



Our reference: DOC14/52305-10
Our contact: Alexander Spaller Ph (02) 9995 5894

Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attn: Swati Sharma

7 October 2015

Dear Ms Sharma

Re: Roberts Road Quarry MOD 2 (DA 267-11-99)

I Refer to the Department of Planning and Environment's (DPE) correspondence dated 1 Oct 2015 requesting the Environment Protection Authority's (EPA) comments on proposed Section 75W Modification (Mod 2) to Development Consent No. DA 267-11-99, relating to Roberts Road Quarry, Maroota.

I refer also to the supporting documents on the proposed modification supplied to the EPA by Nexus Environment Planning Pty Ltd on 1 Oct 2015.

Activities at the premises are permitted by Environmental Protection Licence number 6535 (EPL) which EPA issued to the licensee (H B Maroota P/L) in 2000.

The EPA has reviewed the present modification proposal and the additional documents provided to the EPA. The review has revealed that works associated with the proposed modification will have no new or significant environmental impacts over and above those already occurring at the site. Therefore the EPA has determined that the provisions of the proponent's current EPL will be adequate for regulating the proposed modification if approved by the DPE.

If the proposal is approved by the DPE, the EPA would appreciate a copy of the modified consent for its records.

If you require any further clarification on the above matter, please contact Alexander Spaller on (02) 9995 6900.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Gathercole', written over a horizontal line.

7 October 2015

DAVID GATHERCOLE
Unit Head Sydney Industry
Environment Protection Authority

THE HILLS SHIRE COUNCIL

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12 October 2015

Mr Swati Sharma – Planning Officer
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Your Ref: Mod 2 DA 267-11-99

Dear Mr Sharma

**Proposed Modification Request to an Existing Extractive Industry
Hodgson Quarry Products – Lots 1 and 2 DP 228308 and Lot 2 DP 312327, Roberts
Road, Maroota**

I refer to your email dated 01 October 2015 in regard to the above Modification Application. The following comment is made for your consideration:

1. The modification application does not adequately consider potential impacts to adjoining property owner's given the additional period requested for extraction. Of particular concern is the visual impact of the proposal. The Statement on page 3-69 refers to the original EIS and refers to '*extensive screen planting, supplemented with earth bunding...*'

In this regard some bund walls have been constructed with some landscape works. The bund walls provide a reasonable screen however the landscape works undertaken are not consistent around the boundary and does not provide an adequate screen.

Additional landscape work is required to reduce visual impact.

Should you have any further questions please contact me at kmckenzie@thehills.nsw.gov.au or 9843 0319.

Yours faithfully



Kristine McKenzie
PRINCIPAL EXECUTIVE PLANNER

NSW Planning & Environment
Attn: Swati Sharma

Dear Swati

Thank you for your letter received 2 October 2015 regarding the exhibition period for the proposed modification request for Roberts Road Quarry. It is disappointing that we received the undated notification letter on the day of commencement of the exhibition period and only 2 weeks is provided for submissions. It is difficult to provide a thorough and well prepared submission with only 2 weeks allowed for submissions. It is also disappointing that submissions are required to be lodged by internet as not everyone has access to a computer, or the internet. Provisions should be made for people who do not have a computer or access to the internet.

We do not support the extension of the consent lapse date for another 10 years from 2016 to 2025, as the original plan was the property was to be rehabilitated to a lake with a bike track.

We are concerned that the ongoing operation of the quarry, should the lapse date be extended will adversely affect the value of our property. The Quarry is an eyesore. The Quarry is all that we can see from our property. In heavy rains, the silt ponds from the Quarry have to be pumped into the natural water causeway located at the rear of our property. This affects usage of our land and devalues our property.

The quarry is also affecting our property by changing the levels of the land. We have observed that the operations of the quarry are undermining our property. Ongoing operation of the quarry will continue to affect surrounding properties adversely and negatively affect property values.

Although the traffic studies report that extension of the quarry lapse date will not affect the current traffic movements, we are concerned that the traffic to and from the quarry already damages the road and the road edges, in particular. Continued operation will no doubt damage the road further.

We are concerned that the maintenance or lack of maintenance of the quarry boundary fencing, grass, weeds and other vegetation surrounding the quarry will continue to produce vermin, snakes and other unhealthy species. We were expecting the quarry to complete operations in 2016 and the property be rehabilitated to a lake and a bike track that would be fully maintained preventing unwanted and unhealthy species from breeding.

