
Subject:

FW: Rockwood Quarry, Table Top - Response to Draft Conditions

From: Matt Johnson**Sent:** Monday, 27 July 2020 9:06 AM**To:** David Christy <dchristy@alburycity.nsw.gov.au>**Cc:** Terri O'Brien <TOBrien@alburycity.nsw.gov.au>; Russell Delaney <rdelaney@apdelaney.com.au>**Subject:** Rockwood Quarry, Table Top - Response to Draft Conditions

Good morning Dave,

In Terri's absence, I have since spoken with Russell regarding the draft conditions for Rockwood Quarry. Overall, there is general consensus, however Russell did have several comments/queries regarding a few of the conditions as summarised below:

- **(A3)(1i) Monitoring Conditions**

We know this is an integrated condition imposed by the EPA, which Council cannot change, however Russell has queried the purpose of the condition as the quarrying activities do not utilise any chemicals or the disposal of biosolid waste, which is covered by a separate approval. The quarry does not discharge any water from the site is site run-off, which is captured and directed to retention ponds, and some water from these ponds is used for dust suppression in the crushing process. Is there an opportunity for the EPA to confirm this requirement and/or delete?

- **(A12) Approval required for access to Reserve 70577 (Travelling Stock Reserve)**

Generally happy with the first half of this condition as discussions have been ongoing with LLS and Crown Lands regarding the use of the TSR into pit 1 (LLS have granted their approval).

Concern is however raised with the second half of the condition, which seeks to limit traffic movements between the access gate of pit 1 and the intersection of Winchester Lane. In doing so, this condition seeks to prohibit access via the TSR to the south (towards the roundabout). By way of background, over the last 3 years pit 1 has only generated 2.4 vehicle movements per week. It is acknowledged that this southern access point is infrequently used by vehicles accessing or exiting pit 1, this is particularly the case on days of heavy fog, which make access onto Gerogery Road from Winchester Lane dangerous given the relatively poor sight lines as compared to the southern access. Similarly, given the topography of the area, it is hard for vehicles to get up the hill between the pit 1 access gate and Winchester Lane intersection. In addition, if vehicles travel northwards to exit via this intersection, it requires them to make a sharp hook turn to turn right and head southbound. In comparison, drivers using the southern exit point, swing their vehicle so they are square with the road so as to avoid having to look over their shoulder. This section of road also has better sight lines and vehicles generally are travelling at lower speeds as they enter and exit the roundabout. Lastly, after speaking with LLS, they had no concerns regarding the use of the southern access point from a management perspective.

- **(A13) Amendment to Quarry Closure and Rehabilitation Plan**

The contents of this condition are noted, however in the absence of Visy (being the purchasers of the former Norske Skog site) confirming how they intend on operating the site, it is difficult to predict whether Visy will also generate material that could be used in the rehab. Nonetheless, should bio-solid waste and vegetative mulch be no longer available from this plant, the condition could be worded to require "biosolid material or similar material may be used"

- **(A14) Consolidation of Lot 2 DP1018401 and Lot 3 DP233061**

The need to consolidate the site is queried given that no buildings straddle the boundaries and the fact it is one property on two titles. There is also some concern regarding the associated costs and timings required to comply with this condition. If the intention of the condition for consolidation is to ensure completion of the civil construction works, then there are alternative methods to provide Council with the certainty that these works will be completed.

- **(A16) Bank Guarantee for rehabilitation works**

Whilst it is appreciated that there is a need to provide some (financial) certainty that the proposed rehabilitation works will be completed, AP Delaney and Co request that a bank guarantee of \$50,000 be utilised instead given the relatively large annual interest rate repayments that would be payable for each year of the guarantee based on a bond of \$275,000. Other reasons in support of this request include the fact that much of the plant and machinery is mobile and in the past has been moved between the quarry operators different sites without much time or cost. Similarly, much of the source fill material can be obtained from local construction projects free of charge as part of the site operators road and civil construction business, which therefore limits the cost of rehabilitation works.

- **(E7) Extraction and concrete recycling annual processing limits**

It is requested that the requirement to install a weighbridge be removed from this condition and condition (E8) below. This request is made as accurate annual reports and receipts are already provided in relation to the amount of material extracted on-site, as well as the fact that scales are included on the loaders, which allow for an accurate record of excavated material. This is critical as part of the landowners road construction operations that they measure and record the mass of all loads for all materials leaving the quarry so that we can track tonnages/volumes and invoice our clients accordingly. As outlined in Table 9 of the EIS, the average annual certified extraction rate over the last 10 years has only been 23,000m². Furthermore, it is unclear whether a weighbridge needs to be installed in both pits 1 and 3. In particular, pit 1 only comprises approximately 5% of the total material excavated on-site (1,150m³), with a requirement to install a weighbridge for this pit considered excessive and already appropriately addressed via current site operations.

