

Ref: Holcim Expansion Submission Letter01

08 March 2021

Director  
Energy and Resource Assessments  
Department of Planning, Industry and Environment  
Locked Bag 5022  
PARAMATTA, NSW 2124

**Attention: Robert Hodgkins**

Dear Mr Hodgkins

RE: Dubbo Quarry Continuation Project (SSD 10417) Notice of Exhibition – Submission Letter

Maas Group Properties provides the following submission letter to the Dubbo Quarry Continuation Project known as State Significant Development Application number: SSD 10417. The matters of concern are detailed as follows:

- ▶ Cumulative Impacts & Land Use Zoning Consideration
- ▶ Amenity and Environmental Impact
- ▶ Peer Review of Reports
- ▶ Flood Management and Eulomogo Creek Catchment Impact.

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**Cumulative Impact & Land Use Zoning Consideration**

It is understood that the quarry does not propose to exceed its current extraction rate though seeks to expand the extraction footprint to the south and north west of the existing quarry boundary. Specifically, the western extraction area (WEA) is proposed to be approximately 300m from residential land as contained within Lot 2 DP 880413 to the west which is land owned by Maas Group Properties. This land has recently been rezoned from R5 – large lot residential to R2 – low density residential with resultant amendments to the minimum lot sizes of the Dubbo Local Environmental Plan (DLEP). This planning proposal was gazetted at the beginning of February and we understand this was communicated to the Applicant by Council prior to lodgement of the application.

Furthermore, the EIS describes the land as being sparsely populated of rural residential properties, that the development is compatible with adjacent land uses and that the site is sufficiently distanced from dense residential areas. These statements are not concurred with as they have only considered an historical account of land uses despite the amendments being made and at least at the time of comprehensive drafting imminent.

The timeline of the finalisation of the EIS and the gazettal of the DLEP Is as follows:

- 28th January 2021 the EIS was endorsed by the Author; and
- 1st February 2021 for the Gazettal of the DLEP.

The expansion of the Southlakes Estate has long been the intention for this land as detailed in the planning proposal and as considered under the adjoining quarry to the north's assessment by the JRPP as consented to under D16-482. Failing to appropriately address the ultimate development of the adjacent land and the cumulative impacts of quarrying activities in the EIS is regarded as a significant shortfall.

The development density of the future Southlakes Estate to the west will be significantly greater than the previous uses and the proximity of the quarry operation is anticipated to have an amenity impact upon future residents. As part of the planning proposal and conversely during the assessment of D16-482, the residential land was appropriately modelled and assessed having regard to the surrounding land uses and cumulative impact of quarry activities.

In this regard the proposed expansion of the quarry and its submitted modelling and assessment reports now appear to require reconsideration and amendment.

Additionally, this proposal brings into contention, clause 12 of the SEPP (Mining, Petroleum Production and Extractive Industry) (Mining SEPP) which seeks for the compatibility of the development to be considered against the approved uses of land in the vicinity. Specifically, it is requested that the current zoning and ultimate development of the residential land located in particular that located at Lot 2 DP880413 be more carefully addressed under the EIS for this proposal.

Notwithstanding the above, Maas Group Properties provide the attached peer review of the Noise and Vibration and Traffic Impact Assessment Reports the key findings of which are further discussed below.

### **Amenity & Environmental Impact**

The quarry's building footprint extends significantly closer to residential land than that existing and what is approved to the north under D16-482. The cumulative impacts of the proposal are to be appropriately assessed having regard to the potential impacts on the nearby future residential receivers directly to the west. Specifically, the developments operations and management practices are to have regard to the following:

#### (i) Noise – Traffic, Blasting and General Operations

There are concerns as the WEA is being located closer to land currently zoned for low density residential purposes. As an example of direct impacts, it is noted that several residential assessment locations across each proposed operational scenario have been assessed with exceedances ranging from negligible (1-2 dB) to significant (>5 dB and >RANL).

There are predicted residual noise impacts as well as recommended at-receiver mitigation measures which will affect future residential lots. Further, general operations are proposed to commence early in the morning and cease late in the evening which will encroach within the window of sensitive noise for residential development. On this basis the ongoing operation will likely necessitate acoustic attenuation measures to be provided along the western interface of the quarry adjoining Sheraton Road and Southlakes Estate.

