



9 December 2015

Planning Services  
Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2001

Attention: Director – Resource Assessments

Dear Sir

<b>Application No</b>	<b>SSD 7036</b>
<b>Location</b>	Seelems Road, Coraki
<b>Applicant</b>	Quarry Solutions Pty Ltd
<b>Council Area</b>	Richmond Valley Council
<b>Consent Authority</b>	Minister of Planning

Thank you for the opportunity to comment on the proposal for the new Coraki Quarry.

Council has reviewed the EIS in preparing a number of comments and suggested conditions that Richmond Valley Council believes are appropriate to the application for the new quarry, particularly given the scale of operations.

### **General Comment**

#### **Condition of Woodburn Coraki Road**

Council is extremely concerned about the severe impacts that will occur on the Woodburn Coraki Road. The road was constructed (sealed) in the early 1950s with the original construction not being to modern standards. The road already shows distress due to current traffic loads. The road is also on a very large floodplain and is susceptible to flooding. The use of heavy vehicles over a saturated pavement is a recipe for complete destruction of the road. Council reserves the right to impose temporary load limits (or exclusion of heavy vehicles for a period) on the road that has suffered inundation.

#### **Seelems Road**

Council believes that the large amount of heavy traffic on the gravel Seelems Road will present an unacceptable amenity issue for the existing house at 200 Lagoon Road. Wind roses from the Bureau of Meteorology website show that there is a



The traffic loadings detailed in the EIS are understated by the use of an average over the full hours over the whole year (50 weeks). The actual impacts on both the community and the road infrastructure will be much greater.

Description	by Quarry EIS (Sect 7.3.6)	Sensitivity Calculation
Total (max) haulage	1,000,000 tonnes per year	1,000,000 tonnes per year
Working weeks per year	50 weeks	40 weeks – delays due to wet weather & site availability & construction schedules on hwy site
Working days per week	6 days	6 days – 5 long, 1 shorter

Working hours per day	13 hours Total 78 hours per week  Quarry EIS Sec 3.2.8 Mon – Sat 6 to 7 =13hr/d Total 78 hours	Hwy work site hours of operation and quarry hours and travel time Mon -Fri 6am to 7pm 13hrs Sat 8am to 5pm 9 hrs Total per week 74 hrs (Proposed Construction Hours in Hwy EIS Sect 3.2.4) If allow time for haulage, access, later sunrise, and sunset at 5pm in winter, placement and exit the site (Mon to Fri as Sat start is earlier at quarry and can be onsite ready at start time) Nett hours available is thus say 60 hours per week If working "6 days" then avg 10 hr/d
Average mass of vehicle	36 tonnes	36 tonnes
Average hourly traffic IN	7 vph	12 vph
Average hourly traffic OUT	7 vph	12 vph
Hourly traffic total	14 vph  NOTE this is an annual average over full length days for 6 days a week	24 vph
Avg time at a single point	4.2 minutes	every 2.5 minutes for 9.7 hrs a day for 40 weeks a truck will go past (loaded or empty)

NOTE that these figures are for this quarry only and do not include any cumulative impact from the existing Petersons Quarry, and the Moonimba Quarry off Boggy Creek Road.

### Road Traffic Noise

The noise assessment carried out by MWA Environmental which assesses road traffic noise from quarry trucks has based the volume of vehicle movements from the quarry on the number determined in the *Traffic Impact and Pavement Assessment Report* (MRCagney Pty Ltd, July 2015).

As stated above this average is underestimated and Council considers the assessment should be based on the sensitivity calculations provided in the above table as this is a more likely representation of what the actual volume and subsequent noise impact will be.

Re-modelling of traffic noise based on the sensitivity volume is expected to increase predicted noise levels and impacts on sensitive receivers.

It is noted that the road traffic noise assessment does not make recommendations for any mitigation measures as the increase of noise as a result of the development based on traffic volumes used by the consultant does not exceed 2dB(A). They



identify that this increase combined with the fact the quarry has a limited operational life does not warrant mitigation.

Council generally agrees that with an increase of only 2dB(A) mitigation is not warranted. However re-modelling using more representative traffic volumes may require mitigation.

It is unreasonable to recommend conditions related to road traffic noise at this stage as the outcomes of any reassessment using more representative (sensitivity) traffic volumes should also include recommended mitigation if deemed necessary.

### **Proposed Conditions**

Council has prepared a number of consent conditions that it believes are applicable to this quarry development, given the scale of the operations and the impacts on local amenity and local infrastructure.

