

ASSESSMENT REPORT

CALGA SAND QUARRY

Administration Centre Relocation Modification (DA 94-4-2004 Mod 1)

1 BACKGROUND

Rocla Materials Pty Ltd (Rocla) owns and operates the Calga Sand Quarry, located on Peats Ridge Road approximately 1.7km northwest of the Calga Interchange on the F3 Freeway, in the Gosford local government area (see Figure 1).

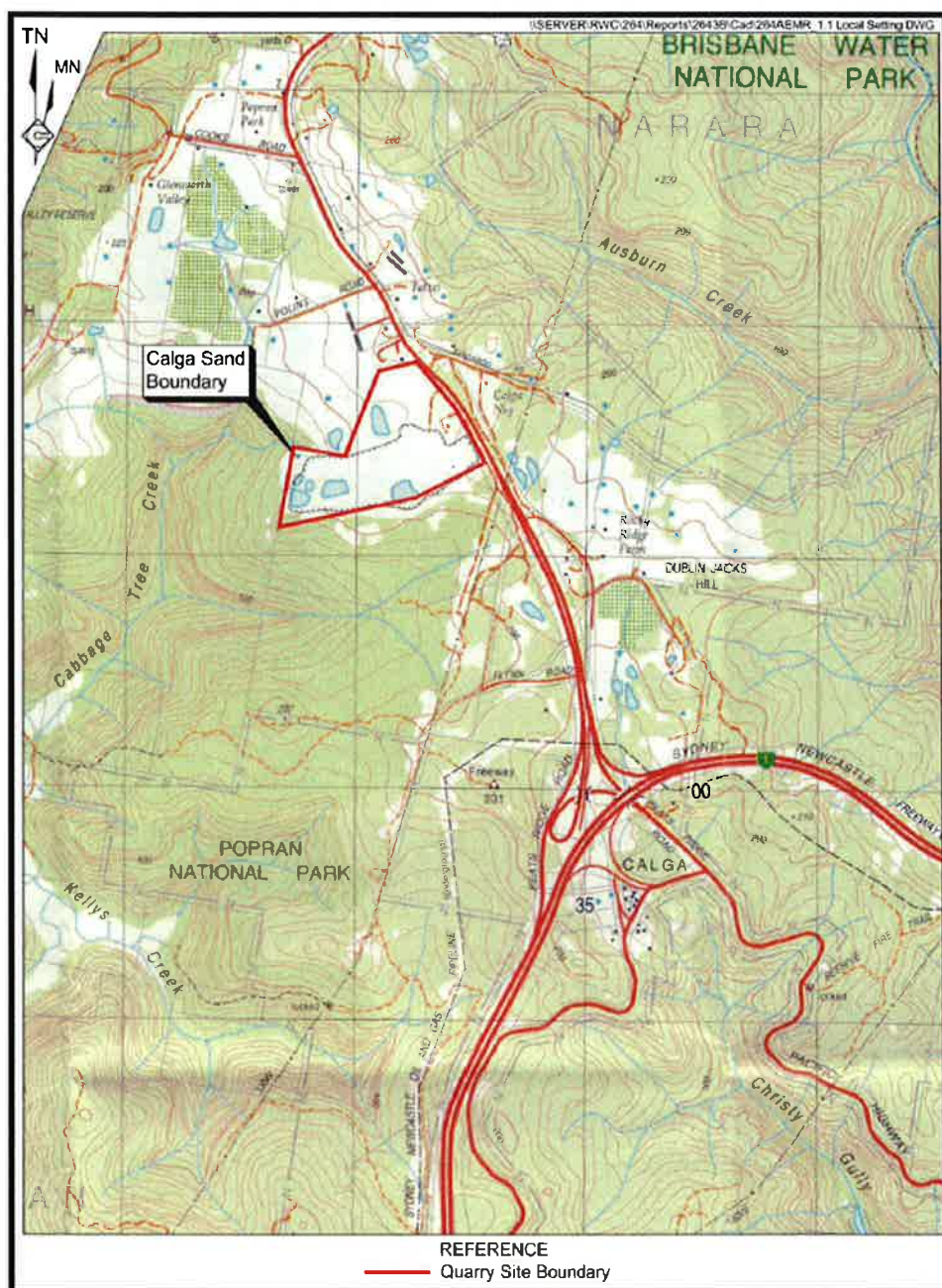


Figure 1: Location of the Calga Sand Quarry

Sand and clay quarrying has been undertaken at the site periodically by a number of operators since the late 1960's.

