

Secretary
NSW Department of Planning, Housing and
Infrastructure

via email:

Planning

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27 March 2025

SSDA-6134968 South Keswick Quarry Continuation Project - Objection

Dear Mr Blane,

1.0 Introduction and Background

1.1 Existing Holcim Dubbo Quarry

Holcim (Australia) Pty Ltd (Holcim) is the owner and operator of the Holcim Dubbo Quarry.

The Holcim Dubbo Quarry has been operational since Development Consent dated 18 March 1980 for “Application to Establish Basalt Quarry Portions 208 and 211, Parish Dubbo” issued by the former Talbragar Shire Council which is now within the Dubbo Regional Council local government area.

On 2 March 2023, the Minister for Planning's delegate granted approval to SSD-10417 with the issue of a Development Consent which approved the Holcim Dubbo Quarry Continuation Project located at 22L Sheraton Road, Dubbo for the Western Extraction Area (WEA) and the Southern Extraction Area (SEA) extensions, subject to 127 conditions.

The conditions imposed included among others the preparation and submission of management plans for mitigating and managing of Noise, Air Quality, Aboriginal Cultural Heritage, Water, Environmental Management, Traffic, and Biodiversity before and during operations with each having been approved by the Secretary post-approval. This Development Consent also requires regular monitoring reports and auditing to demonstrate compliance.

This approval allows Holcim to extract basalt at a rate of up to 500,000 tonnes per annum, and up to 7.86 million tonnes over a 25-year period.

1.2 Existing South Keswick Quarry

In 2016 Dubbo Regional Council (DRC) received DA 2016-482 for a new basalt quarry at 20L Sheraton Road, Dubbo being land located to the immediate north of the existing Holcim Dubbo Quarry.

DRC assessed DA 2016-482 including the submitted Environmental Impact Statement (EIS) which detailed the proposal involved the following:

Specific details of the development as identified in the Environmental Impact Statement (EIS) are:

- Extraction of basalt and limited volumes of overburden from an Extraction Area of approximately 24 hectares, to a depth of 12-15 metres below the surface;
- Production of up to 250,000 tonnes per annum of basalt products for a period of up to 30 years;
- On-site crushing, screening and stockpiling of extracted material to produce a range of aggregate and crushed rock products;
- Transportation of the above products directly to the customers using B-double trucks and truck and dog combination;
- Establishment of ancillary infrastructure, including bunds, water management structures, a workshop, a weighbridge and offices;
- Construction of an access road and intersection with Sheraton Road;
- Upgrade of Sheraton Road to allow for the safe and efficient movement of heavy vehicles (up to B-double configuration) between the Project Site and the Mitchell Highway. The maintenance of the upgraded road is proposed to be undertaken via a Planning Agreement; and
- Construction and rehabilitation of a final landform that would be geotechnically stable and would be suitable for a final land use of intermittent grazing, consistent with the current land use.

Plans of the proposed development are provided attached as per **Appendix 1**.

The Western Joint Regional Planning Panel considered the Council assessment report and determined the DA by granting approval at its meeting held on 18 April 2017, subject to 49 conditions.

Development Consent DA 2016-482 was issued on 5 July 2017. One condition was imposed to require a management plan being condition 49 which states:

- (49) The Applicant shall submit a Dust Suppression Management Plan to Dubbo Regional Council for approval prior to the commencement of earthworks on site. The Plan shall demonstrate that dust generated on the site shall be controlled so as to minimise movement of dust particles off the site, in particular to minimise impact on the adjacent solar farm and to maintain the amenity of the area. The management plan shall also include dust suppression methods for pre and post construction stages, and the ongoing operations of the site.

{Reason: To maintain the amenity of the area and minimise dust impacts on the adjacent solar farm}

This consent did not impose or require any other management plans to be prepared or requiring approval by DRC. This consent did not impose or require any monitoring reports or auditing to demonstrate compliance with the submitted EIS. In 2020, DA 2016-482 was modified to increase extraction to 495,000 tonnes per annum, and up to 4.8 million tonnes over 30 years.

