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| <b>DATE OF DEFERRAL</b>         | Tuesday, 6 July 2021   |
| <b>PANEL MEMBERS</b>            | Garry Fielding (Chair), Sandra Hutton, Graham Brown, Allana McHugh |
| <b>APOLOGIES</b>                | None   |
| <b>DECLARATIONS OF INTEREST</b> | None   |

Papers circulated electronically on 13 May 2021.

#### **MATTER DEFERRED**

PPSWES-77 – Coonamble – DA027/2020 at 4948 Tooraweenah Road, Mount Tenandra for a hard rock quarry (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

The panel agreed to defer the determination of the matter until the matters addressed in the Record of Briefing are addressed, being:

##### **1. Impact on local road network**

Several issues were discussed relating to the impact on local roads and how impacts were to be managed both in Coonamble Shire and in adjoining shires. Issues raised include:

- Wet weather arrangements, specifically:
  - Wet weather to/from site - movement restrictions. What additional conditions need to be put in place with specific consideration to haulage in wet weather? Mitigation measures proposed appear to relate to repair of roads in dry conditions.
  - Public submission 2  
*"Highlights the sub-standard roads near their property as practically undriveable / closed during wet periods with minimal traffic."*  
 Nowhere in the EIS or the Assessment Report is there reporting on implications on safety and road conditions in wet weather, or mitigation strategy/ condition. The proposed Transport Management Plan (TMP) does not propose to address vehicle movement in wet weather. EIS p41.  
*"The following management plans specific to the Ralston Quarry site and surrounds must be prepared and finalised prior to commencement of any surface disturbance: a) Environmental Management Plan. b) Bushfire Management Plan. c) Traffic Management Plan."* P59. It is not clear that wet weather conditions will be addressed in the Traffic Management Plan.
- Mechanism to quantify extraction rate and amount of transportation

The Panel raised whether a weighbridge was warranted to track the amount of material extracted, given how close the extraction rate is the trigger from State Significance Development.

Applicant is requested to provide Council information on the quantity of material to be extracted and transported, and the mechanism to confirm these quantities (eg Smart track). This is to be noted in the assessment report provided to the Panel.

- Timing of vehicle movements and impact on local community – for example a submitter has raised a question about whether a proposed 5 minute headway allowance is sufficient to allow for stock crossing. How will communication between the quarry operator and the local residents concerning

livestock occur at times when stock movements are occurring. Similarly, how will impacts on school buses be managed?

Specifically:

- No truck headway was specified for returning (arriving) trucks and the 5 minute headway stated for departing trucks could not be achieved with their predicted 24 returning heavy vehicles. Why are there two different standards for departing/arriving trucks?  
EIS p14 *"Departure of trucks would be managed to minimise the potential for convoys or queues forming on the public road with a minimum of 5 minute headway to be imposed on departing trucks. The headway restriction would limit the trip generation to a maximum of 12 laden truck departures in any one hour. The return of empty trucks would generate a maximum of 24 heavy vehicle trips during the peak hour on the busiest days during Stage 1."*

The management of queuing and convoys is only on 50% of each truck's journey – departing, not arriving. Should a headway limit be imposed on arriving trucks?

- Livestock movement – public submission 2  
Movement of livestock on public roads used for haulage. No specific communication or remedy suggested. Risk to safety of people and animals, and disruption to quarry's productivity. Driver Code of Conduct condition (p59 Assessment Report) does not specify how haulage and livestock movement to co-exist or what driver conduct is required.

## 2. Inconsistencies and need for clarification on assessment parameters and assumptions

Clarity is required concerning some discrepancies between different assessments, including:

- The calculation of truck movements – in different places through the documentation truck movements are assumed as either 132 or 264 – clarification is needed on the number of one way truck movements and whether this value represents the average or maximum number of truck movements to and from the site. Specifically:
  - Air quality assessment as per the EIS and AQIS. Is the assessment based on 132 or 264 trucks? From interpreting the relevant documents it appears that it is the former would not provide an accurate assessment on air quality impacts.  
*"It is noted that the predicted impacts result from 132 vehicles leaving the Quarry each day during peak Stage 1 operations and therefore represent a worst-case scenario."* AQIA P44
  - Noise Impact Assessment (NIA) The assessment and management of noise from construction work is completed with reference to the Interim Construction Noise Guideline (ICNG) although the applicant has asked for 6am - 6pm M-F operations.  
3.1.1 in the NIA (p14) - Table 3 summarises the ICNG recommended standard hours for construction activities where the noise from construction is audible at residential premises. Table 3 Recommended Standard Hours for Construction Period Preferred Construction Hours Day (Standard construction hours) Monday to Friday - 7am to 6pm, Saturdays - 8am to 1pm (only if required), Sundays or Public Holidays - No construction.
  - Noise. Road Noise Assessment methodology  
P 30 - Does not explicitly mention if the 132 returning haul trucks have been factored into the assessment. Only the outgoing loaded trucks.  
*"Project trucks would transport an average of 9,300t of material per week with approximately 43 laden trucks per day. During periods of peak demand, it is anticipated that up to 5,000t of material will be transported per day, with up to 132 laden trucks exiting the quarry per day."*  
Receptors are inconsistently labelled and referred to in the main EIS compared to specialist studies (eg noise impact assessment).
- Unclear how assumptions concerning truck movements were made.
- Road width - clarification is required concerning assumptions of the road width of Weenya Road and therefore its actual capacity. Road widths will impact on the ability for traffic to pass safely. Consideration may need to be given to truck speed limits. Further specific information is required to clarify:

