



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF MEETING

RE: EAGLETON QUARRY PROJECT (SSD-7332)

APPLICANT MEETING

PANEL: JULIET GRANT
ALISON MCCABE

OFFICE OF THE IPC: BRAD JAMES
KENDALL CLYDSDALE
TAHLIA HUTCHINSON

APPLICANT REPRESENTATIVES: DARREN WILLIAMS
MURRAY TOWNDROW
TIM WARD

LOCATION: ZOOM VIDEO CONFERENCE

DATE: 11:00AM – 12:00PM
THURSDAY, 16 MAY 2024

<THE MEETING COMMENCED

MS GRANT: Before we begin, I would like to acknowledge that I'm speaking to you from Gadigal Land, and I acknowledge the traditional owners of all the country from which we virtually meet today and pay my respects to their elders, past and present. Welcome to the meeting today to discuss the Eagleton Quarry Project SSD-7332, currently before the Commission for determination. The Applicant, Eagleton Rock Syndicate Proprietary Limited is seeking approval to develop a new hard rock quarry to extract, process and transport up to 600,000 tonnes per annum of hard rock material over a 30-year period. My name is Juliet Grant. I am the Acting Chair of this Commission Panel. I'm joined by my fellow Commissioner, Alison McCabe. Adrian Pilton, the appointed chair of the panel, is unable to join us today, but Adrian will review the transcript of today's meeting and submit any further questions in writing that Alison and I do not cover between us. We are also joined by Brad James, Tahlia Hutchinson and Kendall Clydsdale from the Office of the Independent Planning Commission. In the interests of openness and transparency, and to ensure the full capture of information. Today's meeting is being 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 determination. It is important for the Commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you're 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 our website. I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure they do not speak over the top of each other in order to ensure accuracy of the transcript. We will now begin. Who's heading off from the Applicant's side?

MR WARD: Hello everyone, I will. My name is Tim Ward. I'm a director of planning and environmental assessment at Ethos Urban. I've been helping the Applicant Eagleton syndicate with the preparation of the planning reports and with the preparation of the environmental impact statement and the various documents that have been prepared for the planning submission since then. So, we have a presentation to - with some maps and things to talk through. Is that what we should do now?

MS GRANT: That would be fantastic. Thank you. And we do have a printed copy. Thank you for sending that in advance. So -

MR WARD: Okay yes, no problem. So, I will - shall I share my screen then.

MS GRANT: That would be great. Thank you.

MR WARD: Okay. Can you see that that screen now?

MS GRANT: Yes.

MR WARD: Okay. Excellent. So, Thank you for the time today. So, I'll just quickly run through the details of the proposal. As you mentioned at the introduction, it's a hard rock gravel quarry. It's intended to have an operating capacity of 600,000 tonnes per annum. With a quarry life of 30 years. The quarry would employ approximately ten staff on site, and it's envisaged that there would be approximately ten contractors. Coming and going as part of that as well. The hours of operation that we sought approval for were processing extraction on weekdays from 7 am. to 6 pm. and on Saturdays from 7 am. till 4 pm. with sales activities and sales activities being the loading of trucks for dispatch to work sites from 5 a.m. to 10 p.m. on Monday to Friday and 5 a.m. to 4 p.m. on Saturday. Just to flag, we noticed that the draft consent issued by the Department of Planning. We've acknowledged that they have reduced the sales activities. Between 5 a.m. and 6 p.m. on Monday to Friday. So, we've also - just note that scheduled maintenance would occur during processing hours. So, sort of daytime operating hours. And then the proposal also includes a closure and rehabilitation plan for the end of quarrying at the end of the life. So just in terms of some of - a quick run through of the timeline because this project has been around for a long time. The EIS was submitted in February 2017 and put on exhibition. At that time, we received around about 50 submissions from the community and agencies, and there were a number of issues that were raised and responded to by way of a response to submissions report in 2017. The main changes that occurred to the project in response to submissions was there was a revised layout, and I'll talk through it a little bit in the next slide. But there was a revised layout and staging of the of the quarry to reduce amenity impacts to the closest neighbours. There were some refinements and clarifications in some of the environmental assessments, and there was quite a significant change to the water management plan that was, that was carried out in collaboration with Hunter water to ensure that the neutral or beneficial impacts were achieved in relation to the Grahamstown Dam, which is downstream. There were also some revised designs around the access to the quarry. Again, I'll talk to that in a little bit more in detail in the subsequent slides. But all of the changes that were made during the responsive submissions period were accepted by all the agencies with the exception of the access arrangements at Italia Road and the Pacific Highway with Transport for New South Wales. So subsequent to the responsive submissions report, there was extensive and ongoing engagement between the Applicant and with Transport for New South Wales to resolve that access to resolve the access arrangements for the quarry. We looked at multiple different options over those years and had multiple discussions with Transport for New South Wales around what they needed to see and what solution they would see as acceptable, this also included there's other quarries along Italia Road. There's an existing quarry at Boral and there's a proposed quarry also by ARDG. So, they also became part of that conversation in the latter part of that process. And finally, in 2023, an access arrangement was agreed with Transport for New South Wales. And I'll explain that in subsequent slides. But that has resulted in this proposal sort of being amended in September 2023 and then moving towards this this sort of final recommendation from the Department where we are today. So one of the - in terms of the key issues and I noticed, I've responded in the preparation of this presentation to the issues that were put into the IPC's agenda meeting so that's sort of I'm trying to address those specific issues that that have been specified in that

