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## **TRANSCRIPT OF PROCEEDINGS**

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O/N H-1592513

### **INDEPENDENT PLANNING COMMISSION**

#### **MEETING WITH DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT**

#### **RE: KARIONG SAND AND SOIL SUPPLIES FACILITY PROJECT (SSD-8660)**

**PANEL:** **DIANNE LEESON (Chair)**  
**PETER COCHRANE**

**ASSISTING PANEL:** **PHOEBE JARVIS**  
**BRADLEY JAMES**

**DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT:** **CHRIS RITCHIE**  
**WILL HODGKINSON**  
**SHEELAGH LAGUNA**  
**BRUCE ZHANG**

**LOCATION:** **VIA VIDEO CONFERENCE**

**DATE:** **9.31 AM, MONDAY, 1 NOVEMBER 2021**

MS D. LEESON: Morning all. Before we begin I would like to acknowledge the traditional owners of the land from which we virtually meet today and pay my respects to their elders past, present and emerging. Welcome to the meeting today to discuss the Kariong Sand & Soil Supplies facility project, SSD-8660, currently  
5 before the Commission for determination. Davis Earthmoving & Quarrying Pty Ltd, the applicant, proposes the construction and operation of a resource recovery facility and a building products and landscape supplies facility at 90 Gindurra Road, Somersby, located in the Central Coast Council local government area. The site is approximately four kilometres west of Gosford within the Somersby industrial park  
10 and covers 10.8 hectares of land zoned IN1 general industrial under the Gosford LEP 2014.

My name is Dianne Leeson. I'm the chair of this Commission panel. I am joined by my fellow Commissioner, Peter Cochrane. We are also joined by Brad James and  
15 Phoebe Jarvis from the Office of the Independent Planning Commission. With us today we have Chris Ritchie, director, industry assessments; Will Hodgkinson, team leader, industry assessments; Sheelagh Laguna, principal planning officer and Bruce Zhang, senior environmental assessment officer. In the interests of openness and transparency and to ensure the full capture of information, today's meeting is being  
20 recorded and a complete transcript will be produced and made available on the Commission's website.

This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its  
25 determination. It is important for the Commissioner's to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing which we will then put up on the website. I request that all members here today introduce themselves before  
30 speaking for the first time and for all members to ensure that they do not speak over the top of each other to ensure accuracy of the transcript. We will now begin.

So thanks, Chris, for making your team available for this morning's meeting around the Kariong proposal. Brad has sent you quite an extensive agenda which I hope is  
35 clear for you. I think a lot of the issues will actually probably run a bit together around the volumes and staging which we're particularly interested in. We had the benefit of a virtual site inspection with the applicant last week and they had some very good drone footage so we got quite a good understanding of the site. We're going to meet with them later this morning and we do still intend to go up and have a  
40 physical site inspection next week. So I think Peter and I have quite good familiarity with the project and the site now.

So we might, sort of, kick off, I think, with the staging overview of the proposal because it seems to flow through to the traffic, the air quality and the noise as well  
45 and I think one of the issues we're particularly interested in is how you see the – or what you would like to see in terms of monitoring and reporting coming to the

department before each subsequent stage is approved, should the Commission approve the project in the first instance. So I think today that's very much where we would like to start, with an overview of the staging and what you expect to see in terms of conditions working in practice around the specific staging. So we might  
5 start with that and then we will branch into some of rest of the agenda.

MR C. RITCHIE: Chris Ritchie, director of industry assessments. Thank you, Commissioner, for the introduction and the introduction of the team that's present this morning. We did have a bit of a presentation which we thought we would run  
10 you through which does touch on the department's assessment, the department's consideration of the key issues. And what we do do is, we do delve into the staging, which you've just touched on, in terms of the recommendation that we've put forward and how we do see that working from a conditioning and assessment point of view.

15 MS LEESON: That would be very helpful. If you want to start with that and then we will just take up questions from then.

MR RITCHIE: Yes.  
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MS LEESON: Thanks, Chris.

MR RITCHIE: I'm not quite sure how we - - -

25 MS LEESON: Are you okay with that, Peter?

MR RITCHIE: We've got to share somehow.

30 MS LEESON: Don't ask me how to share. I'm normally a sharing type but not - I can't do it on the technology. Peter, are you happy with that approach?

MR P. COCHRANE: Yes. Peter Cochrane, Commissioner. Yes, I am, thanks Di.

MS LEESON: Thanks Peter. Chris.  
35

MR W. HODGKINSON: Will Hodgkinson, team leader and industry assessments. Bruce, were you able to share your screen with the presentation? Thank you very much.

40 MR RITCHIE: So I will start off. Chris Ritchie, director of industry assessments. And what I'm going to do is run through the first part of the presentation and then Sheelagh Laguna, the principal assessment officer, will then present the key issues that the assessment does focus on in terms of our report that's before the Commission. So we just jump to the next slide please. Okay. So the department has  
45 provided an assessment of the Kariong Sand & Soil project and has provided an assessment and recommendation which is currently before the Commission.

Now, the team itself, the industry assessments team does deal with a variety of different projects and waste and resource recovery is one of those key types of industries that the team does deal with. And the presentation and the reason for this morning's meeting is to basically present the department's findings and  
5 recommendations as part of the – its assessment of the Kariong Sand & Soil proposal. The proposal itself is deemed to be – or is classified as State significant development because there's a type of waste and resource recovery that meets the provisions of the State and regional development SEPP, so waste projects of this type, that receive and process up to 100,000 tonnes per annum or more, are deemed  
10 to be State significant development which is why the department has assessed the project.

Now, the reason why the Commission is deemed to be the consent authority for this particular proposal is due to the number of public objections that the department  
15 received that were deemed to be unique in nature. So that basically means that under the requirements of the Act and the State and regional development SEPP, then the IPC or the Commission is the determining authority for the project. The department's assessment did identify four key issues with the project and, as part of the presentation this morning, we're going to run the Commission through the  
20 department's assessment in consideration of those issues and our recommendation, so those issues being air quality, noise, traffic and access and water management.

It's acknowledged that there has been a significant amount of community interest in the project and a lot of concerns have been raised. The nature of those issues did  
25 touch on the key – or determine as to why the department deemed those issues to be key because they were similarly issues raised by the community. And the recommendation of the department has considered those issues quite carefully which has resulted in some changes to the proposal itself. The department will run through, as part of this presentation, the nature of those changes and reasoning as to why we  
30 think those changes actually provide a better outcome for the – of the project in terms of impacts on the community.

