



TRANSCRIPT OF MEETING

STONE RIDGE QUARRY PROJECT (SSD-10432)

APPLICANT MEETING

PANEL:	JANETT MILLIGAN (CHAIR) RICHARD PEARSON TERRY BAILEY
OFFICE OF THE IPC:	KENDALL CLYDSDALE GEOFF KWOK
APPLICANT REPRESENTATIVES:	JUSTIN MELEO DAMON BIRD KATHY LYONS GARTH NAGLE DAVID HOLMES PENNY WILLIAMS
LOCATION:	ZOOM VIDEOCONFERENCE
DATE:	10:15AM – 11:20AM TUESDAY, 5 TH NOVEMBER 2024

<THE MEETING COMMENCED

UNKNOWN SPEAKER: Good morning.

5 **MS JANETT MILLIGAN:** Good morning.

UNKNOWN SPEAKER: Good morning.

10 **MS MILLIGAN:** Do we have everybody online?

UNKNOWN SPEAKER: I think so. I'll just –

15 **MS MILLIGAN:** One by one becoming visible to us, so welcome. Okay. I think everyone's with us, so let's begin. So I'd just like to make a statement at the start of the meeting. I'd like to acknowledge that I'm speaking to you from Gadigal land this morning and I acknowledge the traditional owners of all the country in which we virtually meet today and I pay my respects to their elders past and present.

20 So welcome to the meeting today to discuss the Stone Ridge Quarry Project, which is state significant development 10432, currently before the Commission for determination. The applicant, Australian Resource Development Group Pty Ltd, is seeking approval to develop Stone Ridge Quarry, a new hard rock quarry to extract, process and transport up to 1.5 million tonnes per annum of hard rock material over a 30 year period in the Port Stephens local government area.

25 My name is Janett Milligan and I'm the chair of the panel. I am joined by my fellow commissioners, Richard Pearson and Terry Bailey. We're also joined by Kendall Clydsdale and Geoff Kwok from the Office of the Independent Planning Commission.

30 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 the matter and will form one of several sources of information upon which the Commission will base its determination.

35 It's important for the commissioners to ask questions of attendees and to clarify issues whenever it's considered appropriate. If you're asked a question and you're 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.

40 Finally, I request that all members here today introduce themselves before speaking for the first time and for all members to ensure that they don't speak over the top of each other to ensure the accuracy of the transcript. So let's begin. So we've done some introductions this side. Justin, could I just ask you first of all to take the reins and introduce us to your team.

45 **MR JUSTIN MELEO:** Okay, thanks, Janett. Justin Meleo, director of planning and development for Australian Resource Development Group. I think maybe I'll just let

everybody else introduce themselves. That might be simpler.

MR DAMON BIRD: Yes, I'm not sure whether you guys can see me. Have I disappeared?

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MR MELEO: Yes.

MR BIRD: Yes. I'm just having a problem with my camera here but I'll get it going in a minute. Damon Bird, director of ARDG. I work closely with Justin and the main area that I focus on is the resource and development side of things.

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MS MILLIGAN: Thank you.

MR DAVID HOLMES: David Holmes from Umwelt. I'm the project director for preparation of the EIS and I'm also the REAP for the EIS.

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MS PENNY WILLIAMS: I'm Penelope Williams. I'm a senior environmental planner at Umwelt and I have been the project manager on the project, managing the preparation of the EIS.

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MS KATHY LYONS: Kathy Lyons, senior management, country and community for Forestry Corporation of New South Wales. Our team manages the public values of our New South Wales forests, [unintelligible 00:05:22].

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MR GARTH NAGLE: Garth Nagle, land development and extractive resources manager for Forestry New South Wales.

MS MILLIGAN: Now, let's look at the agenda. So on the agenda the first item is an overview of the application and this is where we go to your presentation and I'm sure it'll be on the screen and we also have copies in front of us. We note that it's a reasonably fulsome presentation and we have a limited time and we're very keen to have the discussion. So can I just ask you to focus on maybe the key issues rather than spending time on some things that perhaps we could take as given, things that we've read.

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MR MELEO: Yes, okay. Thanks, Janett. That's sort of what we were thinking as well, so look, what I'll do is I'll just share the screen and I think what we'll do is we'll ask Forestry just to address the first couple of slides that are in the slide pack and then Damon will take over and just talk about the strategic side of the project and the site itself. And I think that'll probably take up the 10 minutes and then when we get to the EIA part of the discussion, obviously as you've seen there's a fair bit of information there in the slide pack which we'll probably come back to as part of that discussion. So I'll just share my screen and hopefully this works. Does that work?

40

MS MILLIGAN: Works. That's great.

45

MR MELEO: Okay.

MS MILLIGAN: And are you okay if we ask questions as we go through or do you –

MR MELEO: Absolutely.

5 **MS MILLIGAN:** Okay. And then if we think perhaps it's information that we don't need to delve in, I might move you on too. Are you okay with that?

MR MELEO: Yes, sure. Yes. Okay.

10 **MS MILLIGAN:** That's great. Over to you.

MR MELEO: So sorry, I'm just trying to figure out – hang on a minute. Can you guys still see the screen?

15 **MS MILLIGAN:** Yes.

UNKNOWN SPEAKER: Yes.

20 **MR MELEO:** Yes, okay. Yes, so just obviously that's just the overview, which we don't really need to focus on. We can come back to this, this will probably come out in the discussion, so I think it's probably, as I indicated, we'll just let Forestry Corp address a couple of slides. So Kathy, if you want to take over?