agenda. The first key issue is relating to noise So, just I've put on the, on the map here, the location of the closest sensitive receivers, so most of the sensitive receivers are down along Six Mile Road, about one kilometre south of the quarry. There's a handful of residential properties down there. There's also the Eagleton Ridge
5 Disability Services facility, which is like a respite centre. And that's located to the south of the quarry two. There's one house located up on Italia Road. Which is just highlighted there on the plan as well. And that's up near the intersection of Italia Road and Pacific Highway. All of the activity you can see around the quarry itself. So immediately to the north is the Boral Quarry. There's a car club, a racing track, a
10 paintball facility. So, they're all commercial industrial receivers. In terms of the noise assessment, we one of the key sort of parameters of the project was that we wouldn't undertake any extraction or processing activities before 7 a.m. to protect the nighttime noise environment. So in terms of - the quarry design was modified during the responsive submissions phase to really reduce the amount of noise impacts to
15 those residents to the south, those closest residents and also the respite centre and what it was designed to do was to create always a natural barrier so that the quarrying was always happening to the north of a raised embankment on the southern side of the quarry and processing area, so the quarry would constantly be working behind that embankment. The processing plant was also to be excavated
20 down to an RL, of 45 with again, a significant embankment on the southern side of that processing area to again prevent noise from being emitted to the south. And then that would be - that that that arrangement would be flowed through as the quarry was progressed through the years. And this section here just sort of shows that in section. So, it shows that the working face is constantly creating a natural barrier between the
25 processing and quarrying activities and the residential receivers to the south. So, in terms of the noise impact assessment the noise assessment shows that the noise levels were achieved at all of the neighbouring residences. We've proposed to carry out sales activities. In that morning shoulder period between 5 a.m. and 7 a.m. and the noise assessment has assessed that morning shoulder period. And demonstrated
30 compliance with noise criteria during that time. The in terms of blasting - the blasting arrangements would, you know, were always going to comply with the ANZECC guidelines. And we've also had conversations with some of the neighbours, including the Eagleton Ridge Disability Services and the Applicant has agreed to reduce blasting time frames to meet those requested time frames as well,
35 So there's sort of a reduced window for blasting. That's even sort of more restrictive than the ANZECC guidelines. In terms of air quality, this was all reassessed as part of the responsive submissions process. And no exceedances of the air quality impact assessment criteria. Were predicted and as part of the mitigation measures for the project, the Applicant has agreed to undertake real time dust monitoring and reactive
40 management. And that's been included in the Department's recommended conditions of consent. So probably the most significant issue has been the traffic and transport assessment and the access arrangements for the quarry. So, I'll just talk through that briefly now. The access to market from the quarry is via a local road, Barleigh Ranch Way, which is what the quarry addresses to. That doesn't currently connect to the
45 public road network in any way. Other than by a right of carriageway across the property to the north. And then that rider carriageway connects to Italia Road, which is a public local road, and then it's a short distance down Italia Road to the Pacific