Should Planning and Environment permit continued operation of the quarry, we fear the ongoing threat to surrounding properties by vermin.



OUT15/30074

Ms Swati Sharma
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Swati.Sharma@planning.nsw.gov.au

Dear Ms Sharma,

**Roberts Road Quarry Modification 2 (DA 267-11-99 Mod 2)
Response to exhibition of Environmental Impact Statement**

I refer to your email dated 1 October 2015 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

In short, the key issue for DPI is that the groundwater information provided is deficient, and even with the information provided, it appears that existing and proposed extraction is within the required 2 metre buffer to the groundwater level.

Comment by DPI Water

DPI Water has reviewed the Environmental Assessment for the Modification 2 proposal and provides the following comments and detailed comments at Attachment A.

The Modification 2 proposal provides insufficient information for DPI Water to assess the overall impacts. Additional information is listed below with detailed comments in Attachment A. Should the Modification 2 proposal proceed to approval, recommended conditions of consent are outlined in Attachment A.

Information Requests

- All groundwater elevation measurement data from the commencement of monitoring (prior to January 1999) until present in tabular and graphical format and an assessment of this data to determine the extent of the current and proposed impacts of the quarry in accordance with the requirements of the NSW Aquifer Interference Policy.
- All records of the required regular surveying program of all extraction areas and other site features to identify the up to date depth of extraction.

- A map of the quarry site illustrating the high wet weather groundwater level across the proposed extraction areas based on surveyed elevation data from all previous and current monitoring bores and the central pond (such mapping as described by the June 2005 audit report).
- A commitment from the proponent to update the monitoring program to adequately monitor the hydrogeological conditions of the site and the development of quantifiable triggers and response actions. A minimum six monitoring bores would be recommended for groundwater monitoring at the site.

For further information please contact Janne Grose, Water Regulation Officer (Parramatta Office) on 8838 7505 or at janne.grose@dpi.nsw.gov.au.

Comment by DPI Agriculture

DPI Agriculture has reviewed the Environmental Assessment for Modification 2 and supports rehabilitation of the land to enable opportunities for agriculture investment post the sand extraction.

For further information please contact Andrew Docking, Resource Management Officer (Richmond office) on 4588 2128, or: andrew.docking@dpi.nsw.gov.au.

DPI Fisheries advise no issues.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Isaacs', with a stylized, cursive script.

Mitchell Isaacs
Director, Planning Policy & Assessment Advice
30/10/2015

Attachment A

Roberts Road Quarry Modification 2 (DA 267-11-99 Mod 2) Response to exhibition of EIS Detailed comments - DPI Water

Groundwater

Given that the quarry is located within the mapped limits of the Maroota Sand deposit, and overlies Hawkesbury Sandstone, excavation at the site that maintains a 2m freeboard above the highest wet weather groundwater level (within the sands in accordance with The Hills DCP and existing modified consent) would not be expected to penetrate deep enough to intersect hard sandstone layers.

The Groundwater Assessment Report (Appendix 16) prepared by AGT identifies the results of a recent survey of the property with the deepest extraction point being 183.70 mAHD (page 3), corresponding to a substantial clay layer. It appears from the photograph included in the report (page 6) that this elevation is at the base of a current or recently completed extraction cell.

The current status of groundwater monitoring reported by AGT appears limited to one on-site monitoring bore (PT84MW-6, likely to be GW114972 installed under licence 10BL605696) drilled as a replacement for a pre-existing monitoring bore (PT84MW-3, probably GW114209 installed under licence 10BL158808). Monitoring bore GW114972 was installed in January 2015 and has one recorded groundwater level elevation reported (at 183.10m AHD on 3 March 2015). It appears that the single measurement of groundwater level is the same data point referred to in the Modification 3 application. Despite the operator advising that additional monitoring would be undertaken, it is apparent that no other groundwater level measurements have been made in the meantime (i.e. since March 2015 when the measurement was taken or since June 2015 when the previous modification application was made).

Of note, the AGT report suggests that the clay layer at the base of the existing quarry acts as a confining layer preventing “inflow from the underlying water table” (p.21). However the thickness of the clay is not reported and the single groundwater level measurement (183.10m AHD) is well below the top of the supposed confining layer (183.70m AHD), suggesting that confined conditions are unlikely to exist. The significance of this has yet to be determined.

A hydrograph provided in the AGT report (p.16) illustrates the data considered in the assessment (Figure 2).