Now, there are some really strict conditions that were recommended which require significant validation and monitoring as part of a progressive increase in production  
35 on the site and the department will run you through – the Commission through what that means and how that works in practice. So we just jump to the next slide please.

As we've touched on, the proposed development itself is proposal by Davis Earthmoving inquiring, who is the applicant. The site is located at 90 Gindurra  
40 Road, Somersby in the Central Coast local government area. It's roughly four kilometres west of Gosford and about 70 kilometres north of Sydney. So the proposal itself is a resource recovery facility proposing up to 200,000 tonnes per annum of construction and demolition waste. There will also be, as part of the proposal, a building products and landscaping supplies business that will basically be  
45 selling material that he will recover and recycle to various operators.

The proposal, as put forward now, will operate from 9 am to 6 pm, Monday to Saturday with waste deliveries and landscape supplies also being sold during that time. Processing material will be between 8 am and 5 pm, Monday to Friday, so the proposal itself has about a capital investment value of about 14.8 million with about  
5 20 ongoing jobs as well. Next slide, Bruce.

As we've touched on, the proposal is located in what's known as the Somersby industrial park. It's indicated on that map in red outline with the proposal on the eastern side, highlighted in yellow. The Somersby industrial park is about 300  
10 hectares in size with the proposed site, subject to assessment, being about 10.8 hectares. With the northern part, or about 6 hectares, proposed to be developed with about 4.75 hectares, the part to the south not being developed. The pink highlighted road that you can see that goes through the Somersby industrial estate is the Pacific Highway or M1 motorway. And the industrial park itself is quite large. It's one of  
15 the largest industrial parks in the Central Coast area and we understand it to be the second largest north of Sydney, with Hornsby being – what we understand as being the largest industrial park, so quite a large industrial environment. Next slide please.

On this slide here we try and contextualise the proposal in its surrounds, so while the previous image did highlight the proposal being within the Somersby industrial park on the eastern side, there's a couple of key receivers or aspects that we did want to highlight before the Commission. So on that figure there, as I touched on, the proposal really restricts itself to that northern part of the site. There is however some residential receivers to the east. So the proposal itself is quite, what we call, in an interface zone. And we will touch on later that interface zone did lend itself to the department giving careful consideration to particularly issues that were raised by the community but also the assessment outcomes that the department and the likes of other agencies like the EPA also identified. So there was a lot of focus to ensure that there were careful consideration of those issues which did ..... some changes to the  
20 proposal which I will touch on next.  
25  
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On that slide there too, we can see the receivers, in blue, to the east. Now, the closest receiver is roughly to the site boundary, roughly 22 metres from the site, so they're located to the east and this is depicted on that plan at the top. There's also some  
35 further residential receivers further to the east, along Debenham Road – or Debenham Road South. There's also a quarry, called Gosford Quarry, located to the east as well. And then you've got your industrial receivers more located to the left of the screen or to the west of the site itself, between the M1 motorway and the site and to the other side of the M2 motorway. Next slide please.  
40

This slide tries to, sort of, depict the timeline and processes that the department has been through just to try and illustrate the different milestones and steps with a corresponding date and time. So while the application did come in 2019 and we're presenting to the IPC in November 2021, there was a little bit of a process in between and a lot of that had stemmed from the need to have the applicant address a lot of the issues that were being raised by the department and the community. But also in  
45

terms of the additional information that we received and what we did with that from a public engagement point of view.

5 So we can see that there was an amendment made in about August 2020, following the original exhibition of the proposal in February 2019. That amendment was publicly notified. There was a further round of response and engagement in January 2021. There was some additional information and some peer reviews provided by some community members through March to July 2021 to which the department also had to carefully consider as part of its assessment. And as the assessment was  
10 nearing completion, we had to get some additional information in September 2021 which has culminated in the recommendation that is before the IPC in October 2021.

MS LEESON: Chris, can I just pause you there.

15 MR RITCHIE: Yes.

MS LEESON: Can you take us through the amended EIS in August 2020. Is this the - - -

20 MR RITCHIE: That's the next line.

MS LEESON: Okay.

MR RITCHIE: We're going to run you through.

25

MS LEESON: Thank you.

MR RITCHIE: I hope it's the next line. All right. So I was going over to the original proposal and then the change, so we're just taking on a bit of a process of  
30 what has transpired to where we're at now. So the original application sought processing of up to 200,000 tonnes and at that time there was no particular staging order. It was just processing up to 200,000 tonnes. A lot of the processing and receiver were located outdoors and were uncovered. At that time it was proposed to be a 24 hour, seven day a week operation. And with that proposal was the exhibition  
35 to the public as part of the department's process in February/March 2019. At that time there was a lot of community interest with about 419 objections from the public received, with advice from 11 government agencies including the council.

MS LEESON: And the 200,000, Chris, do you what the background to that is, why  
40 it's 200,000? I'm not quite sure what a regular recycling facility throughput might be. I'm just interested in what the basis for the 200,000 tonnes per annum is.

MR RITCHIE: I might have to – as a general response, we would get facilities of this nature that can range from 150,000 up to 500 or 600,000. In terms of – so in that  
45 context it's not at the bigger end. In terms of the reasoning at 200,000, I might have to, sort of, open up a bit to some of the other members of the department, whether they can answer that in particular detail.

MS LEESON: Look, it's not a big issue but if you do have - - -

MR RITCHIE: Okay.

5 MS LEESON: - - - any information .....

MR RITCHIE: We will take that on board and ..... and come back.

MS LEESON: Thank you.

10

MR RITCHIE: Jump to next slide. In terms of that exhibition, there was a ..... response, as I mentioned. This is an illustration of the broad range in which the respondents – or objections came from. And touching on those key issues that were raised was air quality, particularly around impacts from dust deposition, silica. There was concerns about asbestos and potential odour issues. Noise and vibration was another key issue in terms of construction, operation and potential traffic noise impacts. And particular concerns – and we do touch on this later – around heavy vehicle movements around the local traffic network and impacts on safety and efficiency. Jump to next slide please.

