

It seems that Hanson is hoping that the Planning Department will accept that the quarry will be operating within the existing Conditions of Consent (2005 amended 2012) so there is no need to declare, let alone assess the environmental impact of, any changes to operations as a result of using a crusher.

However, the existing 2005 Conditions of Consent requires that Hanson operates the quarry in accordance with the 2004 EIS. It is not sufficient that Hanson merely complies with the conditions imposed. The conditions must be read in conjunction with the EIS.

The 2005 Conditions of Consent state “**The Applicant shall carry out the development in accordance with the (a) DA 94-4-2004; (b) EIS titled Environmental Impact Statement for the Proposed Calga Sand Quarry Extension, dated May 2004; (c) Amended Report titled Amendment to the Proposal Submitted as Development Application (DA 94-4-2004) for a Extension to the Calga Sand Quarry, dated June 2005; and (d) conditions of this development consent.**”

In the 2004 EIS Rocla claimed that they would continue operating the quarry “for the life of the quarry” in the way it had always operated and described the operations in great detail including ripping, washing and sorting. Nowhere in the EIS or any supporting documentation did they mention the possibility of crushing. No modelling was done on the environmental impacts of crushing.

The existing Conditions of Consent were based on the 2004 Environmental Impact Study THAT DID NOT INCLUDE A CRUSHER which meant that, when deciding what the Conditions of Consent would be in 2005, the Planning Department must have anticipated that:

1. There would be no hard rock crushing plant.
2. The quarry would not be digging down into the hard rock of the aquifer.
3. The ‘up to 400,000 ton per year’ of product produced by the quarry would not include the hardest friable sandstone.
4. The overall output of the quarry over its lifetime and, therefore, its environmental impacts, would be limited by the fact that deeper (harder) materials could not be processed so would not be extracted.
5. There would be no noise, dust or vibration from ripping into the lower hard layers of sandstone.
6. Blasting was not a necessary as there was no means to process hard sandstone, so was not a consideration.
7. Water take would be limited by the amount of material that could feasibly be processed without a crusher.
8. Water take modelling on softer materials would be representative throughout the life of the quarry as large volumes of harder materials were not anticipated.
9. Quarry depth would be limited by the layer of hard rock on the current ‘floor’ of the cells.
10. There were no significant Aboriginal sites nearby (notably the 2004 EIS said the Women’s Site was known but was “lost” or “misplaced”) that need protection from noise, vibration, dust and water deprivation.
11. No significant volumes of materials would be brought on site from elsewhere, so traffic volumes were based merely on what was extracted from the site.

It is relevant to this application to note that, when the 2005 Conditions of Consent were modified in 2012:

- A. The 2012 Modifications to the Conditions of Consent were ostensibly to permit the moving of the administration centre so that the area where it had been situated could be quarried.
- B. The 2012 Modifications to the Conditions of Consent increased the allowable noise levels, ostensibly to ‘correct for’ background noise levels.
- C. The 2012 Modifications to the Conditions of Consent changed it so that the quarry only has to attempt to comply with the (increased) permitted noise levels, but does not have to actually comply, and there are no consequences for non compliance.
- D. The 2012 Modifications to the Conditions of Consent also removed the consequences for exceeding the (unchanged) permitted dust levels.

The 2012 modifications described in C. and D. above pose additional risk should a crushing plant be installed, in that safeguards written in to the 2005 Conditions of Consent no longer exist.

In summary, the following is required:

- 1. Before this application can be assessed, Hanson must complete and submit an EIS (a) explaining exactly what is going to change operationally and what equipment will be used, (b) detailing the environmental risks of the operational changes, not just of the actual new machine, and (c) modelling the environmental impacts of the changes in operations, as well as the new machine.**
- 2. If, based on an adequate EIS, the hard crushing plant is approved, there must be reinstatement of consequences for exceeding noise and dust criteria in the Conditions of Consent, as well as the imposition of other necessary conditions considering the new potential environmental impacts, such as prohibiting blasting or bringing materials on site, and specifying the maximum depths, or depths relative to the aquifer, that can be extracted.**