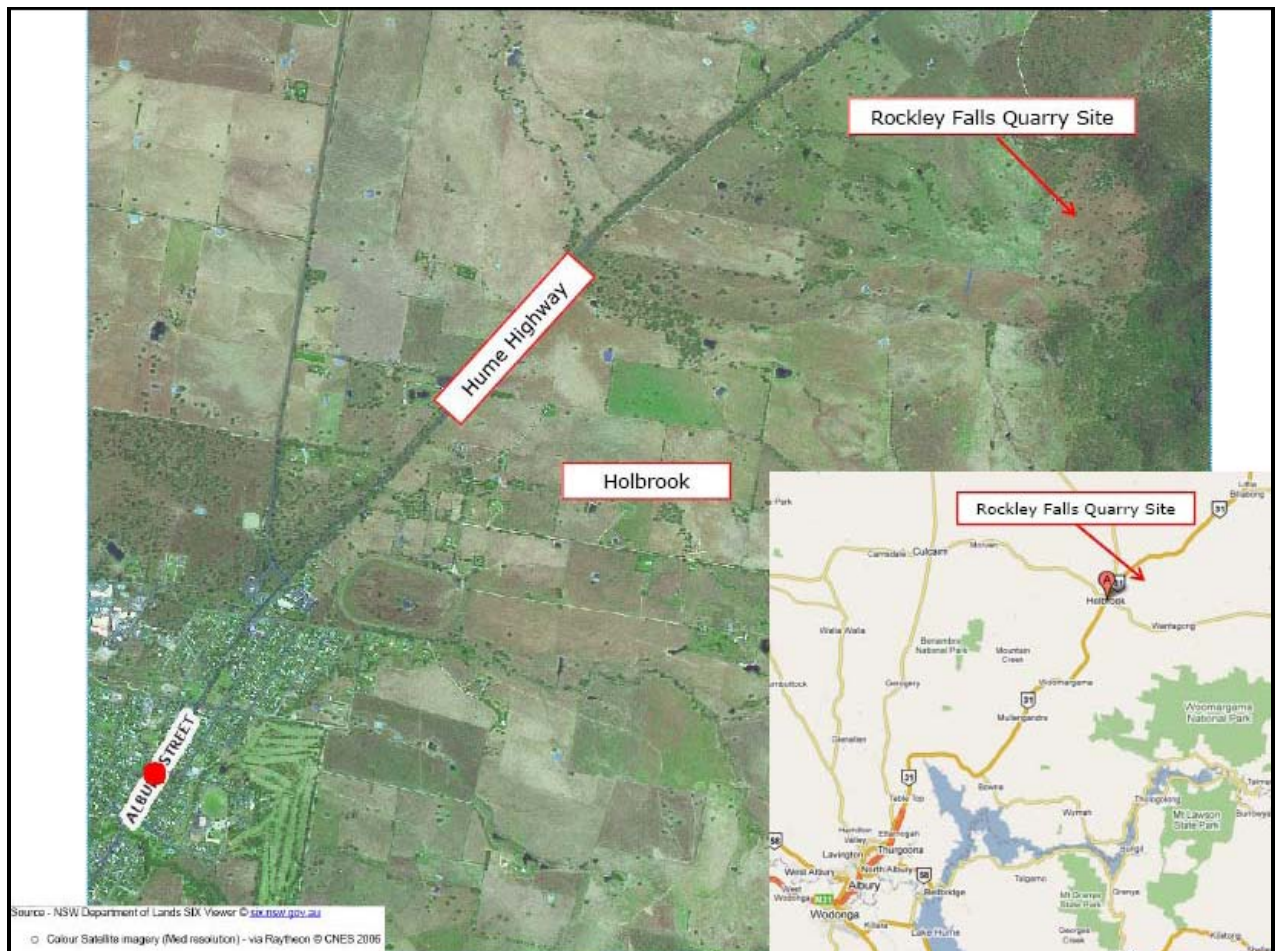


## ASSESSMENT REPORT

### Rockley Falls Quarry Wet-Mix Concrete Batch Plant – 24-Hour Operation Modification (07\_0078 MOD 7)

#### 1. BACKGROUND

Abigroup Contractors Pty Limited (Abigroup) own the Rockley Falls Quarry, located 5 kilometres (km) north-east of the village of Holbrook and 60 km north of Albury-Wodonga, in the Greater Hume local government area (see Figure 1).