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So with that in mind, and I think it's important to highlight that there was that community concern that was raised but equally the department and the likes of the EPA were also raising some issues and concerns. And noting that previous slide which showed the context of the site in the Somersby industrial precinct and the residential receivers to the east being in a transition area, we did want to make sure that that was given careful consideration which culminated in a lot of engagement with the applicant, resulting in the changes that we want to run you through at the moment.

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So noting the 24 hour, as I mentioned before, so with the amended proposal there was a reduction in hours to 7 am to 6 pm, Monday to Saturday. There was the notion of the staging of throughput with initial stage at 100,000 and then increasing to 150 then 200. The applicant did indicate that that would be contingent on a performance-based approach. There was also going to be enclosures and more containment and control of waste operations, so where you were receiving crushing and mulching would be enclosed or covered. There were some changes and improvements made to the site access including a right turn lane to prevent vehicles using Debenham Road South which we know was a key issue raised by the community.

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There would be additional onsite infrastructure with hard standing, weighbridges and better traffic control. There's also a quite – a complex stormwater management system with a variety of catchments depending on the nature of potential types of water, whether it's clean or dirty, and having a tailored or dedicated water treatment system was also added. What also was included was having misting and sprays around certain infrastructure to control dust. And also an array of noise barriers around some of those noisy sources onsite. And a boundary noise wall along that eastern side, noting – or depicting that's where those residential receivers were

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located. And that does vary in height depending on the need to manage the noise, also aware of potential visual issues so it does range in height from five metres to four and down to two, particularly when you get towards some of those rural receivers that are quite close to try and offset any potential visual impacts. Jumping to next slide.

And just to try and depict illustratively those changes that I mentioned in the context of a plan of the site, so the orange does depict some of those changes that I highlighted previously. So you can see the site access at the start of the site and that includes actually no vehicles turning right. They can only turn left, away from those residential areas. There is the noisy, sort of, equipment orientated activities on site being enclosed. You've got your building to the top of the screen there. You've got your mulching and your – occurring inside a ..... you've got your barriers, which I mentioned before, which are depicted in red on those plans to, sort of, controlling and being located around some of those noisy operating equipment onsite.

You've got your waste receivable building which is towards the centre of the site so that has got that three way enclosure to control again, acoustically, noise coming from the site. And along the bottom there you can see that noise wall that I was mentioning which is a perimeter boundary. Again, you could try and manage noise from the site as well. So jump to next slide.

In terms of those changes, we thought it was important to go back to the community to seek the community's input again on those particular changes and that included actually formally notifying it for a period of time to seek the community's input again. There was a lot of consultation that the applicant undertook in terms of having information sessions around what the proposal was seeking to do and changes that were made. That included various meetings and briefings within the community but also the broader agencies as well. There was letterbox drops done. The department importantly notified the previous submitters too, to the original exhibition to inform them of those particular changes to and also invite them for any further comments.

The department exhibited the amendment with the response in August and September. At this stage there were 36 objections from the public and 114 submission in support and advice, again, from the various government agencies and the council. So jumping to next slide. In terms of the submissions that we received, the submissions that were objecting were still raising issues around air quality and silica dust deposition, noise and vibration. There were concerns around heavy vehicle movements and the impacts on the local road network, water pollution concerns. And, in terms of the submissions in support, there was the notion of an increased recycling, a reduction in landfilling and creation of local construction and operational jobs. Next slide please.

So here I'm going to hand over to Sheelagh Laguna, who is the principal planner within the team, who is going to run through those four key issues of our assessment in terms of what our assessment found and what we recommended.



MS LEESON: Thanks, Chris.

MS S. LAGUNA: Thanks, Chris. Yes. I'm Sheelagh Laguna, principal planning officer in the industry assessments team. I'm just going to run you, from here,  
5 through the key issues and the assessment undertaken by the applicant and then the department's consideration of that, going forward. As Chris mentioned, the key issues were, sort of, aligned with the community's main concerns which are around air quality, noise, traffic and water management primarily for the operations of the site.

10 You can see in the map on the right-hand side, just refreshing on the location of the residential receivers and also the industrial receivers which are surrounding the site, given that it's on the edge of the industrial zone. There were also other issues that were less of concern but obviously considered by the department fully, biodiversity,  
15 various construction impacts, also groundwater impacts, heritage impacts, contamination hazards, bushfire management and also visual impacts. Next slide please, Bruce.

20 So starting off with the air quality, from the submissions received that was definitely one of the top key community concerns along with noise. The applicant did a – in both the original and the amended development they did assessment of this. We're going to concentrate on the amended development. So the applicant's assessment was undertaken in accordance with the approved procedures. They recognised – or they identified the contaminants of concern to be the total suspended particulates,  
25 deposited dust and particulate matter of various sizes, so the larger size the PM10, the 10 micron size and the PM2.5 which is the smaller particles.

30 They also identify the key emission sources of the operations and development, primarily waste unloading and all the various processing activities on the site, you know, if the front end loaders moving waste around the site, wind erosion from stockpiles and also the emissions and movements of the vehicles onsite themselves, the trucks etcetera. The applicant did all its assessment on the maximum amount of throughput of 200,000 tonnes being as that was what they would, you know, be wanting ultimate approval for. And the assumption, and this is quite common in  
35 assessment, is that if they've fewer tonnes the impacts would be less or certainly not more than they would be at 200,000 tonnes.

40 And just at the bottom here there's a table showing the criteria for each of these, so PM10 and PM2.5, the criteria of 50 and 25 micrograms and the assessment showed that the impacts at residential industrial receivers would be lower than that. And with regard to respiratory – it's hard to say – the - - -

MS LEESON: Silica.

45 MS LAGUNA: Silica, yes, dust emissions will be far below the criteria. They're only .8 micrograms per metre cubed, the criteria being 3 micrograms which is very reassuring. Can I have the next slide please, Bruce. Thank you. Okay. In terms of

emission reduction measures, the applicant was extremely conservative due to the – you know, the department had questioned them considerably and also the public was concerned and they really took a very conservative approach to their assessment. They took into consideration – they were wanting to limit stockpile height. They  
5 were introducing dust suppression throughout the site using watering carts and misting systems. That’s both inside buildings and also stockpiles that were outside. They watered down continuously. They would be undertaking monitoring and they would cease any activity if it became windy to prevent anything blowing across the site.

10

MS LEESON: .....

MS LAGUNA: Yes.

