be revegetated = 17.1 ha

### **4. Further avoid and mitigation options need to be considered as part of the proposal to reduce the impact on Koala, their habitat, and their movement corridors.**

Section 3.4 of the BAR Addendum report (see **Attachment 1**) provides further assessment of Koala avoidance and mitigation measures, identifying that the avoidance measures described above benefit Koala (as well as other flora and fauna species), and have resulted in the reduction in Koala habitat loss from 43.1 ha in the original Environmental Impact Statement to 30.4 ha as part of the current design – a reduction of 12.7 ha or around 30%.

It is also highlighted that the current design allows for retention of forested areas to the west of the proposed quarry pit expansion that will retain Koala habitat in situ and allow potential for north-south movement of the Koala, as well as providing for revegetation of currently cleared grazing pasture (further to the west and north-west) for the purpose of re-establishing Koala habitat. For residual unavoidable impacts on Koala habitat, the purchase and retirement of species credits will be applied to compensate for the loss of Koala habitat, in accordance with the FBA.

## **5. The indirect impacts of the development have not been considered in accordance with the FBA and further information and justification is required.**

Section 3.5 of the BAR Addendum report (see **Attachment 1**) provides further information and justification of the assessment of indirect impacts.

**The supplementary letter from BCD on 16 September 2021 reiterated the BCD recommendation that further avoidance measures need to be applied, and that this should include substantial reduction of the development footprint.**

Appendix C of the BAR Addendum report (see **Attachment 1**) includes a detailed analysis of avoidance measures applied throughout the assessment of the proposed quarry expansion, including a substantial reduction of the quarry pit expansion area of some 10ha, and the retention of a significant habitat corridor along the western part of the property, of approximately 300m in width. The reduced quarry expansion footprint results in vegetation removal now limited to approximately 30ha, with residual unavoidable impacts to be compensated for by habitat and species offset credits as well as the revegetation of some 17ha of currently cleared land immediately adjacent to the quarry pit expansion area.

## **Issues Raised by Port Macquarie-Hastings Council**

### **1. Water headworks charges.**

Hanson has no objection to Council's proposed condition on water contributions.

### **2. Planning Agreement Requirements for Heavy Haulage Contribution**

Hanson has no objection to Council's proposed condition on heavy vehicle haulage contributions.

### **3. Existing Planning Agreements related to the site**

Hanson is working with Council towards dedication of the Access Road Land and will ensure this dedication happens in accordance with the existing planning agreement as quickly as possible.

### **4. Section 94A Levy Plan Cost of Works Charges**

Hanson has no objection to Council's proposed draft Section 7.12 Contribution Condition.

### **5. Biodiversity**

#### **A. Response to Submissions Report**

- 1. There are two different figures for vegetation removal within the document; "clearing of 39.02ha of native vegetation" (page 7), "the removal of 42.6ha of potential koala habitat" (page 29), and "the loss of 39.02ha of native vegetation comprising potential koala habitat" (page 45).**

These vegetation removal calculations have been further modified as a result of recommendations from the BCD. A BAR Addendum report is provided at **Attachment 1** and it includes a detailed analysis of the revised biodiversity impacts, and confirms that vegetation clearing is now limited to 30.4 ha.

2. **The RTS states that a reduction in total footprint to 57.55 ha will result in a significant reduction in the environmental impact of the proposed development” (page 5), yet doesn’t define the impact it is reducing or explain how the proposed reduction will achieve it.**

The reduced total footprint of the quarry expansion has the effect of reducing several potential environmental impacts, by undertaking the activity in a smaller area and further away from the property boundaries. However, the reference in the RTS is mostly relating to the reduced biodiversity impacts that are achieved by reducing the extent of vegetation clearing. The BAR Addendum report at **Attachment 1** provides a detailed analysis of the revised biodiversity impacts.

3. **“a revised narrowing of the North-South Corridor from >100m to <100m”, yet does not stipulate or illustrate what or where this is. Noting that the narrowing is only accounted for within the biodiversity offset calculation and does not include an evaluation of the North-South corridor or its importance.**

As with other biodiversity impacts, they have been assessed in the BAR in the context of and in accordance with the FBA. The impacts on the north-south corridor have been further modified as a result of recommendations from the BCD. The BAR Addendum report at **Attachment 1** provides a detailed analysis of the revised connectivity impacts of the corridor, including a detailed analysis of habitat connectivity issues located within Appendix C. In summary, the proposal now includes a 300m wide biodiversity corridor, which is up to 3-times the width of the corridor’s pinch point immediately south of Sancrox Road, meaning that current connectivity values of the north-south link through the site are being largely maintained, thereby avoiding adverse impacts on local flora and fauna dispersal, and on the dispersal of threatened species (including the Koala).