Highway. So that's always been the I mean, the only real way for the quarry to access the public road network. And the proposal was to use the existing - the original proposal was to use the existing right of way. The as the project evolved over the years and the negotiations that the Applicant had with the property owner to the north, it was agreed to relocate that right of way. So that right of way is - it benefits all of the properties to the south of Barleigh Ranch Way. Including the paintball facility, composting facility and the racetrack and so that right of way has been agreed between all of those property owners and the property owner to the north to relocate that right of way to the east. So that's been progressed separately to the project under a local Council DA, which has been approved. And that that right of way is in the process of being relocated. The right of way still obviously connects between Barleigh Ranch Way and Italia Road and those connections won't fundamentally change other than the location of the intersection at Italia Road is being is being moved as well. Once the quarry trucks get to Italia Road. They then turn right to the Pacific Highway and the original proposal that's an existing Seagull intersection at grade. And the original proposal was to allow trucks full, left and right turn movements into and out of Italia Road. And the transport for New South Wales had concerns around the safety of that in the longer term. So as the highway traffic increased the background traffic on the highway increased. There were concerns around - in sort of 5 to 10 years time that that would be that would create unsafe turning conditions for trucks, turning right out of Italia Road to move southbound on the highway. And that was what really caused the delay in the project from 2017 to now was to come up with a solution at that intersection that would satisfy Transport for New South Wales in terms of that longer term safety issue. So, what was agreed with transport was that the trucks would turn left. Southbound trucks that wanted to head southbound on Pacific Highway were turned left at that intersection and move north to a turnaround arrangement at the Karuah interchange at Tarean Road. I've just got a map here. To show - this shows the changes that are being made to the Italia Road and Pacific Highway intersection, so the intersection is being upgraded to include a left turn slip lane and acceleration lane for the trucks to turn left onto Pacific Highway. This upgrade is being undertaken as a separate local development application with Port Stephens Council. Because it's not just for the benefit of Eagleton Quarry, it's also for the purpose of supporting ongoing and future expansion of the Boral Quarry, which you saw on the map previously, and also it will benefit the ARDG quarry, which is proposed also along Italia Road. So, this is a broader network solution to the use of for trucks using this intersection. And all of those quarries, we understand, will be forced to have trucks have their trucks to turn left here and do the same turnaround arrangement. So, that's a deal that's been lodged with Council and is under assessment. So, the turnaround arrangement is that the you can sort of just see there on the map that the left turn at the Pacific Highway is sort of in the bottom left-hand corner. It's approximately ten kilometres. The trucks will travel along Pacific Highway and make their u turn at the Karuah interchange, and then they will head south, to market if they, if that's their intended destination. So, there's no issue with trucks obviously arriving from the south and turning left into Italia Road. And there's no concern around trucks from the north travelling down the Pacific Highway and turning right into Italia Road. So, this is only to deal with trucks turning right out of Italia Road to head southbound on the Pacific Highway.

So in terms of just the key points that were put on the agenda the internal access road within the quarry site obviously it enters the site off Barleigh Ranch Way and it loops around the edge of the site to avoid impacts on the existing composting facility that is taking place and will continue to take place on the eastern part of the site.

5 There is a new bridge over Seven Mile Creek, and the details of that are all in the design documents. In terms of the new right of carriageway. I've explained that it's been agreed with the landowner. It's been approved by Council. And it's in the process of being constructed to - and built to Council's rural road standard. It's possible in the future that Council will accept that as a local road. But at the moment

10 it's being built as a and put in place as a writer carriageway. Similar to the current situation. And the upgrade of the Italia Road and Pacific Highway intersection. Has been submitted and is under assessment by Council. So, one of the things I'll just flag it here that that the Applicant is still talking to Transport for New South Wales about. It's not part of the current proposal. But is the possible temporary use of the existing

15 intersection? In the short term, to allow trucks to turn right for - with a reduced frequency and capacity. If there's a need to or if the quarry needs to open before the intersection works are complete, whether that's possible. And that's something we're still talking to Transport for New South Wales about. And if that arises, then that would be a future application or modification that we would consider. In terms of

20 biodiversity the assessment was - or the application was made under the previous legislation and is saved and been prepared in accordance with that previous legislation. So, the biodiversity assessment method was used, and a biodiversity assessment report was prepared. It was all reassessed as part of the Response to submissions report in 2017. When the quarry footprint was revised, the revised

25 layout sought to avoid impacts onto the creek lines that are within the site. So that's sort of what's dictated the footprint of the quarry. And there's a significant area of land within the site that's not going to be affected by quarrying activities. And that will be retained and protected through a biobanking agreement or potentially stewardship site arrangement. The - there's a bridge over Seven Mile Creek. And that

