

29 June 2021

Ref: 2523 DA1 010

Noreen Vu
Executive Leader, Environment, Strategic Planning & Community
Coonamble Shire Council
Via email: 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 request for clarification from Western Regional Planning Panel.

Groundwork Plus Pty Ltd continue to act on behalf of the applicant for the proposed Ralston Quarry located at the above-mentioned site. On the 24 June 2021, we were provided with a 'record of briefing' prepared by the Western Regional Planning Panel (the Panel) following a site visit by the Panel on 2 June 2021. The Panel have sought clarification on some aspects of the proposed development. This letter is provided to Council to assist in finalising the assessment report for the proposed development.

Impact on local road network

Wet weather arrangements

- It is anticipated that concern about potential wet weather impacts is mainly related to Stage 1 of the proposal for supply to the ARTC Inland Rail Project. Council as the local road authority has the capacity to close roads during wet weather. Council can close roads to specific sized vehicles. As outlined in the EIS trucks hauling material from the Quarry to the ARTC Inland Rail Project (IRP) during Stage 1 of the proposed development would be larger mass trucks. Whereas it is understood that smaller mass trucks are typically used for local rural activities. If Council does close a road to heavy vehicles then the trucks hauling material from the quarry or the IRP must obey that direction. On that basis, it is anticipated that in the event of wet weather and concern of potential damage to a specific road on the haulage route that Council would close that road to larger heavy vehicles thereby restricting haulage to the IRP but not impacting on local vehicle movements.
- The Traffic Management Plan would address wet weather conditions. Council had prepared a draft condition relating to the TMP. The applicant holds no objection to that condition being expanded to address the matters of wet weather, interaction with school busses and livestock as follows:

18. *Prior to the commencement of any haulage operations, the Proponent is to prepare and implement a **Traffic Management Plan and Driver Code of Conduct** for the task of transporting materials on public roads. The **Traffic Management Plan and Driver Code of Conduct** shall include, among other things, the minimization and wherever possible avoidance of haulage operations coinciding with local student school bus pick-up and drop-off times and locations. It shall also address the mitigation of local climate conditions that may affect road safety for vehicles used during construction, operation and decommissioning of the development (e.g. wet weather and flooding).*

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It shall also require that drivers obey all road rules including directions in relation to road closures by the road authority, and interactions with school busses and livestock. The Traffic Management Plan and The Driver Code of Conduct is required to be approved by Coonamble Shire Council prior to implementation and implemented for the life of the development.

- It should also be noted that for Stage 1, trucks hauling material from the quarry will be delivering the material to the IRP. The various stages of the IRP have consistent conditions of consent, including for example SSI 7474 Narrabri to North Star section, '*C8 The traffic and Transport Management Sub-plan must be consistent with agreements with Councils and about the use of local roads and include: (a) measures to minimise impacts on seasonal traffic, including harvest-related vehicles, and public transport (including school buses and bus stops) and inform freight operators of changes to traffic conditions; and (b) measures to maintain pedestrian and vehicular access to affected properties, including mechanisms to consult with affected landowners and implement measures prior to any access disruption*'. It is anticipated that the State will impose the same obligations on the N2N section of the IRP. Therefore, the haulage of material from the quarry to the IRP will be subject to obligations at the State and Local level.
- Furthermore, SSI 7474 included condition '*E38 Construction traffic must not use local roads or privately-owned roads (other than to avoid direct access from ancillary facilities and construction sites to the Newell Highway) unless no alternative access is available. Use of private access roads must be in accordance with Conditions A19 and A20. Local or privately owned roads used for access to ancillary facilities and construction sites must be identified in the Construction Traffic, Transport and Access Management Sub-plan required by Condition 0*'. This supports the assumptions made in the proposal that wherever possible haulage of materials is likely to occur within the construction alignment of the IRP minimising impacts to the local road network, however because that can not be quantified the proposal adopted a conservative approach and assumed that all traffic would use the local road network. Therefore, the impacts outlined in the proposal are conservative and are representative of the worst case scenario.