4. **“clearing of habitats and native vegetation will be offset through new planting and revegetation of an offset site of approximately 49ha”. However, there is no plan included that illustrates this. Given the area in question is already vegetated, demonstration of how this will be achieved is required.**

The proposed ‘offset site’ is discussed in Section 7.8 of the Revised BAR (dated May 2021, submitted as Appendix H of the RTS), and its location within the Sancrox Quarry site and the vegetation types contained within are illustrated in Figures 10, 11 and 12 of the Revised BAR. The areas of cleared land visible within the aerial image in Figure 11 are proposed to be revegetated.

As part of the current response to the BCD submission on the RTS, additional areas are proposed for revegetation to the west of the proposed pit expansion area. The areas of cleared land proposed to be revegetated are shown in Figure 3 of Appendix C of the BAR Addendum report (**Attachment 1**). Around 17 ha of currently cleared land will be revegetated. The rest of the 49ha offset area will be subject of habitat improvements. Section 5.5 of the Revised BAR sets out the general strategies in relation to land rehabilitation and revegetation, and specifies that a Biodiversity Management Plan would be prepared. It is also highlighted that in order to generate any biodiversity offset credits, the offset site would be subject of a Stewardship Agreement under the *Biodiversity Conservation Act 2016*, which would document Hanson’s obligations in terms of conservation and improvement of biodiversity values at the offset site.

## B. Revised BAR:

1. **Council identifies that some survey plots are already cleared or impacted by existing quarry operations and are therefore invalid.**

The plot locations have been selected in accordance with the FBA and are considered valid.

2. **The report states there are three vegetation communities present on site yet only describes two within the report,**

One vegetation community (a small patch of Subtropical Floodplain Forest EEC) was removed from the Revised BAR as the proposed pit layout was modified to avoid it, resulting in the vegetation community no longer being required for inclusion in the FBA calculation.

3. **The report identifies nine Hollow Bearing Trees, but does not provide an assessment of them nor proposes how their removal will be avoided, mitigated or offset.**

There is no specific assessment requirement under the FBA in relation to hollow bearing trees. The proposed mitigation measures are set out in Section 5.5.1 of the Revised BAR and include details of how impacts associated with clearing hollow bearing trees would be avoided and mitigated by way of pre-clearing surveys by an ecologist, and conducting clearing of habitat trees under the supervision of an ecologist. A Hollow Bearing Tree Removal Protocol would form part of the Biodiversity Management Plan to be implemented at the site.

4. **The report states a reduction in proposal footprint from 60.6ha to 57.55ha based on geological and ecological constraints (page 52) yet previously stated the reduction (of approximately 3ha) was due to flood risk on the NW corner of the pit identified after assessment (page 5). Noting there is no illustration of where this 3 ha reduction is/ has occurred.**

These concerns are now redundant as the quarry pit expansion area has been further reduced, as documented in the BAR Addendum report at **Attachment 1**.

5. **Targeted searches for three threatened plant species were undertaken in 2015/2016, however only one day (14 person hours) of targeted searches (16 October 2015) are presented.**

The methods applied to threatened plant searches are described in Appendix B of the Revised BAR, and include documentation of surveys conducted in 2015. As documented in Section 6.4.2 of the Revised BAR a follow up survey was carried out in 2016 to confirm that an identified orchid was not a threatened Spider Orchid.

6. **Does not reference the Koala survey or report undertaken by SLR (December 2020) within the document as a source document nor are the results discussed other than the subsequent requirement for koala species credits.**

The Koala report is provided at Appendix H of the Revised BAR and is summarised in Section 4.4.4 of the Revised BAR. Mitigation measures are set out in Section 5.5 of the Revised BAR, which include measures to avoid and minimise impacts on fauna species, including Koala. Further, the proposal to revegetate parts of the site west of the proposed pit expansion area would mitigate the loss of Koala habitat on the site and retain a significant north-south fauna corridor through the site.

