



Submission to Independent Planning Commission NSW

Re: Brandy Hill Quarry Expansion Project SSD 5899

I would like to thank the Commissioners for the opportunity to make verbal and written submissions on this project.

I wish to re-iterate my position, which is that I object to Hanson's proposal to expand the Brandy Hill Quarry in the terms that they have outlined. As the owners of the closest neighbouring land to the west of the quarry, my wife and I will be on the front line of the negative impacts this project will have, were it allowed to proceed.

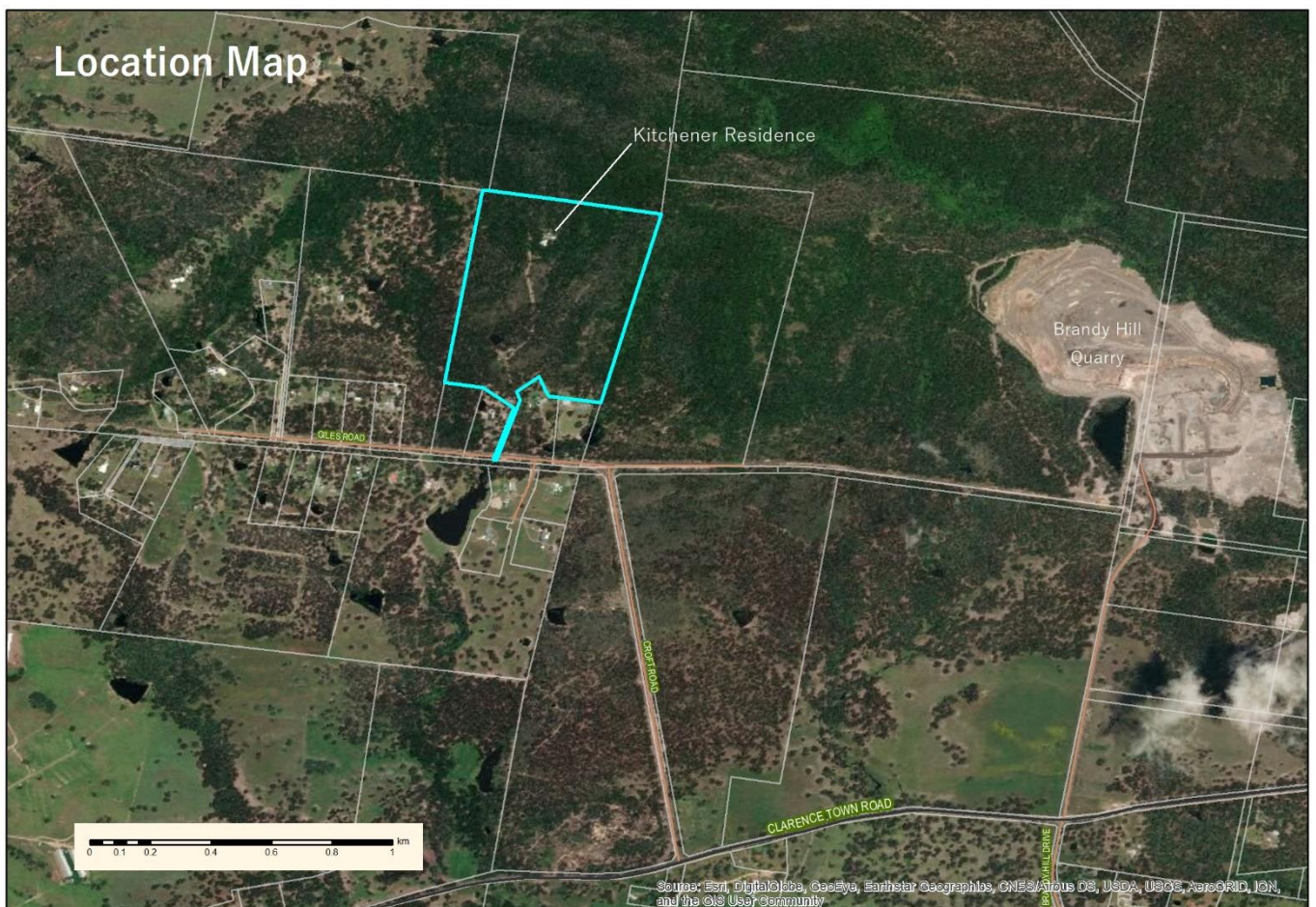


Fig 1: Location of quarry, our land (highlighted) and our residence, 1.2 km west of the quarry edge.

