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Matthew Sprott
Director Resource Assessments
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

E|matthew.sprott@planning.nsw.gov.au

HEAD OFFICE

20 Kullara Close, Beresfield NSW 2322
PO Box 401 Beresfield NSW 2322
P 02 4974 9200

dgroup@daracon.com.au
www.daracon.com.au

SYDNEY

184 Adderley Street West, Auburn NSW 2144
P 02 8799 2600

HUNTER VALLEY

2 Kime Road, Mount Thorley 2330
P 02 6574 0200

GUNNDAH

171 Blackjack Road, Gunnedah NSW 2380
PO Box 767 Gunnedah NSW 2380
P 02 6742 4977

Dear Matthew

Re: Martins Creek Quarry – SSDA 6612 – Amended Development Application Process

Further to correspondence dated 9 July 2020 and subsequent discussions, Buttai Gravel Pty Ltd, which is part of the Daracon Group (hereafter referred to as Daracon,) proposes to submit an Amended Development Application (ADA) for the Martins Creek Quarry Project (SSDA 6612).

As you are aware, Daracon submitted a development application for the Martins Creek Quarry Extension Project in 2014. This application sought approval for the consolidation of the existing development approvals and the expansion of the quarry into new areas to extract approximately 1.5 million tonnes of material per annum over a 30 year period (hereafter referred to as the Original Project). The Environmental Impact Statement (EIS) for the Original Project was prepared by Monteath & Powys and was exhibited in late 2016.

Following detailed analysis of Agency and community feedback, Daracon undertook a thorough review of the Original Project to redesign key operational parameters in order to reduce environmental and social impacts. In particular, Daracon committed to reduce the extraction limits, operational hours and truck movements (the Previously Revised Project). On 23 May 2019, Daracon wrote to the Department to outline the key features of the Previously Revised Project and seek approval to amend the development application in accordance with clause 55 of the Environmental Planning and Assessment Regulation 2000.

Since this time, following further community engagement and feedback, Daracon has undertaken further investigations and committed to further amendments (Revised Project). These amendments were discussed at a meeting with Daracon, Umwelt and the Department on 3 August 2020.

Further details of the Revised Project and a comparison of the earlier project parameters are included in **Attachment 1**.

The existing environmental assessment is being updated, and includes revised and updated technical studies, to evaluate the key project changes, provide requested additional information and comprehensively address the assessment requirements. **Attachment 2** provides a summary of the relevant policies and guidance documents against which the updated technical environmental studies are being undertaken.

Daracon is seeking:

- approval from the Department, under delegated powers from the Independent Planning Commission (IPC), to amend the current development application in accordance with clause 55 of the *Environmental Planning and Assessment Act 1979*
- confirmation that the updated technical environmental studies being undertaken in accordance with the policies and guidance outlined in **Attachment 2** are appropriate.

If you require any further information, please do not hesitate to contact Barbara Crossley (Umwelt) on 0417 671 344 or myself on 0400 390 470.

Yours sincerely



Adam Kelly
Director – Business Development

Attachment 1 Proposed Amended Development Application Particulars

The proposed amended development application is for the extraction, processing and transportation of 1.1 million tonnes of quarry material per annum, including extension of the current West Pit, reconfiguration of the rail spur and loading arrangements, and establishment of a new access road, in addition to the consolidation of existing operations and approvals. It is proposed that a maximum of 500,000 tonnes per annum would be transported via road. As a continuing operation, it is proposed that there would be some phasing of the increase in production and ancillary works.

Further details of the proposed amended development application compared to the exhibited project area provided in the table below.