7. **There are no mitigation measures outlined in the BAR for koala other than a 'reduced impact on the North-South corridor', nor is the preparation of a Koala Plan of Management mentioned.**

See answer to item 6 above. Measures to protect Koala at the site, as well as mitigation and management measures for Koala habitat, will be included within the Biodiversity Management Plan.

8. **Niche Environment and Heritage Pty Ltd have been engaged by Council to undertake an environmental values review to inform the draft Fernbank Creek and Sancrox Villages Structure Plan. It is noted that this environmental values review has not been considered within the Sancrox Biodiversity Assessment Report.**

The Revised BAR submitted with the RTS, and the BAR Addendum report provided at **Attachment 1**, have been prepared in accordance with FBA.

9. **These reports states that speed limits will be reduced to 40km/h. However, the Revised Air Quality Impact Assessment states that speeds would be 30 km/h. Amend as required.**

The lower recommended speed limit will apply as relevant, and will be documented in the Construction and Operation Environment Management Plans as appropriate.

### C. Koala Survey and Report

1. **the removal of 42.6ha of native vegetation (page i) will be required for the proposal. The Response to submissions report states this figure and also 39.02ha - clarification is required.**

Further changes to the proposed quarry expansion area have been made, and are documented in the BAR Addendum report at **Attachment 1**, including a revised calculation of native vegetation and Koala habitat that is now proposed to be cleared – being 30.4 ha.

2. **there are three Plant Community Types (page viii) across the site containing 13 koala use trees and therefore all vegetation is considered potential koala habitat. This is inconsistent with the BAR (2021) which only offsets two Plant Community Types.**

One PCT was excised from the site as part of the redesign of the proposed pit expansion layout, leaving only two PCTs within the current development footprint. As part of the 'avoidance measures' applied to the project to avoid impacts on biodiversity values, the pit layout was modified during the RTS to avoid the small patch of Subtropical Floodplain Forest EEC. Revised offset calculations for Koala have been provided in the BAR Addendum report at **Attachment 1**, based on the reduced quarry expansion footprint.

3. **Following two consecutive nights of survey, determined that there are two koala activity cells within the proposed quarry extension (Figure 2) and a likelihood of one or more resident koalas within the Sancrox Quarry area, yet does not determine or state if the site contains 'core koala habitat'.**

The vegetation has been identified as Koala habitat and has been assessed accordingly under the FBA and will be offset accordingly through the retirement of species credits.

### 6. Revised Air Quality Impact Assessment

1. **Executive Summary and Section 8 - Suggest that roads within the project and site access gates are to be managed to ensure sediment removal both daily and on an as needs basis to effectively minimise sediment accumulation and associated potential dust generation.**

Hanson will sweep roads daily and on an as-needed basis to remove sediment.

2. **Executive Summary and Section 8 - Reword 'Unsealed haul roads are to apply dust suppressant'. Also, specify at what frequency dust suppressant would be used.**

Hanson will apply dust suppressant to unsealed haul roads as required and dictated by within the Air Quality Management Plan and subsequent Air Quality Trigger Action Response Plan.

3. **Executive Summary and Section 8 - It is suggested that more stringent mitigation measure(s) to minimise particle dispersion from all stockpiles and disturbed areas be developed (e.g. the use of progressive stabilisation techniques such as revegetation and use of soil binder on stockpiles and disturbed areas). The use of water sprays on stockpiles alone may not be sufficient.**

Hanson has committed to the preparation of an Air Quality Management Plan as well as an Air Quality Trigger Action Response Plan. If water sprays are unable to sufficiently reduce dust emissions from stockpiles, then further stabilisation techniques will be implemented.

4. **Duplicate of 3.**

5. **Executive Summary and Section 9 - Please describe the duration and frequency of the recommended air quality monitoring.**



Real-time ambient air quality monitoring is proposed. That means that monitoring is happening continuously and all the time when the quarry is operational.

6. **Section 2.1.2 - Air quality impacts should be considered and mitigated to comply with relevant legislation, regulations, standards and guidelines for existing and future potential receivers. This may include investigation areas as outlined within Council's Urban Growth Management Strategy and any subsequent areas identified within Council's draft Fernbank Creek and Sancrox Villages Structure Plan and the Le Clos Sancrox Planning Proposal.**

Air quality impacts have been assessed to comply with relevant legislation, regulations, standards and guidelines for existing and future potential receivers. Conversely, Council should not facilitate the rezoning and redevelopment of rural land surrounding the quarry to be developed for residential uses, without first considering the potential land use conflict issues arising from such change in land use.

