

ASSESSMENT REPORT

Rockley Falls Quarry Section 75W Modification – Stockpile Expansion

1 BACKGROUND

Abigroup Contractors Pty Limited (Abigroup) owns the Rockley Falls Quarry, located 4 kilometres north-east of the village of Holbrook and 60km north of Albury-Wodonga, in the Greater Hume Shire local government area (see Figure 1).

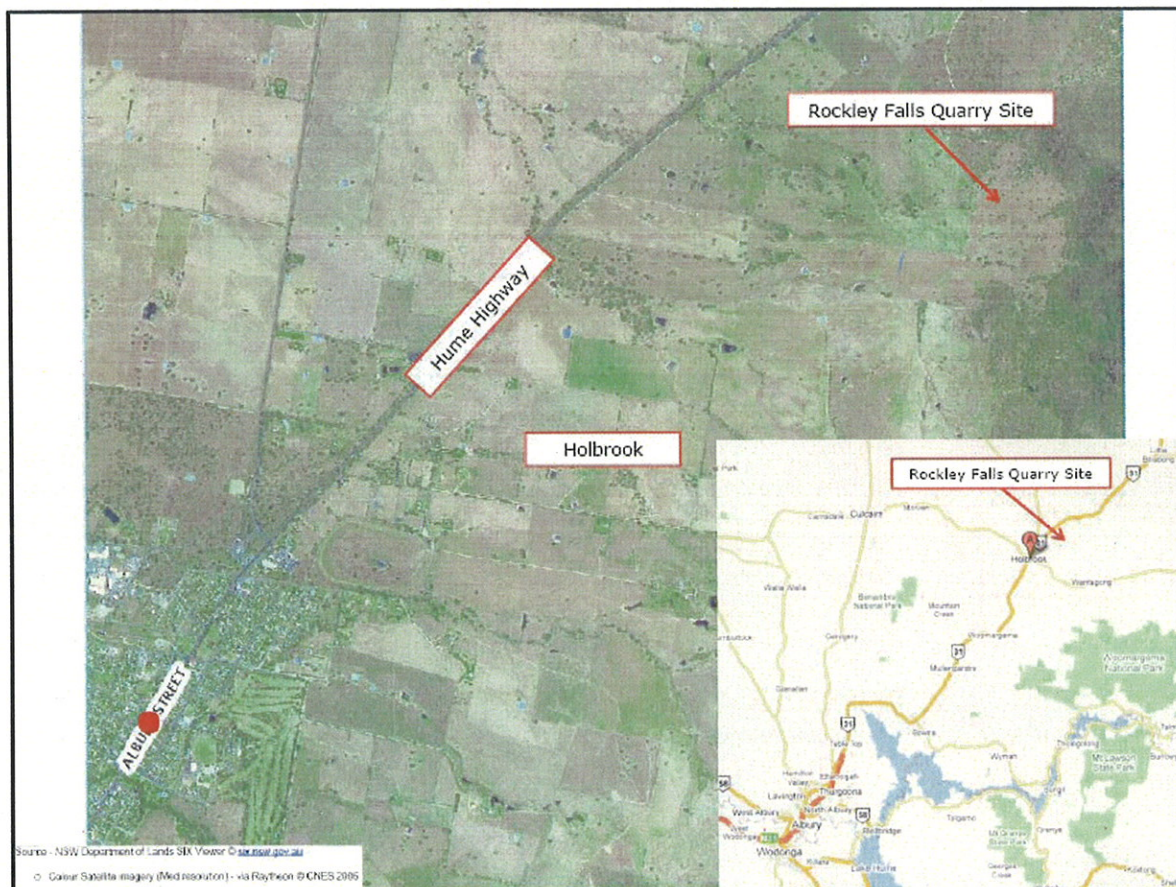


Figure 1: Rockley Falls Quarry local and regional context

The quarry was approved by the Minister in 2008 and is operated by the Hume Highway Southern Alliance (HHSa), a consortium consisting of Abigroup, RTA and SKM. Extracted material is used by HHSa to construct the duplication of the Hume Highway between the townships of Woomargama and Tabletop. The Minister's approval allows:

- production of up to 700,000 tonnes of hard rock quarry product per year until 2012 and 100,000 tonnes per year from 2012 until 2028; and
- rehabilitation of the site post extraction.

2 PROPOSED MODIFICATION

On 11 September 2009, Abigroup asked the Minister to modify the approval for the Rockley Falls Quarry under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed modification involves expanding the existing stockpile area by approximately 5.4 ha, and enlarging Sediment Basin 2 to accommodate the extended catchment area as a result of the increased stockpile (see Figure 2).

