

Megan Dawson
Department of Planning & Environment
Ground Floor, 320 Pitt Street,
Sydney NSW 2000

15th October, 2018

RE: DUNLOE SAND QUARRY - MODIFICATION TO EXISTING CONSENT DA 06_0030

Dear Megan,

Holcim (Australia) Pty Ltd (Holcim) met with the Department of Planning & Environment (DPE) on 30th of August 2018 to discuss the proposed conditions of consent for the Dunloe Sand Quarry Modification. Holcim expressed concern regarding the impact the application of these conditions would have on operating activities post-modification. The benefit and policy context for changing these conditions was articulated by DPE. The primary outcome of this discussion was Holcim undertaking to review the impact of each condition, identifying those conditions that pose specific risk to operations, then providing this material to DPE to consider revision of the proposed modification conditions by exception.

Holcim recognises the value of the modification consent conditions being both contemporary and consistent with other quarry operations in NSW. The proposed conditions Holcim seeks to have rescinded in favour of the existing conditions have both an unacceptable impact on the operations and are largely unrelated to the activities the modification deals with. These conditions are provided below:

Condition 2: Noise Criteria:

PROPOSED	CURRENT								
<p>The Proponent must ensure that the noise generated by the project does not exceed the criteria in Table 1 at any residence on privately-owned land.</p> <p style="text-align: center;">Table 1: Noise Impact Assessment Criteria</p> <table border="1"> <thead> <tr> <th><u>Receiver Location</u></th> <th><u>Day LAeq (15 min) dB(A)</u></th> </tr> </thead> <tbody> <tr> <td>R6 and R7</td> <td>42</td> </tr> <tr> <td>R8</td> <td>48</td> </tr> <tr> <td>All other residences</td> <td>41</td> </tr> </tbody> </table> <p>Noise generated by the project must be monitored and measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Noise Policy for Industry (EPA, 2017). The noise criteria in Table 1 do not apply if the Proponent has an agreement with the owner/s of the relevant residence or land to exceed the noise criteria, and the Proponent has advised the Department in writing of the terms of this agreement.</p>	<u>Receiver Location</u>	<u>Day LAeq (15 min) dB(A)</u>	R6 and R7	42	R8	48	All other residences	41	<p>The Proponent shall ensure that the noise generated by the project does not exceed 48 Day LAeq (15 min) dB(A)</p>
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RETENTION JUSTIFICATION

The current consent noise criteria levels were established based upon an environmental assessment completed by an independent acoustic engineer, and since commencing operations there have been no instances of non-compliance relating to truck noise going to or from Dunloe Sand Quarry.

To support the proposed modification, Holcim engaged GHD to undertake an assessment of the noise impacts that would result from the proposed altered schedule of truck movements. The worst-case operating scenario still resulted in compliance with relevant noise criteria and Holcim's current consent conditions relating to noise.

The noise criteria proposed in the modified consent conditions appear to be unrelated to any of the technical acoustic evaluation completed to date, and set the compliance threshold much lower than the current consent. In some locations the noise criteria proposed are the same as the predicted/modelled noise levels for those locations. Setting the criteria at operating noise levels increases the likelihood of a non-compliance to an unacceptable degree, and would be well below current condition criteria and standard industry limits and seem unrelated to managing the environmental impacts associated with the modification.

