



19 September 2017

Mr Howard Reed
Director Resource Assessments
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Attention: Gen Seed

Dear Gen

Slys Quarry MOD 1 – Response to Submissions

Newman Quarrying Pty Ltd (NQ) lodged an application and supporting documentation to modify the State Significant Development consent for Slys Quarry (SSD-6624). The proposed modification (MOD 1) is seeking an increase in truck numbers from 125 to 150 per day and a change in the benching details.

The application and supporting documentation were placed on public exhibition from Friday 14 July to Friday 28 July. Four government agency submissions and one public submission were received during the public exhibition period.

Table 1 attached provides a response to issues raised in submissions received from the government agencies and public during the public exhibition period.

It is requested that the dates referred to in the Minister's Conditions of Approval (MCoA) are revised to be consistent, as outlined in Table 2.

If you have any questions or require any further information in regards to this request, please contact the undersigned.

Sincerely
GHD Pty Ltd.

A handwritten signature in blue ink that reads 'Ben'.

Ben Luffman

Senior Environmental Consultant
02 6650 5613

Attachment: Table 1: Response to submissions
 Table 2: Proposed revision to MCoA
 Photographs

Table 1 Response to submissions

Comment	Response
Mr Hill	
Mr Hill acknowledged the recent work at the quarry entrance and suggested a turning lane with a short median strip to prevent truck operators 'cutting' the corner when turning into the quarry.	The entrance has been upgraded in accordance with MCoA 24(d) and Clarence Valley Council requirements.
Mr Hill reported the underlying road surface at the quarry intersection has become undulating and potholed for several feet in from the edge of the bitumen.	This has since been repaired, see photographs attached.
Division of Resources & Geoscience	
The Division of Resources and Geoscience requested a condition of the consent requires NQ to provide annual production data.	In accordance with MCoA 16, NQ provides annual production data to Division of Resources and Geoscience.
EPA	
The proposed modification to traffic movements and bench dimensions is not expected to result in any impacts to the issues regulated by the EPA under the EPL	Noted
RMS	
It is understood that the proposed modification will permit the quarry to generate 300 truck movements per day with no more than 30 movements per hour.	Noted
Section 4.3.1 of the supporting Traffic Impact Assessment (TIA) (GHD, 2017) identifies that the estimated peak hourly volumes at the site access meet the Austroads warrants for a basic right-turn (BAR) treatment and a basic left-turn (BAL) treatment. The site access should connect to the public road at a 90 degree angle to encourage quarry vehicles to give way to through traffic on the public road. The access should be upgraded in accordance with Council's requirements prior to the commencement of any increase in heavy vehicle movements.	The entrance has been upgraded in accordance with MCoA 24(d) and Clarence Valley Council requirements.
Section 4.3.2 of the TIA identifies that sight distances at the site access do not meet the required 248m in both directions for the 100k/h speed limit. Figure 4 of the TIA demonstrates warrants for operating speeds less than 100k/h and should refer to a 100k/h speed limit on the frontage road. Where a turn movement from the major road is associated with limited sight distance, the Austroads Guidelines suggest that consideration should be given to a turn treatment of a higher order than that indicated by the warrants. Consideration should also be given to advance	The TIA based the sight distances on the operational speed rather than the posted speed limit. The sight distance required for the operational speed can be achieved. Regardless, the proposed modification does not alter the required sight distance from that in the original proposal.

warning signs as a compliment to any intersection treatment.	Sight distance has also been recently improved by the upgrade works at the intersection – see photographs attached. Truck turning warnings signs have already been installed on both the eastern and western approaches to the quarry access.
Section 4.4 of the TIA is considered to potentially underestimate the impact of the proposed modification on the intersection of the Pacific Highway and Tullymorgan-Jackybulbin Road. The TIA should typically consider peak hourly volumes representing 15% of AADT for the Pacific Highway in this rural location and have consideration for development impacts over a 10 year horizon. The Woolgoolga to Ballina Pacific Highway Upgrade Project will result in changes to the Tullymorgan-Jackybulbin Road intersection. The TIA has not addressed the impact of the proposed modification on the upgraded highway intersection. The Consent Authority should be satisfied that the impact of additional heavy vehicles entering and leaving the future highway intersection has been identified and addressed.	The TIA used a 4% of AADT (in each direction) based on traffic count data for the Pacific Highway and did consider the impacts over a 10 year horizon, refer to Section 4.4.1 of the TIA. The upgraded intersection was discussed in Section 4.4.1 of the TIA, which discusses the expected operation of the seagull intersection. It is noted that the upgraded Pacific Highway intersection will not include an acceleration lane for left turning vehicles. The risks associated with this for quarry trucks is considered minimal, due to the good sight distances to the right (south), the availability of the second lane on the Pacific Highway northbound, and the relatively small increase in truck activity associated with the modification.
The Driver's Code of Conduct required under Condition 24(e) of the development consent should be reviewed and updated to address the proposed increase in heavy vehicle movements. It is recommended that the Code include the following; • A map of the primary haulage routes highlighting critical locations. • Safety initiatives for haulage through residential areas and/or school zones. • An induction process for vehicle operators and regular toolbox meetings. • A complaint resolution and disciplinary procedures. • Any community consultation measures for peak haulage periods.	The <i>Driver's Code of Conduct</i> was prepared, in accordance with MCoA 24(e) and reviewed by RMS. The small increase in truck numbers associated with the modification does not warrant a change to the <i>Drivers Code of Conduct</i>.
Clarence Valley Council	
Increasing the maximum allowable daily laden truck movements from 125 to 150, whilst maintaining the same	Noted