The grounds on which I believe the Commission should reject Hanson's application are as follows:

1. Negative ecological impact.

Various figures have been quoted regarding the area of land they wish to clear, typically in the quantum of 50 hectares (123 acres), a very substantial area. This is principally covered with forest of the Lower Hunter Spotted Gum Ironbark type, formally recognised by the NSW Government as an Endangered Ecological Community. Furthermore, it is also identified as koala habitat, with both the EIS and local residents accepting the presence of koalas in the area.

The EIS, however, claims that the population is not a breeding colony, a finding that is totally at odds with the frequent calls of males we hear throughout the breeding season - and the occasional screams of females indicating that mating is taking place. Carmel Northwood, in her presentation to the public meeting, suggested that the proponent is trying to claim that the area is "empty habitat". It is, however, a well-recognised principle among ecologists that there is *no such thing* as empty habitat. If the land is capable of supporting a particular population, then that population will have moved to fill the habitat (assuming no external factors such as human intervention).

I would suggest that the area they are talking about is better classed as "undesirable habitat". If koala numbers were sparse around the quarry, that is hardly surprising, given that these relatively shy animals would be highly unlikely to enjoy the dust, vibration, noise that the quarry generates, nor the night-time lights. By expanding the quarry to a larger size, this undesirable region will only be even greater still, forcing more koalas into a smaller (desirable) area, increasing competition for food and further stressing the whole population.

The koala is an iconic Australian species which, as any sensible person would agree, has suffered a very bad summer, as the result of drought and wild fires across much of NSW. While the koalas of Port Stephens have been luckier than most, without extensive fires to decimate their populations, they are still subject to the privations of habitat loss resulting from other, smaller (piecemeal) development, disease, road trauma and dog attacks. The future of koalas in Port Stephens is clearly far from secure. However, the population north of Brandy Hill has one of the best chances of survival (due to the absence of those factors), if only we have the foresight to keep their home range intact.

The koala is but one example of the unique Australian species present in this area, all of whom will suffer if the expansion is allowed to proceed. We have had wedge-tailed eagles nesting in the area between our house and the quarry, I have seen phascogales in that same area, while antechinus, echidnas, Burton's legless lizards, scarlet honeyeaters and many other species have been sighted at one time or another. We are blessed to have a wonderful biodiversity in this area, but every bit of development pushes some of these creatures a little closer to the edge at a time when the changing climate already has many under significant stress.

Our surrounding forest is still under significant stress from the drought and hot weather late last year, with many trees not recovering, or being slow to recover. It is at such times that the area's wildlife will also be under severe stress, while every acre of habitat is another chance that they will find the resources they need to survive. Continuing to squash flora and fauna into ever-smaller parcels of land only increases competition and will certainly lead to the death of some, land only being capable of sustaining a certain level of population before disease or starvation sets in.



Fig 2: Difference in quality of canopy and, consequently, wildlife habitat in the forest immediately east of our residence over the last 12 months. Top photo taken 25 April, 2019, Bottom photo take 23 April, 2020. (Imagery from Nearmap.)



Fig 3: The poor quality of the habitat and slow recovery of the canopy following last year's heatwave conditions are evident in this photo taken 17 June, 2020. (Photo by author.)

In summary, I maintain that the environment has suffered more than enough stress in recent times, without losing a further 50 hectares of valuable habitat. As the situation around climate change worsens, areas such as this will only become more valuable in maintaining the biodiversity essential to a healthy environment.

2. Lack of sustainability.

Hanson are making no secret that their desire is to use Brandy Hill Quarry to supply the Sydney market with aggregate. They state that their Kulnorra quarry will be exhausted in 10 years, implying that Brandy Hill will replace that output. This opens the question as to whether Hanson will come back in a decade, seeking even greater output and more truck movements, although that is only conjecture at this time.

My concern relates more to whether transporting gravel by truck over that distance is in any way a sustainable activity. Hanson admitted in the public hearing that their turnaround time for a trip to Sydney is 2.5 hours. Therefore, we have a truck on our (already busy) roads for *five hours*, just to deliver a *single load* of gravel! All those diesel emissions, fumes and dust for such a paltry result does not suggest any sort of sustainable practice to me and I would argue that such bulky, heavy goods would be far better moved by rail than via our road network.

