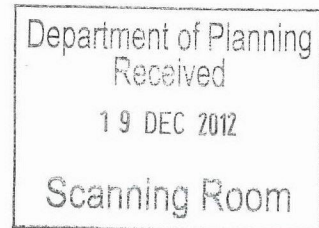
**PCU040165**PF990489
C12143266

6 December 2012

Director
Mining and Industry Projects
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001



Dear Sir,

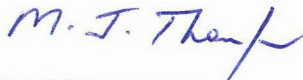
**Submission on State Significant Development Application SSD 5109 for Cooma
Road Quarry Continued Operations project**

Thank you for the opportunity to consider the State Significant Development Application for the Cooma Road Quarry continued operations project and accompanying Environmental Impact Statement.

The documents have been reviewed in line with comments previously made by Council and in terms of potential impact on Queanbeyan and its community including the environment and infrastructure. Recommended conditions of consent have also been drafted for the Department's consideration to address relevant matters. The attached submission outlines the issues and includes these conditions.

Please contact Lorena Blacklock on 02 6285 6244 for any further information or clarification on this letter.

Yours sincerely,



M J Thompson
Group Manager
Sustainability and Better Living

Queanbeyan City Council Submission - Cooma Road Quarry Continued Operations Project

The Environmental Impact Statement (EIS) exhibited for the state significant development application for the Cooma Road Quarry Continued Operations Project has been reviewed and the following comments and recommendations are made. Recommendations are noted as actions that need to be taken or considered prior to consent or conditions that should be included as part of the consent.

2.1.1.3 Markets

The existing EIS and development consent for the quarry are based on the assumption that all product is transported toward Queanbeyan, with no haulage to the south along Old Cooma Road (OCR). This is historic as OCR was a gravel road south of Burra Road for many years and was unsuitable for haulage. The road is now sealed to Monaro Highway and the Googong township residential subdivision has commenced, such that product haulage to the south will increase, with the anticipated life of the quarry paralleling the development of Googong township.

2.1.2 Quarrying Techniques

As raised previously in Council's submission of 4 September 2012, the previously approved western overburden area has not been used in the current operations and is not supported by Council due to visual impacts and impacts on Jerrabomberra Creek which feeds and nationally recognised wetland prior to entering Lake Burley Griffin (Action 1.1 prior to consent).

2.2 The Proposed Project

The increase in product limits from 1 Mtpa to 1.5 Mtpa will accelerate pavement damage on Council's road network. This will be further exacerbated by the proposed importation of materials as back loads.

The existing Queanbeyan Section 94 Contributions Plan No.2 – Extractive Industry provides for payment of contributions from the quarry based on production rates in the original EIS. Section 10 of the plan identifies the existing quarry as the only extractive industry location within Queanbeyan LGA at the time of formulation of the plan and that review of the plan will be required if other sites come on line. If approved, the proposed development will trigger the need for a review of the S94 plan. In particular the review of the S94 plan would need to account for improvements to the road network caused by back loads on quarry bound travel lanes (Consent Condition 2.1).

2.2.8 Hours of Operation

The project proposes to vary hours of operation for certain activities to provide increased flexibility to supply materials and to accommodate increased production rates. Council does not support this request for all activities and suggests that the reasons given for justification of an increase in hours of operation are not sufficient or lack substantiation of the potential impacts.

Activities suggested to allow during the proposed extended hours include:

- maintenance of fixed plant and mobile plant;
- secondary crushing and screening;
- product stockpile management;
- water cart operations for stockpile and plant area; and
- pumping for dewatering activities.

Council does not support the following activities from the list:

- secondary crushing and screening;
- product stockpile management;

It is stated that the extended hours will allow for Holcim to process (secondary/tertiary crushing) and stockpile in preparation for loading into trucks for first delivery the following day and minimise truck waiting times in the mornings.