15 MS LEESON: The – what is the limit of stockpile height?

MS LAGUNA: I can’t quite recall that height. We can certainly get that to you. Perhaps Bruce can look that up in the meantime.

20 MS LEESON: ..... find out for us, that would be .....

MS LAGUNA: Yes, that would be good. Sorry – yes, we don’t have that at hand.

MS LEESON: Thank you.

25

MS LAGUNA: As Chris mentioned, the community was extremely concerned about the impacts given they were nearby and a group of community members clubbed together and commissioned a number of studies. One of them was for air quality. They commissioned Todoroski Air Sciences to undertake a review of the  
30 applicant’s documents. They came out with a number of concerns. They were concerned about the modelling that was undertaken, the, sort of, was that appropriate and they were also concerned that the dust sources had not been appropriately considered. The applicant went away and reviewed that and had another look at all their information. They actually also commissioned themselves a second consultant  
35 to do a peer review of what they had done and also taking into consideration the community’s concerns.

The results of that were that the modelling was appropriate and that the dust sources were appropriate as well and that, given that there is going to be onsite  
40 meteorological station proposed as well, that any – there will be very accurate data from that coming out for ongoing monitoring once the facility would be operating. Given the level of concern, the department also commissioned its own study independently as well to review all the information that was provided to us including the applicant’s and the community’s independent studies. And it came out with the  
45 same conclusion that there was – a robust assessment had been undertaken, that the modelling used had been appropriate and, you know, best practice considerations had been taken into account.

The EPA was satisfied as well. They were no longer concerned. There had been some questions during the course of the assessment but ultimately, once the applicant had amended the development and added in all its mitigation measures, as discussed previously, the EPA was satisfied with that. The department, in conclusion, was  
5 satisfied that the assessment undertaken was conservative and given that the applicant themselves had proposed, as part of the amended development, that they would offer to have everything verified, all the impacts to be verified starting at a smaller throughput level of 100,000 tonnes that would be checked once they were operating and then everything be re-modelled and re-predicted to check if it was  
10 similar to what was already approved. But those checks and balances would be sufficient and that's then carried through into the conditions to be satisfied that the impacts were low in this case. The next slide, Bruce.

That brings me onto the conditions and then we're going to – after I've just gone  
15 through this for air quality, I'm going to pause briefly and talk you through your main concerns about how those conditions work in practice. Its reflected in several of the impacts. So for air quality, the department has recommended the onsite meteorological station which would accurately measure the dust and air quality  
20 emissions on the site. They would have to operate, of course, to the air quality criteria and the limits that they had proposed themselves, and also in accordance with their environmental protection licence. We require them to put a very robust air quality management plan in place and really with strict criteria on how they're going to do the air quality monitoring. And then to do with the staging of the development, we have requested – or recommended that they undertake performance monitoring  
25 once they've commissioned each of the stages.

So in the first instance, the first stage will be 100,000 tonnes, if approved. They would be required to monitor the air quality impacts within three months of commencement and report to the department on what their findings would be. And if  
30 there were any exceedances, they would need to introduce additional mitigation measures that would reduce everything down to the levels – you know, under the criteria, you may be required to report to us on those. And then, as a further step – before they could step up to the next level of 150,000 tonnes, they would need to take the results of the monitoring from the air quality and feed that into further  
35 models, which would then predict what would happen at 150,000 tonnes, and then verify – backcheck that against what had been predicted in this original assessment just to, sort of, ..... that they would be the same and we would still be confident that they could go forward without any impacts. Can we have the next slide please, Bruce.

40 Now, here is a visual depiction of how we anticipate this working and it's, pretty much, the same – well, it is pretty much the same process, air, noise, water and traffic, so I just thought it's, kind of, depicting what I just described to you but here – maybe, Bruce, you could put your cursor on each of these bubbles. So here's the  
45 point where approval takes place. First bubble, that's 100,000 tonnes, and they commission and start operating – get everything constructed and set up and operating. And once they're doing that, within three months they're required to

monitor and report to the department on the performance at that level. If there are any problems, they need to implement improvement measures and keep doing that until they're under the levels required.

5 Then the data from that gets fed into the verification step which is the next condition – and I can't, off the top of my head, remember the condition number but it's the one following the monitoring requirement. They feed the data into that, remodel everything to predict then what would happen at stage 2 and that would be a lot more accurate than, you know, any modelling they could do at this stage because they  
10 would have real time data from operating at 100,000 tonnes. Then there would be a decision made whether it would be okay to proceed to the next stage if that is – yes. If everything is in accordance with that then we would need to come to the planning secretary to get formal approval for that with all the documentation and information. If it's not okay to proceed then they would need to stay at 100,000 tonnes and keep –  
15 either stay there forever, I suppose, in theory but they would need to implement additional actions to make sure that they are not, you know, not creating any impacts, you know, within the limits of what was, you know, required by the consent.

And then following on from there, the same procedure would happen a second time.  
20 Once they've set up and are operating at the 150,000 tonne level once again. Within three months of that they would need to monitor and report again. Any improvements required would need to be implemented. Then the data from satisfactory operation would be fed into a further verification piece where they would remodel and then a decision would be made whether they're okay to proceed. If so,  
25 the planning secretary approves then the 200,000 tonnes. If it's not okay, keep improving or remain at 150. And then the final step is 200,000 tonnes operating at the maximum level but they're still required, as all waste facilities are, to monitor on a regular basis and report back regularly with their audits and things like that. Are there any questions at this stage because this is probably a good time to stop and  
30 discuss if you've any questions about how this would work in practice.

MS LEESON: Peter, do you have any questions?

35 MR COCHRANE: I do, thanks. It's Peter Cochrane. Thanks, Sheelagh. Just on this diagram, and I've picked it up in the conditions and it's B11 and 26 etcetera.

MS LAGUNA: Yes.

40 MR COCHRANE: ..... verification, it reads as if the – the proposed conditions say they've got to prepare these management plans within three – prior to commencing stage 2 and stage 3 a report has got to be in, including a verification of the predicted impacts of that next stage and I don't quite understand how one can verify predicted impacts until you've actually got that stage operating. You can use your existing data. So where the cursor is, I think – no, that's my cursor, I'm sorry. Yes, that one.  
45 Yes. So you can't verify the predicted impacts of stage 2 until you're actually in stage 2.