I went to Hanson's website, hoping to find some coherent statement about their environmental practices, but located nothing more than a half-page "Environmental Policy" from several years ago. It does, however, contain the rather broad statement that they are committed to "Operating practices which seek to minimise impacts, prevent pollution and minimise the likelihood of environmental harm through work and management practices,

continual improvement, training and the use of new technology". I would suggest that operating trucks for 5 hours to deliver one load of aggregate is not minimising impact, nor preventing pollution, nor minimising the likelihood of environmental harm.

If Hanson wish to ensure their position within the Sydney aggregate market (not the responsibility of the residents of Seaham/Brandy Hill), I would suggest they would be far better to purchase a quarrying operation near Sydney, or one that has rail access and is, therefore, able to transport the vast quantities they expect to produce, without needing to generate the huge emissions that truck transport will. I do not believe that the vehicle emissions have adequately been considered when assessing the overall environmental impact of this proposal.

3. Development is inconsistent with the nature of the area

The Brandy Hill Quarry land earmarked for this proposal is principally zoned RU2 Rural Landscape. According to the Port Stephens Local Environmental Plan 2013, the zone objectives are to:

- encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- maintain the rural landscape character of the land, and
- provide for a range of compatible land uses, including extensive agriculture.

Whilst extractive industries, such as quarrying, are permitted (with consent) in this zoning, I do not see other industrial activities such as concrete batching and concrete recycling as being consistent with the zoning, as only the following activities are permitted:

- Extensive agriculture; Home occupations; Intensive plant agriculture (without consent).
- Agriculture; Airstrips; Animal boarding or training establishments; Aquaculture; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Crematoria; Dual occupancies; Dwelling houses; Eco-tourist facilities; Environmental facilities; Environmental protection works; Extractive industries; Farm buildings; Flood mitigation works; Forestry; Group homes; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Jetties; Landscaping material supplies; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Tourist and visitor accommodation; Turf farming; Veterinary hospitals; Water recreation structures; Water supply systems (with consent).

I would therefore contend that the additional activities (beyond quarrying) that Hanson is seeking to establish here are contrary to the zoning, while the entire quarrying operation is broadly inconsistent with the stated objectives of this zone.

To establish just how "out of character" with the area this proposal is, the map below shows that the nearest industrial activity (as defined by OEH's widely-used ALUM Land Use Classes spatial data) is between 10 and 15 km away – and is, at best, sparse at that distance. These are the areas highlighted in pink. Note also the position of the other two local quarries, one close to the Pacific Highway, the other adjacent to the main northern rail line.