The quarry currently operates under a development consent approved by the Minister for Planning in October 2005 (see **Appendix B**). This development consent (DA 94-4-2004) allows for the extension of operations to the north, known as stage 3. The consent allows Rocla to:

- extract the friable sandstone resource by bulldozer ripping;
- process the resource on site at one of two locations;
- import materials for blending with extracted sand;
- transport up to 400,000 tonnes of product per year from the site via road transport; and
- rehabilitate the site.

The approval includes the relocation of the existing administration centre and associated services, storage shed and refuelling station to the south-east corner of the site. It also includes the relocation of the wash plant and mortar sand plant to the Quarry floor. Relocation of these facilities is required to enable the commencement of stages 3/3 and 3/4 of quarrying operations and has not yet been undertaken. The existing administration centre and processing plant is shown in figure 2 and the approved areas for relocation are shown in Figure 3.

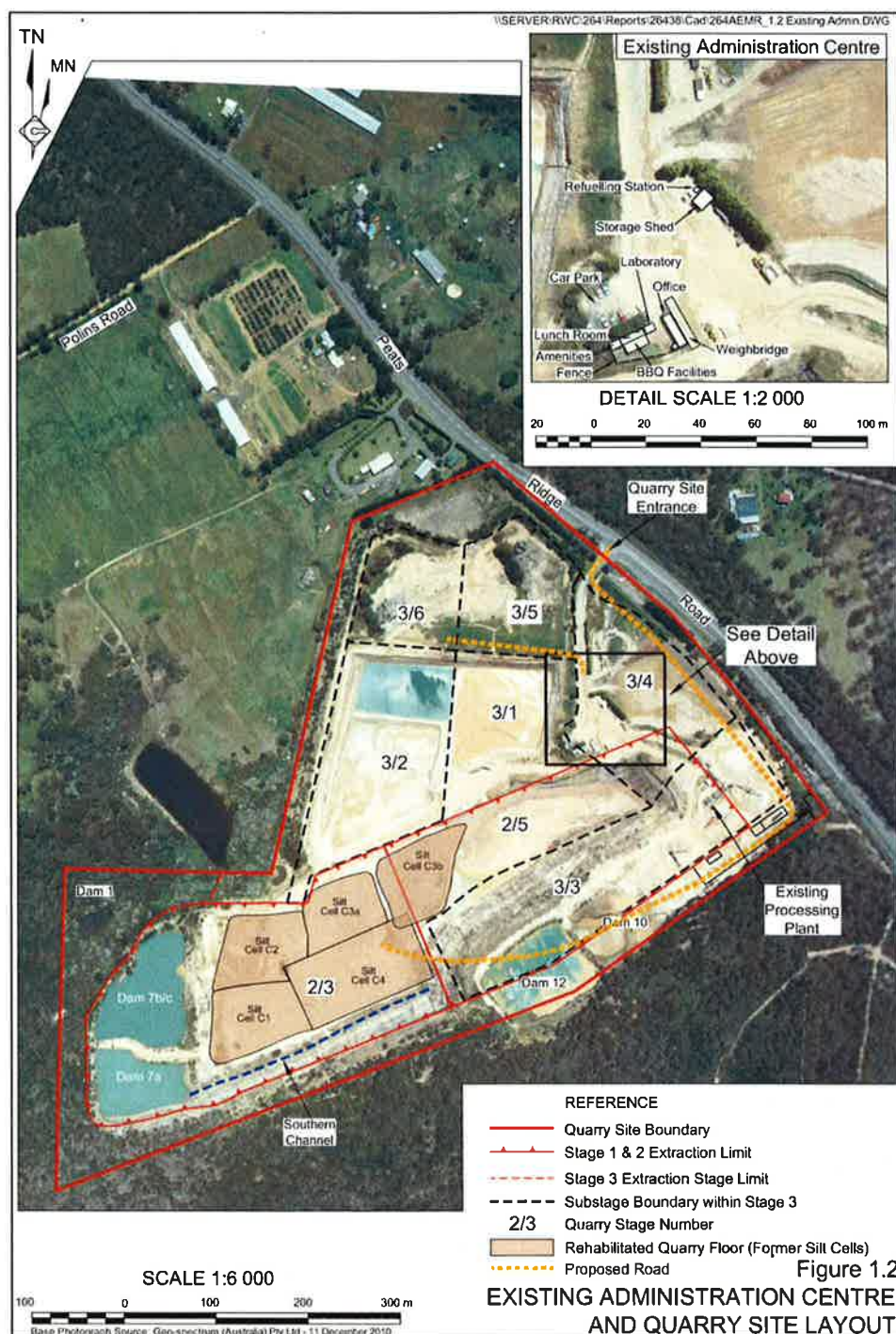


Figure 2: Existing administration centre and processing facilities

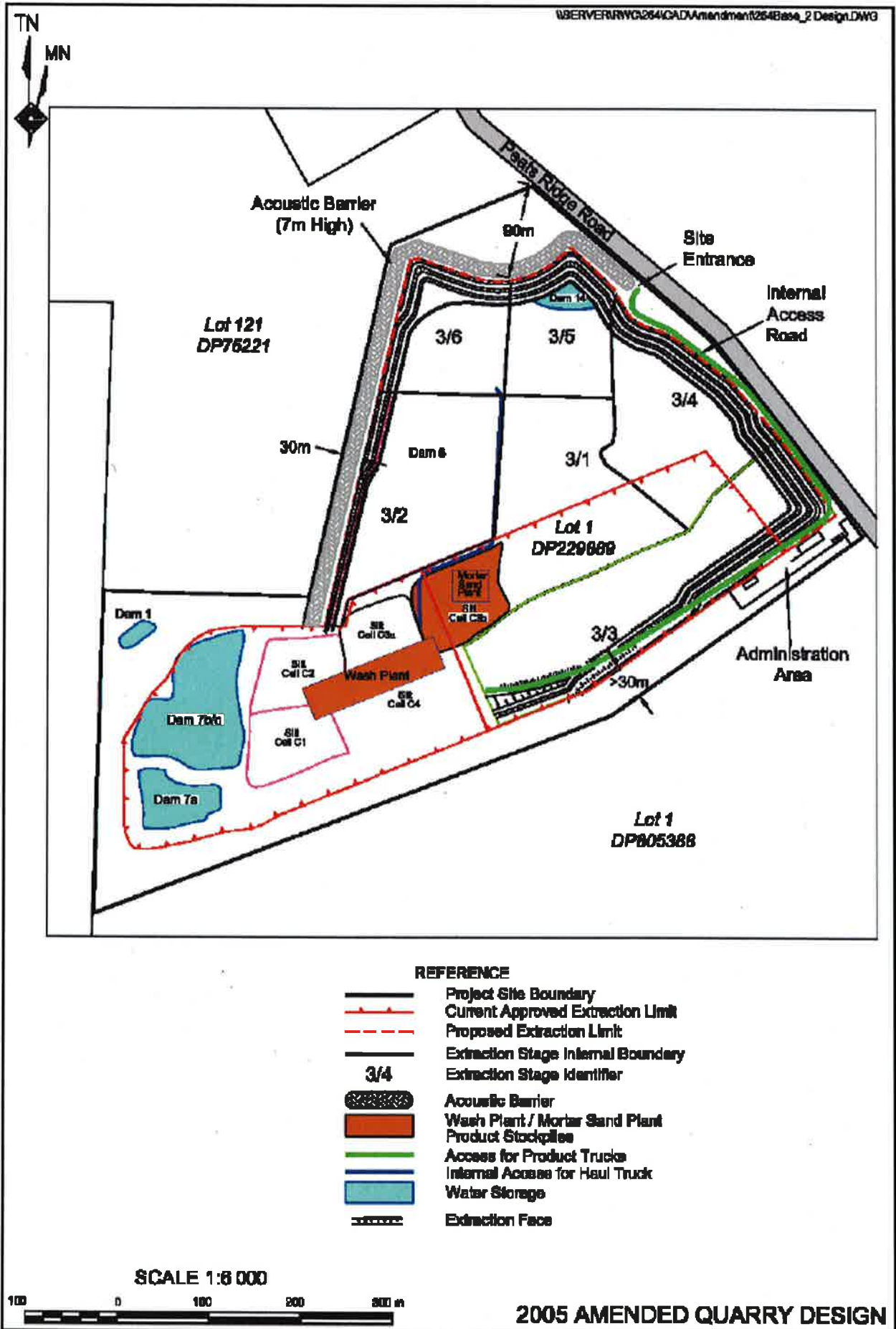


Figure 3: Approved staging and relocation of administration area and associated infrastructure

2 PROPOSED MODIFICATION

On 27 January 2012, Rocla submitted an application seeking to modify the development consent under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The proposed modification involves the relocation of the Quarry's administrative centre to a position different from that currently approved.

The current development consent allows for the relocation of the existing administrative centre and associated services to the south-east corner of the site (**Figure 3**). Rocla has since determined that it would be more appropriate to situate the administration centre on the floor of the rehabilitated pit (see **Figure 4**), thereby reducing its distance from the wash plant and enabling a consolidation of on-site parking. The wash plant and mortar sand plant would also be slightly relocated to accommodate the administration centre on the quarry floor.

The sealed section of the access road would be extended from the existing site entrance to the proposed car park and weighbridge. The road would comprise a 7 m wide sealed pavement with 3 m shoulder and roadside drainage. The sealed road would be used by light traffic travelling to the administration centre and by trucks transporting product from stockpile areas.

The relocation of the administration centre would include the relocation and installation of services including sewer, power and water supply. Rocla proposes to relocate and decommission the bore used for potable water supply.

The proposed modifications are described in full in the Environmental Assessment (EA) submitted in support of the application (see **Appendix C**).