30 has been designed all in accordance with the riparian corridor requirements. And the creek lines are being protected to allow the biodiversity corridors around the quarry to remain in place. The site does contain some koala habitat, and I've just shown on the map there that the majority of that or the higher value koala activity areas are all in the southern part of the site where the vegetation is adjoining off site vegetation to

35 the west and to the south, and that's all going to be protected as part of the project. In terms of the assessment of water impacts. So again, this was all revised as part of the Responsive Submissions report. And that was done in collaboration with Hunter Water Corporation because the site is within the catchment of the Grahamstown Dam. And so, they had very significant requirements around water storage capacity

40 and the management of water in different events. And the modelling looked at the 1 in 500-year rainfall events. The regime works around storing most of the water on site and only in very limited circumstances is there a requirement for controlled discharges from the basins that are on site into the creek to take place and, and so that's intended to in a sense replicate the existing situation of sort of low flows being

45 maintained, but then larger flows being released at different times. But the, there's very large on-site storage capacity to ensure that all of the water quality standards are met and those basins include bio retention and floating wetland arrangements to

ensure the water quality standards are met when the discharges do occur, and the assessment was done, like I said, in collaboration with Hunter Water Corporation and they're satisfied that the neutral beneficial effect requirements have been achieved in relation to the Grahamstown Dam. This slide just shows the final closure plan
5 rehabilitation closure plan for the site. So, there's a series of benches out onto the western part of the site where quarrying has obviously removed the material and the water basins on the eastern and southern sort of edge of the quarrying activity area. They'll be retained as sort of permanent water features for management of the water sort of going forward, and there'll be rehabilitation with new forest species through
10 that area at the completion of quarrying. So, in terms of we've reviewed the Department's assessment report and recommendations, and we're supportive of the Department's conclusions in that regard. We've generally accepted all of the conditions that the Department has put into their recommended conditions. That's been submitted to the IPC. As I mentioned, we are exploring whether there's an
15 opportunity in the future for the quarry to operate. In some capacity prior to the intersection works on the Pacific Highway Italia road intersection being complete, and those discussions are ongoing. With Transport for New South Wales and with Boral, potentially. I just wanted to flag that we have had discussions with Eagleton Ridge Disability Services around ensuring that the activities on site, in particular
20 blasting, does not cause adverse impacts on their residents. And we have an agreed process in place to ensure that doesn't - or that outcome can be achieved in terms of the recommended conditions of approval. We just had a couple of minor requests that for the Commission to consider in its determination. And they're just listed there. And we can put this in writing as well after the meeting if it's appropriate to do so.
25 Just to allow some flexibility in terms of the negotiations that we're having with transport for New South Wales around the use of the intersection. And also, in relation to A14 there is in relation to the in relation to the contributions along Barleigh Ranch Way, which as part of the proposal, the Applicant will be constructing Barleigh Ranch Way to Council standards. And we just seeking a
30 dispensation on haulage contributions for a period of time, and we've suggested the first five years. Given the significant cost up front to construct that piece of local road infrastructure. So that's the end of my presentation. Thank you for listening. And we're happy to take any questions that the Commissioners have.

35 MS GRANT: Thanks Tim I think that's great. That covers quite a few of our queries before we ask the questions, could you - sorry, could you just explain to me, in terms of the quarrying operations, is it consistent throughout the year? The 600,000 tonnes per annum or is there seasonal variation, or are you in terms of kind of the impacts, is it consistent throughout the year or are there fluctuations?

40 MR WARD: Darren or Murray, are you able to answer that one?

MR TOWNDROW: Yeah, I can probably address that one. The construction
45 industry, from our experience with our sand quarry we generally do about 20 to 22% of our annual tonnage in the first three months of the year. So, it's generally quieter in January, February, March and April. That's combined with the slow start to the year in January with holidays and everything going on. Then we've got Easter and a

couple of short months, plus in Newcastle we receive about - it's about 20% more rain during those months. As opposed to August, September, October, November. We generally do more of our tonnage, so it's a maximum of 600,000 tonne. Would expect most of that to be weighted towards the end of the year. And the front of the year would be about 20% lighter than the back half of the year. I think in terms of the traffic and transport and number of trucks that it's been modelled in our application. We've from our experience, we've - The capacity of what's been modelled is almost two or maybe three times more than what you'd anticipate to get out in any given year. And that's just because, some days you might do 50 trucks a day. On a peak day, you might do 100 trucks. But we've probably got. The modelling has been done pretty close to 120 trucks per day or something like.