25 **MS LYONS:** Sure. This project's a 30 year project for Forestry. We became aware of this resource in the early 90s, of its strategic importance and just so you know, we don't just provide timber, we provide forest products, young forest materials for New South Wales, with those forest materials including rock, stone, sand and gravel. Increasingly public lands are becoming important for those values for the public and Queensland is very similar with the public lands providing that resource. We have
30 quarries ourselves across a lot of our forest estate for gravelling our own roads.

We also have commercial quarries in state forests, small to medium ones, that provide gravel for many national parks, councils, private roads as well as the broader
35 construction materials market. This site has long been recognised as being important for major metropolitan areas and we first drilled it ourselves in 1994 to understand its potential value. We did some more drilling in the early 2000s and we had to amend the Forestry Act back in 2008 to be able to provide forests materials licence for up to 20 year periods and we did that specifically driven by this project because we understood
40 it was going to be a state significant resource.

45 After that, we started tender and negotiation processes and there was a fair bit of interest but the time wasn't quite right but now it is and the Australian Resource Development Group ended up being awarded the deed of agreement for a forest materials licence deed in 2018. So, as I said, this is 30 years for me and I've said to people I'm not retiring until we get this resource up and on the market. It is important for New South Wales.

MS MILLIGAN: Thanks, Kathy. Can you say a few more words about the – back to

that slide – the low timber value?

5 **MS LYONS:** Yes, sure. Yes, it's in Wallaroo State Forest and it has a very frequent high intensity fire history driven a lot by the number of people who live around the area and start fires. The last one that went through was probably about seven years ago and it went, as usual, from the southwest and tore through that forest and ended up jumping the river and really taking out a lot of areas. It came off some private property and went through the forest and the national park. And it used to have a history of providing mining timbers for the Hunter Valley, which was small timbers but there's
10 not very much there in terms of high quality timber resource, it's mainly firewood and mainly salvage material. And part of that, I guess, is it's on a very large rock and the soils are thin.

15 **MS MILLIGAN:** Thank you.

MR MELEO: [unintelligible 00:11:00] doing that, Garth?

20 **MR NAGLE:** Righto. Yes, Kathy sort of finished off the previous part with talking about the forest materials licence. Forestry Corporation manage the forest materials licence with ARDG and they have been on a deed of agreement for that licence whilst this approval process is going on. In the meantime, ARDG have embarked on quite a significant resource assessment program, which has sort of really consolidated the confidence from what was indicated with a few early drill holes by Forestry to really understanding that this area has high quality material and in that way, Forestry New
25 South Wales is fully behind this project and fully behind getting this resource that's owned by the people of New South Wales out into the market.

MS MILLIGAN: Okay. Thank you.

30 **MR MELEO:** So Damon, do you want to just talk about the next little bits and pieces of the presentation regarding the strategic side of it?

35 **MR BIRD:** Yes, no, that's fine. Yes, so look, it's pretty widely recognised within industry and government that there are major challenges facing the construction material sector in the Lower Hunter and Central Coast with regard to high specification quarry product. So you'd be aware that there's a number of quarry projects in the region, some recently approved and we'll have a look at where those are located.

40 But of those quarries, there's essentially two different types. There's quarries that can supply general fill type products, which aren't so relied on specific geology, and then there's other sites that produce the high spec quarry products for road surfacing and concrete aggregates primarily, that are very much located in geological environments that are dominated by volcanic rocks. And that's the area that we'll have a look at today in some of the next slides but where those rocks are located and why it is quite
45 challenging to find resources in those environments that balance the various competing constraints relating to environmental, community, operational, planning and transport factors. Justin, if you just go over to the next slide.

5 So I mean this map very quickly highlights the areas that are considered prospective for the high quality quarry resources, the aggregate sites. You can see fairly clearly where they're located. They're mainly at the southern end of the New England Fold Belt or the area that the Sydney basin onlaps onto in the north. There's also a few green areas that you'll see there on the Central Coast, largely under national park now and also one near the Hunter Valley, a wine area west of Cessnock. We've done a detailed analysis.

10 This was the very beginning of our project looking at the opportunities for locating a quarry site that could balance the competing constraints and one of the key things that we were concerned about is obviously the ecological values, community values and obviously the resource is a critical constraint on where you can go. But we believe that the Stone Ridge site offers the best balance between all the competing constraints and we'll have a look at the next slide now that shows you how we've built up that
15 understanding and come to that conclusion.

20 So look, just a detailed picture of the geology prospective for those high quality resources, all focused largely north of Newcastle now. The area that's grey just indicates areas that you would not look at. We're also showing the range of quarries that exist there at the moment. You'd be aware of the Martins Creek Quarry north of Paterson, Brandy Hills Quarry – sorry, Hanson's Brandy Hill Quarry. The Boral Quarry at Seaham, which is close to the Stone Ridge site and Karuah Quarries, which is further to the northeast up the M1.

25 We've also got a number of other quarries that are located around, usually not the same scale as the aggregate sites and they're the ones that are indicated by the open red squares. So essentially, if you're looking for a high quality aggregate site, you need to be in these green areas. You're not going to get the right geology unless you are. This is looking at some of the biodiversity values and land use planning constraints that
30 relate to resources.

35 So essentially, Justin, if you just flick back to the previous one and flick between them, you'll start seeing some of the green disappearing. So at a high level, you'd say that you can't go into any of these areas that have the pink shading. Important to note that I mean the land use zoning is all – go back – the land use zoning information is all publicly available, as are the Biodiversity Values Database, which captures a range of important factors including location of critical habitat.