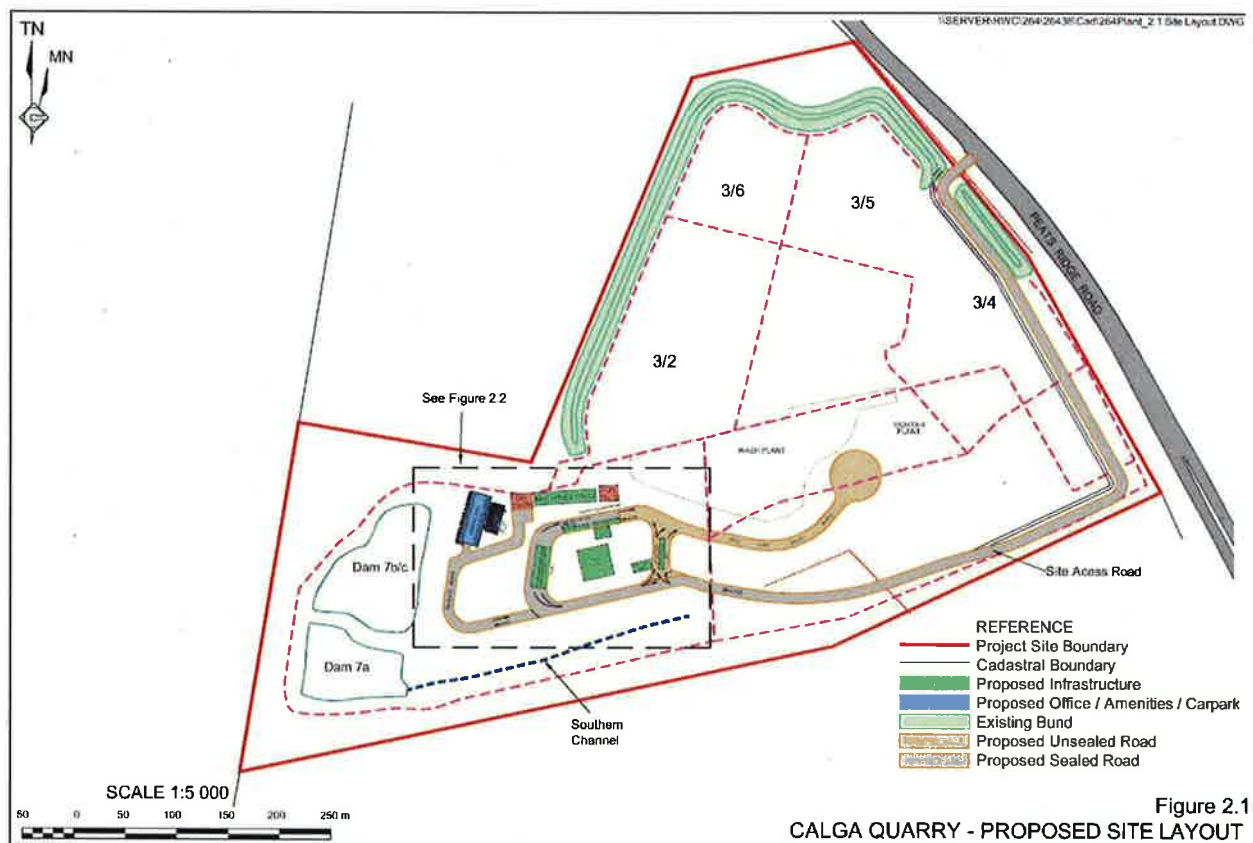


Figure 4: Location of proposed administration centre and infrastructure

3 STATUTORY CONTEXT

Modification

This application is a proposal to modify development consent DA 94-4-2004. In accordance with clause 12 of Schedule 6A of the EP&A Act, section 75W of the Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to development consents referred to in clause 8J (8) of the *Environmental Planning and Assessment Regulation 2000*, namely, development consents granted by the Minister under Part 4 of the Act (relating to State significant development) before August 1 2005.

Approval Authority

The Minister for Planning and Infrastructure is the approval authority for the proposed modification. However, under the Minister's delegation of 14 September 2011, the Director, Mining and Industry Projects can determine the application, as Gosford City Council did not object to the modification application, only 2 public submissions objecting to the proposal were received, and as Rocla has made no reportable political donations.

4 CONSULTATION

Under section 75W, the Department is not required to advertise the application. However, after accepting the EA for the proposed modification, the Department notified agencies and surrounding residents, seeking comments in relation to the proposed modification and made the EA publically available on the Department's website.

The Department received 5 submissions from public authorities, 2 from special interest groups and 2 from the general public on the proposal (see **Appendix D**). Of the 9 submissions received, 4 objected to the proposal.

A summary of the issues raised during the consultation process is provided below.