- 12 measurements of groundwater level from an off-site bore (PF167MW-1, located 750m to the southwest) all recorded prior to May 2005.
- 2 measurements of groundwater level from a NSW Government monitoring bore (GW075000/1, located 1,300m to the southwest) in around November 1997 and around April 2014.
- 1 measurement from the single on-site monitoring bore (PT84MW-6, installed as a replacement for PT84MW-3) on 3 March 2015.

That hydrograph highlights the encroachment of extraction on the water table, as the identified current quarry depth is considerably less than 2m above the groundwater level measured in March. This is illustrated by a cross section in the AGT report (p.18), which is reproduced below (Figure 3).

- It is of concern that current excavation cells with base elevations of less than 186.08m AHD are less than 2m from the water table. There is no documentation about filling over excavated areas with Natural Excavated Materials (NEM) or Virgin Excavated Natural Materials (VENM)—in accordance with EPA Guidelines—to achieve the elevation requirement.

Figure 2 AGT report hydrograph

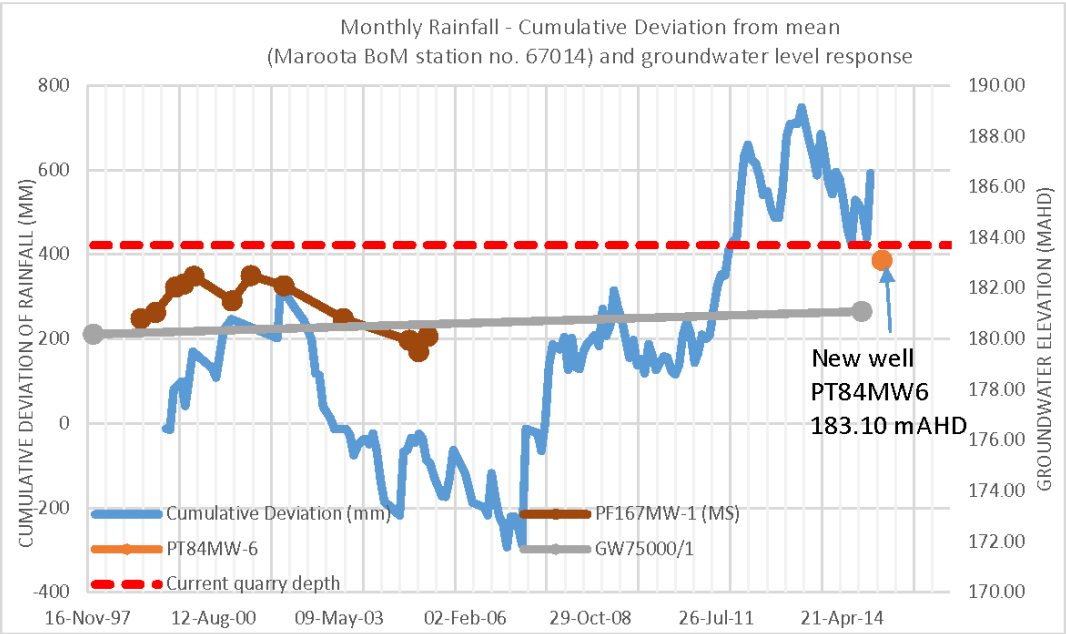


Figure 5: Groundwater hydrographs and cumulative deviation from the mean of monthly rainfall.