Notwithstanding, the above reconsideration of the submitted EIS and supporting reports to accurately reflect land uses it is requested that the quarry implement a high standard of its own management and attenuation treatments which mitigate impacts to the surrounding residential land and demonstrate a reduction in exceedances modelled.

It is further requested that Maas Group Properties be included in ongoing discussions on management mitigation proposals to ensure the adequacy of suitable residential amenity measures.

#### (ii) Air Quality & Dust Suppression

It is likely that there will be an increase in particulate matter, and dust from the construction of the extraction areas and internal access roads as well as from ongoing quarry operations and vehicle movements. This will negatively impact on future residents who will be located 300m from the quarry site.

The report currently recommends best practice dust suppression strategies. However, the air quality assessment locations for Lot 2 are minimal and are not considered to be an accurate reflection of the ultimate development for the site.

It is recommended that the assessment locations modelled and their proximity to the site be akin to the future residential growth anticipated by the DLEP.

Additionally, it is requested that such detail be clearly demonstrated with supporting assessment reports as there appears to be a lack of appreciable impact consideration to future residences because of the continued quarry works within the current EIS and its supporting reports.

#### (iii) Traffic Generation

It is noted that the development will transport quarry products to the market via public roads. The proposal includes the construction of a new internal creek crossing and new internal road connecting to Sheraton Road. This road will go past future residential land as well as three main schools. While it is noted that the peak daily site traffic movements would not be significantly more than previous conditions, further clarity is required as to the specific number of movements and types of vehicle sizes that will frequent this road as well as the impact this will have on the local road

network including whether this will necessitate road upgrades or future road maintenance agreements given the developments renewed and expanded life span.

The traffic assessment indicates that there will be high levels of traffic to and from the quarry along Sheraton Road during school pick-up and drop-off peak hour traffic times which raises safety concerns. The applicant's method of addressing this via driver behaviour is noted though no detailed documentation of how is provided.

The schools located upon Sheraton Road accommodate students of Southlakes Estate and the greater Dubbo City and upon construction and opening of Boundary Roads connection with Sheraton Road (which is imminent) will potentially cause a conflict between quarry and residential road users especially during school pick-up and drop-off times.

It is noted this consideration was required as part of D16-482 and has required cessation of haulage during school drop-off and pick-up times along with ongoing consultation with school management and the Implementation of a Driver Code of Conduct that includes all the abovementioned provisions as a minimum.

It is requested that the compatibility of this land use within the community be reviewed and the submitted EIS and supporting traffic report be revised accordingly.

#### (iv) Visual & Outlook Amenity for Southlakes Residents

There is minimal design information and detail of how the quarry will integrate with residential land interface. The appearance of the quarry pits, bund wall and surface infrastructure are anticipated though no detailed documentation of such is provided within the EIS or its supporting documentation.

It is likely quarry activities would generate an undesirable outlook for residents at the land use interface, particularly given the proximate distance between each use which will adversely affect the outlook and visual amenity from these properties.

Minor tree plantings have been suggested along with consultation with landowners though no substantial detail is provided.

D16-482 for the approved quarry to the north required the retention of the existing stand of trees (EEC Fuzzy Box Woodland) creation of an endemic landscaped amenity bund walls of varying heights to provide a landscaped agricultural setback between land uses.

In this regard it is recommended that the land use compatibility be reviewed and that negotiations between landowners adopt a generous buffer between land uses. Furthermore, and as a minimum it is recommended that embellished landscaped bund walls be detailed upon landscape plans.

#### **Peer Review of Reports**

Notwithstanding the above comments the proposals Noise and Vibration Assessment Report and Traffic Impact Assessment Report have been peer reviewed by Muller Acoustic Consulting and Cardno Engineering and the following conclusions are made:

#### Acoustic Review

The key findings of the review can be summarised as follows:

- The NVIA has not assessed quarry noise emissions and road traffic noise at all residential receivers within the potentially affected area of the quarry extension including the potential future residential receivers in the Southlakes Estate.
- Application of the rural receiver category for R18 and R19 may provide a more appropriate representation of the acoustic environment of these residential receivers and associated Amenity Noise Levels.
- Background noise levels used in the assessment are from May 2016. Use of contemporary data may result in similar Rating Background Levels (RBL) but would alleviate any concerns around changes in ambient and background noise levels that may have occurred from recent industrial developments in the area.
- The meteorological conditions used for noise modelling do not align with the NPI noise enhancing conditions as stated in the assessment methodology. It is anticipated that noise levels will be higher than those presented in the NVIA when the NPI noise enhancing conditions are applied.