The **Environment Protection Authority** (EPA) did not object to the proposal but advised that the modified development consent should include safeguards to ensure effective erosion and sediment control, chemical storage, and also measures to ensure the protection of Aboriginal cultural heritage objects.

The **Division of Resources and Energy** (DRE) did not object to the proposal.

The **NSW Office of Water** (NOW) did not object to the proposal but advised that the relocation of the bore used for portable water supply would require separate assessment and approval under *Water Management Act 2000* and that the Site Water Management Plan should be updated in accordance with the modifications.

The **Roads and Maritime Services** (RMS) did not object to the proposal.

Gosford City Council (Council) did not object to the proposal but requested that the Department ensure that the replacement bore does not adversely impact on the Somersby aquifer.

The **Australian Walkabout Wildlife Park** (AWWP) objects to the proposed modification on the basis that it believes the EA to be inadequate. AWWP stated that further assessment of noise and visual impacts of the proposed wash plant and internal roadways should be undertaken. AWWP also raised concerns regarding water contamination and the effects of any proposed sewage disposal system.

The **Calga Peats Ridge Community Group** has raised concerns regarding the relocation of the wash plant. The community group has also raised concerns in regards to the justification of the modification, rehabilitation, noise impacts, and the effects of any proposed sewage disposal system.

Of the 2 public submissions received, both objected to the proposed modification. Submissions objected on the grounds of the relocation of the wash plant, noise and visual impacts of the internal access road, effects of any proposed sewage disposal system and the Quarry's non-compliance with water licences.