#### **TRAFFIC MANAGEMENT**

1. The proponent shall prepare and enforce a Truck Management Plan and Code of Conduct for drivers. The documents shall be submitted to and approved by Richmond Valley Council **prior to commencement of transport operations**.

The Management Plan must include but may not necessarily be limited to:

- A driver training and induction procedure. This shall include a requirement for drivers / contractors to sign a Code of Conduct acknowledgement that they agree to comply with the requirements and ongoing education about requirements.
- Complaint investigation procedure and procedure for dealing with non-compliant drivers.
- Method of monitoring truck speeds by the operator.
- Record keeping including any proposal to keep log books of truck journeys, complaints, monitoring carried out by quarry operator, and outcomes of investigations of any breaches and providing copies of such records to Council.
- Identification markings on trucks contracted to haul / work for the quarry operator.
- A Driver Code of Conduct that details the approved haulage route, operation hours for travel to and from the site, speeds, measures to reduce traffic noise, safe distances between trucks, traffic safety and courteousness, locations of sensitive receivers, identification and enforcement.

The proponent is responsible for managing speed limits of quarry trucks to ensure compliance with this condition. The proponent shall ensure all drivers adhere to the Code of Conduct, promptly address any complaints or community issues and shall take or implement any reasonable mitigation measures as required.

**Reason:** *To protect the amenity of the area, traffic safety, ensure management of truck speed limits and noise impacts from transport operations*

## **COMMUNITY RELATIONS**

2. **Prior to commencement of operations** the proponent shall;
- (a) submit to Richmond Valley Council and include within the Operational Plan of Management the following, the name and contact details for a person with the responsibility and authority to respond to Council and/or members of the public in regard to complaints, compliance with this consent and any Plan or report associated with the development. This person must respond to community complaints promptly and effectively.
  - (b) erect a sign at the entrance of the quarry with the phone number and permanent site contact details so that complaints concerning the operation of the quarry can be received and addressed in a timely manner. The sign must remain in place and contain accurate details at all times.

The proponent shall ensure the contact details provided above remain current at all times and are updated if any changes occur.

***Reason:** To ensure the development responds to community concerns.*

## **PERFORMANCE REPORTING AND OPERATIONAL PLAN OF MANAGEMENT**

- 3 a) **Prior to commencement of operations** the Operational Plan of Management shall be amended where applicable to be consistent with this consent and any report, approval or plan associated with this consent and shall include any other additional matters as determined by Richmond Valley Council.
- b) Within one month of the end of every annual reporting period, or other timing as may be agreed with Council, the proponent shall submit to Richmond Valley Council a Performance and Environmental Management Report. The Report must review the environmental performance of the development including:
- i) A description of the development that was carried out in the previous year, and the development that is proposed to be carried out over the next year including quarry production and transport data, details of proposed working areas, areas to be opened and or closed and rehabilitation works.
  - ii) A review of the Operational Plan of Management and a description of any proposed amendments to the current Operational Plan of Management.
  - iii) An assessment of rehabilitation works completed during the year against the Operational Plan of Management and review of the importation of fill. A fill balance calculation shall be undertaken to ensure sufficient soil is available for ongoing rehabilitation works over the life of the quarry.
  - iv) A comprehensive review of the monitoring results and complaints records of the development over the previous year, which includes a comparison of these results against the:

- a) the relevant statutory requirements, limits or performance measures/criteria;
- b) requirements of any plan or program required under this consent, including the Transport Management Plan and Code of Conduct
- c) the monitoring results of previous years;
- d) the relevant predictions in the EIS; and
- e) a copy of the annual return submitted to the Environmental Protection Authority for the current year
- v) A statement of compliance with each of the relevant conditions of this consent including identification of any non-compliance over the last year, and description what actions were taken and will continue be taken to ensure compliance. Identified actions shall be included in an amending Operational Plan of Management.
- vi) Identification of any trends in the monitoring data over the life of the development.
- vii) Identification of any discrepancies between the predicted and actual impacts of the development, and analyse the potential cause of any significant discrepancies.
- viii) A description of measures that will be implemented over the next year to improve the environmental performance of the development.
- ix) Monitoring and environmental reporting is to be completed by an independent and appropriately qualified person
- (c) Following submission of the Performance and Environmental Management Report and subject to approval by Richmond Valley Council, the Operational Plan of Management may be replaced with an amending Plan.

An Operational Plan of Management remains current until such time as an amending plan is approved by Richmond Valley Council.