- **(E8) Annual Report on Activities**

As per above, it is requested that the requirement to install a weighbridge be removed from this condition and annual receipts and volumes are already recorded.

- **(F1) Compliance with Conditions**

See comments regarding condition A14 above for further details.

It would be appreciated if the Panel could give consideration to these comments in relation to the draft recommended conditions of approval.

If Council or the Panel have any questions regarding any of the above, please do not hesitate to contact either myself or Russell Delaney.

Kind regards,

Matt Johnson Senior Planner



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TOWN PLANNING + URBAN DESIGN CONSULTANTS

From: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Sent: Thursday, 23 July 2020 4:30 PM
To: Matt Johnson <matt@habitatplanning.com.au>
Cc: David Christy <dchristy@alburycity.nsw.gov.au>; Anna Gill <AGill@alburycity.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Matt

Conditions amended as previously discussed.

Please let David know the response to these conditions as he can advise the Panel of your comments, and Anna can then upload the Draft consent as attached.

Cheers

Terri O'Brien
Senior Town Planner
City Development

553 Kiewa Street
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From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Thursday, 23 July 2020 11:04 AM
To: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Cc: David Christy <dchristy@alburycity.nsw.gov.au>; Anna Gill <AGill@alburycity.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Terri,

Yes, that would be great thank you.

Cheers,

Matt Johnson Senior Planner



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From: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Sent: Thursday, 23 July 2020 10:07 AM
To: Matt Johnson <matt@habitatplanning.com.au>
Cc: David Christy <dchristy@alburycity.nsw.gov.au>; Anna Gill <AGill@alburycity.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Matt

Would you like me to make the revisions to the conditions as per my email from Tuesday and forward them to you?

Terri O'Brien
Senior Town Planner
City Development

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From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Thursday, 23 July 2020 8:51 AM
To: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Sorry Terri,

I was hoping to get you a response sooner, but it appears that Russell's availability is limited.
I did stress that we needed to get something back sooner rather than later to give the panel (and Council) time to consider any alternatives or our response.

Cheers,

Matt Johnson Senior Planner



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From: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Sent: Thursday, 23 July 2020 8:47 AM
To: Matt Johnson <matt@habitatplanning.com.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Matt

I'm on leave from this afternoon. We wanted to upload everything before I go.

I'll chat to Dave Christy.

Cheers

Terri O'Brien
Senior Town Planner
City Development

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From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Thursday, 23 July 2020 8:46 AM
To: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Terri,

Just as an update, Russell has been tied up for the last few days and hasn't had a chance to look at the conditions. I just spoke with Russell and he'll try and get me something tomorrow afternoon to send through if that's ok?

Thanks,

Matt Johnson Senior Planner



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TOWN PLANNING + URBAN DESIGN CONSULTANTS

From: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Sent: Tuesday, 21 July 2020 10:26 AM
To: Matt Johnson <matt@habitatplanning.com.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Matt

Thanks for that – excellent news. As discussed, I will forward your latest email to me and the attached letter to the RPP for their info.

Cheers

Terri O'Brien
Senior Town Planner
City Development

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From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Tuesday, 21 July 2020 10:03 AM
To: Terri O'Brien <TOBrien@alburycity.nsw.gov.au>
Cc: David Christy <dchristy@alburycity.nsw.gov.au>
Subject: FW: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Terri,

Please see attached letter from LLS consenting to the continued use of the TSR by the quarry.
I do note their comment regarding the extent of works, which line up with the clarification email you just sent me (i.e. sealing up to the boundary of the TSR).

This should now avoid the issue of not obtaining access to the TSR, although acknowledge that we will still require a licence and landowners consent from Crown Lands.

I will send a copy of this response to Crown Lands to try and get something out of them.

Kind regards,

Matt Johnson Senior Planner



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TOWN PLANNING + URBAN DESIGN CONSULTANTS

From: Scott Sheather <scott.sheather@lls.nsw.gov.au>
Sent: Tuesday, 21 July 2020 9:51 AM
To: Matt Johnson <matt@habitatplanning.com.au>
Subject: FW: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Good morning Matt,

Sorry for the delay. Please find letter attached and advise if you require anything further.

Thanks
Scott

From: Scott Sheather
Sent: Monday, 20 July 2020 10:06 AM
To: Matt Johnson <matt@habitatplanning.com.au>
Subject: FW: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Good morning Matt,

I will have you through something today, I believe that access will be fine but no other use of the reserve, stockpiling etc.

I will put something through to my team leader today and get him to have a look over before sending through to you.