**Figure 1: Rockley Falls Quarry local and regional context**

The quarry was approved by the Minister in June 2008 and was operated by the Hume Highway Woomargama Alliance (HHWA), a consortium consisting of Abigroup (the Proponent), the Roads and Maritime Services (RMS, formerly the Roads and Traffic Authority) and Sinclair Knight Merz. The project approval has been modified on six occasions, under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The modified approval:

- allows the production of up to 100,000 tonnes per annum (tpa) of hard rock quarry product until 2028;
- allows the temporary operation of dry and wet-mix concrete batch plants to supply concrete to the Woomargama and Holbrook Bypass Projects; and
- requires rehabilitation of the site post extraction.

Extracted material was used by the HHWA to construct the Hume Highway duplication between the townships of Woomargama and Table Top. This duplication was completed in late 2011. Currently there are no extractive activities occurring at the quarry and Abigroup has indicated that it has no intention to recommence extractive activities in the near future.

Construction of the Holbrook Bypass is currently underway and is scheduled for completion by October 2013. Batching operations on the quarry site are continuing to supply concrete to the Holbrook Bypass site, however the project is behind schedule due to periods of significant rain.

The current approved operating hours for the concrete batch plants are summarised in Table 1 below.

**Table 1: Approved Batch Plant Operating Hours**

	<b>1 October 2012 - 31 May 2013</b>		<b>1 June 2013 - 31 October 2013</b>	
Operating Hours	Monday - Friday	4 am - 8 pm	Monday - Friday	5 am - 6 pm
	Saturday	4 am - 1 pm	Saturday	5 am - 1 pm
Concrete Transport	Monday - Friday	5 am - 7 pm	Monday - Friday	5 am - 6 pm
	Saturday	5 am - 1 pm	Saturday	5 am - 1 pm
Materials Delivery	Monday - Friday 24-hours - limited to a maximum of 5 vehicle entries between 10 pm and 7 am Saturday - during operational hours			

## 2. PROPOSED MODIFICATION

Abigroup has sought a modification of the project approval under section 75W of the EP&A Act to operate the wet-mix batch plant and dispatch concrete on a 24-hour basis, when daytime temperatures are predicted to exceed 32°C.

The extended operating hours are to enable the early morning delivery of concrete to the construction site during warmer weather, as RMS specifications prevent the placement of concrete when the forecast temperature is 35°C or above and the ambient air temperature is 32°C and rising.

Abigroup do not propose to operate the plant continually over 24 hours, but would operate a 12-hour batching run to service night-time / early morning paving during periods (at least three days within a week) when day-time temperatures are forecast to be above 32°C. The 24-hour activities are proposed between 5 am Monday and 1 pm Saturday, and would conclude by 31 May 2013.

The 24-hour dispatch of concrete and the delivery of materials (primarily cement) are also proposed during the same weather conditions until 31 May 2013. Vehicles would use the existing sealed quarry access road to the Hume Highway. Vehicle movements to and from the quarry would involve:

- a maximum of 24 inbound and 24 outbound movements per hour delivering concrete to the Holbrook Bypass using eight-wheel tip trucks;
- an average of one inbound and one outbound movement per hour delivering cement and fly ash; and
- an average of two inbound and two outbound movements per hour delivering sand and/or coarse aggregate.

No changes are proposed to the current approved hours for the dry-mix batch plant operations, sand washing hours and associated vehicle movements.

## 3. STATUTORY CONTEXT

### 3.1 Section 75W

The project approval was granted by the Minister under Part 3A of the EP&A Act. In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 64, continues to apply to transitional Part 3A projects, such as the Rockley Falls Quarry. Consequently, this report has been prepared in accordance with the requirements of section 75W of the Act.

### 3.2 Approval Authority

Under section 75W, the Minister is the approval authority for the modification application. However, the Director, Mining and Industry Projects may determine the application under the Minister's delegation of 14 September 2011 as:

- the relevant local council has not objected to the proposal; and
- Abigroup has not made any reportable political donations.

### 3.3 Modification

The proposed modification does not involve major changes to the currently approved project. The subject modification seeks to temporarily extend the hours of operation of the existing wet-mix plant during specific weather conditions. No increase to the approved output will result from the proposed changes.

The Department accepts that the proposed modification and associated environmental impacts are consistent with those previously approved and believes it should be characterised as a modification to the original approval rather than a new project in its own right. Therefore, the Department is satisfied that the proposed modification falls within the scope of Section 75W of the EP&A Act and may be determined.

### 3.4 Environmental Planning Instruments

The Department has considered the relevant environmental planning instrument for the proposal, the *State Environmental Planning Policy (Infrastructure) 2007*, and has consulted with the RMS which raised no objection to the proposal. The Department is satisfied that no other environmental planning instruments substantially govern the proposal

The batching operations are permissible with consent in the RU1 Primary Production zone under the *Greater Hume Local Environmental Plan 2012*.