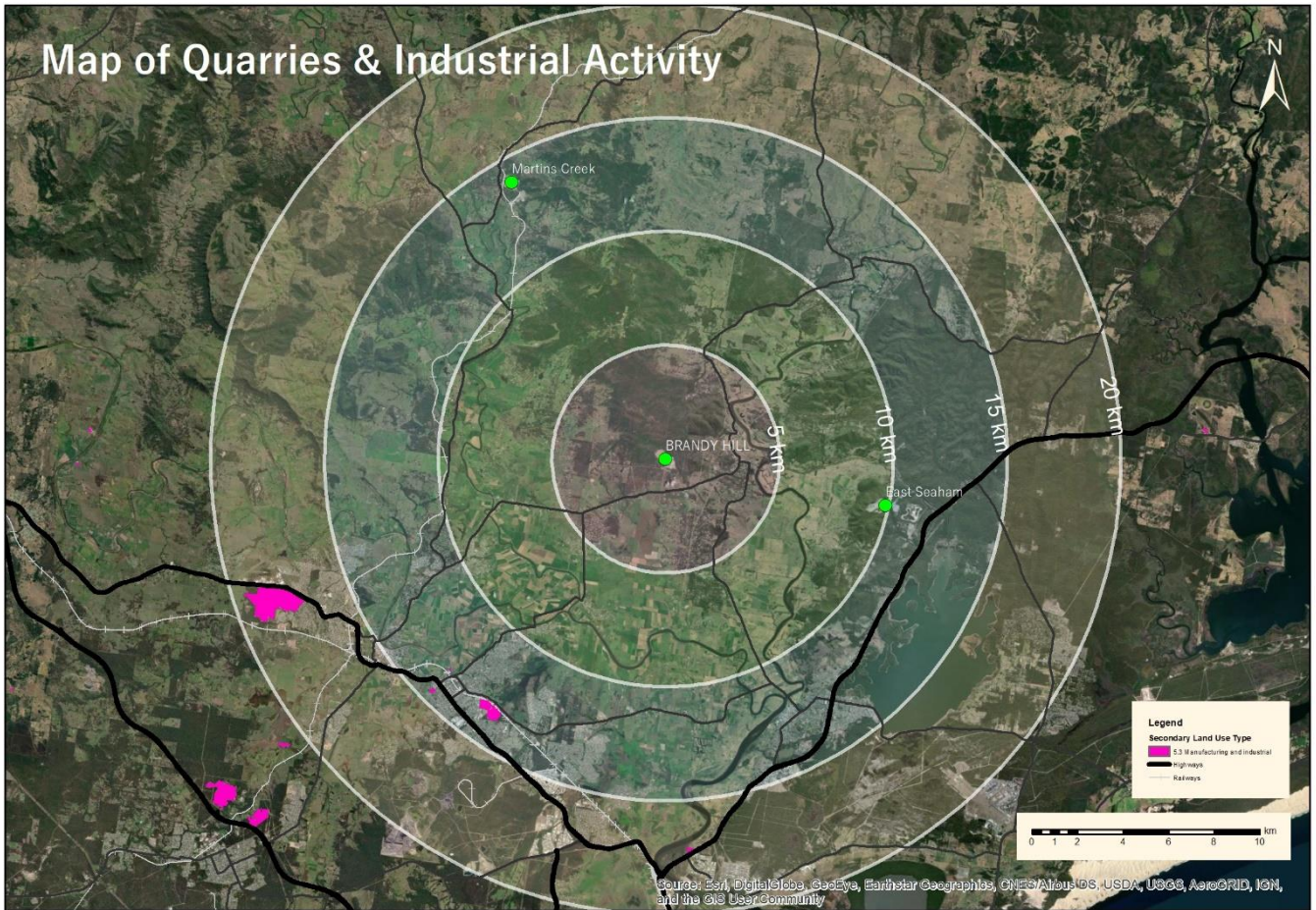


Fig 2: Position of quarry relative to other industrial and manufacturing activity, with buffers at 5 km intervals. The area is very distinctly of rural and rural-residential character, tending to more suburban residential as one moves further south. Installing concrete recycling and batching facilities in this location will be totally out of character with the area as a whole.

4. Unacceptable increase in road traffic

Much has been made by the residents of Brandy Hill Drive about the increase in truck movements this proposal seeks. Given the relatively peaceful nature of the area, I fully understand their concern. The noise will be close to constant during the day, as trucks can be heard from a significant distance, especially when using compression brakes (although there are signs requesting otherwise). While Hanson may be able to regulate the behaviour of their own truck drivers, they have little chance of enforcing their standards onto external contractors.

The proposal is apparently for a peak of 30 laden movements an hour, which implies 30 unladen movements an hour in return. Thus, we say one truck per minute and with trucks heard over a great distance, the noise will be almost constant. In particular, the empty trucks are exceedingly noisy as they rumble across deformations in the road surface. I have stood at the road edge while they pass and while it is hard to explain noise in a sentence, I'm going to try: I believe it sounds like about a dozen people each repeatedly banging a shovel on an empty 44-gallon drum. In short, not pleasant.

The shared pathway which has been suggested for alongside Brandy Hill Drive will, by and large, be a waste of money. While it offers significant safety benefits for those children who need to catch the school bus, I believe that waiting for that bus, or any other recreational activity such as jogging or cycling, will prove to be so utterly unpleasant with trucks coming past at the stated frequency, that very few people will end up using it on a regular basis. Parents will ultimately opt to drive their children to and from school, rather than the noisy, smelly wait for the bus, while the environment sustains yet another blow.

The quality of our roads is also going to be badly impacted by an increase in heavy vehicle traffic. Those of us in Port Stephens West Ward already know how difficult it is to get the Council to spend money in this area, with Nelson Bay being the ‘favoured’ part of Port Stephens. I would assert that the Council will be happy to take Hanson’s contribution to road upkeep, but only a relatively small portion of it will ultimately be spent in the immediate area.



Fig 3: Road network to the south of Brandy Hill Quarry, with commonly used route highlighted. Note that Brandy Hill Drive is classed as a “Local Road” according to NSW Spatial Services.