Mechanism to quantify extraction rate and amount of transportation

- The quantity of material to be extracted and transported is clearly articulated by the EIS. As outlined in Section 2.3 of the EIS, front end loaders with calibrated scales will be used for loading haulage vehicles and will provide the mechanism to track and report on the amount of material transported from the quarry. Blast reports by the blasting contractor will provide the mechanism to track and report on the amount of material extracted. The proponent holds no objection to proposed condition 13 and 31 nominated by Council which address this matter. For ease of reference, those conditions are replicated below:

13. *The Proponent must keep a record of the amount of material extracted, processed and sold to consumers, in tonnes, on a per day or per week basis, or both.*
31. *The Proponent shall pay a quarterly monetary contribution to Coonamble Shire Council for local road maintenance, as per the following agreed road maintenance contributions rate:*

<i>Contribution Agreement Subject</i>	<i>Per annum rate</i>
<i>Road maintenance</i>	<i>\$0.58 cents per tonne</i>

The quarterly contribution will be accompanied by a report from the Proponent verifying the actual tonnages of material transported from the quarry site via public roads. The quarterly contribution and report shall be provided within one month of the anniversary of the commencement of haulage on the local road network. The agreed road maintenance contributions rate set out above will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS).

The process for calculating and collecting the contribution will generally be as follows:

- i) Identify the quantity of material extracted / processed as at the end of the reporting quarter.*
- ii) Identify the quantity of material (tonnes) transported from the site onto the public road network as at the end of the reporting quarter.*
- iii) Identify the quantity of material (tonnes) transported from the site via any new rail corridor as at the end of the reporting quarter.*
- iv) Subtract 3 from 2 to calculate the actual annual contribution, as adjusted by Sydney CPI.*

Timing of vehicle movements

- No truck headway is specified for 'in bound' trucks because the quarry has no control over the timing of the 'in bound' trucks. The quarry only has the capacity to delay the 'out bound' trucks leaving the quarry. Furthermore, imposing a headway on 'in bound' trucks is not practicable because the delivery point will vary depending on client requirements which will in turn change the length of the 'in bound' trip for different trucks.

Livestock movements

- It is assumed that movement of livestock on public roads is currently occurring and that the appropriate 'stock crossing' signs have been erected to notify road users and that the member of the public then actively manages the crossing livestock and interaction with light and heavy vehicles. It is assumed that this will continue to occur. The proponent will establish a sign at the site providing site contact details in the event of a complaint or to provide notice to the quarry if stock movements are proposed. As outlined above in the revised wording for Condition 18, the traffic management plan and driver code of conduct will address interaction with livestock. Furthermore, it is noted that the General Terms of Approval from the EPA includes the following conditions, which could be replicated by Council if necessary:

M5 Telephone complaints line

- M5.1) The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in this environment protection licence.*
- M5.2) The licensee must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint.*
- M5.3) The preceding two conditions do not apply until 1 month from: the date of the issue of this environment protection licence.*

Inconsistencies

Clarification of truck movements

- There is no inconsistency in reference to truck movements. The EIS and supporting documents consistently refer to 132 loaded truck movements (ie out) or 264 truck movements (ie 132 x 2 = 264 in and out bound movements). The reference to 'loaded' truck movements is because that is how the quarry operator thinks about how much material is delivered over time because the focus is on efficient loading of trucks from the quarry. Whereas, the traffic consultant, Council and Transport for NSW use terminology referring to in and out truck movements for the purposes of assessing potential road impacts.
- The Noise and Air Quality assessments assessed hours of operation of 6am to 6pm Monday to Friday and 6am to 1pm on Saturday. However, to avoid potential concern from the public on Saturday mornings, and as outlined in the EIS, the proponent adopted the proposed hours of operation of the quarry of 6am to 6pm Monday to Friday and 7am to 1pm Saturdays. This has

been addressed by proposed condition 2 and the NSW EPA General Terms of Approval condition L2.1.