Section 5.1.3 - Control Measures of the Noise and Blasting Impact Assessment suggests the following reasonable and feasible control measures that were incorporated into the ENM noise model of the project will ameliorate any impacts:

- the management of loaders and road haulage trucks to minimise the number of machines running in exposed locations at any one point in time;
- the management and layout of stockpiles and work areas to minimise the number of machines running at exposed locations;
- the management of stockpiles to act as barriers between working machines and potential receiver areas (applicable to potential exposed areas higher within the quarry and product area).
- Not running the secondary crushing plant during the evenings if potentially adverse weather conditions aid in the propagation of noise to the receiver areas.

Council is concerned that the majority of these controls rely on management of the situation to avoid impacts. Council believes that a more effective measure would be to exclude these operations from being permitted up to 10.00pm. However, it is acknowledged that there are returning truck movements until 8.00pm and given this other plant operating on the site up to 8.00pm would likely cause minimal impact.

In addition it is stated that the extended hours will allow for Holcim to process (secondary/tertiary crushing) and stockpile in preparation for loading into trucks for first delivery the following day and minimise truck waiting times in the mornings. This would also mean that an increased number of trucks would be leaving the site earlier in the mornings. Council does not support any activity which will see additional trucks, above present conditions, travelling through residential areas prior to 7.00am.

Given all of the above Council suggests that:

- secondary crushing and screening;
- product stockpile management;

only be permitted up to 8.00pm (Consent Condition 2.2)

5.3 Surface Water Resources

Water Quality

The site currently contains a water settlement pond. The EIS needs to address whether the proposed infrastructure area will have any effect on Barracks Flat Creek. Without an appropriate design there is the potential for surface flows from this new area to bypass the pre-treatment systems in place to ensure that water quality in Barracks Flat Creek meets acceptable standards. A contour plan of appropriate scale would help assist in the assessment of water flow and management. A plan showing diversion bunding, surface treatments and stormwater pits would be of assistance (Consent condition 2.3).

5.8 Air Quality

Dust

There is limited information on how dust from the site could affect residential receivers. The EIS provided existing data and worst case scenario contours. It gives the understanding that dust impacts will be minimal and within OEH assessment criteria.

The dispersion models do however show deposition of dust particles over parts of Queanbeyan and the map is not very well explained with yellow bands not provided with a key.

The short term impact of dust during the construction phase with the removal of top soil and site levelling of the proposed infrastructure area is not included.

Dust control measures and monitoring needs to be throughout the life of the operational works. Monitoring results should be provided to Council as part of the environmental monitoring requirements (Consent condition 2.4).

5.5 Biodiversity

Flora and Fauna

The Ecological Assessment Supporting Information provides a detailed list of plants found on the site from previous surveys. Various weeds are listed. The EIS does not provide information relating to a weed management plan or proposed weed management activities for the site. This should be included in the EMP (Consent condition 2.5). The proposed review of the Environmental Management Plan shall include a weed management plan for the site.

5.11 Traffic

5.11.1 Existing Traffic Conditions – currently haulage south of the quarry on OCR is not approved

5.11.2 Planned Road Network Changes – a tender for the OCR realignment has been let and construction will occur in the first half of 2013. The approved design provides for a right turn bay into the existing road alignment leading to the quarry (termed the Quarry Access Road). Two southbound lanes will allow for transport of product to the south. The Edwin Land Parkway is now constructed and together with Tomsitt Drive now provides an alternative haulage route to Jerrabomberra and southern ACT suburbs rather than via Southbar Road. The haulage routes should be reviewed prior to the commencement of work (Consent condition 2.12).

5.11.4 Road Transport Impacts of the Project – the anticipated additional traffic generation is considered accurate, but the analysis fails to give proper consideration to the ready market at Googong township as a destination.