The Department of Planning, Housing and Infrastructure has received SSDA-6134968 for the expansion of the South Keswick Quarry which seeks approval for the following as described in the submitted EIS:

- extending the life of the quarry by an additional 20 years,
- increasing the rate of extraction from 495,000 tonnes per annum to 750,000 tonnes per annum and up to 7.5 million tonnes of basalt to be extracted over the life of the Quarry.

This letter has been prepared as an objection to SSDA-6134968 on the following grounds:

2.0 Grounds for Objection

2.1 Inadequate considerations of all existing and approved noise and vibration impacts

Holcim, as detailed above, obtained approval to extract basalt in the WEA and SEA under SSD-10417 prior to the SSDA-6134965 application being made. As the Department of Planning, Housing and Infrastructure (DPHI) are aware, the development approved under Holcim's SSDA-10417 has commenced.

SSD-10417 included detailed cumulative noise and vibration impacts from its existing operations, proposed operations and the operations on adjoining land.

The EIS with its Noise and Vibration Impact Assessment (NVIA) submitted with the SSDA-6134965 is dated 24 October 2024, at which point in time not only was there an approval in place for the Holcim Dubbo Quarry Continuation Project (SSDA-10417), but this operation had commenced.

It is clear that the scope of the submitted NVIA is inadequate given it states in part at p.14 under the heading "2.5 Scope of Assessment":

As part of the Scoping Report – South Keswick Production Increase (Umwelt, 2023) (the Scoping Report), RHPL sought to increase the approved rate of extraction from 495,000tpa to a maximum of 750,000tpa. However, following a review of market demand over the short to medium term, and taking into account various delays in the delivery of major projects in the region, a revised approach to the production output required to meet forecasted peak demand has been considered. On this basis, the application has been revised to define a long-term resource of approximately 7.5 million tonnes, with no change to the approved rate of production.

This assessment has been carried out on the basis that the Quarry was to produce an annual capacity output of 750,000tpa. However, it is acknowledged that the proponent is not seeking approval for this level of output and therefore the results of this assessment should be considered conservative as they reflect production levels of up to 35% greater than the approval being sought.

The current approval for the site is limited to a maximum production rate of 495,000 tonnes per annum and the SSDA seeks approval to increase production to 750,000 tonnes per annum - therefore the statement "...with no change to the approved rate of production" is misleading. So too there is another misleading statement above: "However, it is acknowledged that the proponent is not seeking approval for this level of output and therefore the results of this assessment should be considered conservative as they reflect production levels of up to 35% greater than the approval being sought".

The submitted NVIA includes information which states that the unattended noise monitoring was undertaken in 2016 which does not include all of the relevant period, and does not account for the approved and current operations of the Holcim Quarry, and is not suitable to determine the cumulative impacts of the proposal.

The NVIA fails to acknowledge the existing and approved levels of production with the associated approved noise and vibration impacts of Holcim's operations having been assessed and approved before the current application was lodged. Therefore, the EIS does not capture the true cumulative impacts of the proposal. This is reflected in the noise contour mapping as submitted which is significantly different from the approved SSD-10417 Holcim EIS, and its associated NVIA.

The onus is on the proponent to undertake all modelling and assessment to demonstrate all cumulative impacts of their proposal in the first instance to support their application. This is not a burden on Holcim to demonstrate. Also it is not clear to Holcim how the proposal will manage its unacceptable impacts including distinguishing these operations from existing operational approval on the Holcim land.

As such, the SSDA-6134965 in its current form is inadequate, will result in unacceptably adverse impacts on nearby sensitive receivers and should not be supported, but rather should be refused.

2.2 Inadequate considerations of air quality and dust impacts

The submitted Air Quality and Greenhouse Gas assessment states at page 7:

“Annual and seasonal windroses were compiled for six years from 2017 to 2022.

It is not clear why the period does not take into account 2023, 2024 and 2025.