MS LAGUNA: Correct – no, no. It’s a verification of a prediction that they did at this stage, so - - -

MR COCHRANE: Okay. So - - -

5

MS LAGUNA: - - - at the moment they’ve predicted X, Y, Z, you know, best on, I suppose, modelled data which is best on a model of how much dust they think they’re going to produce, for instance, but that then would be remodelled and – so it was verifying the predictions that they’ve done at this stage with all the data that’s actually real from when they’re operating at 100,000 tonnes, so they will be moving around the site. There will be certain dust produced and the monitoring that’s undertaken at the boundary, they will be able to feed in the actual meteorological data from the onsite station. That will make a much more accurate prediction and then we compare the prediction that they’ve done at that stage with what they’ve originally predicted.

10

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And, look, if they’re wildly different, we would want to know why that would be the case. And if that new prediction hopefully is more accurate and shows even lower impacts, that’s the ideal. But if it shows the same or it might show more, then we need to – they need to adjust what they’re doing onsite - - -

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MR COCHRANE: Yes, no, I - - -

MS LAGUNA: - - - and make sure - - -

25

MR COCHRANE: I understand the process. It’s just the way it’s worded in the - - -

MS LAGUNA: Okay.

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MR COCHRANE: - - - .....as it does say:

*Prior to commencing stage 2 –*

for example, you’ve got to do the noise modelling report and it must include a verification of the predicted noise impacts of the development for stage 2. So it’s okay to verify the predictions for the previous stage that you then have data for but you can’t actually verify the predictions for stage 2 until you’ve actually got stage 2 data. Do you understand?

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MS LAGUNA: Yes, I do.

MR COCHRANE: ..... so no problem with the process. It’s just the way it’s worded seems to suggest you can actually verify something before it has actually happened.

45

MR RITCHIE: What I think it’s doing, Peter, as well is, it’s trying to – using the information based on how you’re operating at stage 1 - - -

MR COCHRANE: Exactly.

MR RITCHIE: - - - you can forward predict, I suppose, in the model.

5 MR COCHRANE: ..... it as you go.

MR RITCHIE: Exactly right. Exactly right. So it could be just how it has been worded but that's the intent, is to – using what you know is actually happening, you can – it is scalable so how would you compare yourself, so you're verifying, are you going to be what you're achieving at stage 2? As you predicted, are you performing how you thought you would be performing.

MR COCHRANE: I think it's just a small word change that actually makes - - -

15 MS LAGUNA: Sure.

MR COCHRANE: - - - that a bit more explicit in the conditions. Okay. No – thanks. Thanks very much otherwise that's fine. And this applies obviously for water, noise - - -

20

MS LAGUNA: It does, yes. Yes, very similar.

MR COCHRANE: - - - and traffic as well.

25 MS LAGUNA: Yes. Bruce, can we have the next slide please. Okay. This brings me then to noise. The applicant's assessment of that – so in terms of what they considered, the greatest noise impacts were predicted to be from heavy vehicle movements on the site, front end loaders, moving waste around, the crushing and grinding works that would take place actually process the waste and also trucks arriving at the site. The applicant modelled these all working simultaneously 100 per cent of the time, so they had all the plant moving around the site, all the machinery operating which is extremely conservative. That's a very common to do that. It's worst case scenario modelling and, you know, that was fed into their models.

35 So they had also already amended the development at this stage and they have full enclosure of certain activities, so the crushing and mulching operations are enclosed as is the waste receival area. And they also had already modelled in the noise wall, so there's the various walls. For the majority of the site it's five metres high and then at the front of the site where the visual impacts would be slightly more obvious, they've sloped down the wall so that it's slightly lower at the front. They also have three-metre high noise barriers.

40 MS LEESON: Sheelagh, can I just ask - - -

45 MS LAGUNA: Yes.

MS LEESON: - - - there on that, I understand that they've reduced the noise wall there to address visual impact. Can you recall offhand if there was much community submission around height of noise wall versus visual impacts? So the noise amenity versus the visual amenity issue .....

5

MS LAGUNA: Not that I'm aware of.

MS LEESON: Okay.

10 MS LAGUNA: I know that they were concerned about visual impacts in the original development.

MR HODGKINSON: Something we can probably look into but - - -

15 MS LAGUNA: Yes, we can look into that, for sure.

MR HODGKINSON: - - - I think it is safe to say that noise was one of the key issues more so than visual.

20 MS LAGUNA: Yes.

MS LEESON: Thank you. And in terms of – if this is approved and we take on the department's recommendation, is there a process in there for the applicant for a CCC, that they would have the opportunity to liaise with, you know, the nearby receiver about that noise and visual impact balance, if you like.

25

MS LAGUNA: Sorry, Will, are you going to answer that question?

MR HODGKINSON: I was just trying to find the unmute button. There isn't a condition for a CCC. In terms of consultation with receivers, in preparation of the management plans that are required under the conditions of consent, they do need to be prepared in consultation with the nearby sensitive receivers, so there would be opportunity for receivers to provide some input as part of the preparation of the management plans re air, noise and the other management plans required.

35

MS LEESON: No, I think that answered my question. Thanks, Will.

MS LAGUNA: Yes. And just, I suppose, just ..... most of the biggest noise generating activities actually occur at the back of the site so they're away from the front where the noise walls are lower. And that was all taken into consideration in the modelling but, as I say, we can come back to about the, sort of, the trade-off between the height of the walls and the noise impacts.

40

MS LEESON: That's fine. Thank you. And we did talk with the applicant on – when we did the visual – the virtual site visit, I'm sorry, about that palisade fence across the front of the site and the landscaping works as a response to visual amenity

45

- - -

MS LAGUNA: Yes.

MS LEESON: - - - or visual impact, so I think that has probably taken on board some of the community concern, if I understand correctly.

5

MS LAGUNA: Yes. That's right. Can I have the next slide please, Bruce. So the community also commissioned an independent study for noise as well, given their concerns. And as a result of that the applicant did some more modelling. They revised the modelling to make it even more conservative than it already was because these are the, sort of, concerns from that consultant ..... and it was to do with increased sound power levels for the machinery. So that's a, sort of, I suppose, a theoretical list of how noisy each plant is. That was deemed to be perhaps under estimated. The EPA also had concerns about that and the department was also asking about that.