- Provision of noise contour diagrams for five yearly stages for quarry operations, stripping and drilling would allow for a more transparent understanding of the noise impacts at the potential future residential receiver locations in the Southlakes Estate subdivision.
- Predicted noise levels from normal operations exceed the daytime and night-time PNTLs and the recommended ANL of 45dBA for rural receivers for the life of the quarry at R2 and R3. It is anticipated that noise levels would also exceed the daytime and night-time PNTLs for the life of the quarry at future residential receivers in the Southlakes Estate, situated between R2 and R23.
- Comparison of noise emissions from future operations to existing emissions does not justify the impacts presented. Predicted noise levels from the quarry exceed the recommended (Rural) Amenity Noise Level of 45dBA for existing residential receivers and potential future residential receivers, which may deteriorate acoustic amenity.
- Further clarification is required for the determination of traffic volumes for the relevant assessment periods which may result in exceedances of the Road Noise Policy criteria.

A copy of this review is attached to this letter for detailed consideration.

#### Traffic Review

The key findings of the review can be summarised as follows:

- A lack of detailed reference to previously approved traffic generating developments in the surrounding area, including Southlakes Estate, and consideration of the combined traffic impact of all traffic generating developments on the surrounding road network, in terms of efficiency, amenity, safety and road pavement life.
- As per Transport for NSW (TfNSW) Restricted Access Vehicle requirements, trucks (larger than and including a 19m B-Double) are prohibited from using Sheraton Road, south of Mitchell Highway, between 8am-9.30am and 2.30pm-4pm on school days.
- Consideration should be given to prohibited hours of travel during school zone periods to be consistent with other quarries in the area as well as de-risking the identified “high” risk location of the non-conforming children’s crossing on Sheraton Road.
- Given the future traffic generation from Southlakes Estate, South Keswick Quarry and Dubbo Quarry, the intersection of Boundary Road and Sheraton Road is a key intersection linking these developments which should be modelled and considered in the TIA.
- The report is unclear on details of the largest heavy vehicle, including its type, specific gross vehicle mass and length, and whether future intersections on Sheraton Road at Boundary Road will be able to accommodate the maximum size vehicle.

A copy of this review is attached to this letter for detailed consideration.

#### **Flood Management & Eulomogo Creek Catchment Impact.**

The proposal seeks approval for an internal crossing over the Eulomogo Creek to construct the Southern Extraction Area (SEA). The Eulomogo Creek runs through the project area with its associated second and first order ephemeral water courses. Southlakes Estate, a dairy and the City of Dubbo including potable water infrastructure are directly downstream of the site and its proposed crossing therefore any potential risk of potentially contaminating activities should be carefully considered as adverse impact would not only cause environmental harm but also put at risk existing and future residences and its occupants. It is also common knowledge and known that the existing quarry has intercepted groundwater and upon occasion discharges intercepted water to Eulomogo Creek.

It is recommended that the proposal detail the creeks disturbance area and address sediment and erosion control, water quality, onsite haulage procedures both onsite and across the water course including contamination and waste management measures. Additionally, clarification is sought around the points of discharge to the environment and whether there will be pollution control measures and an ongoing management system.

It is recommended that additional clarification be sought around the level of flood affectation. Whether the proposed works will exacerbate flood affectation during a storm even or whether the SEA has an appropriate flood evacuation strategy in place access to the southern side of the quarry is via a light vehicle access road.



We trust that the above will be satisfactorily addressed as part of the assessment process and that Maas Group Properties be involved in all ongoing consultation processes.

Yours Sincerely,

*Steve Guy*

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General Manager

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**Attachments:**

1. Acoustic Peer Review prepared by Muller Consulting Pty Ltd
2. Traffic Peer Review prepared by Cardno Pty Ltd