annual extraction limit of 500,000 tonnes, will make no overall annual difference to the truck traffic on Jackybulbin Road.	
There will inevitably be a <u>greater concentration of the truck movements</u> to the days when the quarry product is required by industry. This will impact on the neighbouring properties on those days that the additional trucks operate, also a consequential benefit will be felt on those days when lesser or no truck movements occur.	Noted
The intersection of Jackybulbin Road with the Pacific Highway is currently subject to a reduced speed limit during the construction phase of the new highway.	Noted
The intersection layout for the completed highway will incorporate improved turning lanes for traffic to/from Jackybulbin Road, although the report does discuss the level of service that can be expected for the intersection over time. If the increase in daily movements is <u>restricted to the project life of the Pacific Highway</u> upgrade this will mitigate any decline in service at the intersection.	If over time the volume of truck activity associated with the quarry decreases, such as if the demand for quarry material reduces as the Pacific Highway upgrade project is completed, then the available capacity at the intersection for general traffic will increase.
The proposed modification to the benching profile within the quarry from the current 10 bench and 10m rise to the proposed 8m bench with a 15m rise will result in <u>a narrower platform on which to establish vegetation in the rehabilitation phase</u>, whilst at the same time creating higher rock faces requiring screening. Has this been this considered in regard to the long term rehabilitation of the quarry footprint?	The change in benching will create narrower benches but also a greater floor area. The floor of the quarry would be easier to revegetate than the benches, so ultimately from a revegetation perspective, the modification would be beneficial. Screening of the benches is not considered a major issue as the quarry is not visible from any sensitive receiver.
The additional material that the proposed change to the benching will yield (identified in Table 3-2 as a 1,104,000 tonne increase) will extend the life of the quarry by a little over 2 years at maximum production rates.	Noted
A comment under section 6.2.2 of the report suggests “<u>a more frequent maintenance regime be put in place</u>” on Jackybulbin Road, with no indication of any mechanism for the quarry to assist with this, either financially, or in kind. Council currently receives a road maintenance contribution from the quarry operator, however this is negligible compared to the annual maintenance and rehabilitation cost for the road. The quarry operator upgraded the road in the 1990s to the current sealed standard. The design life for a sealed road is nominally 20 years. It is appropriate that the quarry operator could be required to make a major contribution to the rehabilitation of	The quarry is committed to paying its contribution in accordance with the <i>Maclean Shire Council S.94 Contribution Plan for Maintenance of Quarry Roads</i>, November 1994, as required by MCoA 19.

the road due to the 72% heavy vehicle usage of the road from the quarry (refer Table 4-1).

Currently PBS trucks have been (when requested) given a permit to carry larger loads (up to 14% over GML). For the current seal width of Jackybulbin Road, this permit will be extinguished when AADT exceeds 500 vpd. Currently traffic volumes are right on this limit, so the proposed increase from 125 to 150 truck movements per day (a 20% haulage increase) may actually result in only a minor increase in output from the quarry if the PBS permits ultimately need to be revoked.

Newman Quarrying do not own any PBS trucks and very few PBS trucks use the quarry, so revoking PBS permits would not alter the volume of material transported from the quarry.

Does the proposed modification also seek a maximum weekly number of truck movements on the basis, for example, that if haulage didn't occur on one day they would be permitted to have 300 truck movements on the next day. If this is correct there are potentially significant safety issues on the road due to the road width.

The modification does not seek a maximum weekly number of truck movements.

There is the potential for Council to be burdened with a higher maintenance cost of the road particularly considering variable truck movements, variable weather periods and higher frequency of maintenance. It is noted that the quarry pays a road maintenance contribution based on a Contribution Plan adopted by Council in 1994 and based on average annual maintenance costs at that time. There is a nexus for additional maintenance costs and rather than adopting a higher contribution rate for road maintenance, based on methodology, Council would be prepared to enter into a Voluntary Planning Agreement for an agreed maintenance cost over the period of the Woolgoolga to Ballina Pacific Highway upgrade projects.

The quarry is committed to paying its contribution in accordance with the *Maclean Shire Council S.94 Contribution Plan for Maintenance of Quarry Roads*, November 1994, as required by MCoA 19.

The increase in allowable truck movements sought under the modification should be limited to the period of the Woolgoolga to Ballina Pacific Highway upgrade projects.

The justification for this statement is unclear. As the MOD indicates, there are no constraints to increasing the truck numbers and when the Pacific Highway upgrade is complete, the Tullymorgan-Jackybulbin intersection will be improved.

Table 2 Proposed revision to MCoA

Existing MCoA	Proposed MCoA
7. The Applicant must not extract more than 500,000 tonnes of quarry products from the site in any calendar year.	7. The Applicant must not extract more than 500,000 tonnes of quarry products from the site in any financial year.
8. The Applicant must not:	8. The Applicant must not:
(a) transport more than 500,000 tonnes of quarry products from the site during any calendar year;	(a) transport more than 500,000 tonnes of quarry products from the site during any financial year;
(b) receive or dispatch more than 125 laden trucks from the site on any day; or	(b) receive or dispatch more than 150 laden trucks from the site on any day; or
(c) receive more than 10,000 tonnes of topsoil and 5,000 m³ of mulch during any calendar year. .	(c) receive more than 10,000 tonnes of topsoil and 5,000 m³ of mulch during any financial year.

* Proposed changes are shown in **BOLD**

Photographs



Photograph 1: Exiting the quarry access looking east



Photograph 2: Exiting the quarry access looking west



Photograph 3: Exiting the quarry access looking south



Photograph 4: View of the quarry access looking north