40 **MR RICHARD PEARSON:** So Damon, can I – so what land use planning constraint did you use there? What sort of zoning were you saying you can't do quarries on?

MR BIRD: Well, anywhere that was indicated as having zoning that was incompatible or quarries were incompatible with that. So I mean, Justin, I think you'd be more
45 across the different categories but –

MR MELEO: Yes, so anywhere where the zoning indicated extractive industries were prohibited.

MR PEARSON: Yes.

MS MILLIGAN: All right, thank you.

5 **MR BIRD:** Looking at this layer here actually shows the areas of rural residential development as well as land parcels that are less than 20 hectares in area. So these provide a good indication, if you combine the two, you start to get a very good indication of where, if you like, the built up areas are and where the higher density rural residential environments are.

10 **MS MILLIGAN:** So I think probably, let me just check, in terms of what you've thought about in selecting the site, I think we're probably fine with that information. So maybe we can move on to talk about some of the constraints, the balances, et cetera.

15 **MR BIRD:** Sure, okay. Yes. So I suppose just in terms of – to conclude then, anywhere located north of this red dashed line is going to have significant – if you're looking for an alternate site, will have significant impacts on the local community compared with the Stone Ridge site or a site located, for example, like Boral's Seaham Quarry, where you've got direct access to the highway. So Justin, did you want to follow up on Janett's comment there?

20 **MR MELEO:** Well, I mean, Janett, I know we're pressed for time, so is there anything specifically I guess you'd like us to run through or I mean we've got a lot of information on the attributes of the site that we thought were favourable and made us consider this being something worth pursuing, which are obviously all detailed in the slide pack here.

25 **MS MILLIGAN:** Okay. Why don't we go to the key challenges. We of course will look at all this information but just to make sure we've got enough time for the questions, can we just –

30 **MR MELEO:** Yes, okay. So just before we get to that, just one thing we do think is worth mentioning, one of the key things for us was biodiversity and one of the things that led us to conclude that this was a site worth pursuing was how this site was mapped with respect to the Port Stephens Comprehensive Koala Plan of Management, which at the time and, well, at the moment still is a live document for Port Stephens and is a consideration in development, notwithstanding that there is the Biodiversity Conservation Act process that comes in with respect to biodiversity.

35 **MR MELEO:** Yes, okay. So just before we get to that, just one thing we do think is worth mentioning, one of the key things for us was biodiversity and one of the things that led us to conclude that this was a site worth pursuing was how this site was mapped with respect to the Port Stephens Comprehensive Koala Plan of Management, which at the time and, well, at the moment still is a live document for Port Stephens and is a consideration in development, notwithstanding that there is the Biodiversity Conservation Act process that comes in with respect to biodiversity.

40 But critically for us, the vast majority of the site was mapped as being marginal koala habitat. So if the site had of been in a blue area, preferred or even supplementary, we probably wouldn't have gone there. It would've posed a pretty difficult challenge with respect to potential koala impact. So that was an important consideration for us.

45 **MS MILLIGAN:** Thank you for that. Any [unintelligible 00:20:40].

MR MELEO: Sorry? In respect of other considerations, it was the really the access to

the Pacific Highway. So there's a designated B-double haul route that goes from opposite Boral's entrance all the way down to the Pacific Highway, so it's designated for B-double transport and we saw the opportunity to be able to get to market, as Damon indicated, without having to go through built up areas, rural residential areas, et cetera, and have potential traffic and haulage impacts on the community.

In terms of the key challenge for the site, when we decided to go forward, the first agency we met with after meeting with Planning was TfNSWF or the RMS as they were then because we well understood that there was an issue at the intersection of Italia Road and the Pacific Highway where the existing quarry trucks come down Italia Road from Boral and turn right across the northbound carriageway and TfNSW or RMS had identified a safety issue there, but they weren't able to do anything about it given Boral's pre-existing consent. And so we well understood that if we were going to seek a development consent for a quarry in this location, we'd need to deal with this issue.

Suffice to say it was a five year process with TfNSW and I won't go into the reasons why it took so long but basically they couldn't agree internally on what they wanted to do. We led the process, we went through a number of different design options and reports and strategic studies for them and what's ended up happening is they agreed in principle to an upgrade of the left-turn out and there's been a DA put to Port Stephens Council, which has been led by Boral. So the three quarry parties got together and Boral has submitted a DA on behalf of the other two parties to Council, which is currently under consideration, based on the design that we came up with to get trucks out of Italia Road safely on to the highway.

MR PEARSON: Do you know where – sorry, Justin, can I just ask a question?

MR MELEO: Which means that all quarries that include Eagleton and ARDG and Boral who are currently going through an expansion would need to travel up the highway to the Karuah interchange and turn around and head back south again until such time as TfNSW constructs a larger interchange, most likely either at Medowie Road or The Bucketts Way, which is several kilometres north of here. And I note that TfNSW has a process in place where they've been doing strategic studies and design work on that at the moment.

MS MILLIGAN: Okay, can we just take a question on transport?

MR PEARSON: Yes, thanks, Janett. So Justin, two questions or I suppose one, do you know the status of that DA that's with Port Stephens Council? And which we'll raise that with them separately but I'm interested in your view. And secondly, do you remain committed to the left in, left out proposal for the highway?