7. **Section 3.1.2 - In relation to the last sentence within this section, consider the investigation areas as outlined within Council's Urban Growth Management Strategy and any subsequent areas identified within Council's draft Fernbank Creek and Sancrox Villages Structure Plan and the Le Clos Sancrox Planning Proposal in relation to this comment. Adjust the relevant assessment criterion as required.**

This relates to odour. Odour impacts would comply with the relevant impact assessment criteria even if Council proceeded with rezoning and encouraging the development of the land to the west of the quarry site for residential uses. Due to the distance to these areas, the odour impacts from the asphalt plant would be negligible (less than 2 Odour Units), as can be seen from Table 7.4 of the Revised Air Quality Impact Assessment.

8. **Table 9.1 (Item 1) - Modifying of work practices should be undertaken during all periods of adverse weather, not just when dust is seen leaving site. Measures should be implemented on site to minimise the generation and emission of dust within the site, prior to any potential offsite impacts.**

Table 9.1 already states that work practices would be modified during "periods of adverse weather (hot, dry and windy conditions)". Hanson would prepare and implement an Air Quality Trigger Action Response Plan, which will be driven by real-time air monitoring to ensure that modification of work practices occurs whenever it is necessary to do so in order to avoid offsite dust impacts.

9. **Table 9.1 (Item 3) - It is unclear what the statement 'in accordance with contractual requirements' refers to. Consider removing this statement from this item. The 'trigger / timing' should also be revised to 'as soon as practical following land shaping'.**

Land cannot be revegetated until the final land shaping has occurred. Detailed practices for land stabilisation, including rehabilitation and revegetation where appropriate, will be documented in the Air Quality Management Plan with rehabilitation and revegetation specifics detailed in the Biodiversity Management Plan.

10. **Table 9.1 (Item 5) - Measures (such as water sprays) should be implemented on site to minimise the generation and emission of dust within the site, prior to potential dust generation, not just when visible dust is generated.**

Water sprays will be used whenever there is potential for wheel generated dust on unsealed and unestablished roads / surfaces, as well as on mechanical transfer points, such as conveyors.

11. **Table 9.1 (Item 11) - Consider rewording to state: '...with a maximum speed limit of 30km/hr'.**

The proposed wording has the same effect as the current wording. The maximum speed limit will be 30km/hr.

12. **Table 9.1 (Item 12) - Specify the frequency of sealing of hauls roads with chemical suppressant.**

Chemical suppressant will be applied as needed/required. The Air Quality Management Plan will document the likely re-application frequency.

**13. Table 9.1 (Item 14) - Suggest rewording to 'All trucks delivering to or leaving from the site will have their load covered'.**

The proposed wording has the same effect. All haulage trucks will have covered loads, as will be detailed within the Transport Management Plan.

**7. Revised Noise Impact Assessment**

**1. General - Exceedances of criteria are difficult to interpret within this report. Consider colouring and bolding exceedances to allow the reader to better interpret this information.**

It is not considered necessary. No exceedances of the operational noise criteria are predicted.

**2. Section 4.3.2.7 - This section refers to notification requirements in accordance with DA 1995/193. It is suggested that notification requirements associated with the proposal should also be discussed.**

If the project is approved, notification requirements for future blasting will be set out in the new development consent and Blast Management Plan. Hanson considers that these existing notification requirements would remain sufficient.

**3. Section 6.2.5 - This section states that 'there are no other construction projects proposed for the area'. However, it may be considered that the industrial subdivision to the immediate east of the proposal and potential future development within the vicinity of the quarry may result in construction activities. Substantiate this comment in relation to the potential future development of land within the vicinity of the proposal.**

Hanson has not received any indication of the timing for this industrial subdivision. It is highlighted that the industrial subdivision is located on the north-eastern side of the Hanson site, a significant distance away from the closest sensitive receivers, which are located to the west and south-west. As stated in Table 3 of the RTS, The Noise Management Plan will take into consideration any nearby construction projects in relation potential cumulative impacts.