Many of the roads are substandard for the current volume of traffic, let alone upon an increase in heavy vehicle activities. Furthermore, quarry trucks have no choice but use these ill-constructed roadways, given that the quarry is some distance (nearly 20km by road) from the nearest highway. The map above demonstrates the paucity of road connections between Brandy Hill Quarry and the principal market for its aggregate, Newcastle, or points further south.

Personal experience has also demonstrated that Hanson trucks regularly use a slightly faster route (according to most GPS navigation units) when heading to/from the northern end of the M1 Motorway. This route is highlighted in yellow in the map below. I regularly see Hanson trucks on these roads (which include a narrow railway overbridge with right angle corners at each end, at Tarro), even though public safety would be far better served if they continued to head towards Raymond Terrace and the dual carriageway of Adelaide Street (part) and the Pacific Highway. This, however, could cause delays when traffic is heavy in the area of the Hexham Bridge.



Fig 4: The northern approach to the Tarro railway bridge.

I would argue that Hanson's use of a bridge such as this on a regular basis demonstrates their willingness to put time and money ahead of any other reasonable consideration, including public safety. While their use of this route may be perfectly legal, it is certainly not in the interests of anyone else who wishes to use the bridge at the same time as a quarry truck. If they are serious about their intentions to have 60 truck movements per hour, then a lot of locals will be waiting for news of the first serious accident.

5. Significant decrease in amenity

There is no doubt that Hanson's plans will result in increases in dust, noise and vibration from blasting. I do not believe it will be possible to increase production two- to three-fold, while maintaining these factors at liveable levels.

At present, the dust is principally a nuisance, although it does necessitate regular cleaning of our solar panels, those being our sole source of electricity. We control our water quality with a "first flush" system on the downpipes to limit the amount of dust that enters the tanks, but no system of this nature will ever be 100%

successful in removing dust that mixes with rainwater. More concerning is the dust one never sees, but is breathing in every minute of the day. It is already a well-established medical principle that virtually all dusts promote lung disease in some form. Activities which generate high levels of dust should, therefore, not be situated close to residential areas.

On top of proposed additional quarrying, Hanson seeks to establish concrete recycling and batching on site, introducing the previously non-existent threat of cement dust and the silicosis that it is known to promote. I consider the dust generation alone is grounds for refusal of the batching and recycling proposals, these activities best being undertaken in industrial areas and with adequate dust mitigation measure installed, something Hanson has not properly addressed in this proposal.

Similarly, noise is also set to significantly increase in line with production. While the aggregate crushing equipment is not deafening at the distance from which we experience it, it is intrusive, especially in very still conditions, or if there are light winds from the NE to the SE. All residents of Giles Road report hearing quarry noise on quite a regular basis.

In the event that crushing hours are extended, our sleep is highly likely to be disturbed in summer, as we are not in a position to just shut the windows and turn on air-conditioning, due to being off-grid solar. The sound the quarry makes is relatively low frequency and has a tendency to “gnaw” at your mind while trying to go to sleep. Similar to the dripping tap phenomenon, smaller noises can become cumulatively unbearable and I do fear that the noise will make our relatively quiet life here a lot less pleasant in ways we are yet to discover.

My greatest concern, however, lies around the blasting that is a necessary part of the quarry’s activities. When we first moved here in 2000, we rarely heard the quarry and never felt a blast until about 8 or 9 years later. If the output is to increase in the fashion Hanson proposes, the blasting will have to increase in line with the output. Whether it be 2-3 times more frequent or 2-3 times larger blasts, I fear that it will not only be unpleasant to live with, but our house (a solidly-constructed affair, built by a local builder with a good reputation, in 2003) will show further signs of the cracking that has become evident over the last 10 years or so. Notably, this has happened only following Hanson taking ownership of the quarry.

There have, on occasion, been some quite substantial blasts, which feel as if the whole house has “jumped” about three inches. While I realise that this is not actually what happens, it is still an unpleasant experience, not dissimilar from a very short earthquake. The variety of different natured blasts we experience suggests that there may be a degree of “non-control” over exactly what shock a given blast is going to produce. As a result, I fear the day when they make a larger magnitude of miscalculation about how much explosive is needed or where it is placed.