MR MELEO: Absolutely. Yes. Yes, in actual fact, as I indicated, that was the first thing that we did was went and talked to RMS or TfNSW and said to them, "What do you want here? Tell us what you want and we'll do it." And so unfortunately they couldn't tell us what they wanted and it took five years to get to the point where they said, "Yes, this is what we want." But we're there and we're absolutely committed to

that because there is a safety issue turning right across the northbound carriageway and we don't want to be in a position where we're making that worse and we well understood that we wouldn't get their support unless we came up with a solution that they were happy with.

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In respect of the DA, my understanding is because it involves more than \$5 million worth of work it was referred to the JRPP and the latest update I have from Council is that they're waiting on some responses or some additional information back from TfNSW with respect to the design. So I think there may be some minor design queries that need to be sorted out.

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MR PEARSON: Great. Thanks, Justin.

MR MELEO: Sorry, it's still under assessment.

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MR PEARSON: Yes.

MR MELEO: But the important thing is that TfNSW has given written in principle support to the design solution for that intersection.

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MS MILLIGAN: Okay, thanks. Terry, question on transport?

MR TERRY BAILEY: Just very quickly, Justin. Just following on from that on that left and left, could I just check that the shoulder area to take that transport to be able to merge, if there were additional lanes, what the ownership would look like [cross-talk 00:25:58] –

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MR MELEO: [cross-talk 00:25:59]

MR BAILEY: – and whether any geotech work's been done that indicates that it would be capable of carrying the weights?

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MR MELEO: Yes, so all that – the design, as I indicated, the concept design was done, submitted to TfNSW and they accepted the concept design and then the DA for the intersection went ahead. And the acceleration lane that turns left out of Italia Road is wholly located within the road reserve and the technical work has – the preliminary technical work has been done as part of the DA and there'll be more technical work done at the design phase, sorry, at the detailed design phase, which is effectively the TfNSW construction certificate, for want of a better word, phase.

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MR BAILEY: Thanks, Justin.

MS MILLIGAN: Okay.

MR MELEO: So I can stop sharing, if you'd like or –

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MS MILLIGAN: I think they're probably [cross-talk 00:27:05].

MR PEARSON: Probably did have one further question on transport if you want – yes. Justin, how are you going to enforce the left in, left out? How are you going to stop rogue quarry drivers hanging a right?

5 **MR MELEO:** So that’s a good question. So firstly, there’s a traffic management plan that puts in – that needs to be signed off by TfNSW that indicates the transport route, haul route from our quarry and also Eagleton and Boral’s quarry. There’s a drivers code of conduct that all the drivers and any haul contractors need to sign up to and anyone who doesn’t comply with it obviously would be excluded from carrying from that quarry.

10 The left turn out really is – it’s a compliance issue that the quarries have to comply with. I’m pretty sure that the discussions we’ve had with TfNSW indicated that they may put a weight limit restriction on right turns out, so that would be a traffic violation, I guess, if that was broken. Obviously you can’t – people have to take a level of responsibility and you can’t enforce something 100% and guarantee that people will comply but just the same with road rules. There’s road rules that everyday drivers have to comply with and it’s a big emphasis that these rules are complied with and it goes for the three quarry sites, not just us because this is a solution to allow the three quarries to access the highway.

15 **MS MILLIGAN:** Can you just remind us of the distance, turning left, what’s the distance before the trucks can then come south?

20 **MR MELEO:** So it’s about 11 km to the Karuah offramp.

MS MILLIGAN: Okay, thank you.

25 **MR MELEO:** So it’s about a 22 km penalty, if you like, to get back to this point here. But the important thing is that all three quarries are on the same playing field for that particular component of their operations. So it’s not as if one quarry can turn right and the others can’t.

30 **MS MILLIGAN:** Yes, I understand.

35 **MR MELEO:** And that was an important consideration of TfNSW. They didn’t want to be in a situation where one particular quarry operation was penalised over another, which is why the three quarries got together and said, “We need to work together on the DA process.”

40 **MS MILLIGAN:** Okay, thank you. So Justin, we’re quite keen now to move to biodiversity. Are you okay to do that?

45 **MR MELEO:** Yes, absolutely. So I think Penny and Dave can probably speak to these particular matters.

MR HOLMES: Did you have any specific questions that I can take you through or I could just through the slides and then have questions?

MS MILLIGAN: Well, if you're happy for us to jump in with questions, we're good with that. Terry, did you want to start?

5 **MR BAILEY:** Yes, thanks, Janett. Thanks. Just I am on your slide deck at slide 9, so just to give you a little reference to where we're at. And a couple of questions and I'm particularly looking at – I just wanted to clarify, make sure we're on the same understanding. So your revised project avoided the impacts to Commonwealth listed
10 subtropical eucalypt floodplain forest and woodland EC. So if I take that and I look at p 144 of the EIS itself, which actually sets out the plant community types, can you just confirm for me which plant community type that relates to? I think I know the answer but I just wouldn't mind checking.

15 **MR HOLMES:** That one I would have to just come back, I think. I've got the original – the revised BDAR but I don't have the original EIS because it was taken out. Pen, do you know that?

20 **MR BAILEY:** I'm looking at the plant community type mapping, David and Penny, as much as anything and wanted to just get the correlation because I wanted to have a bit of discussion about plant community type 762.

MR HOLMES: Right. Okay. We may need to take some of this on notice because we don't have the actual ecologists with us but I can – let me just –

25 **MS WILLIAMS:** So it's PCT762, 1618 and 1716 makes up that particular EEEEC listed under the EPBC Act.

