



Coraki Quarry Project

**Changed Location of Processing
Plant**

*State Significant
Development Modification
Application
(SSD 7036 MOD 3)*



May 2019

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Cover photo

Photograph of the as-constructed processing plant, Coraki Quarry, NSW (Groundwork Plus Pty Ltd)

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1. Introduction

Quarry Solutions Pty Ltd (Quarry Solutions) operates Coraki Quarry, located adjacent to Seelems Road and Petersons Quarry Road, Coraki, on the Far North Coast of NSW. The site is in the Richmond Valley local government area, located approximately 2.5 kilometres northwest of the township of Coraki (see **Figure 1**).



Figure 1 | Location of Coraki Quarry

The quarry currently operates under SSD 7036, which was approved by the Executive Director, Resource Assessments and Compliance, as delegate of the Minister for Planning under Part 4 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) on 18 April 2016. The development consent allows Quarry Solutions to extract and process up to 1 million tonnes of basalt per year until 30 June 2023. The primary purpose of the development is to supply road construction materials for the upgrade of the Pacific Highway between Woolgoolga and Ballina.

The development consent was modified on 20 October 2016, in order to change the route that quarry trucks take when returning to Coraki Quarry and consequently delay the sealing of Seelems Road. A second modification was approved on 6 June 2017. This modification increased the maximum number of laden truck dispatches from the quarry from 21 to 31 per hour and incorporated a closed Crown road reserve into the approved extraction area.



2. Proposed Modification

On 14 June 2018, Quarry Solutions submitted a new modification application under section 4.55(1A) of the EP&A Act. The proposal seeks to amend the approved quarry plan in Appendix 2 of the development consent (see **Figure 2**) to reflect the as-constructed location of the processing plant (see **Figure 3**).

The as-constructed location of the processing plant is within the previously approved disturbance area, but is to the north of the previously approved location for the processing plant. Quarry Solutions submits that the as-constructed location has improved operational efficiency by reducing haulage distances for trucks and providing improved access to processed material.

No other changes to the project are proposed. A detailed description of the proposed modification is provided in the Statement of Environmental Effects (SEE, see **Appendix A**).



3. Statutory Context

3.1 Scope of Modification

SSD 7036 was granted on 18 April 2016 under Part 4 of the EP&A Act. Section 4.55 of the EP&A Act allows for a development consent to be modified by the consent authority that granted the original consent. A consent cannot be modified under section 4.55(1A) unless the consent authority is satisfied that the modification is of minimal environmental impact and that the development would remain substantially the same as the development for which consent was originally granted.

The proposed modification would not change any of the core elements of the project, including the approved disturbance limits, quarrying methods, operational hours, annual extraction volumes and processing rates. The Department is satisfied that the proposed alteration to the approved site layout is of minimal environmental impact. Therefore, the Department considers that the proposed modification is within the scope of section 4.55(1A) and may be determined accordingly.

3.2 Approval Authority

The Minister for Planning is the consent authority for the modification application. However, under the Minister's delegation of 11 October 2017, the Director, Resource Assessments may determine the application, as no public objections were received, Richmond Valley Council (Council) did not object to the proposal and Quarry Solutions has not reported any political donations.

3.3 Environmental Planning Instruments

A number of environmental planning instruments (EPIs) apply to the modification, including:

- *State Environmental Planning Policy (State and Regional Development) 2011*;
- *State Environmental Planning Policy (Mining, Petroleum and Extractive Industries) 2007*; and
- *Richmond Valley Local Environmental Plan 2012*.