The particular problem with blasting damage to structures is that it is almost impossible to prove that any cracking, loose masonry and the like is actually the result of the blasting. While I feel quite certain that what we see is the result of the activity 1200 metres to the east, I am unable to prove that beyond doubt. Consequently, there is little point in pursuing Hanson for compensation and the cost of any repairs we may eventually need will have to be borne by ourselves.

In light of the broadly-cited expectation that the quarry had a 30 year lease/lifespan, I consider that we should have been witnessing a winding-down of operations and an increase in our amenity. Instead, we are witnessing an attempt to do the exact opposite and all the local residents are being expected to make a sacrifice for the good of one self-interested party.

6. Limited local benefit.

While residents will have to endure the increase in activity at the quarry (and all that it entails), there will be little returned to the community as a benefit. As noted earlier, the shared pathway proposed for Brandy Hill Drive is likely to see only limited use. There may be a small number of jobs created while the facilities are modified, but these will be relatively transient. There will, I presume, also be some diver jobs available, at least initially. However, with the rise in vehicle automation technology, these, too, will be ephemeral. Given that cost of staff would be one of Hanson's greatest expenses, I would expect them to be "front of the queue" in pushing this technology forward. Furthermore, they have the resources to invest in that technology which smaller companies may not, and it would, thus, offer them a significant cost advantage over competitors. In short, I would be astonished if there is a diver behind the wheel of a Hanson truck ten years from now.

It is also worth remembering that Hanson is part of the Heidelberg Cement Group, which last year had a balance sheet of around AU\$ 63 billion (based on exchange rate of 18 Jun 2020). This is where the profits from our Brandy Hill rock will ultimately be realised, not in the streets of Port Stephens, or even Sydney, for that matter.

This raises another point in that Hanson has consistently "cried poor", saying they can't afford to invest in dust mitigation measures, noise suppression controls, housing equipment permanently, limiting truck movements and so forth. Yet their parent company is worth \$63 billion! This suggests to me that they are simply focussed on profit and the cheapest rock they can produce, never mind the consequences. Hanson are more than capable of finding funds to do the job properly (as a number of Southern Highlands quarries clearly have), but have no intention of doing so.

Conclusion.

I would like to thank the Commission for taking the time to review this submission. I trust I have established a case that the Hanson application to expand Brandy Hill Quarry is not in the best interests of the local community, nor the environment, nor the principles of operating sustainably.

I believe Hanson sees our local quarry as a way of making the most amount of profit for the least amount of effort or expenditure. Ultimately, their concern is singular – and that is to provide low cost aggregate to the Sydney market. If that is their concern, then I would strongly suggest they purchase a quarry closer to Sydney.

By refusing the application, the Commission has a chance to send a strong message to business that **unsustainable**, activities which **destroy people's quality of life** are no longer acceptable in NSW. I urged the commission to refuse Hanson's application.



David Kitchener.

Environmental Policy

Effective Date: 1 May 2016
(Supersedes all previous related policies)

PRINCIPLES

Hanson accepts the responsibility for environmental protection which is integral to the conduct of its commercial operations.

Hanson is committed to:

- **Operating practices** which seek to minimise impacts, prevent pollution and minimise the likelihood of environmental harm through work and management practices, continual improvement, training and the use of new technology;
- **Compliance** with all applicable environmental laws and regulations and Codes of Practice in existing operations, new developments and upgrades;
- **Management review** of environmental objectives and targets;
- **Waste management** to minimise wastes, develop viable recycling opportunities, and ensure proper handling and disposal methods;
- **Product development** which seeks to combine commercial viability and efficient use and conservation of resources;
- **Environmental assessment** of new projects, asset purchases, sales and existing operations;
- **Environmental Incident Response** – contingency plans to minimise health, safety and environmental risks;
- **Rehabilitation** of areas affected by business operations;
- **Communication** of the Hanson environmental policy;
- Striving to meet **Community Expectations** through consultation within Hanson and with other relevant bodies, community groups and neighbours about environmental matters of common concern;
- **Water Management** which is integral to achieving sustainability, balancing today's needs with those of the future (refer to Water Policy for more information); and
- **Energy management** which is integral to managing greenhouse gas emissions from our operations and thus abating the impact of our business on the climate (refer to Energy Management Policy for more information).

Hanson will encourage concern and respect for the environment and will emphasise every employee's responsibility for environmental performance.



Phil Schacht
Chief Executive

1 May 2016
Replaces version 1/1/2014