30 **MR BAILEY:** Yes. Thanks, Penny. When we look at PCT762, so in that bottom almost in the southeast corner, so if you're looking at the map itself in which –

MR PEARSON: Are you able to share the relevant map so that we all [unintelligible 00:32:57].

35 **MR BAILEY:** Well, the only map that's –

MR PEARSON: I was talking to the applicant so that they – unless [unintelligible 00:33:07].

40 **MR HOLMES:** No, that's all right. I've just got the EIS, I'm just trying to – Pen, do you have that easy open?

MS WILLIAMS: Yes, I have it open, can share. Hopefully I can figure out how to do that.

45 **MS MILLIGAN:** So while you attempt to find that for us, thank you, we appreciate that, did you want to continue with your [unintelligible 00:33:34].

MR BAILEY: So there's a couple of questions, some I suspect you will come back to

us.

MS WILLIAMS: Sorry, can I just interrupt quickly. Justin, you'll have to stop sharing for me to be able to share.

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MR MELEO: Okay, sorry, yes. Yes, you go, Pen.

MS WILLIAMS: Thank you. Can everyone see that now? You should see [unintelligible 00:33:59].

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MR BAILEY: For those that can't quite see, the pink colour in the kind of south section of the map is PCT762, which is also captured with biodiversity. But first question is, do you have the plant community type mapping in adjoining areas? [unintelligible 00:34:17] adjoining mapping that's outside of that would help me understand the context more fully of those PCTs in the area adjoining?

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MR HOLMES: The answer to that is probably we haven't done the detailed mapping but we could probably generate a figure for you based on the regional mapping that BCS have done. That PCT762 generally runs along that sort of – there's a bit of a riparian zone that runs down to the south, southeast, I guess, and it pretty closely correlates with the koala vegetation that's been mapped in the koala plan of management, so the forage species.

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MR BAILEY: Yes.

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MS MILLIGAN: So it's fine for you to take that on notice. So basically we're asking you to come back to us with an indication of the mapping around the site. And maybe Forestry can help with that too. So Terry –

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MR BAILEY: I mean, the critical question then is really around what steps were taken to avoid the fragmentation of that plant community type that occurs with the road in and what are the viable alternatives to that entrance road?

MR MELEO: Yes, so I'll just jump in there. So the entrance was – we met with Port Stephens Council and canvassed a number of potential options for access to the site and they indicated to us that they wanted the site entrance to be where it is because they only wanted a – which is opposite Boral's entrance, they only wanted a single conflict point on Italia Road. They thought it had the best site distance and for us in terms of the site layout, I made sense to have it there as well. But at the end of the day, the location for the site access was dictated more or less by Port Stephens Council saying that's where they wanted it.

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MS MILLIGAN: So what [cross-talk 00:36:41] for the company? What were the options? Where did you look at –

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MR MELEO: Damon, do you want to –

MR BIRD: Yes, just jumping back on that before I answer that question, that track

also where it runs through that community is partially coincident with an existing forest track and it's not entirely on it, we've had to design so that it's appropriate geometry but it's partially coincident with a cleared area. Alternatives that we looked at included the possibility of coming out on to Italia Road further west, but that would've been closer to the residences that you can see there. We also looked at coming out on Nine Mile Creek Road but Transport wasn't happy with having a modified intersection on Nine Mile Creek Road and accessing the M1 motorway so close to Medowie Road.

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UNKNOWN SPEAKER: As well as residences.

MR BIRD: Yes, yes. In terms of if you're accessing Italia Road from the crest of the ridge that runs sort of from our site down to Boral's site and east of that point, you're really confined to a very narrow zone which relates to the area where the Balickera Tunnel goes underground beneath the ridgeline. So you've got a fairly narrow zone there that you can have the road, so that's where this is located and obviously, as Justin said, in accordance with Council requirements.

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MS MILLIGAN: So are you saying that the Council requirements suited you because this access point was the one that you probably would've preferred anyway?

MR BIRD: There was probably never a preference to come out directly opposite Boral but it does make sense. The other thing that's important though from our perspective is that the existing B-double heavy vehicle haulage route ends at Boral's entrance. So we're really just utilising that existing heavy vehicle route. You know, looking at if there was an option to go down Nine Mile Creek Road and then have a suitable intersection with the M1 motorway, that was an option we looked at early on, but Transport killed that off immediately.

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So it really meant that if we couldn't access the M1 from the Nine Mile Creek direction, we had to come out about where we are here. If you tried to position that intersection slightly further to the southeast, you would still have the issues of the same vegetation community if you based that on the koala plan of management mapping, you'll see that that corridor of high value vegetation still occurs down to the southeast. And the other thing too is site distances in that area were problematic as well. So all that was discussed with Council and that's when they gave the directive that that's where we want it.

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MR HOLMES: One of the other points to note on a fragmentation point is there is a commitment to not fence along the access road. So the fencing will be limited to sort of the main pit area and processing area at the top rather than along the haul road. So it provides – well, it minimises, I guess, that barrier for fauna movement and those sorts of processes. So the barrier is the access road itself, I guess, that fragments it rather than any additional infrastructure.

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MR BAILEY: Just on that though, David, just any material you might have that's around the biosecurity planning for it because it creates – well, the non-fencing is a good support for the fragmentation, there are biosecurity risks and a series of other

things with the use of the haulage road that'll be there as part of.