***Reason:** To monitor performance of the development and provide flexibility in the progressive working of cells over the life of the development.*

## **INFRASTRUCTURE**

4. Any damage caused to public infrastructure (roads, footpaths, kerb and gutter, stormwater, water and sewer mains, power and telephone services etc) during construction of the development shall be repaired to the satisfaction of the Executive Manager Infrastructure and Environment (and delegated staff). The repairs shall be carried out **prior to the commencement of operations of the quarry.**

Council shall be notified in writing, **prior to commencement of works**, of any existing damage to roads, stormwater drainage, kerb and gutter or footpaths. Absence of notification signifies that no damage exists, and the applicant is therefore liable for the cost of reinstatement of any damage found at the completion of the works.

***Reason:** To protect the existing and future amenity of the locality and to formally record any pre-existing damage to existing assets.*

5. Utilities, services and other infrastructure potentially affected by construction and operation shall be identified prior to construction to determine requirements for access to, diversion, protection, and/or support. Construction is to be in accordance with Council's standards, or the affected asset owners standards, and shall be completed **prior to the commencement of operations of the quarry under this consent.**

**Reason:** *To protect existing services.*

6. Works within any part of the road reserve which will impact on pedestrians or traffic flow (including temporary site fencing which restricts pedestrian access, temporary disruption to traffic, etc.) requires the preparation of a **Traffic Control Plan(s).**

The Plan(s) shall be submitted to Richmond Valley Council **prior to the commencement of works in the road reserve.**

**Reason:** *To ensure works carried out in the road reserve are carried out in a safe environment.*

7. Application (under Section 138 of the Roads Act) for approval to carry out any work within the road reserve shall be made to Council by any contractor proposing to carry out any such works prior to any such works commencing.

**Reason:** *To comply with Section 138 of the Roads Act 1993.*

8. A defects liability bond (Bank Guarantee) shall be lodged with Council for any civil works which will become Council's assets. The bond shall be based on 10% of the value of the works which will become Council's assets The bond shall only be released by advice from Richmond Valley Council that both the defects liability period has been completed, and that the works have been completed and are satisfactory at the end of the defects liability period.

If applicable, the bond shall be paid to Council **prior to the commencement of operations of the quarry under this consent.**

**Reason:** *To provide adequate funds for the rectification of non-compliances, or failure to carry out maintenance during the maintenance period.*

9. A Civil Engineering assessment fee shall be paid to Council, **prior to the issue of a Construction Certificate** for any civil works (roadworks, intersection etc) associated with this consent, for the assessment of plans, issue of a Construction Certificate, and inspection of civil works which will become Council's assets. Rates are as detailed in Council's Revenue Policy (Fees and Charges), with quantities assessed from approved plans detailing such civil works.

**Reason:** *To ensure engineering works are designed and constructed to Council standards.*

10. All building and construction work by private contractors in NSW, costing \$25,000 or more, is liable for the payment of the **Long Service Levy** to the Long Service Levy Payments Corporation. This is a State Government Levy and is subject to change. Construction work includes civil construction such as roads and bridges, pipelines, fuel gas and water storage and distribution infrastructure, sewerage drainage and treatment systems, retaining walls, electrical distribution infrastructure, etc. Confirmation of the payment to the Corporation (Council is an agent) is to be submitted to Council **prior to the commencement of operations**. (Payments through Council are to be made payable to Richmond Valley Council. Cheques payable to the Corporation cannot be accepted by Richmond Valley Council.)

***Reason:** To ensure the long service levy on private contractor constructed works is paid in accordance with State Government legislation.*

11. A contribution under Section 94 (1)(b) of the Environmental Planning and Assessment Act 1979, amounting to \$1.12 per tonne (rate as @ 17/12/2015) of material transported to and from the site is to be paid to Richmond Valley Council. Contributions under this Plan shall be levied quarterly and be based upon lodgement of quarterly returns itemising extraction/importation tonnages for the previous quarter. The rate shall be CPI's in accordance with the adopted Section 94 Heavy Haulage Plan 2013.

***Reason:** To provide funds for the road maintenance in accordance with Richmond Valley Council's Section 94 Heavy Haulage Contributions Plan 2013.*

12. Plans showing all civil engineering works which will become Council's assets, eg roads, kerb and gutter, stormwater drainage, water, sewer, footpaths, etc., shall be submitted to Richmond Valley Council. Council approval of the plans is required **prior to the issue of the Construction Certificate** for the civil works (roadworks, intersection etc) associated with this consent. Such works shall be designed and documented in accordance with Council's Standards.