Figure 3 AGT report cross section

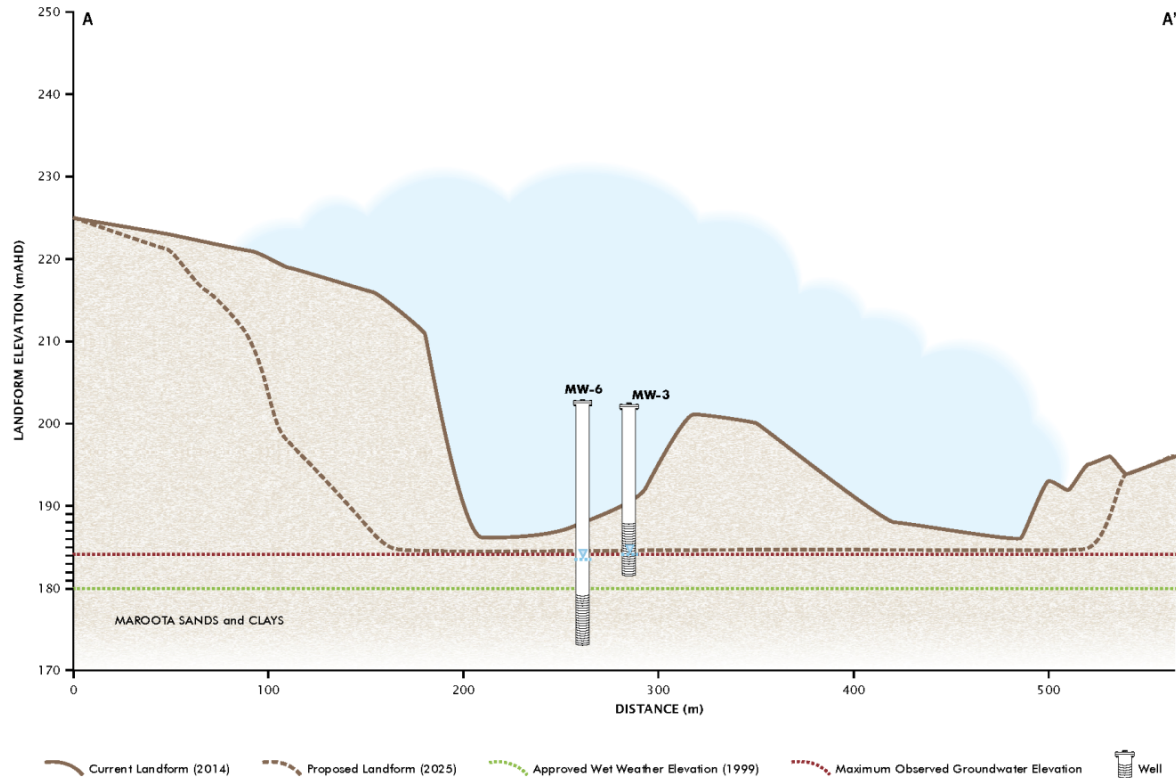


Figure 6 | Representative Cross Section (for section line see Figure 2)

Whilst the AGT report provides an assessment of the activity against the requirements of the *NSW Aquifer Interference Policy*, the analysis is not supported by the results of a reasonable period of on-site monitoring and is therefore questionable. The proposed monitoring program remains limited to the single on-site bore for all triggers, which does not appear sufficient to establish a sound understanding of the hydrogeology of the site, nor to detect the occurrence of

groundwater behaviour that would exceed the minimal impact thresholds. The impacts and mitigation measures are poorly defined and require significantly greater rigour in providing quantifiable triggers and response actions.

In summary further information is requested in order to clarify the 'high wet weather groundwater level' and therefore the extraction depths for the operation. Data from several on-site monitoring bores over the last ten years would provide an appropriate record, however only minimal information is provided in the report.

Water licenses and Water Balance Modelling

The Revised Soil and Water Management Plan (RSWMP) for the modified development indicates the site holds a number of licences issued under the *Water Management Act 2000* for the operation of groundwater bores and dams (Section 2.3.3 page 12, Appendix 19). Table 1 in the RSWMP lists the licenses held at the site but the table is confusing, especially the information provided in the bore status column. Table 1 indicates:

- one monitoring bore (Bore no. PT84MW1) is in use for water sampling. The table needs to include the licence number details for this bore.
- one new monitoring bore (Bore No. PT84MW5 – licence 10BL158808) was installed in March 2013 but the proponent needs to provide DPI Water with details.
- three monitoring bores have been destroyed.
- one bore for industrial – sand and gravel/irrigation purposes (licence 10BL1597595). It indicates the licence expired on 14/6/2015 but the licence has been converted into an access licence – the licence has not expired - approval has been extended and it has an allocation of 6 ML.
- one bore for industrial – sand and gravel purposes (licence 10BL159748). It indicates it expired on 14/6/2015 and the bore has been destroyed. While the bore may have been destroyed the licence has been converted with a water access licence and the proponent has an allocation of 45 unit shares.

The RSWMP notes the location of the bores and dams are shown on Figure 2 (Section 2.3.3). Figure 2 shows two monitoring bores (PT84MW1 and PT84MW5) occur on the site. Neither Table 1, nor Figure 2 refers to the monitoring bore (10BL605696) which was installed on 13/1/2015. The proponent needs to provide DPI Water with construction details of the bores on the site.