While there is acknowledgement of the Holcim SSDA-10417 in the submitted Air Quality and Greenhouse Gas report, it is not clear to Holcim how the proposal will manage its impacts including distinguishing the proposed operations from existing operational approval on the Holcim land. As such, the SSDA in its current form is inadequate, will result in unacceptably adverse impacts on nearby sensitive receivers and should not be supported, but rather should be refused.

2.3 Inadequate considerations of traffic impacts

The submitted Traffic Impact Assessment (TIA) states in relation to the Holcim approval:

6.9.2 Dubbo Quarry Continuation Project

Holcim (Australia) Pty Limited are the owners and operators of Dubbo Quarry located on Sheraton Road. The project is approved (determination date 02/03/2023) and the traffic generation potential has been included for a cumulative assessment.

The current consent for quarry operations places no restriction on either daily or annual production rates. The existing quarry infrastructure has the ability to produce a maximum production rate of 500,000 tpa. The project (application number SSD-10417) does not seek to increase the maximum production rate beyond the capabilities of the existing infrastructure (500,000 tpa). However, it will formalise the restriction of a maximum production rate of 500,000 tpa. The existing quarry produces on average approximately 350,000 tpa.

EMM assessed the traffic impacts for the Dubbo Quarry Continuation Project and all quarry-related traffic is proposed to exit the site via Sheraton Road, as per the existing operations, up to the intersection with the Mitchell Highway.

Per the EMM response to the submission, Dubbo Quarry generates 40 peak-hour movements to the external road network.

The above statement misrepresents what is it that DPHI considered and concluded in the assessment report for SSDA-10417, which states at page iv:

Traffic

The transportation route would be the same as the existing quarry consent, which is along Sheraton Road then onto the Mitchell Highway. The public submissions, Council and Transport for NSW raised concerns with heavy vehicles along Sheraton Road that must pass educational facilities and the traffic delays already experienced at the Mitchell Highway intersection.

Holcim propose a maximum of 20 laden heavy vehicles per hour and a maximum of 121 per day along the route, which equates to a maximum 40 heavy vehicles movements per hour (20 out / 20 in) and 242 heavy vehicle movements per day (121 out / 121 in).

The concerns raised would be addressed by a combination of the Driver's Code of Conduct, the draft Planning Agreement with Council and restrictions of trucking during school drop off and pick up times.

In addition, it is clear that the proponent does not seek to work constructively with Council as was the case by Holcim, to resolve known issues associated with the risks using the existing local road network, given the TIA states at page 24 as follows:

6.4 Haulage Route

Both the haulage route options are considered for this assessment which includes:

- Primary Haulage Route of Sheraton Road to Mitchell Highway Haulage (movements to be restricted to outside school zone hours 8.00 am to 9.30 am and 2.30 pm to 4.00 pm).
- Boundary Road and Wheelers Lane retained as a secondary haulage route.

Furthermore, as discussed in Section 1.4, a long-term connection is proposed (by Council) connecting Sheraton Road, the Blueridge Estate and the Mitchell Highway to provide a strategic road network and the quarry haulage will transition to the alternate route.

The TIA fails to demonstrate why the *Dubbo Transportation Strategy* which details the road network upgrade should not be implemented as a result of this proposal. Where heading 1.4 at page 5 of the TIA states:

In alignment with the Dubbo Transportation Strategy, a connection is proposed connecting Sheraton Road, the Blueridge Estate and the Mitchell Highway in order to ensure a safe road environment on Sheraton Road and provide a strategic road network in order to facilitate the haulage from the quarry, Dubbo Quarry and South Keswick Concrete Works. The proposed long term haulage strategy is shown in Figure 1.4

To complicate matters, the proponent submitted a Section 4.55 Modification 6 to Development Consent No. 2016/482 to Council on 21 February 2025. It is noted that SSDA-6134965 was submitted on 13 February 2025 and does not reference Modification 6. The Statement of Environmental Effects dated January 2025 submitted with Section 4.55 Modification 6 did not detail this SSDA (or even the scoping report or SEARs despite the EIS for SSDA-6134965 being dated January 2025 and having been prepared by the same authors.

The Section 4.55 Modification 6 seeks to modify traffic impact considerations which this SSDA seeks to rely on.