MS GRANT: Oh, thank you. And so, sticking on that that traffic question. And I understand that whole trigger for the left turn onto Pacific Highway's obviously been a contentious discussion. What's the implications for running trucks ten Ks up the road north before they turn down for your operations?

MR TOWNDROW: Yeah, we raised that with Transport for New South Wales. It all comes about distance to market. So, to be able to supply material to market the shortest possible quarry. Distances advantageous from a traffic impact perspective plus an economic perspective. But on the flip side, it comes back to the value of your resource. So, a resource located closer to market is obviously more valuable because it's got less transport costs, whereas a resource at Karuah or beyond would have a lower value because it's got an additional transport cost associated with it.

MS GRANT: And what would happen? If that separate DA that's currently with Port Stephens Council wasn't determined - wasn't approved. Is there a Plan B?

MR TOWNDROW: We wouldn't be able to meet the conditions of this application. I guess the draft conditions. So.

MS GRANT: And I guess hence why you're asking. Unless otherwise agreed on amendment to that to that condition. A10 is there a threshold or a lesser operating threshold in the early days of operation that you would imagine would be able to be accommodated without that intersection upgrade? Is there a trigger at which point it just doesn't work?

MR WARD: Well, I'll just. I'll just jump in. One point. There is the main driver of the safety of that intersection is background traffic growth on the highway. So, it's when the amount of traffic on the highway sort of reduces the amount of spaces for trucks to cross the lanes to be able to turn right. And so, the main concern doesn't arise on day one because the existing traffic on the highway doesn't trigger that the loss of that time to make the turns. So, the main concern was in several years time down the track. So, in terms of that, it's not necessarily the capacity of the quarry that is the driver of that, that situation, the quarry would have a ramp up period. So, it would in its, in its first few years have a, have a reduced operating capacity anyway. So, any sort of negotiation around that does come with a reduced operating capacity

for the first ramp up sort of couple of years plus reduced background traffic on the highway and that's some of the factors that we think are reasonable to consider in that situation.

5 Thank you. Maybe just picking up on that. And Tim, just picking up on your may or
may not be a request to alter the condition, but is there documentation in support of
that premise? Presumably your traffic analysis and documentation to date is saying -
well, I read from the amendment report that this proposal needs that road
10 intersection. If you're looking at doing something different or for a period of time, is
that supporting documentation in front of the panel?

MR WARD: Our application. Always was supported by evidence and traffic reports
that said we don't need to do that intersection upgrade. That the right-hand turn
15 movements was actually not at a level that that caused a major safety concerns at the
highway in the short to medium term. And it was Transport submission that came
back and said, 'well, notwithstanding that we still don't want to allow additional right
hand turn movements for trucks. At that intersection.' So it wasn't, it wasn't sort of
our proposal and wasn't our assessment that said that that intersection needed to be
20 upgraded if that makes sense. And so, the issue was more around satisfying transport.
And coming up with a solution that transport was willing to accept and as the years
rolled on, that solution needed to account for both the Boral - existing Boral
operations plus a potential Boral expansion and extension of their quarry, plus the
ARDG quarry that was proposed as well. So, the I guess the combination of all of
25 those things. Encouraged or forced transport to come up with a solution. You know,
in collaboration with all those operators. And this was the solution that they
essentially agreed to. And as a group, those operators are moving forward with that.
So, I think the point of our comment is more around this has been driven entirely by
transport. This is the solution that transport have nominated. And we don't think
30 given that given that the whole issue was created, was brought up by transport and
transport was the authority to decide whether it was acceptable or not. That the
condition could reasonably say, 'well, if transport was willing to accept something
different in an interim arrangement or whatever it was.' That, that wouldn't be
unreasonable to allow that to happen.

35 MS McCABE: Do you think -

MR TOWNDROW: (inaudible)

40 MS McCABE: Sorry -

MR WILLIAMS: To answer your question there is data with the Department that has
multiple intersections till 2032 and (indistinct) limited capacity that it functions, and
it operates safely, that is, with the Department.

45 MS McCABE: And just cutting to the chase, is it, isn't it, that in the case of transport
essentially asking for something different to happen at that intersection? Presumably
they're not agreeing with the assessment that's been put in front of them and require

something different. So just the Commission's job is to understand the traffic impacts of this application. So, I understand your application and we understand it's relying on this intersection now to be constructed. You've introduced today a slight variation to that. But it goes to - I suppose, transport's consideration of that and whether or not there is a traffic impact arising out of that. So, if the Commission is to consider that, we just need to understand what we're looking at, I suppose is what I'm saying. And so far, it seems that transport hasn't been open to that to date. But you're having other conversations.