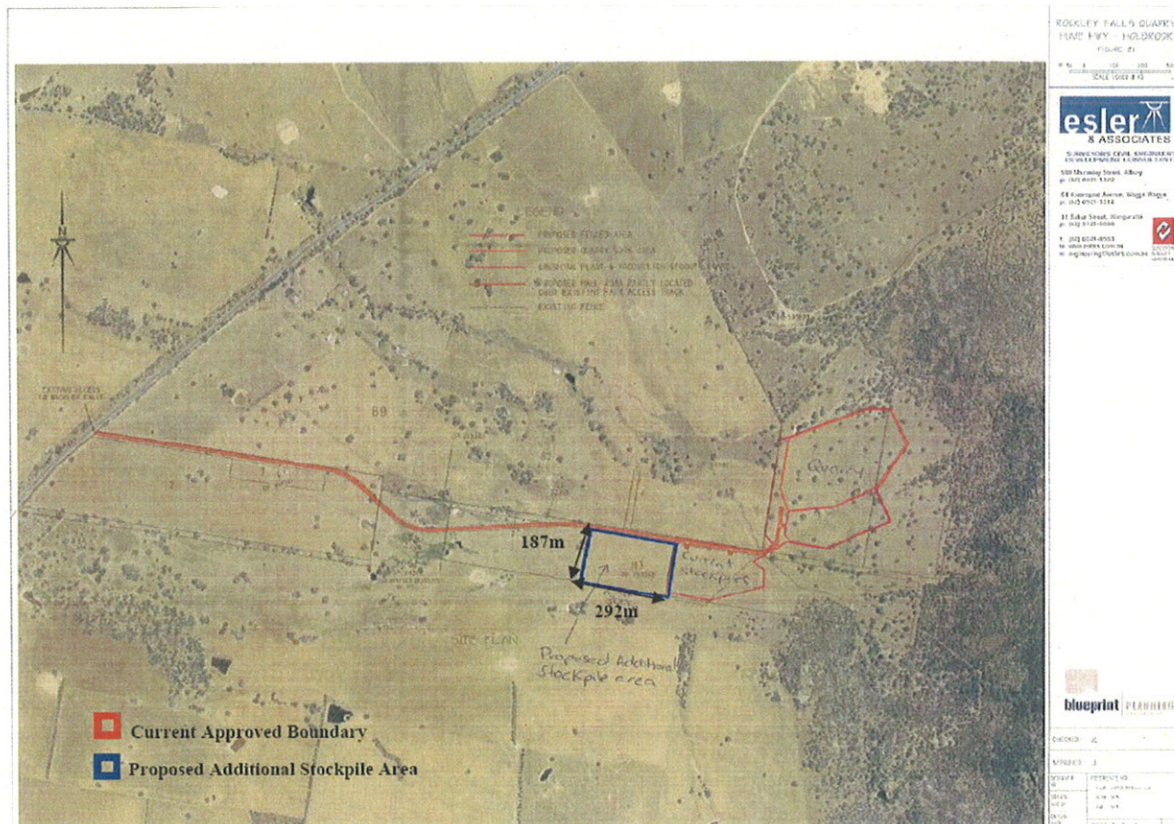


Figure 2: Proposed Stockpile Extension

3 STATUTORY CONTEXT

Approval Authority

The Minister was the approval authority for the original project application, and is consequently the approval authority for this modification application. However, as the proposed modification involves development with a capital investment of less than \$50 million, the Deputy Director-General (Development Assessment and Systems Performance) may determine the modification application under the Minister's delegation of 4 March 2009.

Modification

The proposed modification does not involve changing any of the quarry's operational functions or production rates. Consequently, the Department is satisfied that the proposed modification would not involve a "radical transformation" of the project and can be determined under Section 75W of the EP&A Act.

Consultation

Under Section 75W of the EP&A Act, the Department is not required to exhibit the modification application or undertake consultation. Notwithstanding, the Department referred the application to the Department of Environment, Climate Change and Water (DECCW) and the Department of Industry and Investment (DII).

DECCW does not object to the proposal.

DII does not object to the proposal, but would like the Erosion and Sediment Control Plan for the site to be update to accommodate the proposal.

4 CONSIDERATION OF ISSUES

The Department has assessed the application and submissions on the proposal in accordance with the relevant requirements of the EP&A Act. The key issues for each are discussed below.

