

16 February 2021

Ref: 2523 DA1 005

Noreen Vu  
Executive Leader  
Environment, Strategic Planning & Community  
Coonamble Shire Council  
Via email: [council@coonambleshire.nsw.gov.au](mailto:council@coonambleshire.nsw.gov.au)

Dear Noreen

RE: DA027/2020 – Proposed Extractive industry at Lot 82 DP820705, 4948 Tooraweenah Road, Mount Tenandra, NSW 2828, being the Ralston Quarry. Response to submissions.

Groundwork Plus Pty Ltd continue to act on behalf of the applicant for the proposed Ralston Quarry located at the above-mentioned site. By letter dated 21 January 2021, Coonamble Shire Council (Council) provided a copy of five (5) submissions received during the public notification period for the proposal. The five (5) submissions are as follows:

1. Gilgandra Shire Council
2. Robert & Kerry Imrie
3. James & Mark Imrie
4. Barbara Deans
5. Wally and Helen Hunt

This letter provides a response to the matters raised in the submissions.

#### Submission 1

The submission suggests that 'there are a number of inconsistencies in regard to truck haulage movements' in the Environmental Impact Statement (EIS) and Road Transport Assessment (RTA). This is not correct. The EIS and RTA provide the number of truck movements for both an average (46 laden trucks exiting the quarry per weekday) and peak scenario (132 laden truck loads exiting the quarry per weekday) to provide an accurate description of how the quarry is anticipated to operate. This is further clarified in both the EIS and RTA providing the total number truck movements (ie two way – outbound and inbound) for the average (92 heavy vehicle trips per day) and peak scenario (264 heavy vehicle trips per day).

The submission then identifies that Gilgandra Shire Council is primarily concerned with potential pavement impacts to a 4.5km section (Segments 28, 30 and 32) of National Park Road which is currently unsealed. Gilgandra Shire Council request that conditions be imposed that would require the quarry to seal that section of National Park Road or to pay a monetary contribution of \$495,000 prior to commencing the quarry operation.

Gilgandra Shire Council also requests that a condition of approval require that a Drive Code of Conduct and a Traffic Management Plan be prepared by the applicant and approved by Coonamble and Gilgandra Shire Councils prior to commencing quarrying operations.

The applicant holds no objection to the proposed conditions relating to a Driver Code of Conduct and Traffic Management Plan. We also note that these requirements were recommended by Transport for NSW by letter dated 14 January 2021.

However, the applicant has advised us that sealing the 4.5km section of National Park Road or alternatively making payment of \$495,000 upfront prior to commencing quarrying operations is not a viable option for the quarry.

Therefore, the applicant proposes an alternative method of addressing the concern raised by Gilgandra Shire Council regarding the unsealed section of National Park Road.

The applicant anticipates that the final haul routes from the quarry to the Inland Rail Project (the IRP) will be confirmed after the approval of the IRP and detailed through the construction management plan that will be prepared by the proponent of the IRP and its contractors. The applicant anticipates that use of the unsealed section of National Park Road could be avoided by diverting onto the construction alignment of the project. However, this would not be confirmed until the applicant has won the contract to supply quarry materials to the IRP and the finalisation of the construction management plan by the contractor for the project. Nevertheless, we do understand that Gilgandra Shire Council needs certainty about the potential impacts on the unsealed section of National Park Road. Therefore, it is proposed that a condition could prohibit quarry trucks using that section of the road unless agreed to by Gilgandra Shire Council as part of the assessment of the Traffic Management Plan.

It is proposed that the conditions of approval could be as follows:

Condition

*Quarry trucks are not permitted to use the unsealed section of National Park Road (Segments 28,30 and 32) unless otherwise agreed to by Gilgandra Shire Council through the approved Traffic Management Plan.*

*Reason: To ensure that the impact of the proposed development upon public roads is adequately addressed.*

Condition

*Prior to quarrying operations commencing, a Traffic Management Plan and Driver Code of Conduct for the transportation of materials on public roads shall be submitted to and approved by Coonamble Shire Council and Gilgandra Shire Council. The code of conduct as approved shall be implemented for the life of the development. The code of conduct shall address the matters raised in the 'TMP Annexure' of the Transport for NSW letter dated 14 January 2021.*

*Reason: Compliance with 16(1) of the State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 and to maintain safety on public roads during construction of the sealed pavement.*

This option provides certainty that the unsealed section of National Park Road would not be impacted by quarry trucks without permission from Gilgandra Shire Council whilst enabling the quarry to commence operations without having to undertake costly works or payment of \$495,000 upfront which is not a financially viable option for the quarry.

## Submission 2

Submission 2 raises concerns about impacts to Tooraweenah Road and Boxridge Road as well as potential dust and truck noise impacts to the submitters homestead.