- Road widths used in the Road Transport Assessment (RTA) and in particular into the Level of Service (LOS) assessment.  
Believe there is inaccurate reporting on road width which impacts upon the RTA'S and LOS calculations.  
*"Weenya Road (Shire Road 73) is a local unsealed road, approximately 12 m wide"* p7 RTA. EIS p33.  
*"Tooraweenah Road is an unsealed road which varies between approximately 6 m and 10 m wide"* p9 RTA. EIS p35  
*"Near Curban, National Park Road is a sealed two-way road approximately 7 m wide, with guide posts and a posted speed limit of 100 km/h. East of Yarrandale Road, National Park Road narrows to approximately 6 m wide, with some sections between Yarrandale Road and Box Ridge Road being narrower, requiring vehicles to use the unsealed shoulder when passing,"* p10. EIS p35

No width listed for Goorianawa Rd.

### 3. Operating hours

The Panel expressed a strong view on operating hours, noting that 7am – 6pm is consistent with industry standards.

### 4. Aboriginal cultural heritage item





The Panel sought clarification that the Aboriginal cultural heritage item found on site would be protected and how this would occur.

### 5. Impact assessment of the two stages

Consent is sought for 2 stages of operation of the quarry. However, the 2 stages are expected to have different impacts on the local community and surrounding environments. The panel seeks clarification on how the impacts of the two stages are assessed.

The Panel expects the matters referred to above to be addressed and submitted to Council within 8 weeks from the date of this deferral record. Council is requested to update its assessment report within 2 weeks of the receipt of the revised information. If the revised information from the applicant is not provided within 8 weeks, the Panel may move to determine the DA based on the information currently at hand. When this information has been received, the panel will determine the matter electronically. The Panel expects an addendum assessment report from Council responding to the material and the matters raised above.

The decision to defer the matter was unanimous.

| PANEL MEMBERS   |   |
|---|---|
| <br>Garry Fielding (Chair) | <br>Sandra Hutton |
| <br>Graham Brown           | <br>Allana McHugh |

| SCHEDULE 1 |  |  |
|------------|--|--|
| 1          | PANEL REF – LGA – DA NO.                   | PPSWES-77 – Coonamble – DA027/2020   |
| 2          | PROPOSED DEVELOPMENT                       | Extractive Industry - Ralston Quarry   |
| 3          | STREET ADDRESS                             | 4948 Tooraweenah Road, Mount Tenandra  |
| 4          | APPLICANT/OWNER                            | Regional Group Australia c/o Groundwork Plus (applicant)<br>Milton and Sandra Ralston (owners)   |
| 5          | TYPE OF REGIONAL DEVELOPMENT               | Designated development - extractive industry   |
| 6          | RELEVANT MANDATORY CONSIDERATIONS          | <ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy – Mining, Petroleum Production and Extractive Industries 2007</li> <li>State Environmental Planning Policy No.33 Hazardous and Offensive Development</li> <li>State Environmental Planning Policy No.44 – Koala Habitat Protection</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>State Environmental Planning Policy (Primary Production and Rural Development) 2019</li> <li>Coonamble Local Environmental Plan 2011</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: Nil</li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL           | <ul style="list-style-type: none"> <li>Council assessment report: 13 May 2021</li> <li>Written submissions during public exhibition: 4</li> <li>Total unique submissions received by way of objection: 4</li> </ul>  |
| 8          | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>Briefing &amp; Site Visit: Wednesday 2 June 2021 <ul style="list-style-type: none"> <li>Panel members: Garry Fielding (Chair), Sandra Hutton, Graham Brown, Allana McHugh</li> <li>Council assessment staff: Noreen Vu, Michael Carter (consultant planner for council), Hine Basson</li> <li>Secretariat staff: Jane Gibbs, Kim Holt</li> </ul> </li> </ul>  |
| 9          | COUNCIL RECOMMENDATION                     | Approval   |
| 10         | DRAFT CONDITIONS                           | Attached to the council assessment report  |