The additional traffic proposed to be generated is not accounted for in Council's adopted traffic study, being the Googong and Tralee Traffic Study 2031 (Gabites Porter 2010). The traffic study informs the QCC Section 94 Contributions Plan with respect to contributions to be obtained for Urban Roads and Traffic Management. The quarry is located in Location 1 of the Fernleigh / Royalla catchment area and developments in this area are anticipated to make a contribution toward upgrade of roads and intersections within Queanbeyan urban area. For a Brownfield site the contribution rate is \$360.00 per additional daily vehicle trip (ADVT) (March 2012 dollars). Such a contribution should be sought for the additional 140 ADVT (Consent condition 2.6).

The traffic generation fails to consider the impact of additional heavy vehicle movements on road pavements, which was a matter that Council requested to be considered in the preparation of the EIS. This aspect will require investigation as part of the revision of the extractive industry S94 Plan (Consent condition 2.7).

The increased generation of truck movements through residential areas including school and the pre-school areas as well as the Queanbeyan City Centre is considered significant and will have a serious and further adverse impact on the amenity residents and the community generally. To protect the amenity of Queanbeyan community it is recommended that the expansion of production from the current 1Mtpa only be permitted once the planned Ellerton Drive Extension has been constructed and that those haulage vehicles that would ordinarily travel along Cooma Street and via the Queanbeyan CBD, be required to travel on the Ellerton Drive Extension (Consent condition 2.8).

Refer:

5.11.4.1 Traffic Generation of Project

The Project seeks approval to increase maximum production from 1 Mtpa to 1.5 Mtpa. Proposed increases in production and staffing levels associated with the Project will result in increased traffic generation. It is projected that the increase to peak production will generate an additional 110 haulage vehicle movements (55 truck loads) per day and an additional 30 light vehicle movements per day....

Average hourly haulage vehicle movements due to the Project are also predicted to increase in an average hour from 20 haulage vehicle movements (10 truck loads) per hour to 28 haulage vehicle movements (14 truck loads) per hour, and during a busy hour from 32 haulage vehicle movements (16 truck loads) per hour to 48 haulage vehicle movements (24 truck loads) per hour.

5.11.4.2 Road Network Impacts of Project

...The Project is predicted to generate an additional 110 heavy vehicle movements per day, of which, approximately 106 vehicles would be expected to travel north along Old Cooma Road and 4 would be expected to travel south along Old Cooma Road.....

5.10 Noise and Blasting

The Quarry is located in close proximity to several residences. While the noise assessment reveals that most are not impacted by activities from the extended operating hours some areas to the south would be susceptible. To mitigate the potential increase in noise impacts on this area it is recommended that Secondary Crushing Plant not be permitted to operate during north-east wind conditions (Consent condition 2.2)

Refer:

5.10.3.1 Operational Noise Impacts

.....Modelling results indicate that under worst case operational and meteorological conditions, with the implementation of the noise management measures outlined above, the Project is predicted to result in an exceedance of the PSNLs at one privately owned residence located to the south east of the Project area (N67) of up to 4dB during the day time period (refer to **Figure 5.15**). If the secondary crushing plant were to be operated during the evening under worst case meteorological conditions, this same residence could be expected to experience exceedances of up to 3dB during the evening period. Holcim has however committed not to operate the secondary crushing plant under such conditions, namely gradient winds from the north east, thereby avoiding this potential impact.

Road Traffic Noise Impacts (5.10.3.4) – The acoustic study considers noise impacts on Old Cooma Road and Cooma Street which is the main haulage route to the north and east. It determines that the increase in noise attributed to the increased operations is less than the 2dB guideline. It appears that this assessment is based on the 60dB criteria in table 5.15. However, the 60dB level only applies from 7.00am. There will also be significant increases in truck activity between 6.00am and 7.00am when the night time criteria in Table 5.15 of 55dB applies. The EIS needs to address the traffic noise impacts during those earlier hours when sleep disturbance is still a significant issue (Action 1.5 prior to consent).