The Mod 2 EA includes an extract from the EIS which accompanied the original application on water balance modelling and it notes there is no change to the modelled water balance as a result of the proposed modification (page 3.32). The extract notes the applicant installed two bores into the Hawkesbury Sandstone aquifer which are generating 1.9 L/sec and 1.3 L/sec respectively (Section 2.2, page 2.5) and indicates an alternative water supply source would be required to supplement the process water dam during extended periods of low or no rainfall and that two bores have a combined capacity of 3.2 L/sec (page 2.6). As noted above, the site has two groundwater access licences and these have a combined allocation of 51 ML/year. It is suggested the Mod 2 proposal clarifies that an alternative groundwater water supply source is still required to supplement the process water dam during extended dry periods, as Table 1 in the RSWMP implies the groundwater supply licences have expired.

Transfer of Water Offsite

Section 5.4 of Appendix 19 indicates excess surface water is to be transferred from the site to the neighbouring land owned by Mr Tony Portelli and is to be used for stock water and irrigation (pages 39 and 40). Details are requested on the source of the surface water that is proposed to be transferred from the site and whether the water is proposed to be transferred from Dam 1.

Rehabilitation of site

The Rehabilitation Report (October 2014) indicates that at the completion of specified rehabilitation works, the vegetated areas shall be subject to a minimum landscape works period of 12 months and the maintenance shall include watering and weed control. It is recommended the minimum maintenance period is longer than 12 months to ensure that the vegetation is established and the bund walls and the site are adequately stabilised with vegetation to protect the downstream environment from sediment and erosion impacts, the spread of weeds from the site etc.

Recommended Conditions of Consent

Based on the current information to review the following conditions of consent are recommended should this application be approved.

- Restriction on the absolute depth of extraction to 186.08m AHD for the entire period of quarry operation (regardless of any future extension to the consent) unless higher wet weather groundwater levels become apparent.
- Continuous groundwater level monitoring (as required under existing consents) must be established by the operator immediately in at least six locations across the site (excluding the central pond) where the water table within the Maroota Sand can be measured throughout the proposed period of future sand extraction operations.
- Establishment of a network of monitoring bores distributed across the site purpose-built to monitor groundwater levels in the Maroota Sand and at locations chosen in agreeance with DPI Water.
- Quarterly groundwater quality monitoring for a suite of analytes determined in consultation with DPI Water.
- Six monthly survey mapping of the quarry site with specific delineation of excavation cell elevations and highest measured groundwater elevations.
- Revision of the operations plan to recognise the raised limit of excavation and to incorporate mitigation actions, notification triggers and reporting requirements consistent with the *NSW Aquifer Interference Policy*.
- Development and implementation of a Groundwater Monitoring and Management Plan for the site in consultation with DPI Water.
- Annual environmental reporting that must include groundwater related data and reports, and be reported online.

End Attachment A

Swati Sharma

From: Malcolm Drummond <malcolm.drummond@industry.nsw.gov.au>
Sent: Thursday, 15 October 2015 10:52 AM
To: Swati Sharma
Subject: RE: Notice of Exhibition - Roberts Road Quarry Mod 2 (DA 267-11-99)

Hi Swati,

NSW Department of Industry – Geological Survey of NSW Branch (GSNSW) has reviewed the exhibition documents related to the above matter and has no issues to raise regarding the proposed modification to Roberts Road Quarry.

Kind Regards

Malcolm Drummond | Senior Geoscientist - Land Use Assessment
NSW Department of Industry | Division of Resources and Energy | Geological Survey of NSW
516 High Street | Maitland NSW 2320 | PO Box 344 | Hunter Region Mail Centre NSW 2310
T: 02 4931 6704 | E: malcolm.drummond@industry.nsw.gov.au
W: www.industry.nsw.gov.au | www.resourcesandenergy.nsw.gov.au

From: Swati Sharma [mailto:Swati.Sharma@planning.nsw.gov.au]
Sent: Thursday, 1 October 2015 3:10 PM
Subject: Notice of Exhibition - Roberts Road Quarry Mod 2 (DA 267-11-99)

Dear All

Exhibition of Roberts Road Quarry Mod 2 (DA 267-11-99)

Hodgson Quarry Products Pty Ltd has submitted a modification application for Roberts Road Quarry on Roberts Road, Maroota, within The Hills Shire local government area.