Key Project Feature	Original Project (as per the exhibited EIS, 2016)	Previously Revised Project (as per the Amended Development Application, 2019)	Revised Project (as per the Amended Development Application, 2020)
Proposed Quarry Operations Approval Term	30 years	No change	25 years
Limits on extraction	- Total extraction of up to 1.5 Mtpa, of which up to 1.45 Mtpa on road for quarry sales transportation - Majority by road, approximately 50,000 tonnes by rail	- Total extraction up to 1.1 Mtpa, with up to a maximum of 900,000 tpa on road for quarry sales transportation - Material will also be transported by rail	- Total extraction up to 1.1 Mtpa, with up to a maximum of 500,000 tpa on road for quarry sales transportation - Up to 600,000 tpa by rail. Subject to market requirements at a later date, Daracon may seek DPIE approval to increase the amount transported by rail, on a campaign basis.
Quarry Extent	Proposed additional disturbance 28.2 ha	Proposed additional disturbance area 30.5 ha (including new access road)	Proposed additional disturbance area 17 ha (including new access road) – a reduction of 13.5 ha
Operating Hours	In pit quarrying operations - 6.00 am to 6.00 pm Monday to Saturday	- In pit quarrying operations - 7.00 am to 6.00 pm Monday to Saturday - No in-pit mobile crushing in the West Pit	- No change - No change

Key Project Feature	Original Project (as per the exhibited EIS, 2016)	Previously Revised Project (as per the Amended Development Application, 2019)	Revised Project (as per the Amended Development Application, 2020)
			Blasting of Quarry material only between 11.00 am and 3.00 pm Monday to Friday
			No blasting on Saturday
	Evening/Night Works (including processing) - 6.00 am to 10.00 pm	No crushing or processing prior to 7.00 am Monday to Saturday	No change
	Pugmill mixing and binder delivery operations - 4.30 am to 10.00 pm Monday to Friday, 4.30 am to 6.00 pm Saturday		
	Sales loading and stockpiling for road transport - 5.30 am to 7.00 pm Monday to Saturday	No loading of product trucks prior to 7.00 am Monday to Saturday	No loading of product trucks prior to 7.00 am Monday to Friday
		No Quarry trucks through Paterson prior to 6.45 am Monday to Saturday	No Quarry trucks through Paterson prior to 6.45 am Monday to Friday
			No road haulage of Quarry product on Saturday

Key Project Feature	Original Project (as per the exhibited EIS, 2016)	Previously Revised Project (as per the Amended Development Application, 2019)	Revised Project (as per the Amended Development Application, 2020)
	Loading and parking of trucks on site overnight	Unladen trucks to return to the Quarry between 6.00 pm and 7.00 pm Monday to Friday to park in the Quarry overnight and be loaded during this time in readiness for departure from 7.00 am the following morning	Provision for up to 10 unladen Daracon trucks (not contractors) to return to the Quarry between 6.00 pm and 7.00 pm Monday to Friday to park in the Quarry overnight and be loaded during this time in readiness for departure from 7.00 am the following morning. (Note: in the case of trucks loaded on Friday evening, departure will be no earlier than 7.00 am Monday morning.)
	Train loading - 24 hours / 7 days per week	No change	No change
	General Maintenance and Environmental Management Control – not specified	24 hours / 7 days per week as required	No change
Rehabilitation	Rehabilitation of the Project Area	No change	No change
Workforce Numbers	Operation – an additional 16 jobs at full capacity	Operation – 22 full time equivalent positions	No change
	Construction and Decommissioning – up to 155 jobs	Construction and decommissioning – up to 156 jobs	Construction, pre-clearance, rehabilitation, and decommissioning – in the order of 120 jobs
Infrastructure Construction Activities	New access road and driveway including a bridge over the existing railway line	No change. Access road, driveway and bridge to be constructed within 50 weeks following Project Approval, subject to gaining relevant Road Act approvals from Dungog Shire	No change (Further engineering design work has been undertaken on the access road).