***Reason:** To Provide adequate services for the development.*

13. Measures shall be put in place to control stormwater runoff for any road and intersection construction works. These control measures shall be in place **prior to the commencement of construction works** and shall prevent soil erosion and transport of sediments from the development site into either:

- adjoining land
- natural drainage courses
- constructed drainage systems, and
- waterways

The methods to be used shall be designed in accordance with the book '**Managing Urban Stormwater: Soils & Construction**' also known as '**the Blue Book**' published by NSW Landcom.

All control measures are to be maintained in an operational condition at all times during construction and until vegetation or permanent structures can



satisfactorily control stormwater runoff. Control measures shall be regularly cleared of sediment and debris build-up, to ensure continued operation.

During construction works all motor fuels, oils and other chemicals are to be stored and used on site in a manner which ensures no contamination of stormwater. No incidents of visible pollution leaving the construction site. No litter placed in a position where it may be blown or washed off site.

**Reason:** *To minimise erosion and sediment and associated impacts in accordance with the Protection of the Environment Operations Act, and to protect the capacity of downstream drainage networks (both constructed and natural)*

14. The developer shall construct the following road and intersection works in accordance with Council's Northern Rivers Development and Design Manual and the Northern Rivers Local Government Construction Manual and the Austroads Guide to Road Design Part 4A. All designs shall accommodate the swept paths of two opposing haulage trucks.

Design plans are to be submitted to and approved by Richmond Valley Council **prior to the issue of the Construction Certificate** for the civil works (roadworks, intersection etc) associated with this consent. (The approved design plans form the basis of the calculation of the Civil Assessment Fee.) Road works shall be completed to the satisfaction of Richmond Valley Council **prior to the commencement of operations of the quarry under this consent.**

1. Seelems Road is to be constructed and sealed as a 6 metre two coat bitumen seal with 1 metre gravel shoulders from Petersons Quarry Road to a point 200 metres west of the entrance to the industrial building at 30 Seelems Road.
2. The Petersons Quarry Road / Lagoon Road intersection shall be sealed with AC/hotmix for heavy vehicle tyre drag control.
3. The Lagoon Road / Casino Coraki Road intersection shall be sealed with AC/hotmix for heavy vehicle tyre drag control.
4. The Woodburn Coraki Road / Pacific Highway intersection shall be sealed with AC/hotmix for heavy vehicle tyre drag control.

**Reason:** *To ensure an adequate road network construction standard in accordance with adopted standards and protect the amenity of the residence at 200 Lagoon Road.*

15. The developer shall ensure that the axle mass for each heavy vehicle is measured and documented prior to leaving the quarry site to ensure that it does not exceed the limits prescribed by the *Heavy Vehicle (Mass, Dimension and Loading) National Regulation 2013*. Records shall be submitted to Richmond Valley Council quarterly with the heavy haulage quarterly returns.

**Reason:** To protect Council's pavement assets.

16. Upon completion of any works to be vested in Council, ***Work as Executed*** drawings and plans in digital format shall be submitted to and approved by Richmond Valley Council **prior to the commencement of operations of the quarry under this consent.**

***Reason:*** *To provide adequate records of services for the development.*

17. Inspection and Testing of the civil engineering works which will become Council's assets is required. The Inspection and Testing shall be in accordance with the Northern Rivers Local Government Development and Design Manual and the Northern Rivers Local Government Construction Manual.

***Reason:*** *To ensure engineering works are constructed to council standards.*

#### **ENVIRONMENTAL HEALTH**

18. Noise control measures recommended in Section 2.6.2 of the report *Noise and Dust Assessment Proposed Coraki Quarry Seelems Road Coraki* (MWA Environmental 4 November 2015) must be implemented and complied with.

***Reason:*** *To protect the amenity of nearby sensitive land uses*

19. A report from a suitably qualified acoustic engineer detailing that all recommendations outlined in Section 2.6.2 of the report *Noise and Dust Assessment Proposed Coraki Quarry Seelems Road Coraki* (MWA Environmental 4 November 2015) have been implemented must be submitted to and approved by the NSW Environment Protection Authority prior to issue of the Environment Protection Licence.

***Reason:*** *To protect the amenity of nearby sensitive land uses*

Council thanks the Department for the opportunity to contribute to this project.

For further enquiries on this matter please contact Council's Director Infrastructure and Environment Angela Jones on 02 6660 0262 or email [angela.jones@richmondvalley.nsw.gov.au](mailto:angela.jones@richmondvalley.nsw.gov.au).

Yours Faithfully



Angela Jones  
Director Infrastructure and Environment