Condition 6: Air Quality Monitoring

PROPOSED	CURRENT												
<p>The Proponent must ensure that particulate matter emissions generated by the project do not cause exceedances of the criteria in Table 3 at any residence on privately-owned land.</p> <p>Table 3: Air quality criteria</p> <p>Pollutant Averaging Period Criterion</p> <p>Particulate matter < 10 µm (PM10) Annual = a,c 30 µg/m3 and 24 hour = b 50 µg/m3</p> <p>Particulate matter < 2.5 µm (PM2.5) Annual = a,c 8 µg/m3 and 24 hour = b 25 µg/m3</p> <p>Total suspended particulates (TSP) Annual = a,c 90 µg/m3</p> <p>Deposited dust Annual = b 2 g/m2/month and a,d 4 g/m2/month</p> <p>Notes:</p> <p>a Total impact (i.e. incremental increase in concentrations due to the development plus background concentrations due to all other sources).</p> <p>b Incremental impact (i.e. incremental increase in concentrations due to the project on its own).</p> <p>c Excludes extraordinary events such as bushfires, prescribed burning, dust storms, fire incidents or any other activity agreed by the Secretary.</p> <p>d Deposited dust is to be assessed as insoluble solids as defined by Standards Australia, AS/NZS 3580.10.1:2003:</p>	<p>The Proponent shall ensure that dust generated by the project does not cause additional exceedances of the criteria listed at any privately owned land.</p> <table border="1" data-bbox="1013 1261 1378 1429"> <thead> <tr> <th>Pollutant</th> <th>Averaging period</th> <th>Criterion</th> </tr> </thead> <tbody> <tr> <td>Particulate Matter < 10 µm(PM10)</td> <td>24 hour</td> <td>50 µg/m³</td> </tr> <tr> <td>Total suspended</td> <td>Annual</td> <td>90 µg/m³</td> </tr> <tr> <td>Particulate Matter < 10 µm(PM10)</td> <td>Annual</td> <td>30 µg/m³</td> </tr> </tbody> </table>	Pollutant	Averaging period	Criterion	Particulate Matter < 10 µm(PM10)	24 hour	50 µg/m ³	Total suspended	Annual	90 µg/m ³	Particulate Matter < 10 µm(PM10)	Annual	30 µg/m ³
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<p><u>RETENTION JUSTIFICATION</u></p> <p>The proposed condition involves the establishment of a new monitoring station, and introduces a 2.5 µm criteria that has been demonstrated through impact assessment and subsequent monitoring of Dunloe Sand Quarry operations not to be required. There is no potential environmental benefit of this monitoring requirements, but would impose significant cost to</p>													

Holcim. Given the modification does **not** propose an increase to the approved extraction limit for the site and that the existing access road to the site is fully sealed thereby minimising dust generated by truck movements, there is no more dust generated in the proposed modification than previously approved for the operation.

Condition 30 & 31: Rehabilitation Bonds

PROPOSED	CURRENT
<p>Within 6 months of the approval of Modification 2, the Proponent must lodge a Rehabilitation Bond with the Department to ensure that the rehabilitation of the site is undertaken in accordance with the performance and completion criteria set out in the plan and the relevant conditions of approval. The sum of the bond must be an amount agreed to by the Secretary and determined by:</p> <ul style="list-style-type: none"> (a) calculating the cost of rehabilitating all disturbed areas of the site, taking into account the likely surface disturbance over the next 3 years of quarrying operations; and (b) employing a suitably, independent and experienced person to verify the calculated costs. <p>The calculation of the Rehabilitation Bond must be submitted to the Department for approval at least 1 month prior to the lodgement of the bond.</p> <p>The Rehabilitation Bond must be reviewed and if required, an updated bond must be lodged with the Department within 3 months following:</p> <ul style="list-style-type: none"> (a) any update or revision to the Landscape Management Plan; (b) the completion of an Independent Environmental Audit; or (c) in response to a request by the Secretary. 	<p>Prior to starting quarrying operations on the site, the Proponent shall lodge a rehabilitation bond for the project with the Director-General. The sum of the bond shall be calculated at:</p> <ul style="list-style-type: none"> (a) \$2.50/m² for the total area to be disturbed and/or revegetated in each 5 year review period; and (b) \$1.50/m² for the total area of land previously disturbed and/or rehabilitated by the project, to the satisfaction of the Director-General.
<p><u>RETENTION JUSTIFICATION</u></p> <p>A rehabilitation bond for the development has already been lodged, and forms part of a commercial lease agreement between Holcim and the landholder, Ramtech, who obtained the original site approval, that is not easily dissolved and/or renegotiated. If the proposed modification were to have any effect on the quarry footprint or rehabilitation obligations, then undertaking this modification process would be considered appropriate in light of the commercial agreement. As the modification to alter the schedule of truck movements has no bearing on rehabilitation of the site, and the rehabilitation bond currently held by the government is considered to be sufficient, Holcim believes that the integrity of the commercial arrangement underpinning this operation takes precedence over the consistency of rehabilitation bond calculations.</p>	

Except the retention of existing conditions relating to the three key aspects outlined above, Holcim accepts the proposed modified conditions set out by the Department and would request that the above be taken into consideration with the Department's final draft conditions to the

IPC. Should you require any further information or wish to discuss these matters, Holcim representatives are available to meet in person or via teleconference.

Your assistance on this matter is greatly appreciated. Thank you in advance for your consideration of our position.

Sincerely,

A handwritten signature in black ink, appearing to read 'Giraud' with a horizontal line underneath.

Cyril Giraud

National Approvals and Sustainable Development Manager

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