5 **MR HOLMES:** I actually think there's not really a much more increased risk and probably a reduced risk relative to the moment because you've got an existing forestry track that people go up and use, which is already present in terms of sort of edge effects and weed introduction and that's an unsealed track and you've got increased sort of vegetation runoff. Whereas this will be a sealed access road which sort of limits a lot of those biosecurity risks from like weeds and seeds, et cetera, being introduced through truck movement or truck tyres. So I think in some ways I don't know it's any increased risk relative to existing conditions in that regard.

15 **MR BAILEY:** So because just to get that understanding, the secondary piece then is what's the viability of the parcels to the west in terms of the fragmentation? So that's in essence what the concern would be and not from the current, into the future.

20 **MR HOLMES:** Well, I think you can have a look to a large extent by what's happened with the adjoining areas down at next to Boral. I mean it's a very similar sort of situation, the vegetation in adjacent to the Boral operation and pit there and even the access roads in along sort of adjacent to the road there. If you have a look at that map or that figure that's currently shown there, you can see there's a – I think it's a powerline easement running sort of almost parallel to the access road and you've got vegetation sitting in there and then sort of the Boral to the south semi-fragments some of those areas and it's reasonably resilient and holds – it's maintained its integrity pretty well.

25 I'm not concerned by the fragmentation side of this so much, I think it's – to the extent that there's a risk of introduction of weeds and that, I think that risk is already there from the road coming in from the south and the project, I don't see it introduces a huge additional impact because of just its nature and the terrain that it sits up in the top and moves away from that edge effect. So there'll be a little bit of edge effect but it's probably not likely to be significant.

30 **MS MILLIGAN:** Okay. Can I ask a question of Forestry and it's about the management of the biosecurity risks of that community at the moment, given we've been advised that there's a track through it.

35 **MS LYONS:** What we could look – I'd have to go to the site or send someone to have a look, but if we have an existing trail that is not going to be required in a slightly different location, we could look at rehabilitation of that trail so that – yes.

40 **MS MILLIGAN:** I guess I was asking, Kathy, if there's already encroachment and there's weeds introduced, what management is happening at the moment from Forestry on that track?

45 **MS LYONS:** Very little. Very little. The forest has a high recreational use. It has lots of four wheel driving, lots of illegal types of operations in there. It is subject – because it's near communities, it's subject to dumping of rubbish, like lots of other forests near communities. So it's – yes, and it's a forest that doesn't generate very much income at

all, so it's hard to find the income to manage it to the degree that you would want to. So I'm quite excited about – Forestry will get a royalty from this project, which will actually enable us to manage the surrounding forest better, if that makes sense.

5 **MS MILLIGAN:** Thank you for that. If we have any residual questions on the biosecurity things, we'll write you for more information. So why don't we move on now, still on the topic of biodiversity, can we talk –

10 **MR BAILEY:** Yes, thanks. Thanks. We just wanted to touch a little on the fauna side of things and was really pleased to read your advice and your response regarding the species verification for the eastern bat [unintelligible 00:45:48]. So I think that's very helpful in reading and working through and kind of building on that, given there is a level of clearance of site, you know, in terms of the hectareage, 68 hectares or thereabouts that are actually removed that's irreversible in terms of the vegetation with
15 that corresponding habitat.

I'd just like some more understanding on what that means in relation to amphibians, particularly when I think about the fact that the surveys didn't meet those optimal conditions for guidelines in 2018 and 2022. So understanding that. So I just wanted to
20 understand a bit more on why in essence you've taken a particular approach with the eastern cave bat that's got a precautionary element to it but not a consideration of that when it comes to the amphibian research?

25 **MR HOLMES:** So we've pushed back strongly on the verification process that was – well, the survey, the interpretation of the survey requirements that the BCS were putting forward in some of their process. And while we may call them optimal, they're not practical. Like, you can't guarantee you are going to ever be able to survey in those sort of rain conditions because the triggers for when it's going to rain to go out and do those surveys is by the time you can mobilise people to go out do it, the conditions
30 might've stopped and it no longer exists.

So it's all about when it was raining beforehand and the antecedent conditions and how you – and then the conditions on the day that you're actually surveying. And we strongly assert that the conditions – the survey that we did for the amphibians actually
35 met those requirements notwithstanding that you've got some higher level expectations on being able to – of what might be optimal. In reality, that –

40 **MR BAILEY:** Sorry, can I just check, David, when you say, "met those requirements," do you mean met the requirements in the guideline?

MR HOLMES: That's correct. We believe the survey requirements –

MR BAILEY: [cross-talk 00:48:22] condition was –

45 **MR HOLMES:** Yes, the comment about whether the rainfall was actually falling at the time or whether it followed rainfall and there was rainfall on the days or the days around when the survey was, it's arguing about semantics about words and different ecologists have different interpretations on how that is. And our ecologist asserts

strongly that they believe that the survey conditions met those requirements. So that's sort of our position. The eastern cave bat was a bit different –

5 **MR BAILEY:** Yes, but I think before we move off that, David, it would be – because in reading, there's an inconsistency if you take BCS' view of the surveys. So I'm curious to see where that material is on how those conditions were met.

10 **MR HOLMES:** Well, BCS ultimately accepted that the survey was sufficient on this occasion in their final advice for the amphibian. So after a repeated back and forth on the issue, they accepted that it was sufficient but they maintained that the survey, a precautionary approach needed to be taken for the eastern cave bat but not the frogs. So that was the approach that we then took.