The EIS for the proposal is supported by the RTA prepared by a suitably qualified professional with significant experience. The RTA considered that quarry trucks can be accommodated on the surrounding road network without any specific upgrades or works. The RTA concludes, *'This study has found that, based on a maximum haulage of 132 laden truck departures per day during Stage 1 and 20 laden truck departures per day during Stage 2, and a minimum five minute headway between laden truck departures, the Project would be accommodated on the surrounding road network with acceptable impacts on the capacity, efficiency and safety of the road network. A Project TMP would be developed and implemented including operational protocols relating to driver behaviour and interaction with other haulage trucks, school buses and other roads users. The intersection of the Project access roadway and Weenya Road would be designed in accordance with Austroads requirements for a rural property access for articulated vehicles.'*

The Noise Impact Assessment considered traffic noise impacts including to the dwelling of the submitter which is identified as R1. Section 6.4 of the Noise Impact Assessment concludes, *'the results of the road traffic noise calculations indicated that for the closest residential receiver to the proposed haul route, identifies as receiver R1 and setback approximately 350m from Tooraweenah Road, the Project related road traffic noise levels would be less than 40dB LAeq(period) for the day and night (early morning shoulder) periods. The road traffic noise criteria are therefore satisfied.'*

The Air Quality Impact Assessment also considered potential impacts to receiver R1 and identifies that, *'based on the findings of the operational phase air quality impact assessment, it is considered that the particulate control measures proposed to be implemented will be sufficient to ensure that exceedances of all particulate criteria would not be experienced as a result of the construction or operation of the Quarry.'*

It is important to note that the EIS for the IRP identifies that substantial volumes of quarry materials are required for the IRP. If the quarry material does not come from the Ralston Quarry which is adjacent to the construction alignment of the IRP, quarry materials will still need to be delivered to the IRP using the surrounding road network from other quarries which are located further from the IRP than the Ralston Quarry. Longer haulage distances from other quarries would impact a larger portion of the surrounding road network but would still be likely to utilise Tooraweenah Road and Boxridge Road to access the construction alignment of the IRP.

However, the applicant is mindful that Coonamble Shire Council and the community have not had previous experience with quarry trucks in this location. Therefore, it is proposed that a condition of approval could require a review of the compliance performance of the quarry after the first 12 months of operation which is to be prepared by a suitably qualified person and submitted to Council for approval. The review could consider the environmental performance, complaints history of the quarry operation and any unanticipated road impacts arising from quarry trucks on the surrounding road network.

## Submission 3

Submission 3 raises concerns about impacts to the surrounding road network from quarry trucks. The submission also mentions concerns about blasting.

As discussed above, the RTA considers that quarry trucks can be accommodated on the surrounding road network without any specific upgrades or works, but the applicant proposes that a condition of approval could require the submission of a review of the compliance performance of the quarry after the first 12 months of operation of the quarry.

Blasting was assessed by the EIS and the Noise Impact Assessment (NIA). Section 6.5 of the NIA identifies that a conservative assessment of potential blast impacts indicates compliance with the anticipated blasting criteria at all nearby sensitive receivers. The quarry will be regulated by an Environment Protection Licence (EPL) by the Environment Protection Authority (EPA) NSW. The EPL will include conditions regulating blasting. On this basis it is evident that blasting at the quarry is unlikely to have a detrimental impact on nearby sensitive receivers.

#### Submission 4

Submission 4 raises concerns with a perceived lack of community consultation. The proposal has been publicly notified for significantly longer than required by the legislation which has afforded the community opportunity to be aware of the proposal and provide comment to the Council.

Submission 4 suggests that the application form for the proposal was not correctly filled out. The application form was correctly completed. As Council is aware the question on the application form relating to whether the development will affect public roads, crown road or a highway relates to proposed works on roads not whether trucks would travel on those roads.

Submission 4 suggests that the EIS for the IRP does not provide detail about haulage roads for the construction of the IRP and that there are not roads within the IRP corridor. The submission also suggests that the quarry cannot depend on using the construction alignment of the IRP because that has not been outlined in the EIS for the IRP. As discussed previously the RTA for the quarry has identified the anticipated haul routes on the surrounding network and concluded that the surrounding road network could cope (structurally and safely) with the traffic generated by the quarry. We anticipate that the condition of approval requiring preparation of a Traffic Management Plan and Driver Code of Conduct will address the concerns raised by Submission 4, including the concern about not travelling on roads closed due to wet weather. The applicant also anticipates that Council will impose a condition of approval for payment of pavement impact contributions on a cents per tonne rate to assist in future capital expenditure for maintenance and works on the haul route.