In addition the acoustic assessment only addresses traffic noise impacts on Old Cooma Road/Cooma Street. Many of these impacts will be ameliorated when Ellerton Drive is constructed and provides an alternative haulage route to the north and east. However, the study fails to address impacts on residences at the western end of the existing Edwin Land Parkway which is the main haulage route to the northwest and southwest.

Edwin Land Parkway was recently extended to link Old Cooma Road through to Tomsitt Drive in Jerrabomberra to the west. While the new section of road had sound barriers erected the existing section between Numerlia Street and Jerrabomberra Circle has no such sound attenuation. As a major haulage route testing should have been conducted in this area. Council is concerned that the increase in quarry traffic from the increased operations will lead to a consequent increase in traffic noise and both a public demand and requirement for Council to erect sound attenuation barriers. If that noise increase can be attributed to increased operations at the quarry (even if only partly) then the proponents have a responsibility to contribute to the cost of sound barriers in the future. Presently the EIS does not address this issue. Council recommends that prior to finalising the assessment of the application a further acoustic study in line with that conducted for Old Cooma Road/Cooma Street be carried out to determine future impacts on residents in Edwin Land Parkway between Numerallia Drive and Jerrabomberra Circle and whether the quarry should be requested to make a contribution to the erection of sound barriers in the future. (Action 1.6 prior to consent).

5.12 Visual

The visual analysis supplied in the EIS provides a very narrow view of the development from the immediate vicinity of the quarry. The analysis should also be conducted from vantage points such as Kings Highway (new alignment) and other vantage points which are further afield than the current analysis provides (Action 1.3 prior to consent).

In addition any approval issued for the proposal should include a condition of consent that requires a plan of the revegetation and retention of native species to minimise impact on visual amenity and soil erosion and water quality (Consent condition 2.9).

5.13 Waste

Section 68 Application - sewage and waste water disposal

The proposed infrastructure area is currently not serviced by any sewerage system. As such the applicant must seek consent for the installation of an appropriately sized on site wastewater disposal system for the purposes of disposal of effluent from the site.

The adequacy of the existing septic tanks and the aerated wastewater treatment systems need to be capable of serving the relocated / additional buildings on the site. This information has not been detailed adequately in the EIS. The applicant is to engage a suitably qualified consultant to prepare a geotechnical report detailing the adequacy of the possible methods of sewerage and waste water disposal systems for the proposal.

Section 68 Application is also required for the truck wash facility with detailed specifications and plans of the proposed oil/water separator and sedimentation pits (Consent condition 2.10 And 2.11).

5.14 Hazards

Dangerous Goods

The EIS has not supplied sufficient details on provisions for the design, construction and operation of the above ground diesel tank. This facility is to comply with the requirements of AS1940- 2004. Details of fuel storage and refilling areas should be located on the construction plans and details of appropriate emergency actions included (Action 1.3 prior to consent).

The Occupational Health and Safety Act 2000 has now been replaced by the Workplace Health and Safety Act 2011. WHS laws replaced the occupational health and safety (OHS) laws in NSW on 1 January 2012.

5.15.5 Proposed Rehabilitation Monitoring and Maintenance

Legal Access to the block

Once the quarry ceases operating from the site, the block will be land locked. This means, it has no legal or practical physical access to a public road. This needs to be addressed to ensure that the site is not land locked. Currently the site is accessed via adjoining sites that are leased to Holcim. The rehabilitation process should include the formalisation of access to the site (Consent condition 2.13).

The EIS states that Holcim is committed to the effective rehabilitation and seeding/planting of native vegetation. Wherever possible, rehabilitation will be completed progressively and will commence within one month of completion of earthworks. It appears that as part of the detailed quarry planning process, the detailed Quarry Closure Plan will be developed approximately 3 years prior to cessation of quarrying activities.

As the proposed expansion area for the infrastructure area will remove a substantial clearance of box-woodland the operations should therefore be sympathetic and include replacing habitat in buffer areas and completed emplacement areas as a priority.