Key Project Feature	Original Project (as per the exhibited EIS, 2016)	Previously Revised Project (as per the Amended Development Application, 2019)	Revised Project (as per the Amended Development Application, 2020)
Product Transportation		Council for the intersection with Dungog Road and ARTC approvals and scheduled construction window to complete the railway bridge.	
	Potential extension of internal rail siding	No change.	No change (Revised rail spur design).
	Maximum 215 loaded product trucks per day	Maximum of 140 loaded product trucks (280 movements) per day	No change
	Maximum 40 loaded product trucks per hour	Maximum of 30 loaded product trucks (60 movements) per hour	Maximum of 25 loaded product trucks (50 movements) per hour
Road haul route	Maintain the ability to transport quarry material via rail	No change	No change
	Route 1 - Martins Creek Quarry via Station Street, Grace Avenue, Dungog Road, Gresford Road, Tocal Road, Paterson Road, Flat Road, Pitnacree Road, Melbourne Street, New England Highway	Primary Haul Route 1 - No change.	No change
	Route 2 - Martins Creek Quarry via Station Street, Grace Avenue, Dungog Road, Gresford Road, Butterwick Road, Clarence Town Road, Brandy Hill Drive, Seaham Road	No approval is being sought for Haul Route 2 as a primary haul road. Haul Route 2 will only be used to service local jobs on or directly accessed from the route.	No change

Attachment 2 Martins Creek Quarry Extension Project SSDA 6612 – Proposed Guidelines for Amended Development Application

Environmental Assessment	Guideline Identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
Air Quality	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA) Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (EPA) Coal Mine Particulate Matter Control Best Practice – Site Specific Determination Guideline (EPA) Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia' National Greenhouse Accounts Factors (Commonwealth)	Approved Methods for Modelling and Assessments of Air Pollutants in NSW (EPA 2016) (Approved Methods) Roads and Maritime's Tool for Roadside Air Quality (TRAQ)	The 2016 version of the Approved Methods introduced a revised, more stringent criterion for PM₁₀ as well as new criteria for 24-hour and annual average PM_{2.5}.
Blasting		ANZECC Technical Basis for guidelines to Minimise Annoyance due to overpressure and ground vibration 1990 Assessing Vibration: A technical guideline – Department of Environment 2006 Australian Standard AS2187.2-2006 – Explosives – Storage and Use. Part 2: Use of Explosives.	
Groundwater	NSW State Groundwater Policy Framework Document (NOW) NSW State Groundwater Quality Protection Policy (NOW) NSW State Groundwater Quantity	NSW Aquifer Interference Policy (NOW 2012)	

Environmental Assessment	Guideline identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
	Management Policy (NOW) NSW Aquifer Interference Policy 2012 (NOW) Office of Water Guidelines for Controlled Activities (2012) Groundwater Monitoring and Modelling Plans – Information for prospective mining and petroleum exploration activities (NOW) Australian Groundwater Modelling Guidelines 2012 (Commonwealth) National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC) Guidelines for the Assessment & Management of Groundwater Contamination (EPA)		

Environmental Assessment	Guideline identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
Surface Water	Water Sharing Plan for the Paterson Regulated River Water Source 2007 NSW Government Water Quality and River Flow Objectives (EPA) Using the ANZECC Guideline and Water Quality Objectives in NSW (EPA) National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ) National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ) National Water Quality Management Strategy: Guidelines for Sewerage Systems – Effluent Management (ARMCANZ/ANZECC) NSW Water Conservation Strategy (2000) State Water Management Outcomes Plan NSW State Rivers and Estuary Policy (1993) Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (EPA) Managing Urban Stormwater: Soils & Construction (Landcom) and associated Volume 2E: Mines and Quarries (EPA) Managing Urban Stormwater: Treatment Techniques (EPA) Managing Urban Stormwater: Source Control (EPA)	Australian and New Zealand Guidelines for Fresh and Marine Water Quality, Australian and New Zealand Environment and Conservation Council (ANZECC 2000) Australian Drinking Water Guidelines - Version 3.5 (ADWG) (National Health and Medical Research Council 2011) Managing Urban Stormwater Volume 1 (Landcom, 2004) and 2E Mines and Quarries (DECC 2008) (the Blue Book)	

Environmental Assessment	Guideline identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
	Technical Guidelines: Bunding & Spill Management (EPA) Environmental Guidelines: Use of Effluent by Irrigation (EPA) A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH) NSW Guidelines for Controlled Activities on Waterfront Land (NOW)		