15

So they boosted up the sound power levels to make them more realistic. They included reversing beepers, which hadn't been included in the original modelling, and also, after discussions with ourselves and the EPA, they added on five decibel penalties for impulsive internal noise. And they also amended the values for the soundproofing rating of the buildings, which is all very technical, but that feeds into those sound – noise models. That resulted in, once again, very conservative modelling with the results at 200,000 tonnes showing that the noise impacts at 242 Debenham Road South, which was that receiver – it was the closest receiver, the one Chris mentions, about 22 metres away from the entrance of the site. That would be equal to the project noise level, the, sort of, noise criteria for this project. Everything else would be under that level but that one, at 242 Debenham Road South, would be equal to that.

20

The department considered all of this and we do acknowledge that the modelling undertaken was a conservative worst case scenario with everything operating at once. It would likely be lower and, given that everything would be verified prior to increasing to the higher processing capacity, and the EPA was satisfied with the outcome, we recommend that, with all these mitigation measures in place and the conditions, that would be satisfactory. Bruce, could you move to the next.

35

So the conditions are very similar to the ones for air quality, installing the noise walls and barriers that they have committed to, operating everything in compliance with the noise limits for the development, which are in the conditions, preparing a noise and vibration management plan which would document all their monitoring and, you know, how they're going to deal with any complaints. And then the performance monitoring following commissioning at stage 1 and the verification of the predictions as for air. And, as previously discussed, that's quite a comprehensive suite of conditions for noise.

40

MS LEESON: Yes.

MS LAGUNA: Are there any questions on that?



MS LEESON: No, I'm fine. Peter, questions for you?

5 MR COCHRANE: I have one. In condition B21 there's table 2 and it has got the noise limits. And there are two – Central Coast Riding for the Disabled sample it says when in use it's 53 and for industrial, when in use, 68. What does “when in use” refer to? I'm assuming it's the development use rather than those particular different receivers. Anyway just if you could explain what “when in use”, to whom that refers.

10 MS LAGUNA: My understanding is when the riding centre for the disabled is in use and the - - -

15 MR COCHRANE: It seems a bit odd for industrial – the industrial location is, what, the Somersby industrial park. Does that mean the limit there is 68 DB? It just seems a bit – it seems vague to me.

MS LAGUNA: Okay. Chris, we – that's quite a standard - - -

20 MR COCHRANE: Is it. Okay.

MS LAGUNA: - - - description for, sort of, facilities. Residentials are slightly different.

25 MR COCHRANE: Most of the industrial facilities are actually further away than the residentials.

MS LAGUNA: Correct. Yes. Well, it's - - -

30 MR COCHRANE: ..... more than a little bit .....

35 MS LAGUNA: My understanding is because it's – you know, the industrial facilities are usually, sort of, seven to three on a weekday and they're not there at the weekends and that kind of thing, so it doesn't apply then. Perhaps, Will, can you elaborate a bit more on that or shall we - - -

MR HODGKINSON: I think it's something we can take on notice. We can investigate.

40 MS LAGUNA: Yes, we can take on notice there.

MR HODGKINSON: Yes.

45 MS LEESON: This would likely require some consultation or regular discourse with the Central Coast Riding School about its operating hours, I presume. Yes. Okay.

MS LAGUNA: Yes.

MS LEESON: Thank you.

MS LAGUNA: Any other questions, Peter?

5 MR COCHRANE: No. That's it. Apart from the same one about the verification of noise impacts and I think that's – it's just wording.

MS LAGUNA: Yes, of course. We worded them all - - -

10 MR COCHRANE: Yes.

MS LAGUNA: - - - the same so if, yes, any changes – next slide please, Bruce. Yes. So that brings me to traffic and access. There are two portions to that. There's the operational traffic and then also the impacts of the site access which were – and  
15 also on the surrounding – the very local roads. So I just want to start with this map here. That shows the approach roads, so this is the main roads, up the Central Coast highway and the Pacific Highway. All the incoming and outgoing waste would travel via this route. They would travel down Wisemans Ferry Road and then turn right into Gindurra Road and head towards the site.

20

MS LEESON: Sheelagh, if I could just interrupt, sorry.

MS LAGUNA: Of course.

25 MS LEESON: I'm mindful of time and we do have a meeting with the applicant this morning as well so I - - -

MS LAGUNA: Sure.

30 MS LEESON: - - - think, for the purpose of the presentation, you can assume that we understand how it's going to operate - - -

MS LAGUNA: Yes.

35 MS LEESON: - - - unless we jump in otherwise but perhaps we can go really to your assessment and conclusions just to, sort of, take us .....

MS LAGUNA: Yes, of those .....

40 MS LEESON: ..... because this has been a terrific presentation. Don't get me wrong. It has been very thorough and most welcome but we are a bit time constrained this morning.

MS LAGUNA: That's fine. No problem.

45

MR RITCHIE: We will send it through anyway as well just after this meeting - - -

MS LAGUNA: Yes.

MR RITCHIE: - - - so you've got the detail.

5 MS LEESON: Of course. Thanks.

MS LAGUNA: Yes.

MS LEESON: Thank you, Chris.

10

MS LAGUNA: Yes. In conclusion, so the modelling was that the key intersections would not be impacted. It's not a large volume of traffic that would impact the intersections. There's sufficient capacity in those. Bruce, could you go to the next slide please. The applicant – or the community had a traffic study as well about  
15 intersect traffic and the main concerns that came out of that – they were also the main concerns for council as well regarding queuing on Gindurra Road for trucks going in and also the impacts on the residents living on Debenham Road South and Kangoo Road. Actually if you can go to the next slide, Bruce, that will help explain what's happening here.

20

So this is a bit of an adapted diagram that's in the assessment report. So essentially trucks coming to the site will come from the west, along Gindurra Road, following the green arrows. They will go into – pull into the right turn lane that the applicant is going to construct. It's really just road marking. It's painted on there so they will be  
25 adjusting Gindurra Road to add an additional lane which is long enough for two trucks to, you know, stand one behind the other so there's no blocking of Gindurra Road. They will turn right into the site and proceed in that way. When they exit the site they're only allowed to turn left. A concrete median in the middle of the entrance will be splayed such that they will be forced to turn left and a truck will not  
30 be able to turn right.