Submission 4 questions whether the Surface Water Assessment took into consideration the amount of rain which fell on the 4 January 2021. The Surface Water Assessment was prepared in December 2019 and of course was not able to predict the amount of rain that fell on the 4 January 2021. The Surface Water Assessment is prepared by a suitably qualified engineer and relied upon rain fall data from the Bureau of Metrology for Warrumbungle Station located 10km from the site from 2012 for a 'average' rainfall scenario and 2013 for the 'below' average rainfall. The rainfall data from Warrumbungle is considered suitable for the purposes of the assessment for the site. Submission 4 also appears to suggest that the quarry will reshape and change waterways which is not the case.

Submission 4 suggests that there will be no benefit to the local community and the Council and that local trucking companies will not be employed at the quarry because 'big trucking companies' will be able to carry the wet weather delays. During 'Stage 1' of the quarry which is the supply to the IRP, the haulage contractors are likely to be controlled by the IRP construction contractor not the quarry. Therefore, the quarry is unlikely to be able to influence which haulage contractors are engaged by the IRP. Nevertheless, in Stage 2 of the quarry which is the long-term supply to local road projects and the general market in the area, it is anticipated that local haulage contractors would be carting material from the quarry because the larger haulage contractors would have moved on after the completion of the IRP.

Submission 4 appears to confuse the capital investment value (CIV) of the proposal with what the overall financial benefit to the community which might arise from the quarry operation. As Council is aware CIV is the cost to establish the use, which in this instance is not significant because it involves only the

construction of the internal access road, surface water infrastructure and delivery of the demountable buildings (site office and toilet) and other plant and equipment. Whereas the overall financial benefit to the community would be larger and include any pavement impact contributions payable to Council and any contracts awarded to local businesses for services to the quarry. The applicant can not provide an accurate estimate of the value of services to be obtained from local businesses until closer to commencement of the quarry operation.

Submission 4 raises concern about the potential impact of the quarry on the 'Dark Sky Park', which we understand is a reference to the Siding Spring Observatory. As Council is aware the Department of Planning, Industry & Environment has consulted with the Director of the Siding Spring Observatory and provided comments to Council for inclusion in the assessment of the application.

Submission 4 raises concerns that only 3 holes were drilled in the Stage 1 area as part of the Preliminary Resource Investigation forming part of the EIS. This is because the results of the drilling were sufficiently clear without needing any further drilling that the resource was available in Stage 1 and of suitably quality for supply to the IRP as shown in the drill logs in appendix 1 of the report.

Submission 4 raises concerns about the accuracy of the biodiversity development assessment report for the EIS. The report was prepared by a suitably qualified and certified professional in accordance with the relevant guidelines and legislation. It is understood that Council is awaiting comment from the relevant State agencies reviewing the report.

#### Submission 5

Submission 5 raises concerns regarding impacts from quarry trucks on the surrounding road network. This has been addressed in our previous comments.

#### Agency Advice Letters

We have also been advised that advice was received from the following agencies:

##### Essential energy

No objection or concerns are raised in response to the comments provided by Essential Energy.

##### Department of Primary Industries

Matters related to community notification of blasting, contact details for complaints, complaint management, rehabilitation management and feral animal management can be dealt with through conditions of consent relating to finalisation of the various management plans prior to commencement of the development.

##### NSW Rural Fire Service

RFS has no requirements in relation to the development.

##### Heritage NSW

Heritage NSW recommended that Aboriginal cultural heritage assessment be guided by a number of documents. Section 1.4 of the Aboriginal Cultural Heritage Assessment for the development confirms that it was prepared in accordance with those documents.

##### Environment Protection Authority

The Environment Protection Authority provided general terms of approval. No objection is raised to those requirements.

Transport for NSW

Transport for NSW provided comment including recommendation that a driver code of conduct be prepared for the quarry. No objection is raised to the comments from TfNSW.

Department of Planning, Industry and Environment

The Department provided comment in relation to the Dark Sky Planning Guideline and it is confirmed that no objection is held to a condition of consent prohibiting lighting (including no security lighting) after 7pm.

Conclusion

The submissions received during the public notification period for the proposal primarily raised concerns with impacts on the surrounding road network from quarry trucks during Stage 1 of the quarry which is anticipated to supply quarry materials to the IRP.

As previously discussed, it is important to note that the EIS for the IRP identifies that substantial volumes of quarry materials are required for the IRP. If the quarry material does not come from the Ralston Quarry which is adjacent to the construction alignment of the IRP, it will still need to be delivered to the IRP using the surrounding road network from other quarries which are located further from the IRP than the Ralston Quarry. Longer haulage distances from other quarries would impact a larger portion of the surrounding road network.

The applicant is of the view that the concerns raised by the submissions have been adequately addressed by the EIS and can be regulated by reasonable and relevant conditions of approval.

If you have any questions regarding these matters, please do not hesitate to contact me.

Yours faithfully  
Groundwork Plus

A handwritten signature in black ink, appearing to read 'Jim Lawler', written over the printed name.

Jim Lawler  
Associate