Environmental Assessment	Guideline identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
Social & Economic		Social: Social Impact Assessment Guideline, for State Significant Mining, Petroleum Production and Extractive Industry Development (2017) Economic: Guidelines for the economic assessment of mining and coal and coal seam gas proposals, December 2015 Technical Notes supporting the Guidelines for the Economic Assessment of Mining and Coal Seam Gas Proposals (2018)	Social: Using the now approved guideline for Social Impact Assessment for a State significant extractive industry project. Economic: The Guidelines and Technical Notes provide a reasonable basis to undertake the scope of analysis required in the Amended Development Application and Submissions Report. In particular the Economic Guidelines include an approach to measure the net costs and benefits to NSW.
	NSW Biodiversity Offsets Policy for Major Projects (OEH) Guidelines for Threatened Species Assessment (DP&E) Framework for Biodiversity Assessment (OEH) NSW State Groundwater Dependent Ecosystem Policy (NOW) Risk Assessment Guidelines for Groundwater Dependent Ecosystems (NOW) State Environmental Planning Policy No. 44 – Koala Habitat Protection	Framework of Biodiversity Assessment (OEH 2014) NSW Biodiversity Offsets Policy for Major Projects (OEH 2014)	The present development application for the Original Project is an interim or pending planning application under the transitional provisions of the biodiversity legislative amendments and in accordance with Daracon's legal advice. This status does not change if the development application is amended or varied under clause 55 of the <i>Environmental Planning & Assessment Regulation</i> 1994.
Noise	NSW Industrial Noise Policy and associated Application Notes (EPA) Interim Construction Noise Guideline (DECC 2009) NSW Road Noise Policy (EPA)	Noise Policy for Industry (EPA 2017) NSW Road Noise Policy (2011) Voluntary Land Acquisition and Mitigation Policy (VLAMP) - for State Significant Mining, Petroleum and Extractive Industry	Using the now approved Noise Policy for Industry which sets assessment noise levels, consistent methods, and best practice measures to manage industrial noise.

Environmental Assessment	Guideline Identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
		Developments (2018) Rail Infrastructure Noise Guideline (EPA 2013)	

Environmental Assessment	Guideline identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
Heritage	The Burra Charter (The Australia ICOMOS charter for places of cultural significance) Draft Guidelines for Aboriginal Cultural Heritage Assessment and Community Consultation (DP&E) Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH) NSW Heritage Manual (OEH) Statements of Heritage Impact (OEH) Hunter Regional Environmental Plan 1989 (Heritage)	The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter) (2013) Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (OEH 2011) Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) Statements of Heritage Impact (Heritage Office and Department of Urban Affairs & Planning (former) (2002) Assessing Significance (Heritage Office (former) (2001)	
Traffic	Guide to Traffic Generating Development (RMS) Road Design Guide (RMS) & relevant Austroads Standards	Road Design Guide (RMS) Austroads Guidelines (various dates) Guide to Traffic Generating Developments (RTA 2002)	
Public Safety	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 Planning for Bush Fire Protection 2006 (RFS)	The Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis guideline is not relevant as the project is not a hazardous industry
Waste	Waste Classification Guidelines (EPA)	Waste Classification Guidelines	

Environmental Assessment	Guideline identified in SEARs	Proposed Guidelines for use in Amended Development Application	Comments
Rehabilitation	Mine Rehabilitation – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth) Mine Closure and Completion – Leading Practice Sustainable Development Program for the Mining Industry (Commonwealth) Strategic Framework for Mine Closure (ANZMEC-MCA)	Strategic Framework for Mine Closure (ANZMEC-MCA)	
Land	Soil and Landscape Issues in Environmental Impact Assessment (NOW) Agfact AC25: Agricultural Land Classification (NSW Agriculture) Agricultural Issues for Extractive Industries (NSW Trade and Investment) State Environmental Planning Policy No. 55 – Remediation of Land Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC)	Soil and Landscape Issues in Environmental Impact Assessment (NOW) State Environmental Planning Policy No. 55 – Remediation of Land	
Environmental Planning Instruments - General	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 Dungog Local Environment Plan 2014	State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 Dungog Local Environment Plan 2014	