10 MR TOWNDROW: I think the way that everyone started to work together, Boral, US and ARDG, Boral had a - they put in a modification to modify their Council DA that was refused by Port Stephens Council on the basis of traffic concerns. Obviously their current Da doesn't - it's got a definitive amount of material to come out of that site, and we're of the understanding that that's getting close to the limit, that they won't have material available So, it's the cumulative impacts of the volume of traffic going out of Italia Road that caused concern for Transport for New South Wales. Hence everyone working together to get an outcome that solves everyone's problems, not just one party's problems.

20 MS McCABE: Okay, we might move on. I think we were asked. Oh, maybe one other on traffic. How are we mana - and I think this is an operational consideration. How are we forcing trucks to go left? What are the mechanisms or what are you putting in place for that to happen? Because, again, just how easy would it be for a truck to turn right if it looks like there's a gap?

25 MR TOWNDROW: From experience with compliance all our weighbridge is going to be fully automated. Weighbridge that records truck haulage companies takes a photo when they leave the site. Full records. All our drivers, there'll be a code of conduct. Driver code of conduct. They'll be inducted into the quarry and advised of the way they've got to haul material. And that will be that they've got to turn left. There'll be signage, I believe, at Italia Road. That will say that all quarry trucks or something of that nature will have to turn left. And I'm assuming that anyone that did try to turn right would be in breach of the driver's code of conduct and that that fall back on to our management of the quarry. So, we wouldn't tolerate any of that sort of thing happening -

MR WARD: So, I think I think just expand on that a little bit. Each individual quarry will have their own conditions of approval and it will. It's part of the Eagleton quarry, will have a condition of approval and a requirement that all of the trucks. Associated with the with Eagles and quarry would have to turn left. At that intersection because that's obviously a public road. It's regulated by Transport for New South Wales. They may decide to I mean, it's obviously designed for vehicles to be allowed to turn right there because, as they currently do, and that that movement is being retained. And that was in part sort of the agreements around allowing residents to still be able to turn right, not unduly affect them. But like Murray said, you know, transport could put signage up that says no vehicle longer than six metres or heavier than three tons or whatever it is. Can turn right at that

intersection and it could be a standard road sign, but that's, that's sort of not our control. That that'll be that'll be transport signage where they put that up. But each individual car will have their own conditions of concern they'll have to comply with.

5 MS McCABE: Okay. Just interested in that. And if transport decided to do something like that, that presumably will capture not just quarry trucks, it will capture other trucks.

MR WARD: Correct.

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MS McCABE: Whatever happens to be on the road.

MR WARD: Yes. And we understand that that is the intention. But that's not I mean, it's not It's not in our power to control or require.

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MS McCABE: We might move on to a broad biodiversity question, but very happy for you guys to take this on notice. Because it is a bit specific. Understand the lodgement of the application in 2017, the biodiversity report for 2016/2017. I'll focus on the one thing I know, and it would probably extend to other flora and fauna species as well. But I do understand in the reports that the koala is identified as a vulnerable species. It's now listed as endangered. That happened in 2022, as I understand. So, the question is, does the change in listing affect the conclusions of the biodiversity reports? Particularly in respect to the consideration of the assessment under the Threatened Species Conservation Act and the EPBC Act, and that which also then leads into the areas that are being retained on site and the credits. So, it's not - it wouldn't just be the koala, but that's the one that, as I said, front of mind for me. Do we know whether or not those change in listings would affect the conclusions and recommendations of the ecological reports? And as I said, I'm probably happy for you to take that on notice. Unless somebody actually knows the answer.

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MR WARD: Well, I think we'll have to take that on notice. I think I'll - just in terms of two comments, and not to try and make a comprehensive answer. But you can see from my presentation earlier that the areas that had significant habitat value for biodiversity are thought for koalas were all in the southern part of the site south of the creek line. Where no activities are going to be taking place. So, I think - I would hope that there wouldn't be a significant effect out of that change that listing. But we'll have to take that on notice and come back to you. Have our biodiversity consultant to have a look at it. I think also, I just would flag that we are in the process of making referral to the Commonwealth -

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MS McCABE: You are?

MR WARD: Yeah, we are doing that. Yeah.

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MS McCABE: Your reports suggested that you weren't.