The proposal involves:

- extending the lapse date of the existing consent from 31 May 2016 to 31 May 2025;
- modifying the approved sand extraction methods and sequence of extraction;
- modifying the approved method of construction of the water supply dam; and
- modifying the approved rehabilitation strategy.

The Environmental Assessment (EA) will be on public exhibition from **Friday 2 October 2015** until **Monday 19 October 2015**. These documents may be accessed from the Department's website at the start of exhibition (<http://majorprojects.planning.nsw.gov.au/>). The Department has requested the Applicant delivers hard copies and CD copies of the EA directly to your offices (except for RMS and Education & Communities for which the above link to the Department's website is to be used).

You are invited to comment on the proposed modification and include advice on recommended conditions by **Monday 19 October 2015**.

The Department's newspaper advertisement for this application is attached for your information.

Regards,

Swati Sharma
Planning Officer
Resource Assessments

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Swati Sharma

From: Rachel Lonie <Rachel.Lonie@environment.nsw.gov.au>
Sent: Friday, 2 October 2015 10:53 AM
To: Swati Sharma
Subject: RE: Notice of Exhibition - Roberts Road Quarry Mod 2 (DA 267-11-99)

Yes apologies for the missing text!

Rachel Lonie / Senior Operations Officer / Greater Sydney Region / Regional Operations Group / T: 9995 6837
Please note I do not work Wednesdays

From: Swati Sharma [mailto:Swati.Sharma@planning.nsw.gov.au]
Sent: Friday, 2 October 2015 10:52 AM
To: Rachel Lonie
Subject: RE: Notice of Exhibition - Roberts Road Quarry Mod 2 (DA 267-11-99)

Dear Rachel,

Thank you for your email.

The email appears to mean that the Greater Sydney Region team considers the modification *will not* impact on the below matters. Can you please clarify?

Regards,
Swati

Swati Sharma
Planning Officer
Resource Assessments
Department of Planning and Environment
23-33 Bridge Street | GPO Box 39 SYDNEY NSW 2001
T 02 9228 6221 E swati.sharma@planning.nsw.gov.au

From: Rachel Lonie [<mailto:Rachel.Lonie@environment.nsw.gov.au>]
Sent: Friday, 2 October 2015 10:38 AM
To: Swati Sharma
Subject: FW: Notice of Exhibition - Roberts Road Quarry Mod 2 (DA 267-11-99)

Dear Swati

Thank you for forwarding the Environmental Assessment for the above project to the Office of Environment and Heritage (OEH) for consideration.

After reviewing the relevant documents, OEH's Greater Sydney Planning Team has concluded that the proposed modification will impact on biodiversity, flood risk management or Aboriginal cultural heritage issues that require a formal OEH response. We have no further need to be involved in the assessment of this project.

Please note that the Heritage Division in the Office of Environment and Heritage may wish to provide separate comments. The Heritage Division can be contacted at heritage@heritage.nsw.gov.au.

Regards

Rachel Lonie
Senior Operations Officer, Greater Sydney Region
Regional Operations Group, Office of Environment and Heritage
Level 6, 10 Valentine Ave Parramatta (PO Box 644) NSW 2124
T: 9995 6837 W: www.environment.nsw.gov.au

From: Swati Sharma [<mailto:Swati.Sharma@planning.nsw.gov.au>]

Sent: Thursday, 1 October 2015 3:10 PM

To: hsc@hornsby.nsw.gov.au; development.sydney@rms.nsw.gov.au; Planning Matters Mailbox;
landuse.minerals@industry.nsw.gov.au; water.referrals@dpi.nsw.gov.au; Landuse.enquiries@dpi.nsw.gov.au;
Katrina Stankowski; cameron.judson2@det.nsw.edu.au

Cc: Rachel Lonie; kristian.holz@dpi.nsw.gov.au; cressida.gilmore@dtiris.nsw.gov.au

Subject: Notice of Exhibition - Roberts Road Quarry Mod 2 (DA 267-11-99)

Dear All

Exhibition of Roberts Road Quarry Mod 2 (DA 267-11-99)

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You are invited to comment on the proposed modification and include advice on recommended conditions by **Monday 19 October 2015**.

The Department's newspaper advertisement for this application is attached for your information.

Regards,

Swati Sharma

Planning Officer
Resource Assessments
Department of Planning and Environment
23-33 Bridge Street | GPO Box 39 SYDNEY NSW 2001
T 02 9228 6221 E swati.sharma@planning.nsw.gov.au

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