**4. Section 7.4 - It is noted that the 2016 Pacific Highway Upgrade Operational Noise Management report has been used to determine existing road traffic volumes. This information appears to be based on 2014 monitoring and forecasts. Consider the use of more recent information to improve the reliability of the assessment of potential noise impacts associated with operational road traffic.**

Road traffic noise impacts have been assessed as negligible. This assessment outcome arises due to large number of vehicles already affecting road traffic noise along the Pacific Highway. It is conservative and reliable, because if more recent traffic estimates were used, then this would have the effect of increasing the existing traffic noise and establishing a higher baseline, making the effect of the Hanson vehicles less significant in the terms of the overall noise criteria. Either way, the traffic noise impact would remain as negligible.

**5. Section 8.1 (first dot point) - All existing and future potential receivers that may be impacted outside of recommended standard hours should be notified in accordance with relevant standards and guidelines.**

The nominated receptors are those that would be impacted. Notification protocols would be established in the Noise Management Plan.

**6. Section 8.1 (first second dot point) - Respite periods should be implemented in all instances where this mitigation measure is triggered in accordance with relevant standards and guidelines.**

Protocols for respite would be agreed with the affected sensitive receptor, and would be established in the Noise Management Plan.



7. **Section 8.2 (At Source Mitigation) - A timeframe for the undertaking of attended noise monitoring following the receipt of a complaint should be provided (e.g. within 24 hours of a complaint being received).**

Protocols for addressing a noise complaint, including timing for undertaking attended noise monitoring would be set out in the Noise Management Plan. Generally speaking, carrying out attended noise monitoring would take place as soon as is practicable.

## 8. General Planning Comments

1. **Section 1.8.1 - The Greater Sancrox Structure Plan 2014-2034 is a separate planning investigation to the Fernbank Creek and Sancrox Planning Investigation as detailed within Section 1.8.4. In effect, the Greater Sancrox Villages Structure Plan may supersede the Greater Sancrox Structure Plan 2014-2034 if ultimately adopted by Council. It is suggested that '(see Section 1.8.4 below)' be removed from Section 1.8.1.**

Section 1.8.4 of the RTS remains valid and Greater Sancrox Villages Structure Plan has been considered.

2. **Section 2.3.2 - It is noted that this section does not accurately reflect all comments provided by Council's CCC Representative as part of the CCC review process.**

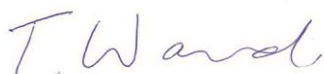
Council provided an extensive list of comments and observations into the Draft RTS. Section 2.3.2 was an attempt to distil this into a summarised format that did not overwhelm the RTS.

3. **Section 6 - Note that on 17 March 2021, Council Resolved to exhibit the draft Fernbank Creek and Sancrox Villages Structure Plan for a period of not less than 28 days to seek further feedback from the community and other stakeholders in the finalisation of the draft Plan. Section 6 and other RTS documentation (as relevant) should consider the draft Fernbank Creek and Sancrox Village Structure Plan information.**

The proposed Sancrox quarry expansion remains compliant with relevant guidelines and standards, even if Council were to progress with the draft Fernbank Creek and Sancrox Village Structure Plan, as documented (and relied upon) within the draft Fernbank Creek and Sancrox Village Structure Plan itself. Notwithstanding this, as we point out in our submission to Council in relation to the draft Fernbank Creek and Sancrox Village Structure Plan, compliance with standards established by the NSW Environment Protection Authority (EPA) and Department of Planning and Environment in relation to matters such as noise, dust, odour, and vibration does not necessarily address the perceived impacts from future landowners, or conflicts that might arise from community tension, that would be expected to increase as a result of increased residential development intensity around the quarry. For example, whilst the noise impact assessment has demonstrated compliance with the EPA's Noise Policy for Industry, future residents would still be able to hear the quarrying activities – so increased residential density in close proximity to the quarry could lead to increased potential for land use conflict, even if the quarry complies with the EPA standards. In light of this, it is incumbent on Council to undertake a robust assessment of the suitability of rezoning the land immediately adjacent to an existing quarry (and land identified as containing a significant extractive materials resource) for residential purposes.

We trust that the information provided above is suitable to address the further issues raised by Council and the BCD. If you have any question in relation to the additional information provided, please contact me on 0450 133 453 or at [tward@ethosurban.com](mailto:tward@ethosurban.com).

Regards



Tim Ward  
Director, Planning (Environmental Assessment) – Ethos Urban