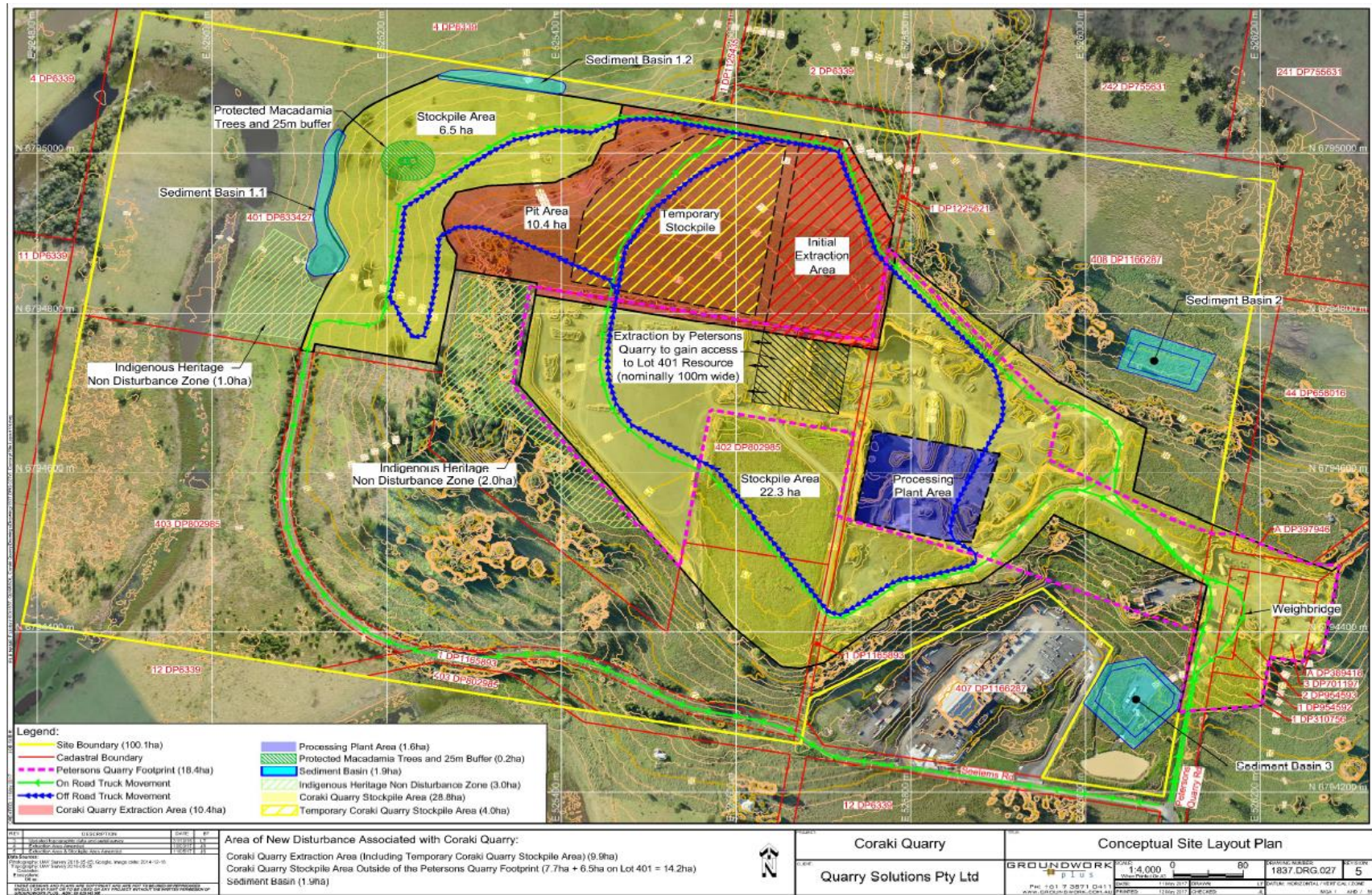
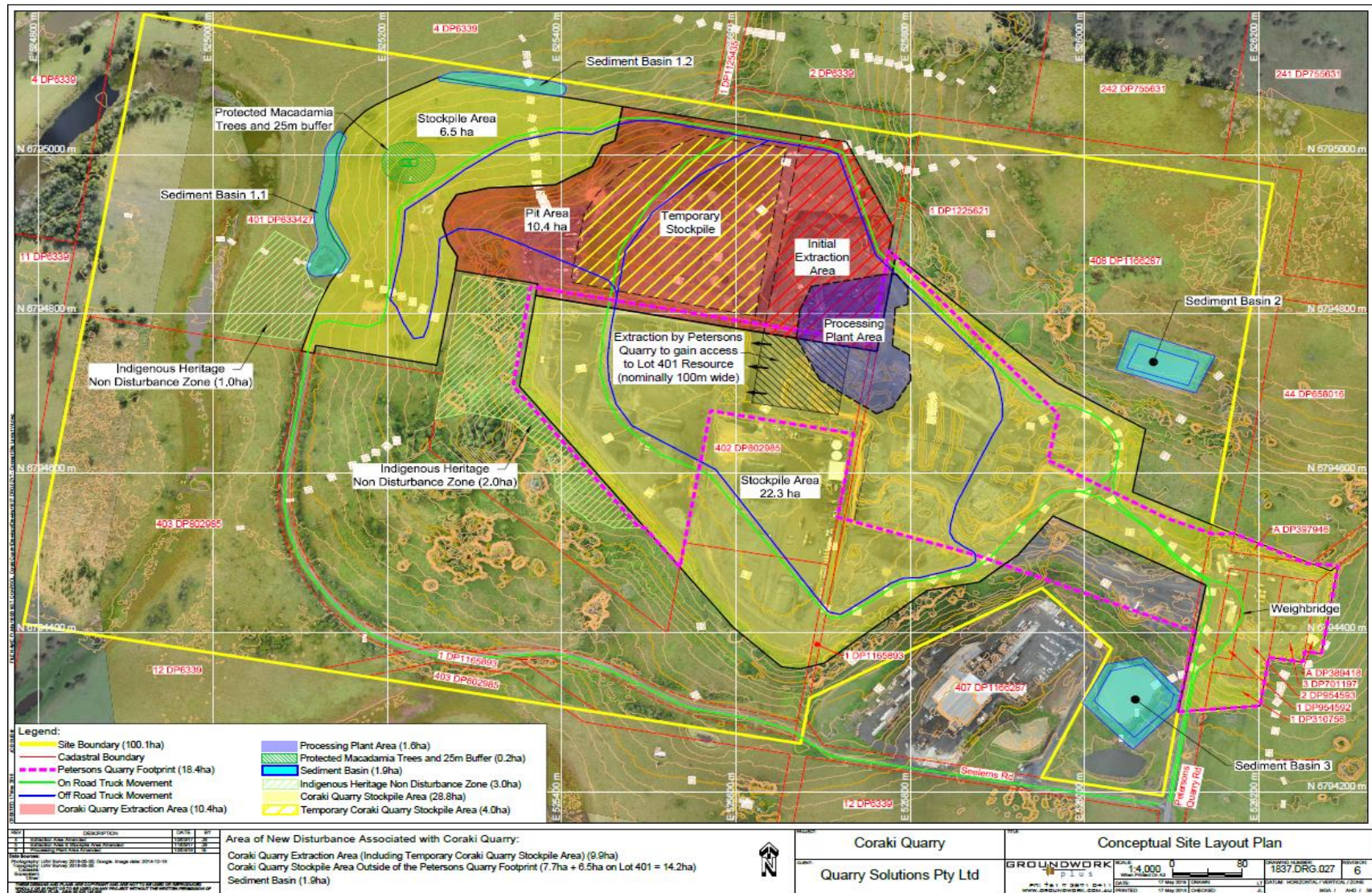