15 If BCS were going to continue to assert that the eastern cave bat was going to contribute to survey requirements, sorry, was going to contribute to species credits, that the opportunity to do a further survey on the site to verify that it wasn't there was available to ARDG before the operation. If they don't exercise that right to do the survey, then they've got to do the credits, but it was the ability – I guess it was to push back on that precautionary approach to offsetting by giving the opportunity to do further survey work. But ultimately BCS accepted that offsetting was not required on a precautionary basis for the amphibians. So –

20 **MR BAILEY:** BCS – so I'm just [unintelligible 00:50:51] for BCS that they're willing to accept the previous survey effort for the species but they also point to the fact that there should be more survey effort in their responses, I think, from August and September this year.

25 **MR HOLMES:** I did not take that to be their advice. Let me find where that advice was.

30 **MR BAILEY:** I'm looking at a table in correspondence from BCS that just says, "The consultant should undertake further surveys for this or any other projects during suitable rain events outlined in the survey guidelines for Australian frogs." So there still is a piece that they should accept – I note that they accept previous survey efforts of the species in this instance but they do go on in their correspondence in the attachment to note further survey efforts. So that's what I'm trying to understand.

35 **MR HOLMES:** It was never – I've got to say I didn't quite understand what they were saying there in that they accepted that the survey effort was adequate and therefore and didn't push for the offsetting requirements and that any further survey work which is done had to meet a particular level. Now, my view on that is if we're going to go forward and if there's ever a future amendment or any future work, that that would require the additional survey effort that they've indicated but for this project application, they have accepted the level of survey effort for the BDAR, that's identified in the BDAR.

40 **MS MILLIGAN:** If we can clarify that – yes, it seems to be two interpretations.

MR HOLMES: I'm not sure we can clarify it, so it'd have to be –

MR BAILEY: No, no, that's fine, David. You've answered the questions.

5 **MS MILLIGAN:** We'll clarify that with BCS, so that's fine. That's good. Let me just check how we're going in our discussion on biodiversity.

10 **MR PEARSON:** Look, I just had a quick question and I think it's relevant for biodiversity. Port Stephens Council were pushing for a smaller footprint of disturbance for the project and I know from the EIS to the response to submissions document you've dropped 10 hectares out of the project area. My understanding and we'll confirm this with Council is that they still think the area should be further reduced. Have you got any comments on that?

15 **MR HOLMES:** Justin?

UNKNOWN SPEAKER: Yes, Justin.

20 **MR MELEO:** Well, I don't really have much further comment on that. To be frank, Port Stephens Council provided no real justification for moving the pit and significantly reducing the disturbance area and we feel that the actions that we've taken are quite adequate in reducing any potential impacts on fauna movement around the site and that what they were asking for was really not justified by the information they'd provided back.

25 It seemed like a thought bubble and notwithstanding that, we obviously did take the opportunity to look at the site again and have reduced the footprint of the site where we can, cognisant of the fact that we need to try and balance the need to maximise the resource from the site for the benefit of the state, while also balancing that with the environmental and other planning considerations. Damon, do you –

30 **MR BIRD:** Can I just jump in there as well? Yes, it's probably worth mentioning that the pit itself has been designed and it's a very detailed design sequence that has been prepared for the site that balances the access to high quality resource as well as some marginal materials around the flank of the site that are needed for blending purposes.

35 The footprint's about as tight as you can get it in order to achieve the desired output from the site for the 30 year period whilst also maintaining safe and stable batter profiles. So we've adopted a fairly conservative approach to the batter profiles there so that from a geotechnical perspective, we don't do what you'll often see in applications where you have a very aggressive design that ultimately can't be achieved and is not stable, safe or stable. So we've got a design that's with active width benches that will be stable and from a safety perspective, that's ideal.

40 The other thing we've also done as well is that you'll notice in the designs for the quarry that the plant, the processing plant ultimately sits inside the extraction area as do some of the stockpile areas. So rather than having stockpiles spread out laterally, we're trying to incorporate those within the pit environment as well to a degree, not all

stockpiles will be within the pit but a number of them will be. So in terms of a quarry of this scale, it's a relatively small – it's comparatively small, let me put it that way.

5 **MS MILLIGAN:** As we move into the last few minutes, can I just ask a question about community, two things. Comments you might like to make about the neighbours, the near neighbours, the sensitive receivers and also just any comment on Kathy's point that the forest is well used for recreational purposes, what impact the project would have on access to the forest for recreation?

10 **MR MELEO:** In terms of the community, we had very early stage consultation with the residents down on Nine Mile Creek Road adjacent to the highway and also the residents on Italia Road to the west, as well as our sort of industrial style neighbours on the other side of Italia Road, the Boral Seaham Quarry, the motorsports facility, the Port Stephens Gardenland, et cetera, which included doorknocks and face to face
15 conversations.

And established the community consultative committee last year and as you'll know, we've got a meeting tomorrow morning – tomorrow afternoon actually, which as soon as we found out where we were in this process, we had agreed at the last meeting to
20 inform them of as soon as we knew that the IPC process was commencing and we're having a meeting with them just so they understand the process and to give them an update. Damon, do you just want to quickly talk about the design that stays below the crest for those residences further north on Italia Road?

25 **MR BIRD:** Yes, in terms of the stage design, we'll also be leading on the northwestern side of the pit a batter that sits above where the operational areas are. So the idea is to almost have, if you like, a receding rim quarry where closest to the nearest receptors you've got a physical barrier there behind which the quarry operation would occur. So that's another component of the design that would – a fairly sort of
30 routine type of quarrying technique.

MS MILLIGAN: And just a quick answer maybe to that question about loss of recreational access?