Issue	Consideration
<i>Soil and Water</i>	To accommodate the expansion of the stockpile area the site's Sediment Basin 2 would be expanded by approximately 1249m³ in accordance with the requirements of <i>Managing Urban Stormwater: Soils and Construction, Volume 1, 4th Edition, 2004</i> (Landcom) (also known as the "Blue Book"), and associated stormwater drainage infrastructure would be installed. Existing management plans that apply to landforms at the site, including the Concept Erosion and Sediment Control Management Plan, would be reviewed and updated to include consideration of the modified project. The Department is satisfied that there would be minimal impacts to soil stability on site as a result of the proposed modification. Further, although the proposed modification would result in the enlargement of the stockpile area, there would be no changes to the type and amount of quarry product produced. Therefore, the geochemical characteristics of the aggregate retained in the stockpile area are unlikely to change. The Department and DII are satisfied that the EA contains sufficient assessment of the water and soil erosion impacts likely to arise from the proposed modification and that, with the appropriate mitigation measures in place, environmental impacts would be minimal.
<i>Air Quality</i>	The extended stockpile area would present a greater exposed surface for wind generated emissions as well as material handling emissions, in slightly closer proximity to receivers. The modification does not involve the use of any additional mobile equipment and the fixed plant would also remain unaltered, although there would be a slight increase in haulage distances for trucks delivering aggregate to the stockpile area. The areas where additional dust is likely to be generated are situated adjacent to existing disturbed areas and at a sufficient distance from surrounding sensitive receivers (the nearest being Beenly at 1403m), such that any increase in dust would be insignificant. The quarry currently implements a dust management plan and monitors dust levels at a number of locations around the quarry. Modelling predicted that the enlargement of the stockpile area is not likely to increase dust levels above the relevant operating consent conditions and that existing air quality criteria would continue to be appropriate. The Department is therefore satisfied that impacts on air quality as a result of the proposed modification would be minimal.
<i>Flora and Fauna</i>	The proposed modification would disturb approximately 5.4ha of pasture land, increasing the total disturbance area for the quarry from 17ha to 22.4ha. The land clearance associated with the extension of the stockpile area comprises 50% exotic grass species and 50% native grasses, including Speargrass, Tall Speargrass, Paspalidium and Wallaby Grass, which are common to the area. The bio-diversity of the proposed stockpile area is considered to be low and it is unlikely that the area would provide habitat for threatened flora and fauna. The land is proposed to be rehabilitated upon completion of works at the site. Due to the high level of previous disturbance the Department is satisfied that impacts associated with the clearing of vegetation would be minimal.
<i>Visual</i>	The modification would result in minor increases in the visibility of the quarry landform from surrounding viewpoints. Visibility from the Hume Highway is considered to be minimal due to the low-lying nature of the site and the presence of trees between the quarry and the highway.

Issue	Consideration
	However, the proposed modification would slightly increase the visibility of the quarry site from the Tumberook, Quambatook and Beenly residences, which currently see the existing stockpile area. The existing aggregate and waste stockpile area is up to 12m in height. The extended area, used to stockpile aggregate only, would be a maximum of 5m in height. Due to the low height of the extended stockpile area and distance from sensitive receivers, the Department is satisfied that any visual impacts associated with the proposed modification would be minimal.
Heritage	The proposed modifications, including expansion of the stockpile area and sediment basin would avoid known Aboriginal heritage sites found on the mining lease. The EA concludes that the proposed modifications would not change the potential impacts to Aboriginal heritage described in the EA for the original approval. Further, there are no identified non-Aboriginal heritage sites in the vicinity of the proposed works. The Department is satisfied that the proposed modification would not result in any additional impacts on Aboriginal cultural heritage and non-Aboriginal heritage.
Traffic	No changes to external traffic conditions are required for the proposed modification. Haulage operations within the project site are expected to remain the same as there will be no increase in production. The slight increase in haulage distance to the extended stockpile area is not considered to result in any traffic related impacts.
Socio-Economic	The proposed modification would ensure that HHSA is able to avoid the risk of any delays in supply required for the Woomargama bypass project and in turn reduce the likelihood of needing to extend quarry operation hours during the construction of the project.
Other Issues	The Department is satisfied that other issues associated with the proposal are minor and can be effectively managed under the existing conditions of approval.

4 CONCLUSION

The Department has assessed the application in accordance with the relevant requirements of the EP&A Act. The proposed modification would:

- allow for the increased stockpiling of quarry product on site to avoid the risk of supply delays;
- enlarge Sediment Basin 2 to accommodate the increased runoff area of the extended stockpile;
- ensure the continued delivery of quarry product required for the Woomargama bypass project; and
- not cause any significant additional environmental impacts for the approved project.

The Department therefore believes that the modification is in the public interest and should be approved.

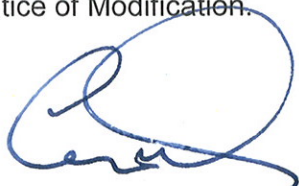
5 RECOMMENDATION

It is RECOMMENDED that the Deputy Director-General:

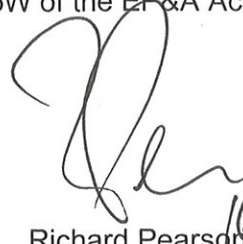
- **consider** the findings and recommendations of this report;
- **determine** that the proposed modification would not "radically transform" the approved project;
- **approve** the proposed modification under Section 75W of the EP&A Act; and
- **sign** the attached Notice of Modification.

 13/11/09

David Kitto
Director



Chris Wilson
Executive Director

 16/11/09

Richard Pearson
Deputy Director-General

12.11.09⁴