Figure 2 | Approved location of processing plant, shown in purple



The Department has assessed the proposed modification against the relevant provisions of these EPIs, in addition to Quarry Solutions' consideration of these matters. The Department considers the proposed modification can be undertaken in a manner that is generally consistent with the aims, objectives and provisions of these EPIs.

3.4 Objects of the Act

The Minister or delegate must consider the objects of the EP&A Act when making decisions under the Act. The Department has assessed the proposed modification against the current objects of the EP&A Act (see section 1.3 of the Act). The objects of most relevance to the decision on whether or not to approve the proposed modification are:

- *Object 1.3(a): to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources;*
- *Object 1.3(b): to facilitate ecologically sustainable development (ESD) by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment;*
- *Object 1.3(c): to promote the orderly and economic use and development of land; and*
- *Object 1.3(e): to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats.*

The Department has considered these objects in its assessment of the modification. The outcomes of this assessment are summarised in **Section 5**.



4. Engagement

Due to the minor nature of the proposed modification, the application was not placed on public exhibition. However, the Department made the modification application publicly available on its website from 27 March 2019 until 10 April 2019, and sought advice from the **Environmental Protection Authority** (EPA) and **Council**. Council and EPA did not raise any concerns regarding the proposed modification. Copies of all submissions are provided in **Appendix B**.

The Department also notified affected landowners, including nine nearby residents and a neighbouring industrial facility, located on Seelems Road. No public submissions were received.



5. Assessment

The Department has assessed the merits of the proposed modification in accordance with the relevant objects and requirements of the EP&A Act. In assessing these merits, the Department has considered the:

- Environmental Impact Statement (EIS) for the original development application;
- SEEs for Modifications 1 and 2;
- existing conditions of consent, as modified;
- the modification application and associated SEE; and
- relevant EPIs, policies and guidelines.

The Department considers the key assessment issue for the proposal to be the potential noise impacts of the changed location for the processing plant.