MR WARD: No. We weren't? No. We originally weren't going to make a referral. The assessment that we did indicated that we didn't need to. We have had subsequent conversations with the Commonwealth and have agreed that we will make a referral.

5 MS McCABE: So that might answer my question to some extent for the EPBC -

MR WARD: Yeah.

10 MS McCABE: Consideration in the biodiversity reports that that suggests it has changed -

MR WARD: So under in terms of the EPBC listed species that that will be considered, that's been undertaken now and that will be addressed in the referral to the Commonwealth.

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MS GRANT: And what's your timing on that referral?

MR WARD: There are - Murray, do you know the timing? Oh, you're on mute, mate.

20 MR WILLIAMS: Yeah. Four five weeks. We should be ready to submit that.

MS McCABE: And I'm a little bit -

25 MR WILLIAMS: on just to add that that was done by choice. We'd spoken to EPBC, said that we'd had I said we didn't think it needed to be, but we've just aired on the side of caution and thought, well, we'd rather logic and get an outcome. Then that sort of an outstanding thing that, you know, might pop up later and cause drama. Let's just deal with it now.

30 MS McCABE: I was just, and it will be. Isn't there an opportunity to consider the Commonwealth legislation and the state legislation together as part of an SSD application?

MR WILLIAMS: Became there. There is.

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MS McCABE: Yeah. So, you've chosen not to do that? That's right. It's open to you to do it. Either or presumably.

MR WARD: That's right.

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MS GRANT: That's all. Thanks. I'm. I understand. Okay, thanks, probably maybe our last question about operating hours.

45 MS GRANT: That's not one that you've raised or requested in your presentation for an amendment. But we note that there are different times proposed in the conditions versus both what you had originally applied for and also what the EPA comments referred to. And we picked up some inconsistencies in some of your noise reporting

particularly that sort of the 5 pm. to 10 pm. time slot not being covered. Do you want to just talk through that - the operating hours, what your view is on what's proposed in those conditions?

5 MR WARD: Yeah. It was. Look, it was a mistake. I think it's fair to say that we had the final noise report that was submitted as part of our response to submissions for the amendment process. Actually, incorrectly nominated the reduced hours. And which was which was an accident, but it also the assessment there did not actually assess the evening noise as well. So, the Department took that as sort of that it wasn't
10 in there, you know, they didn't have the information in front of them to be able to prove those longer hours during the evening period. And when we had a conversation - we picked it up, we had a conversation, sort of informal conversation with the Department's assessment officer. And on the back of that, we agreed that we would accept that recommended condition and if we got to the point where we
15 needed or wanted to operate in the future into the evening period, and then the Department indicated that they would accept the modification to seek that. And, obviously we provide updated noise reports and things like that as part of that application. But as it stands, we've accepted the condition.

20 MS GRANT: Okay. Thank you. And in your presentation, you talked about discussions with the Eagleton Ridge Disability Service, and I think you mentioned something that perhaps blasting would only happen 12 to 4 at their Monday to Friday. At their request, the Department's conditions refer to 9 to 4, Monday to Friday. What's the status of that agreement with the that sensitive noise receiver?

25 MR WARD: Darren. Do you want to -

MR WILLIAMS: Yeah -

30 MR WARD: Talk to that. Thanks.

MR WILLIAMS: I went and met - sorry. I'm Darren Williams, one of the directors of the quarry. I went and met with the owners of the respite care, and they raised to me their concerns with noise. And they believe they understood that we met the
35 criteria. They understood that we would meet all the criteria set by government. The concern was that some of their people have sensitive hearing issues. That maybe they weren't sure but may be in excess of what the Department might put on a quarry. Their comment was to us is 'how could we work together to make sure this doesn't become a problem for either party?' The solution that we come up with, and we've
40 put this in writing to Eagleton Ridge and they've actually minuted our discussions and sent it to planning. So, it's on record that what we've proposed to do is only have six residents at the respite care, I believe six at the time that have some sensitive issues. What we've proposed is that we would cover the cost for the times of blasting for the first year. So say we do 12 blasts, we would pay the cost of the respite care to
45 take them people on a day trip, whether they take them to the zoo or the park or the beach, we would cover that cost we would actually have a representative at the respite care with the appropriate monitoring during them first 12 blasts with the

owners of the respite care so that they can get comfort, that what they see over that first 12 months is acceptable and comfortable to them, and which they believe they will be, but they're just uncertain. If they're happy with all them, there's no issue, they're then happy with the process where we just advise them or when the blasts are, so they have time that they're not, say, going for a bush walk. They want to have the residents controlled at that point in time and, like a blast take takes a couple of minutes. So, they were very receptive. I think we will have a very good working relationship. They were happy that we reached out to come up with a solution for them and us.