Thanks
Scott

From: Scott Sheather
Sent: Thursday, 16 July 2020 4:23 PM
To: Matt Johnson <matt@habitatplanning.com.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Matt,

Still waiting on my colleague who must be out in the field today. I am hoping on a response on their return to the office.

I cant see any reason why we would not continue to grant access through the reserve but want to confirm with my colleague before I confirm this.

Thanks
Scott

From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Thursday, 16 July 2020 12:14 PM
To: Scott Sheather <scott.sheather@lls.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Scott,

Thanks for the feedback.

Cheers,
Matt

Matt Johnson Senior Planner



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From: Scott Sheather <scott.sheather@lls.nsw.gov.au>
Sent: Thursday, 16 July 2020 11:11 AM
To: Matt Johnson <matt@habitatplanning.com.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Matt,

I am waiting to hear back from a colleague before I give you a call, hopefully will be back to you mid-afternoon.

Thanks
Scott

From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Wednesday, 1 July 2020 4:31 PM
To: Troy Hitchon <troy.hitchon@environment.nsw.gov.au>; Scott Sheather <scott.sheather@lls.nsw.gov.au>
Subject: RE: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Troy,

Thank you for getting back to me so quickly that's much appreciated.
I thought there must have been some knowledge of the use of this access track as it has been occurring for nearly 50 years.

Scott if there is anything you need me to clarify or if you have any questions, please don't hesitate to contact me.

Good luck with the new job Troy.
Kind regards,

Matt Johnson Senior Planner



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TOWN PLANNING + URBAN DESIGN CONSULTANTS

From: Troy Hitchon <troy.hitchon@environment.nsw.gov.au>
Sent: Wednesday, 1 July 2020 4:26 PM
To: Matt Johnson <matt@habitatplanning.com.au>; Scott Sheather <scott.sheather@lls.nsw.gov.au>
Subject: FW: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Gday Matt,
I'm no longer with LLS and have moved across to Compliance (former OEH). I have forwarded the below to the TSR manager for LLS based in Albury who is Scott Sheather. He is cc'd to email FYI.

Scott – there should be a decent case history in a folder in CM9. I think I would have made referral to David Clarke or via Maree. The TSR (roadside section going up Nine Mile on Gerogery Road) is designated TSR but used as the exit haul road from the quarry. I'll leave it with you to examine details of the updates from Matt attached.

Thanks and regards

Troy Hitchon - Compliance & Regulation Officer

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From: Matt Johnson <matt@habitatplanning.com.au>
Sent: Wednesday, 1 July 2020 3:29 PM
To: Troy Hitchon <troy.hitchon@environment.nsw.gov.au>
Subject: Rockwood Quarry, Table Top - Proposed Access Road over TSR

Hi Troy,

I hope you're going well.

I previously sent you an email regarding a proposed application we are currently working on in relation to the continuation of Rockwood Quarry in Table Top (see plans attached).
Essentially, we are seeking approval to extend the life of the existing quarry and increase the annual production capacity from 75,000m³ up to 100,000m³.

Council are now at the point where they have referred the application to the Joint Regional Planning Panel for approval.

As part of the Panel's initial review they have sought some further clarification in relation to the existing access arrangements into Pit 1.

In summary, access to this pit is via a Travelling Stock Reserve.

Crown Lands have reviewed the application and provided their general approval.

They do point out however that no formal approval exists to use this TSR and that contact should be made with LLS as outlined below:

12. Lot 7003 DP 1060806 on the Eastern boundary of the proposed development forms part of Reserve 70577 for Purpose Travelling Stock Reserve. Should the proponent require use of this land as a part of the proposal, including for access [construction or formal access for a new lot], storage of materials, or other ancillary works they should approach Local Land Services at their earliest convenience in order to discuss required permissions.

In response to this request, firstly does LLS have any objection with the continuing use of this TSR?
Secondly, do LLS require any upgrade works to this access road?

The intention was to leave the access road in its current condition (fix up any potholes or undertake any maintenance) so as to avoid any impacts on biodiversity.

The following provides a brief background and history of the use of this TSR:

- The quarry and current access road were originally constructed by the former Hume Shire Council in the early 1970s and have continued to operate since this time.
- The current landowner bought the site from Council in the mid-1970s on the assumption that any relevant approvals were in place and were also actually of the understanding that this land was a road reserve rather than a TSR;
- Truck movements in and out of this pit using the TSR are low and in the last three years have averaged only 2.4 truck movements per week;
- The owner has not seen anyone formally using the TSR for stock purposes in their 40+ years of land ownership.

Would you be able to have a look at the above information and plans and confirm whether LLS have any comments in relation to this matter?

If you need to discuss or have any questions, please don't hesitate to contact me.

Kind regards,

Matt Johnson Senior Planner



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