

11 December 2019

Department of Planning Industry and Environment  
320 Pitt Street  
GPO Box SYDNEY 2001

Dear Sir/Madam

**State Significant Development Proposal SSD 7293  
Sancrox Quarry Expansion project**

I refer to the above application and invitation to comment on the proposal.

At the Ordinary meeting of Port Macquarie-Hastings Council on 20 November 2019, the Council resolved the following:

*'That Council:*

1. *Notes that Hanson Construction Materials Pty Ltd have made an application to the NSW Department of Planning, Industry and Environment to significantly expand the size and extraction limits of the Sancrox Quarry.*
2. *Notes also the potential strong economic development benefits likely to flow to the community and local economy as a consequence of a reasonable expansion of the above quarry.*
3. *Notwithstanding Point 2 above, Council also notes community concerns with the processing of the application for the current plan to significantly expand the size, operating hours and extraction limits of the existing quarry with respect to:*
  - *lack of interaction and consultation with the Project Consultative Committee;*
  - *lack of transparent consultation with the broader community;*
  - *the adequacy and integrity of the EIS forming part of the application**and, as a consequence, requests the General Manager to lodge a submission of concerns with the Department of Planning, Industry and Environment as to the proposal.*
4. *Request the General Manager to write to both the local State Members and the NSW Minister of Planning informing them of the above submission and advising of community concerns with multiple aspects of the proposed project and requesting their support in persuading the Department of Planning to put the project on hold pending further detailed analysis and public scrutiny.*
5. *Request the General Manager to provide a further report to the December 2019 Ordinary Meeting of Council providing the following:*
  - (a) *A copy of the submission made in accordance with Point 2 above for information.*
  - (b) *Advice regarding the legislated role of Council in the assessment and determination of "State Significant Development" and details of what role Council will be required to play ensuring compliance with the State imposed conditions of consent including whether Council's costs are reimbursed by the State and, if so, via what mechanism.'*

*Carried: 6/0*

*FOR: Alley, Dixon, Hawkins, Intemann, Levido and Turner*

*AGAINST: Nil*

It is requested that the above resolution, in particular points 2, 3 and 4, be taken into consideration before further progressing with the assessment and determination of the application.

In addition to the above, please note that Council is currently progressing strategic planning work on the Fernbank Creek and Sancrox Planning Investigation Area. Council is considering a report on this matter at the Ordinary Council meeting on 11 December 2019. Please see attached a copy of the Council report, draft Issues Paper and Fact Sheet. The draft Issues Paper (page 30) includes reference to the significant regional resource the existing quarry provides and the importance of ensuring that future development in the area does not sterilise this resource, whilst still providing for the long term population growth of the Port Macquarie-Hastings. It is requested that these strategic planning documents be considered as part of the application assessment process.

Further, Council staff have reviewed the exhibition material relating to the proposal and request the following matters be addressed:

1. The Environmental Impact Statement (EIS) has not adequately detailed the proposal development's reliance on reticulated water supply. Further details are required on intended usage. Council staff are able to provide the Department a 'notice of payment' once these details are provided. It is requested any approval include the following requirements:
  - a. Prior to commencement of works or issue of a construction certificate (whichever occurs first), Payment to Council of developer charges, under the Water Management Act 2000. The contributions are levied in accordance with the provisions of the relevant Section 64 Development Servicing Plan towards the following:
    - Augmentation of the town water supply headworksThe contribution amounts are subject to adjustment in accordance with CPI increases adjusted quarterly and the provisions of the relevant plans.
  - b. A Certificate of Compliance under the provisions of Section 307 of the *Water Management Act* must be obtained prior to the commencement of the use or issue of any occupation certificate (whichever occurs first).
2. The EIS has not adequately addressed impacts on the haulage route relating to Council managed roads. Council has typically entered into planning agreements with extractive industry proponents, at a per tonnage rate, to adequately compensate for the impact on the local road network attributed to heavy vehicle usage generated by such developments.
3. The ecological surveys which were conducted on October 16<sup>th</sup> 2015, between 30 Nov - 4 Dec 2015, and the 14<sup>th</sup> and 15<sup>th</sup> Dec are not deemed to be sufficient to assess all

ecological impacts on fauna and flora. It is acknowledged that the ‘minimum recommended survey effort was conducted’ but due to the complexity of the project it is considered that additional rigour is appropriate. The report suggests that “targets searches for threatened plants were conducted across the site on several occasions during 2015 and 2016”. Although the dates provided do not support this.

It is also noted that sub-regional habitat corridor runs through the site. This sub-regional corridor is not avoided and will be greatly impacted by the development footprint. This is not adequately addressed in the application and it is noted that ecological investigations on surrounding properties have identified the corridor as significant for the local koala population. The statement “results of the BAR (SLR 2018) suggest that there will be minor impacts to biodiversity (mainly vegetation) as a result of the proposed development is understating the impact of the development. This issue needs to be carefully reviewed.

4. The ERM “Air Quality and Greenhouse Gas Assessment Report” dated 28 August 2019 (0418291\_Final) has assessed potential air quality and greenhouse gas emissions (GHG-e) against relevant criteria, makes several recommendations for the operation of the quarry to mitigate impacts and to ensure future compliance with relevant air quality assessment criteria at receiver locations.

The Report notes that the SEARs has no guidance for GHG-e and that the estimated GHG-e for the proposal is limited to Scope 1 (direct emissions) and Scope 2 (electricity consumption) emissions [AQGHG Report page 2/EIS page 1306].

Various criteria have been used to assess the impacts of the project on local air quality and surrounding sensitive receivers (residents). Volumes were estimated from various onsite sources such as general operations, concrete batching and recycling and asphalt production. A screening technique was used and modelling of various species such as PM10, PM2.5 and other ‘species’ was undertaken to determine whether there would be offsite impacts and to determine if the impacts/levels comply with relevant criteria. Victorian criteria was used to assess potential adverse impacts of silica dust. The Report reads that where required, conservative estimates and approaches were used and that levels at receiver locations would be less than that predicted.

In conjunction with the list of recommended mitigation measures being implemented, monitored and properly managed onsite, air emissions can be kept to levels at receiver locations that comply with relevant criteria. A further recommendation is for the installation and monitoring of real-time ambient air quality monitoring systems. These will assist staff in identifying adverse onsite conditions and enable appropriate action be taken to keep PM10 and PM2.5 emissions at appropriate levels.

The list of mitigation measures is quite extensive and will require the imposition of appropriate development consent conditions and probable revision/changes to the NSW EPA Environmental Protection Licence (EPL). Any approval of the proposal should include conditions reflect both the recommended list of mitigation measures and where appropriate, incorporate relevant assumptions etc made in relation to the mitigation

measures. For example, that a dust extraction system for blasting contains 99% of all dust emissions during each bench blast being installed; the asphalt plant being completely enclosed; bitumen vapour balancing and recovery systems being provided; sealed haul roads with sweeps when needed; land clearing/disturbance being kept to a minimum; site rehabilitation being carried out on a progressive basis; deliveries being randomised between 6am and 6pm each day; vehicles travelling onsite at 30KPH maximum; limiting the number of loads of materials being delivered to the site each day; watering and dust suppressions systems being installed and used properly such as Level 2 watering of unsealed roads.

Should you wish to discuss the matter further, please do not hesitate to contact Council's Group Manager Development Assessment, Dan Croft, on 6581 8628 or at [dan.croft@pmhc.nsw.gov.au](mailto:dan.croft@pmhc.nsw.gov.au)

Yours sincerely



Dan Croft  
Group Manager Development Assessment