10

MS McCABE: Okay, that's so just not clear because just in the presentation at the request, it's between 12 p.m. and 4 p.m.

MR WILLIAMS: Correct.

15

MS McCABE: Is that what you're going to do?

MR WILLIAMS: Yes.

20 MS McCABE: So, you're going to operate for blasting between 12 pm. and 4 pm?

MR WILLIAMS: It's 12 to 4 pm. is the ideal time. It'll only be then derive that by whether that would be the only thing that would potentially change the timing.

25 MS McCABE: Right. So, just thinking out loud.

MR WILLIAMS: Yes.

30 MS McCABE: In terms of if we're of a mind to be supportive of this, are you saying we'd be happy to restrict blasting to between 12 pm. and 4 pm, with a flexibility to adjust to weather conditions?

MR WILLIAMS: Happy to take it on notice, but I -

35 MS McCABE: Yeah, just.

MR WILLIAMS: I don't see I don't see a problem with it at all, but I just probably have to just run it past the drill and blast guys. That that is the best time to do it. Typically, it's like I say, it's about wind direction, background noise, a whole bunch of things, but I don't see why it couldn't be done within that 4-hour window.

40

MS McCABE: One of the noise. Just when I was reading the amendment report, and it's the noise report at the end of the towards the end of the life of the project, I understand there's a need for some noise barriers. Do we have any idea just generally where they are? It says around plant, but where those barriers are and what they might be?

45

MR WILLIAMS: Tim, are you here?

MR WARD: I was just going to say if you I don't have the I'm not sharing the map at the moment, but if you can recall, the quarry was sort of moving south and it was
5 always creating a berm or leaving a berm in front of the working face. Obviously when you get to the very end of the quarry life, you need to excavate essentially the face itself. And then for that period of time and also where we left the hill or the mound next to the processing area. That also needs to be excavated and removed. So, it's really when you get to the point of the mounds themselves that are doing the
10 function of the noise barrier when they need to be removed. And so, during those works you could put on the southern extent of either the processing area or the quarrying area, you could put temporary barriers to essentially achieve the same purpose. For those periods of time.

15 MS McCABE: Are they is that going to look like an acoustic wall to three metres or something? Is that what it's going to be? I was thinking of a number. (crosstalk)

MR WARD: Yeah, yeah, something like that. But you wouldn't be able to see it from
20 offside because it's right on the adjacent. It'd be right adjacent where the - on the edge of the quarry processing area is, which is sort of quite far in the northern part of the site.

MS McCABE: Yeah. I understand the plan.

25 MR WARD: Yeah.

MS McCABE: I just wanted to understand what you're looking at, two metres, three metres, a wall of some type of acoustic material.

30 MR WARD: Yeah, yeah.

MR WILLIAMS: We initially just thinking back when we spoke to the acoustic consultant about this, there was talk that we look at either a single row, if not a double row of shipping containers to give you a 2.4 or a 4.8 sort of barrier to that
35 southeastern wall. So once the dirt mound is removed between the residence and the crushing facility, you'd have that wall of say, shipping containers to basically buffer that noise as a temporary solution to the quarries complete.

MS McCABE: Or maybe it's a question on notice as well. Just and I do understand
40 the point, Darren, that it is a temporary solution and it's at the end of the life of the quarry -

MR WILLIAMS: Yes.

45 MS McCABE: But probably just wanted to understand what that might be.

MR WILLIAMS: Yes.

MS GRANT: Thank you. Brad or Kendall, do you have any other questions?

5 MR JAMES: Nothing from me.

MR CLYDSDALE: No, no further questions.

10 MS GRANT: Fabulous. Thank you, gentlemen. Thank you so much for your time. That's been really helpful and informative for us. So, we appreciate you making the time to meet with us. So, thank you very much. Have a great afternoon.

MR WARD: Thank you too. Will we receive now a letter with those questions on notice or.

15 MS GRANT: Yes, you will.

MR WARD: Okay, great. Thank you.

20 MS GRANT: Terrific. Thank you.

MR JAMES: Thanks all.

<THE MEETING CONCLUDED