In other words the proponent had prepared and submitted two applications, the first being SSDA-6134965 to DPHI and another to Council being Section 4.55 Modification 6 to Development Consent No. 2016/482 with neither application disclosed in the submission of the other or even the intention with Section 4.55 Modification 6 included in the EIS.

This was a deliberate strategy to incrementally gain approvals without considering the issues holistically with respect to the traffic impacts of this SSDA-6134965. In addition, the NVIA and the TIA assessment both fail to adequately consider the noise, safety and traffic impacts on the residential properties through which heavy vehicle truck movements are proposed.

The Section 4.55 Modification to Council having been submitted after submission of of SSDA-6134965 and gained an approval on 21 March 2025, sought to fetter the assessment process of the Minister without resolving to an acceptable degree / adequately all the adverse impacts on residential properties impacted by the route in dot point 2 or the capacity and safety issues in dot point 1. This incremental process appears to seeks to avoid assisting Council in the delivery of its *Dubbo Transportation Strategy*. The opportunity now exists to ensure that the new road indicated in Council's adopted *Dubbo Transportation Strategy* can and should be delivered by this proposed development.

The TIA does not include any information about the timing of delivery of the *Dubbo Transportation Strategy* which should be addressed now. The TIA ignores the existing known issues associated with the proposed short-term transportation route options proposed in the SSDA.

As such the TIA in its current form is inadequate and at a very minimum, given the additional volume of heavy vehicle movements, must include a road safety assessment if this proposal seeks to rely on the existing road network for any period of time.

The proposal will, based on the submitted information, adversely affect the existing road network and adversely impact residential properties to an unacceptable degree and should be refused.

2.4 Inadequate considerations of impacts of the proposal in terms of economic impact

The Economic Impact Assessment (EIA) submitted with the EIS states (in relation to the cost benefit impact considerations around the traffic impacts with respect to its economic costs of the proposal) at p.16 as follows:

The Project would result in some wear and tear on local roads. However, in accordance with the Dubbo Regional Council S94 Contributions Plan – Roads, Traffic Facilities and Car Parking, RHPL will pay a road maintenance levy calculated by reference to heavy vehicle movements associated with the Project. These contributions are included in the operating costs of the Project. Heavy vehicle registration charges (part of the transport operating costs) also include an allowance for road damage on arterial roads.

Consequently, the road transport externality costs of the Project have been internalised into the costs of the Project. There are no material residual road transport externality costs for inclusion in the CBA.

and at page 18 under Net Public Infrastructure Impacts:

No net infrastructure costs to government are envisaged as a result of the Project. As detailed above, road maintenance costs will be subject to developer contributions to Dubbo Regional Council and levies imbedded in heavy vehicle registration fees.

Clearly this is not the case given the Traffic Impact Assessment (TIA) outlines a reliance on a long-term transport route that would be solely delivered by Council and ignores the true cost to resolve the issue which is specifically outlined in the *Dubbo Transportation Strategy*. Based on the impacts of the proposal, this transport route should be implemented by the Proponent at the time this proposal would become operational, should it gain an approval. If not, the lost opportunity in terms of its economic impact has not been adequately assessed in the EIA.

2.5 Inadequate considerations of groundwater impacts

DPHI would be aware that SSD-10417 imposed a number of conditions to protect the existing regional alluvial aquifer and these are on the public record. SSDA-6134965 has failed to demonstrate what measures it will implement to protect the regional alluvial aquifer. As such, the proposal is inadequate and should be refused on this ground.

3.0 Conclusion

There are recurring issues in each of the technical assessments described above, and therefore the overall submitted EIS, it seeks to selectively ignore the Holcim approval and its current operations in the information submitted, and also the true impacts of the proposal.

As such, the application in its current form is inadequate on numerous grounds which fails to consider the true impacts of the proposal and should be refused because the issues are too numerous and would require the proposal to be amended such that it is likely to be a different proposal compared to the application as submitted.

For further information or clarification, please do not hesitate to contact me on 0491 974 806 or via email Marian.Higgins@holcim.com.

Yours sincerely,



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