Council would like to see some ongoing revegetation occurring throughout the operations of the site. A staged plan should be prepared to identify emplacement areas which could be revegetated and maintained. The Environmental Management Plan should identify how the quarry proposes to undertake revegetation work, who is responsible and when it will commence (Consent condition 2.5).

6.0 Statement of Commitments

The quarry currently pays a road maintenance contribution for product hauled on Council's road network. A commitment to paying a revised S94 maintenance contribution, based on the revised road haulage network, production rates and back loading rates, should be included in the consent if approved. The lead time to commencement of the new consent will provide a suitable time frame for the plan to be reviewed (Consent condition 2.1).

6.3.1 Environmental Management Plan

The existing Environmental Management Plan should be revised and implemented within six months of development consent. EMP's are not static documents and require review and amendment during the life of the project. The EMP is required to ensure that appropriate environmental management practices are followed during site construction activities and ongoing operation of the site. The EMP is fundamental to the EIS process and should ensure that commitments given in the projects planning and assessment stage are carried out in the construction and/or operations (Consent condition 2.5).

Appendix 11 – Traffic Impact Assessment

1.2 Authority Requirements – QCC – the request by QCC to undertake pavement condition surveys on the nominated haulage routes to determine a pavement rehabilitation strategy is nominated to be addressed elsewhere in the EIS in this appendix, but has not been undertaken. This aspect will need to form part of the revision of the extractive industry S94 Plan (Consent condition 2.7).

Transport routes should be restricted to those shown on Figure 3, with the exception that the existing Queanbeyan heavy vehicle bypass route via Canberra Avenue, Kendall Avenue North and Uriarra Road should be included to facilitate possible haulage to the Beard (ACT) industrial estate. This will negate use of Crawford Street west of Monaro Street.

3.2.4 Old Cooma Road (MR584) South of the Quarry – this section recognises that product is anticipated to be delivered to Googong township, but the traffic modelling does not account for it.

4.2 Traffic Generation of Project – this section mentions potential haulage of product from 6p.m. to 10p.m. for special circumstances. This contradicts the EIS and particularly Statement of Commitment 6.2.5. Such special haulage is not supported (Action 1.4 prior to consent).

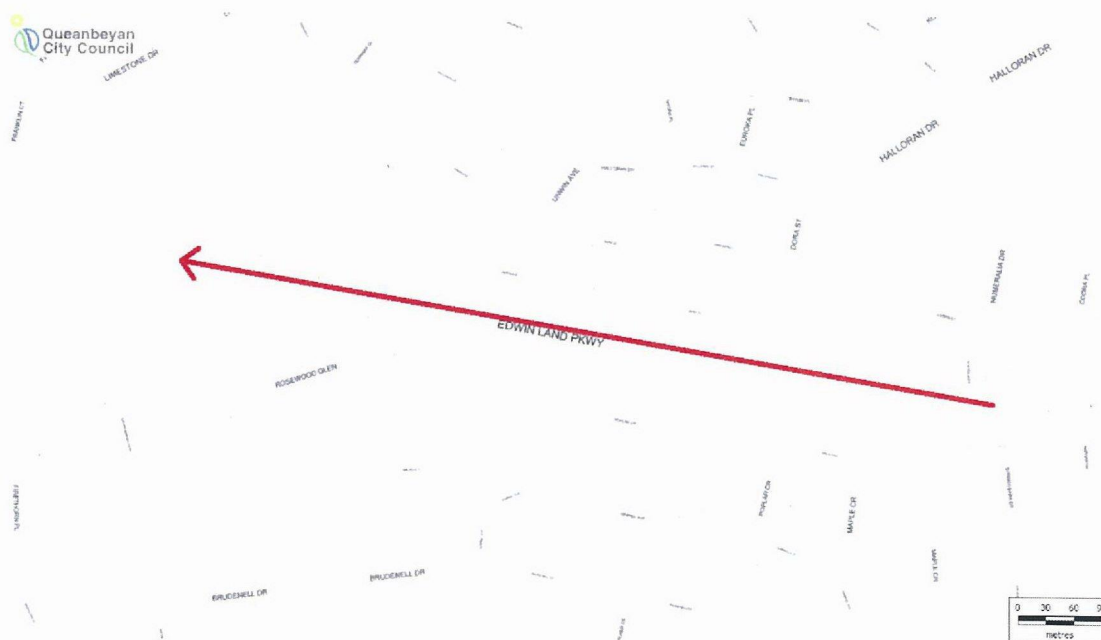
4.3.3 Principal Intersection of Old Cooma Road / Quarry Access Road – this intersection upgrade will be undertaken by Council and will provide safe intersection sight distance for all turning movements.