- The proposed hours of construction for the construction phase of the quarry are the standard construction hours of 7am to 6pm Monday to Friday and 8am to 1pm Saturdays. This has been addressed by the NSW EPA General Terms of Approval condition L1.1. No objection is held to Council replicating that condition.
- To be clear, the hours for construction are different to the hours of operation.
- The road traffic noise assessment was conducted in accordance with the Department of Environment, Climate Change and Water NSW (DECCW), Road Noise Policy 2011 and considered both in bound and out bound truck movements. Muller Acoustic Consulting have confirmed that the assessment, *"modelled 50% of the truck movements travelling via Weenya Road and Tooraweenah Road (66 laden trucks – 132 total), and 50% of the trucks movements travelling via Weenya Road and Box Hill Road (66 laden trucks – 132 total). Please note that if 100% of project related vehicles travelled along Weenya Road past the nearest receiver (~350m), road traffic noise would still remain significantly below 40dBA."* Muller Acoustic Consulting have further clarified that during the morning shoulder (6am to 7am), the assessment *"conservatively assumed a maximum rate of 12 inbound and 12 outbound trucks (total of 24 trucks) travelling along either route."*
- The landholders identified in the EIS (Figure 9) are the same as identified in the Noise Impact Assessment (Figure 4).
- The assumptions concerning truck movements (ie up to 5,000t of material to be transported per day in peak periods for Stage) were made based on information provided by the Regional Group Australia following discussions with ARTC representatives for other sections of the IRP and based on the first hand experience of the Regional Group Australia delivering material to the Parks to Narromine Section and the Narrabri to North Star Phase 1 Section.
- The road width of Weenya Road was outlined in the Road Transport Assessment prepared by a suitably qualified traffic engineer. Figure 3.2 of the RTA provides a photo of the typical cross section of the Weenya Road. The proponent supports proposed Condition 20 which requires the full construction of Weenya Road to a rural unsealed standard as per the Austroads Guide to Road Design 2017 which is a substantial and significant upgrade of that road. Condition 20 also requires the same upgrade to Tooraweenah Road and National Park Road for 50m east and west of the intersection with Weenya Road. The combined result of those works will be a significant improvement to the local road network rectifying any current deficiencies in road width and road design for the portion of the local road network most likely to be impacted by the proposal.

Operating hours

- As outlined above, the proposed hours of operation of the quarry of 6am to 6pm Monday to Friday and 7am to 1pm Saturdays. The noise impact assessment confirmed that the operation of the quarry between 6am and 7am on Monday to Friday mornings would comply with the noise criteria at nearby sensitive receptors. The proposed hours of operation for Monday to Friday align with Section A8.8.2 of the EIS for the ARTC IRP Narromine to Narrabri section.

Aboriginal cultural heritage item

- As stated in 5.6.2 of the EIS and 2.5.1 of the Aboriginal and Historic Due Diligence Assessment that upon discovery of the Aboriginal cultural heritage item within the project footprint, the proponent modified the area of disturbance to avoid the Aboriginal cultural heritage item and

retain it undisturbed in situ in the 'Environmental Exclusion Zone' identified on the proposal plans. As stated in Section 5.6.4 of the EIS the environmental exclusion zone will be fenced with hi-vis flagging to alert quarry works that the area is a sensitive environmental zone.

- From an abundance of caution and to provide certainty to the public, no objection is held to the following revisions to proposed condition 17:

17. Prior to commencement of any surface disturbance:

a) an Unanticipated Finds Protocol ~~must~~ shall be prepared and finalised in accordance with the recommendations of the OzArk Aboriginal Due Diligence and Historic Heritage Assessment Report, dated December 2019; and

b) a licensed surveyor must survey and mark the boundaries of the Environmental Exclusion Zone as shown on the Conceptual Site Layout Plan (Drawing 2523 DRG 003 prepared by Groundwork Plus dated 17 July 2020; and

c) the proponent must erect high visibility flagging and signs around the Environmental Exclusion Zone prohibiting entry into the area;

d) evidence of completion of items a), b) and c) above must be provided to Coonamble Shire Council prior to commencement of any surface disturbance.

Impact assessment of the two stages

- The EIS and supporting technical assessments addressed the impacts of the two stages. It is noted that Council has nominated proposed condition 7 and 8 (replicated below for ease of reference) to accurately describe the nature of the two stages. No objection is held to the revision of those conditions to provide further clarification and certainty for the public:

7. Stage 1 extraction and processing activities, as defined by the Ralston Quarry Environmental Impact Statement prepared by Groundwork Plus Pty Ltd dated August 2020, are limited to no more than 490,000 tonnes extracted or processed per annum for supply to the Inland Rail Project (Narromine to Narrabri Section) and associated road upgrade projects.

8. Stage 2 extraction and processing activities, as defined by the Ralston Quarry Environmental Impact Statement prepared by Groundwork Plus Pty Ltd dated August 2020, are limited to no more than 100,000 tonnes extracted or processed per annum once Stage 1 is completed. Stage 2 is not permitted to operate at the same time as Stage 1 except for Stage 1 rehabilitation works. Prior to commencing Stage 2, the proponent must provide written evidence to Coonamble Shire Council that Stage 1 has been completed and Stage 1 rehabilitation works have commenced.

Conclusion

The applicant is of the opinion that the suggested revisions to the proposed conditions of development consent provide clarity and certainty for the public.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours faithfully
Groundwork Plus



Jim Lawler
Associate