MS LEESON: So perhaps in the – sorry, perhaps in the interests of time, it might be simpler if Peter and I ask some questions - - -

35 MS LAGUNA: Of course.

MS LEESON: - - - of you. As I say, we've really appreciated what you've done today. It has been very thorough and well received. I think I can speak for both of us on that. If I can jump straight to some questions on that. One of the things that  
40 struck us with the traffic modelling was that there's a theoretical capacity of well over 200,000 tonnes per annum by the number of movements that are proposed on a day to day basis. And, I guess, there's one thing there about how the department will remain satisfied that it is, at each stage, either 100,000, 150,000 or 200,000 and, you know, they've got weighbridges to record weights and the like there.

45

In the various stages – seeking approval for the next stage, is the department anticipating it will get evidence of the volumes that have come in through the gate

under those limits at each stage? Is that set out – or intended to be set out in the traffic operational plans? The question is, there’s a theoretical capacity, we believe, of well over 200,000 tonnes per annum, and we would ask the department’s view on whether they’re satisfied that the conditions, as they are presented to us, should we  
5 approve it, will be sufficient to control that volume.

MR RITCHIE: I suppose there’s two ways to answer that. There’s actually a separate set of conditions around waste monitoring - - -

10 MS LEESON: Yes.

MR RITCHIE: - - - in terms of how much material is received at the site and how much is processed and dispatched from site. So there’s a whole – in the waste industry there are particular conditions around the tonnages to keep an eye on it. In  
15 terms of the phasing from 100 to 150 to 150 to 200, I don’t think there’s anything prescribed in that particular, say, air or noise condition but there’s the general waste monitoring condition. I just can’t remember what number that is, Will, from the top of my head but it should be one of the first conditions under the waste heading.

20 MS LEESON: Okay. Well, perhaps Will can look for that while we move on.

MR COCHRANE: If I could just put some numbers on that. Theoretically it operates 312 days a year and theoretically 144 truck movements of the size that it said is roughly about 3000 tonnes a day. Working at maximum capacity, that adds  
25 up to just shy of a million tonnes a year. So they’re operating at 10 per cent of that. Presumably it’s going to be lumpy from when things come in and go out but, yes, it’s how are we confident that the 100,000 tonnes is, you know, operating at 10 per cent of maximum allowable capacity? How do you operationalise that?

30 MR HODGKINSON: You’re referring to the throughput limits that - - -

MR COCHRANE: Yes.

MR HODGKINSON: - - - are earlier in the consent. Yes. So there are conditions –  
35 I’ve just clicked away from it, sorry. Condition A6 prescribes the overall 200,000 per annum limit and then below that, conditions A7 and A8 refer to the different staging limits. So they set the limits for the applicant at each stage, so they’re strict. While we can understand that there may be the capacity for additional vehicles to attend the site, there are limits under the consent around what the applicant can and  
40 can’t do. So it would be expected that that would be complied with. Additionally there are conditions around compliance reporting to the department and there is also a condition around an independent audit that is required. So there are strict compliance-related conditions as well.

45 MS LEESON: Thanks, Will. That’s probably where we need to look in the recommended conditions to see whether it would satisfy the Commission. That’s fine. Thank you.

MR RITCHIE: And we will flag, Commissioners, where the waste monitoring conditions are as well, so there are particular prescribed conditions around monitoring how much comes through the site.

5 MS LEESON: Thanks. And I note council – council is in administration at the moment so they have declined the opportunity to have a public meeting – sorry, a stakeholder meeting with us. Can you just take us through – have you taken any of council’s issues into consideration and incorporated – I think this, for example, in the traffic structure and set out for access and egress is probably picking up on the  
10 council’s concerns. The one thing I haven’t noticed though is, is there a requirement – has council sought a requirement for any dilapidation survey of Gindurra Road adjacent to the site and who might be responsible for repair there, should that happen?

15 MS LAGUNA: I’m not aware of that having taken place but we could check into that about the dilapidation report, about that being a requirement.

MR HODGKINSON: Yes. I can add there, condition A17 and A18 relate to the protection of public infrastructure. So prior to commencing construction, the  
20 applicant needs to prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site. As to its relationship to Gindurra Road specifically, that’s probably something we can look at in more detail but that condition A18 does impose an obligation on the applicant to repair or pay the full costs of damage to any public asset.

25 MS LEESON: Thanks, Will. I’ve pulled that up and I’ve had a look at that. Thank you. That answers the question.

MR HODGKINSON: Sure.

30 MS LEESON: Great. Peter, have you got any other questions on the traffic management? We might keep moving through. We still need to deal with stormwater management. Contamination, I think – I’ve had a look and there is a clear condition in the report. It was one thing we had asked you to have a look at.  
35 Offsite disposal is clearly referenced in the conditions – in the recommended conditions. So perhaps we can jump to stormwater management very quickly.

MS LAGUNA: Yes. Yes. So assuming that, in the interests of time, that you’ve had a – you know, understand the water management system. Do you have any  
40 questions about how that works from the description?

MS LEESON: Peter may well have some questions. My primary question is around the balancing of the water in that water quality pond, what they need for dust suppression and what is then required for discharge into the environment to meet  
45 regular – or environmental needs there. Can you explain to us how that’s working?

MS LAGUNA: Well, my understanding is that they use most of the water from the water quality pond in the – is reused on the site, so it gets used to water the Melaleuca biconvexa and also used in the misting systems and the watering of the site. I believe that the water only gets discharged into the other part of the site a few  
5 times a year when there is high water fall whenever there isn't enough capacity in the water quality pond.

MS LEESON: Okay.

10 MS LAGUNA: Apart from – are you concerned that the bushland requires water from that part of the site?

MS LEESON: Well, it's how it's going to be discharged, the rate of it and the impact on the bushland, whether it's going to be detrimental because there's not  
15 enough or detrimental because there's too much in a hurry but really while they maintain the ability to deal with the dust suppression in the interests of air quality. It's a water balancing ..... we would just like to understand a little more.

MS LAGUNA: Yes. Well, we can provide more details on that. I don't have the exact figures at hand but the system has been designed to, sort of, address all those issues. And the function of the level spreader is to, sort of, dissipate the water that's released and, sort of, spread it over a wider area rather than having one big gush of water coming out whenever they need to release water. But we can certainly provide  
20 more information about - - -

25 MS LEESON: And that's broadly how the applicant described it to us when they showed us the aerial diagrams last week.

MS LAGUNA: Yes. Yes. Okay. So the water requirements for the bushland.