Rocla has subsequently provided formal responses to the issues raised in submissions (see **Appendix E**). The Department has considered all issues in the submissions and Rocla's response to these issues in its assessment.

5 ASSESSMENT

The Department has considered the potential additional impacts of the proposed modification, noting that it only relates to the location of site administration centre, associated services and processing facilities, and does not seek to change any of the quarry's approved extraction, processing and transportation operations. The Department also notes that the physical activity of relocating this infrastructure, including demolition, connections to water supply bores, sewer and power supply, is already approved under the existing development consent. Existing conditions are also in place to mitigate construction and demolition works so that they are undertaken in accordance with relevant requirements and standards.

The administration centre and associated services would be relocated to the rehabilitated quarry floor and therefore no new areas would be disturbed and there would be no change to the footprint of the existing Quarry. The relocation of the proposed administration centre to the Quarry floor would likely result in an improvement in amenity, particularly visual impacts, compared with that currently approved given the change in levels.

The wash plant and sand mortar plant would be relocated to the quarry floor in a similar location to that already approved, and consequently they are not expected to create any additional impacts.

The Department therefore considers it unlikely that the proposed modification would result in additional impacts over that which have already been assessed and approved. Nevertheless, the Department has undertaken a full merit assessment of the proposal and has also taken the opportunity to review the current consent and has recommended updated conditions where appropriate.

The Department has assessed the potential impacts of the proposed modification. Table 1 details this assessment.

Table 1: Assessment of environmental impacts

Issue	Consideration and Conclusion
<i>Noise</i>	<p>Regular noise monitoring undertaken at residences surrounding the Quarry has demonstrated that on-site activities do not cause an exceedence of noise criteria. However the EA acknowledges that some specific activities around the existing wash plant are distinguishable to some neighbours. The relocation of the wash plant to the Quarry floor, will likely result in a reduction of noise impacts and audible noise from these activities. Although the wash plant will be located further east than originally proposed, it is expected that there will be a reduction of noise impacts from current conditions and that the Quarry will continue to comply with the noise criteria outlined in the existing consent.</p> <p>Rocla has existing approval to haul materials from the pit to the site access road. Therefore it is considered that the proposed modification will not create any additional noise impacts in this regard.</p> <p>The Department is satisfied that the noise impacts associated with the proposed modification would be negligible, and no additional conditions of approval need to be applied.</p>
<i>Air Quality</i>	<p>The key potential dust generating activity associated with the proposed modification would be the longer distance travelled by both heavy and light vehicles.</p> <p>Condition 26 (b) of the development consent requires Rocla to seal the access road to the administration centre for stage 3/3 of operations onwards. The application of this condition to the proposed modification would mean that the access road would be sealed to the new location and consequently for a greater distance.</p> <p>The extension of the sealed internal access road would potentially reduce dust generation associated with vehicle movements. Trucks leaving and entering the Quarry floor will spend an increased period of time on a sealed surface, therefore reducing the likelihood of dust generation.</p> <p>The Department is satisfied that the potential air quality impacts of the proposed modification would be negligible.</p>
<i>Other Issues</i>	<p>All other issues are considered to have negligible environmental impacts and not to warrant further assessment.</p>

6 RECOMMENDED CONDITIONS

The Department has recommended modified conditions of approval for the Calga Sand Quarry that require the modification to be constructed and used as proposed in the environmental assessment submitted in support of the modification application

7 CONCLUSION

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act, including the objects of the Act and the principles of ecologically sustainable development. The assessment found that the proposed modification would not change the existing approved disturbance footprint, function or scale/intensity of operations at the existing quarry, or substantially increase the environmental impacts of its existing operations.

Consequently, the Department is satisfied that the proposed modification is justified, and should be approved.

8 RECOMMENDATION

It is RECOMMENDED that the Director, Mining and Industry Projects, as delegate of the Minister:

- **consider** the findings and recommendations of this report;
- **determine** that the proposed modification is within the scope of section 75W of the EP&A Act;
- **approve** the proposed modification under section 75W of the EP&A Act; and
- **sign** the attached Notice of Modification (**Tag A**).

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29/6/12

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