## 4. CONSULTATION

The modification request and Environmental Assessment was made publicly available from 29 January 2013 on the Department's website. The modification application was referred to the RMS, the Environment Protection Authority (EPA) and Greater Hume Shire Council. None of the agencies object to the proposal subject to agreement from adjacent landowners (see Figure 2).

Abigroup has consulted with adjacent landowners and obtained written consent for the proposed overnight operations (see Tag A), together with providing details of the community phone-line and the ongoing commitment to respond to any complaints or issues within 24 hours.

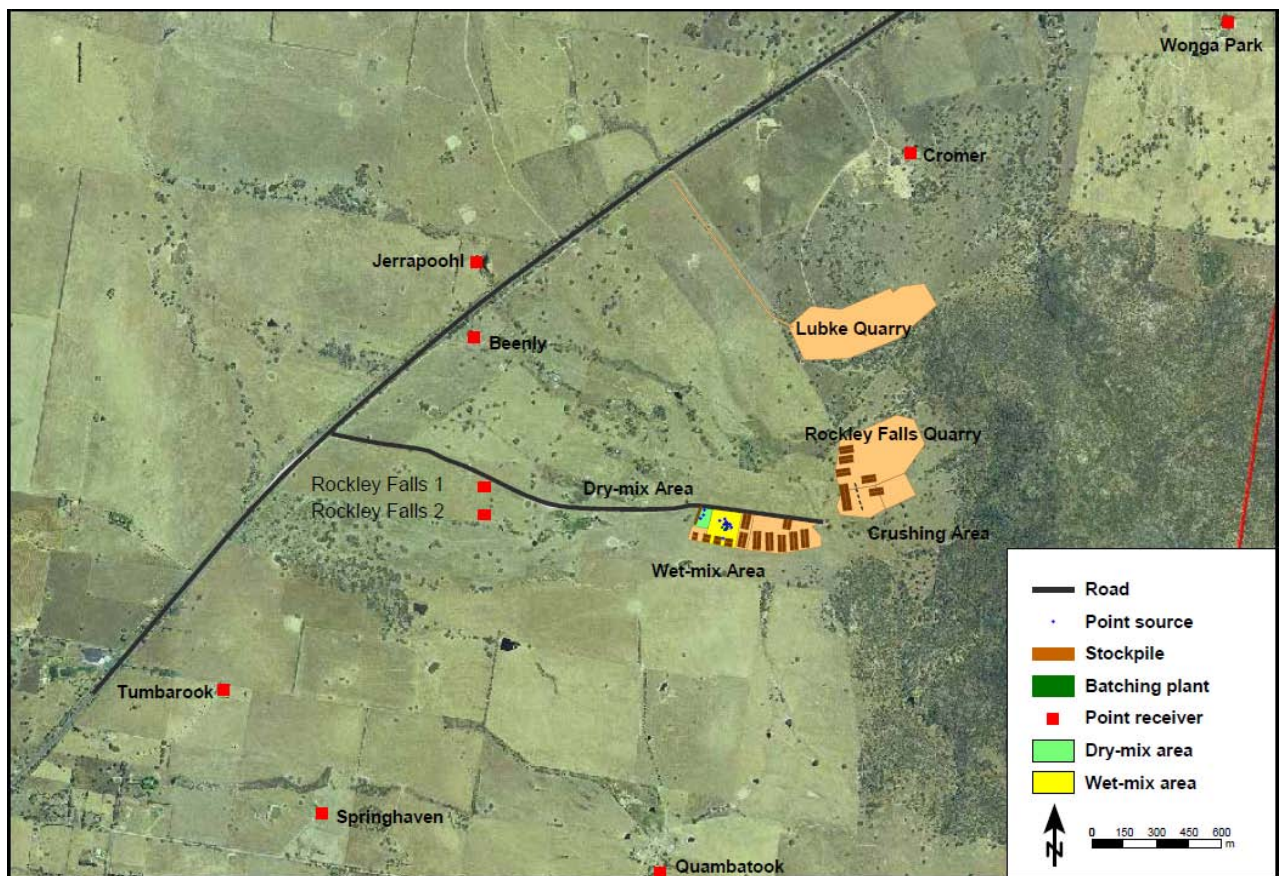


Figure 2: Rockley Falls Quarry and Residential Locations

## 5. CONSIDERATION OF ISSUES

The Department has assessed the modification application in accordance with the relevant requirements of the EP&A Act. The key environmental issues of the application are discussed in Table 2.