30 MS LEESON: Peter.

MR COCHRANE: I have three issues on water. One is, there's a reference to a requirement to the – compliance with the urban water – the so called blue book. And  
35 the reference is 1997. There are much more recent – I think volume 1 is now 2004 and there's a later one as well, so just make sure that that's the most current reference. Secondly, spoon drains are due to drain the site, heading off into a number of directions according to their risk categories. Given the slope that is to the south, along the length of the property, I just worry about the capacity of spoon  
40 drains to actually deal with large quantities of water and heavy rainfall and not disrupt traffic flows because basically the spoon drains pretty much run along vehicle movements areas as well. So that's one.

45 And then the last concern I've got is around concrete recycling – crushed concrete and heavy metal contamination of concrete. It's pretty well established that concrete has got – obviously depending on its source but a lot now contains fly ash from coal plants and some of those have got quite high heavy metal contaminants. So I haven't

had a chance to look in detail at what's proposed for that but that would be something I would flag as a concern.

5 MR RITCHIE: A lot of – because we've probably picked up, in the last number of years, a similar issue around concrete – and chromium I think is one that jumps to mind in terms of heavy metals – which is why there has been a lot of, I suppose, push from the department in assessing these projects to ensure you're controlling interaction with those particular materials and water to start with. And while we, sort of, talk about enclosures of processing and stockpiled areas is geared towards noise and air. It's also water related as well, just to keep, I suppose, water out of the material to start with. So there's a lot of, I suppose, steering around water control around that too as well as hard standing your sites.

15 And you will often get sites that – historically that we, sort of, pick up that are operating under an old – and then they want to update and a lot of what we focus on is actually, sort of, retrofitting their operations to bring them up to current standards. In terms of particular information around the spoon drains, we can look into that in more detail and come back. That's also a premise around controlling the environment by actually enclosing his water management.

20

MR COCHRANE: Yes. And one of my concerns obviously is that predictions of more intense rainfall in coming years and so we need to think that these things are actually linked to what is possible.

25 MR RITCHIE: Particularly, yes. I mean, I think this year is a La Niña event, for example, so it's going to be a bit wetter than the last few years. I know during our assessment we did work closely with the EPAs water branch in particular around water management, so we did look at this in a lot of detail. And those agencies, from memory, were comfortable with the approach but, in terms of some of the points that you've raised, we will come back and give you a bit more detail.

30

MR COCHRANE: Thank you. Thanks, Di.

35 MS LEESON: Okay. Thanks, Peter. Okay. So I think they were the questions that we had for the water management system. If you can take that on board, that would be fine. Where are we at in your presentation then, are we - - -

40 MS LAGUNA: Yes. I was just further – I mean, we've discussed the contaminants and that the applicant's assessment showed – that was all satisfactory. And then we had the other assessment issues. That's – you touched on that you had actually had a bit more of a read and didn't have as many questions about contamination as you originally had. Is that correct? Did you have any other questions about that?

45 MS LEESON: I had no further questions, having re-read the report and that condition, and having the benefit of the applicant's presentation last week at the ....

- - -

MS LAGUNA: Yes.

MS LEESON: - - - inspection.

5 MS LAGUNA: Okay. All right. On to the next slide then, Bruce, please. This is  
just really an overview of the conditions that we had and how we feel that they cover  
off everything, look at the staging, the monitoring, the verification, all the  
management plans and the staging will really control the growth of the site and then  
10 the improvements. And if you go onto the last slide quickly, Bruce, it's really just an  
overview of the outcomes, how we feel things have been addressed, the site access  
issues, the site's – you know, can only turn left out of the site and only right into the  
site.

15 That feeds on – there won't be any impacts on residences on Debenham Road South  
or on Kangoo Road because there will only be employee vehicles, a few per day,  
going along there that are allowed to turn left into the site if they choose to come  
from that direction. And then in terms of the staging, it's just obviously the reduced  
operational hours and things are enclosed, there are noise walls along the boundary.  
And it's, sort of, really a summary of everything we've just discussed.

20 MS LEESON: Thank you, Sheelagh. That, as I say, has been very comprehensive.  
I think we've probably got a very good grasp of it now so thank you for that. We've  
got the applicant stakeholder meeting coming up this morning. We've got  
submissions coming in from the community and plan a public meeting next week  
25 which, Chris, I think you're going to present at – or the department will present at.  
So if there are other questions that come up in the meantime, we will come back to  
you via the office with any other clarifications that we need. If you can take those on  
board, I think we're in good stead. And, Peter, unless you have any other questions  
for this morning, we might thank the department and close this part of the meeting.

30 MR COCHRANE: I've just had – sorry, that last slide just raised the interesting  
question of the Gosford quarry which is obviously a large operation very nearby.  
I'm wondering what its road use is and whether that's encompassed within the  
constraints that are – for example, no traffic around that corner of Gindurra Road and  
35 Debenham Road South – or maybe their access is just out Kangoo Road, not sure.  
But there must be a fair bit of movement from that quarry.

MR RITCHIE: There's not a lot of information that we could find in terms of that  
operation. It's not what we understand to be a departmental approval which  
40 probably means it has been there for some time but it is – as you say, it is quite large.  
In terms of tonnages or movements, we're not aware. We have been looking.

MR COCHRANE: Okay.

45 MS LEESON: That probably raises a good point. We are, as I said earlier,  
intending to do a physical site inspection next week. Are there any vantage points  
that the department would suggest that we go and have a look at?



MR RITCHIE: I know Bruce has been out there. Would you suggest anything, Bruce, in terms of a good position to get a feel for the site and surrounds?

5 MR B. ZHANG: Yes. I'm Bruce Zhang. I'm ..... assessment officer from  
department. My suggestion from my site visit including the south frontage on  
Gindurra Road would be the best one. And also I would recommend for – at the  
10 intersection of Debenham Road South and Kangoo Road. That would be the best  
vantage point to have the grasp of the quarry. Due to site to the south, unfortunately  
because it's heavily vegetated, that may be hard to understand from ..... so the best  
one would be the south frontage and those intersection.

MS LEESON: Okay. Thank you, Bruce.

15 MR ZHANG: Thank you.

MS LEESON: Very good. With that, I think we've probably exhausted our time  
and so we thank you very much for that. We will follow on a couple of those things  
and we will see you at the public meeting next week, so thank you very much.

20

**RECORDING CONCLUDED**

**[10.43 am]**