5.1 Noise Impacts

The SEE included a Noise and Dust Assessment (NDA) prepared by MWA Environmental. The NDA provided an assessment of the predicted worst-case noise impacts of the modification in accordance with the *Industrial Noise Policy* (INP).¹ MWA Environmental re-ran the same noise model scenarios presented in the EIS for the original project, to reflect the amended processing plant location. The re-run model included both 'initial pit' and 'final pit' scenarios. The existing operational noise criteria for the quarry and the two operational scenarios are shown in **Table 1**.

Table 1 | Summary of model results for receptors - dB(A)

Receptor	Predicted L_{Aeq} Noise Level - dB(A)		Day-Time Noise Criteria L_{Aeq} - dB(A)
	Initial Pit	Final Pit	
R1	34	34	40 *
R2	40	40	40*
R3	37	37	40*
R4	29	29	35
R5	27	27	35
R6	32	32	40*
R7	35	36	40*
R8	25	28	35
R9	24	25	35

* Adjusted noise criteria – residences are subject to a written agreement which permits Quarry Solutions to exceed the day-time noise criterion by up to 5dB(A).

The noise level predictions presented in the NDA are subject to a number of noise management measures being implemented in accordance with the approved Noise Management Plan (NMP). These management measures include the use of earth bunds and acoustic screens, use of a proprietary quietened rock drill, and location of noisy equipment in shielded locations.

Noise predictions in the NDA indicated that noise levels from the as-constructed location of the processing plant would not result in any exceedances of the development's existing operational noise criteria. The EPA did not raise any concerns regarding the noise impacts of the proposed modification.

Existing conditions require Quarry Solutions to implement best practice noise management and to develop a detailed NMP, describing management measures to maintain and monitor compliance with the consent's noise criteria. This includes noise monitoring on at least a quarterly basis.

¹ Given the minor nature of the modification, the assessment of noise impacts has been undertaken in accordance with the INP, to remain consistent with the approved project, rather than the more recent *Noise Policy for Industry* (2017).

The Department considers that the assessment of predicted noise impacts has been appropriately undertaken and is satisfied that the noise impacts of the proposed modification are likely to be negligible. The Department considers that the noise impacts of the modified project can be appropriately managed under existing conditions.

5.2 Other Issues

Other impacts associated with the modification are considered to be negligible. **Table 2** summarises the Department's assessment of these impacts.

Table 2 | Summary of other issues

Issue	Findings	Recommended Condition
Air Quality	- The NDA included a revised assessment of air quality impacts, incorporating the as-constructed location of the processing plant. - The NDA concluded that quarrying operations can continue to comply with existing air quality criteria at all sensitive receivers, subject to implementation of control measures included in the quarry's Air Quality Management Plan (AQMP). - EPA did not raise any concerns regarding air quality impacts. - The Department considers that existing dust control measures included in the AQMP remain appropriate for the modified development.	No changes to conditions are required.
Traffic and Transport	- The proposed modification would not result in any increase in traffic movements or changes to transport routes. - The Department considers that existing traffic management measures included in the quarry's Transport Management Plan remain appropriate for the modified development.	No changes to conditions are required.



6. Evaluation

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. The proposed modification involves a minor amendment to the quarry's approved development layout plan to reflect the as-constructed location of the processing plant. The Department is satisfied that the proposed modification is of minimal environmental impact and that no changes to existing environmental performance standards and criteria contained in the conditions of consent are required. On this basis, the Department is satisfied that the proposed modification is in the public interest and should be approved.

A Notice of Modification (see **Appendix C**) and a consolidated version of the development consent (see **Appendix D**), as proposed to be modified, have been prepared.

The Department has taken the opportunity to make some minor administrative updates to existing conditions to reflect its current drafting standards.

Quarry Solutions has accepted the proposed modified conditions of approval.

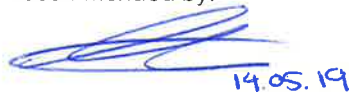


7. Recommendation

It is recommended that the Director Resource Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **determines** that the application falls within the scope of section 4.55(1A) of the EP&A Act;
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application;
- **grants approval** for the application SSD 7036 MOD 3, subject to the conditions in the attached Notice of Modification; and
- **signs** the attached Notice of Modification (**Appendix C**).

Recommended by:



14.05.19

Nathan Heath

Environmental Assessment Officer
Resource Assessments

Recommended by:



13/5/19

Lauren Evans

Senior Environmental Assessment Officer
Resource Assessments



8. Determination

The recommendation is: **Adopted** by:



13.5.19

Howard Reed

Director
Resource Assessments



Appendices

Appendix A – Statement of Environmental Effects

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/11496>

Appendix B – Agency Advice

See the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/11496>

Appendix C – Notice of Modification

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Appendix D – Consolidated Consent

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