RECOMMENDATIONS

That in assessing the above mentioned application the Department of Planning and Infrastructure take into consideration the following matters raised by Council:

Actions Recommended to be Undertaken Prior to Consent Being Issued

- 1.1 That the western overburden area be removed from the consent due to potential impacts on drainage channels and visual amenity.
- 1.2 That the analysis of visual impacts be expanded to include other vantage points where the quarry is visible including the Kings Highway.
- 1.3 That details of fuel storage and refilling areas complying with AS1940-2004 be included on the construction plans and details of appropriate emergency actions provided for consideration as part of the assessment.
- 1.4 That potential haulage of materials from 6.00pm to 10.00pm under special circumstances not be permitted.
- 1.5 That the EIS address the traffic noise impacts on residents in Old Cooma Road/Cooma Street during the hours of 6.00am to 7.00am when the road noise criteria is reduced and sleep disturbance is still a significant issue.
- 1.6 That prior to finalising the assessment of the application a further acoustic study in line with that conducted for Old Cooma Road/Cooma Street be carried out to determine future impacts on residents in Edwin Land Parkway between Numeralia Drive and Jerrabomberra Circle (see map below) and whether the quarry should be requested to make a contribution to the erection of sound barriers in the future. (Action 1.6 prior to consent).



Recommended Conditions of Consent

- 2.1 The developer shall make a contribution to Queanbeyan City Council towards the ongoing maintenance of the nominated haulage routes at a rate per tonne of product transported from the site on a quarterly basis. The rate shall be determined by a review of the *Queanbeyan Section 94 Contributions Plan No.2 – Extractive Industry* by Council in consultation with the developer. This review shall be completed prior to the commencement of work.

REASON: To provide funding for the repair of public roads damaged by haulage of quarry product from the development.

- 2.2 Hours of operation shall be restricted as follows:
- i) 6.00am to 10.00pm Monday to Friday and 6.00am to 6.00pm Saturday:
 - (1) Maintenance of fixed plant and mobile plant;
 - (2) Water cart operations for stockpile and plant area; and
 - (3) Pumping for dewatering activities.
 - ii) 6.00am to 8.00pm Monday to Friday and 6.00am to 6.00pm Saturday
 - (1) Secondary crushing and screening (except when there is a prevailing wind gradient from the north east)
 - (2) Product stockpile management
 - (3) Trucks returning from delivery
 - iii) 6.00am to 6.00pm Monday to Saturday:
 - (1) All other activities

REASON: To minimise impacts on neighbouring properties and to maintain rural amenity.

- 2.3 Prior to construction commencing, a detailed contour plan showing proposed finished ground levels of the proposed infrastructure area shall be prepared. The plan shall show levels, diversion structures, stormwater pits and other devices installed to ensure that surface flows are directed through the required pre-treatment ponds and dams before being released to Barracks Flat Creek.

REASON: To ensure adequate provision is made to divert surface waters in the proposed infrastructure area into the water management system to prevent pollution entering Barracks Flat Creek.

- 2.4 Air Quality monitoring data shall be submitted to the Queanbeyan City Council on a 6 monthly basis.

REASON: To provide information to the local authority about the impacts of air quality on the surrounding community.