35 **MS LYONS:** Yes, part of my management is also tourism for Forestry Corporation of New South Wales in relation to public values. I can assure you the type of recreation in Wallaroo State Forest is not the type of visitors we like to encourage. They cause a lot of damage. As I said, they're typically in there when the forest is wet, they cause an
40 incredible amount of damage to frog habitat and as I said, some of the funds from this will enable us to focus on the types of recreation we want in state forests in the Hunter and the types of visitors that we want to attract into the right areas.

MS MILLIGAN: So Terry just said, where will those people go to?

45 **MR BAILEY:** Yes, where will they be displaced to?

MS LYONS: There is still a Wallaroo State Forest that is going to be remaining and as I said, I am really looking forward to some funds from this quarry to better manage

that forest, there was adjacent national park. But our major tourism areas for the Hunter are the Watagan Mountains, the Barrington Tops, a lot of those are state [unintelligible 00:59:38], Chichester and we've got a lot of beautiful forests around Bulahdelah. They're the forests that we want to draw people to, we've got a lot of free camping areas, free tourism areas, beautiful forests, safer forests that don't have as much wildfire in them, that we'll look at drawing people to.

MS MILLIGAN: Thank you very much. Now, look, we are out of time and I know [cross-talk 01:00:00].

MR PEARSON: Could I just ask a really quick one on blasting, Janett?

MS MILLIGAN: We haven't actually asked you to respond to the recommended conditions of consent. It's I think perhaps we're not going to get to that in this meeting.

MR KENDALL CLYDSDALE: We can go five minutes, Janett.

MS MILLIGAN: Okay, we've got five more minutes. So there are two things. Richard, question first and then I'll ask you if you have any quickish comments about the recommended conditions.

MR PEARSON: Thank you, Janett. Really quickly on blasting, how frequent will it be and I understand there's a commitment to coordinate with the other quarries in the area, how will that work? Just give me a one minute on that, please.

MR BIRD: Justin, do you –

MR MELEO: You can talk about blasting if you want, how often it would happen and –

MR BIRD: Look, you'd probably be looking at a blast every – I think we were up to one and a half million tonnes, you're probably looking at a blast every probably twice a month or at the most. The blasting design has been modified as the quarry expands to the southwest, closer to the nearest receivers to reduce the powder factor, reduce hole diameter, reduce powder factor, if required. But that's the design will actually be developed as we proceed and as we monitor to make sure that we don't incur any exceedances at those nearby receptors.

MS MILLIGAN: And the question was coordination with the other quarries that are nearby in terms of blast coordination.

MR BIRD: Well, yes, I think that's something that could and should be done and that's a commitment that we could make. We're not talking about blasting activities – the actual blasting process is a very short period of time and we've already got a relationship with Boral, so there's no reason we can't develop a protocol around that.

MS MILLIGAN: All right. Do you want to comment on the recommended conditions, anything you'd like to say to us?

MR MELEO: So we met with the Department of Planning several weeks ago following the issue of the draft conditions of consent and from our perspective, I don't – Dave, you might want to jog my memory but there really wasn't any issue that we had with the conditions of consent. So I mean, the position that we're in now is basically we're quite satisfied with what the Department's issued in terms of those draft conditions, so there's no issues from our perspective, where we stand.

MS MILLIGAN: All right. Okay. I think we've probably got to the end of our agenda, so I'll give you a chance, any last comments before we finish up?

MR MELEO: Look, I guess, really just we've gone through – it's been a long process for us, it's been seven years to get this point or over seven years. The site is strategically very important for the region and we think that it provides a good balance of the competing constraints of environment, planning, resource, transport, community, et cetera, that need to be considered when developing a greenfield quarry site. As we indicated in those constraint slides, it really is the most optimally located greenfield quarry site in the Lower Hunter region, given its position right next to the highway, no impact on communities regarding transport.

From a biodiversity perspective, BCS have accepted that – and we've complied with the BCA, with the Biodiversity Conservation Act. The disturbance area will be offset in accordance with that and we think that any other impacts are minimal and area manageable so from our perspective, it's a project worthy of approval.

MR HOLMES: The only point I'd like to add and it relates to the Council's comment about reducing the disturbance area is that essentially any increase in production or provision of quarry material anywhere in this area is inevitably going to have some biodiversity impact and increase, whether that's a brownfield or a greenfield extension. So when it comes down to it, it's looking at what site really is the best for managing the holistic level of impacts and processes and this site really represents a good balance between minimising community impacts, managing acceptable biodiversity impacts through design and location.

Yes, as I said, I think given it is inevitable wherever this additional material comes from, this site represents a good balance for mitigating those overall social and biodiversity impacts.

MS LYONS: Just add one comment, there is going to be a big dam at this quarry, which we're also looking forward to larger dams where you can draw water on from for fire management for the parks and forests in there, really important and I am quite confident that biodiversity of the surrounding forests and national parks will be much better when we have the access to that [unintelligible 01:05:36].

MS MILLIGAN: Thank you. Thank you. So there were a couple of things during the conversation that we wanted a little bit more information on, so we will write to you seeking that information and the response then will be part of the information we put up on our website. So thank you very much, very useful conversation, thank you for

making yourself available.

MR BAILEY: Thanks [cross-talk 01:05:56].

5 **MR BIRD:** Thank you very much.

MR MELEO: Appreciate it.

MR PEARSON: Thank you.

10 **MR BIRD:** Thank you, bye bye.

>THE MEETING CONCLUDED