- 2.5 Within 6 months of the commencement of operations under this consent the applicant shall prepare an amended Environmental Management Plan (EMP) which shall include all issue covered by the existing EMP plus the following matters:
- 1) How the quarry proposes to undertake revegetation work, who is responsible and when it will commence.
 - 2) Inclusion of a weed management plan for the site.

REASON: The EMP is required to ensure that appropriate environmental management practices are followed during site construction activities and ongoing operation of the site.

- 2.6 Prior to the commencement of operation a road upgrading contribution in the amount of \$50,400.00 (March 2012 dollars) is payable to Queanbeyan City Council in accordance with Section 94 of the Environmental Planning and Assessment Act 1979.

NOTE

1. *The Queanbeyan Section 94 Contribution Plan may be inspected at Council's Environmental Services Division, Council Chambers Queanbeyan.*
2. *The contribution specified is that which applies at the date of issue of this consent. Rates are reviewed quarterly. The contribution will only be accepted at the rate applying at the date of payment. Council's Environmental Services should be contacted to receive a current contribution notice of charges prior to payment.*

REASON: To provide for the funding of augmentation of traffic facilities on roads utilised by the development.

- 2.7 The developer shall undertake a pavement condition survey on the nominated haulage routes in a format acceptable to Queanbeyan City Council to allow a pavement rehabilitation strategy to be determined prior to commencement of operation.

REASON: To provide for details of anticipated accelerated damage to road pavements utilised by the development.

- 2.8 Production at the quarry shall be limited to 1Mtpa until such time as the Ellerton Drive extension is completed. Following completion production capacity may be increased to 1.5Mtpa..

REASON: To protect the amenity of Queanbeyan community, particularly those on haulage routes and to prevent road damage to the local street network.

- 2.9 Prior to the commencement of the expansion of the Quarry production from the current 1Mtpa, a landscape revegetation plan shall be submitted showing the revegetation and retention of native species on the site to ensure that impact on visual amenity of the surrounding areas and vantage points including the Kings Highway is minimised. The landscaping shall be completed in accordance with this plan for each area prior to the activity causing the visual impact occurring.

REASON: To ensure that impact on visual amenity of the surrounding areas and vantage points including the Kings Highway is minimised.

- 2.10 Prior to the commencement of work an application for a section 68 activity approval under the Local Government Act 1993 shall be submitted and approved by Council for the installation and operation of an on site sewerage management system. The applicant is to engage a suitably qualified consultant to prepare a geotechnical report detailing the adequacy of the possible methods of sewerage and waste water disposal systems for the proposal.

REASON: To ensure adequate provision is made for the disposal of sewage from the site.

- 2.11 Prior to the commencement of work an application for a section 68 activity approval under the Local Government Act 1993 shall be submitted and approved by Council for the installation of an waste treatment system for the discharge from the truck wash facility.

REASON: To ensure adequate treatment is provided to polluted material from truck washing activities on site.

- 2.12 Product haulage shall be via routes nominated in Appendix 11 – Traffic Impact Assessment of the EIS together with the Queanbeyan heavy vehicle by-pass route. Delivery to destinations within Queanbeyan LGA shall utilise the approved haulage routes as far as practicable before utilising other streets. The section of Crawford Street from Monaro Street to Morisset Street shall not be used as a transport route.

On completion of the Ellerton Drive Extension, the haulage routes shall be amended to re-route the haulage vehicles that would ordinarily travel along Cooma Street and via the Queanbeyan CBD, to the Ellerton Drive Extension.

REASON: To protect the amenity of Queanbeyan community, particularly those on haulage routes and to prevent road damage to the local street network.

- 2.13 During the preparation of the Quarry Closure Plan as specified in section 5.15 of the EIS the plan shall detail the arrangements which will be made for access to the site following its closure and the return of lands leased by Holcim to the land owner.

REASON: To ensure the quarry site maintains a legal access when closed and does not become land locked.