**Table 2: Consideration of Environmental Issues**

<b>Issue</b>	<b>Consideration</b>
<i>Noise</i>	<p>The proposed modification would increase night-time noise generated by the project due to the extended operating hours of the wet-mix batch plant, loading and handling of aggregate, and additional heavy vehicle movements associated with materials delivery and concrete haulage.</p> <p>Noise modelling predicts exceedances of up to 7 dB above the night time noise criteria at the “Rockley Falls 1” and “Rockley Falls 2” properties, given the proximity of these properties to the haul road (see Figure 2). Noise generated by the modification at all other properties is predicted to be well below the night time noise criteria.</p> <p>The project approval allows the noise limits and hours of operation to be relaxed if Abigroup has obtained written agreement from the effected landowner/s to generate higher noise levels and varied operating hours. The landowners of Rockley Falls 1 and Rockley Falls 2 have provided their written consent to the proposed 24-hour activities.</p> <p>Notwithstanding, Abigroup proposes to minimise the impact of vehicle movements by reducing the speed limit and use of brakes along the quarry road during the night, to be incorporated in a revised driver's code of conduct. To reflect this, the Department has recommended a condition of approval requiring Abigroup to implement reasonable and feasible noise mitigation measures to minimise the operation and transport noise impacts of the project. Abigroup has also committed to provide 48 hours notification of night-time activities to the two landowners.</p> <p>The number of days over 30°C per month, based on Bureau of Meteorology data for Hume Reservoir, are as follows - February (16.2), March (7.6), and April (0.3). Consequently, over the coming months the occurrence of daytime temperature over 32°C at the site for three consecutive days is likely to be less, and the number of nights when night-time batching is required is considered to be relatively low and the impacts temporary.</p> <p>Given the two closest landowners to the batch plant and haul route have provided written consent to the 24-hour operations, and the temporary and periodic nature of the proposal, the Department is satisfied that the proposal is unlikely to result in any significant noise-related impacts at surrounding sensitive receivers.</p>
<i>Traffic</i>	<p>Materials delivery and concrete haulage from the site are via the existing sealed quarry haul road, which links directly to the Hume Highway. The haul road intersection with the highway was upgraded to RTA specifications to provide safe access and egress for the quarry operations.</p> <p>The approved maximum hourly outbound day-time truck movements for the project is currently 32, five more than the predicted maximum of 27 for the proposed modification. Previous assessments have demonstrated no negative impact on the performance of the Hume Highway in relation to traffic generated by the quarry. In addition, traffic levels using the highway at night are likely to be lower than the day-time.</p> <p>Given that the modification requires less than the current maximum approved number of vehicle movements, the RMS and the Department are satisfied that the proposed modification would not result in any significant increases in traffic-related impacts upon the highway or traffic volumes compared with the approved operations.</p>
<i>Visual</i>	<p>The site is visible from the Tumbarook, Quambatook, Beenly and Rockley Falls 1 and 2 properties. The proposal to extend the hours of operation would potentially increase visual impacts due to artificial lighting of the batch plant and the increased numbers of vehicles accessing the site at night.</p> <p>Three lights will illuminate the batch plant and one spotlight will be used at the Quarry Office. The closest properties are approximately 500 m away from the plant and unlikely to be impacted by the additional lighting. The current project approval includes a requirement for Abigroup to take all practical measures to mitigate off-site lighting impacts from the project. Abigroup proposes to continue implementing these measures to reduce potential lighting impacts on surrounding receivers, including appropriately locating lighting equipment, directional lighting and consultation with potentially-affected residents.</p> <p>Due to the distance from sensitive receivers, and the existing lighting management, the Department is satisfied that any visual impacts associated with the night-time use of the wet-mix batch plant would be minimal.</p>
<i>Other Issues</i>	<p>The Department acknowledges that the proposed modification does not increase the batching plant output, but is solely a temporary change in operating hours, under specific environmental conditions. Impacts resulting from the proposal have been previously assessed as part of the original project approval and subsequent modifications. Therefore the Department considers that other issues associated with the proposal are minor and can be managed under the existing conditions of approval.</p>

## 6. RECOMMENDED CONDITIONS

The Department is satisfied that the existing conditions of approval for the project are generally adequate to manage the project as modified by the application. However, the Department has recommended additional conditions to reflect the changes in hours of operation of the wet-mix batch plant and associated materials transport during specific weather conditions.

Abigroup has reviewed and accepted these conditions.

## 7. CONCLUSION

The proposed modification would allow for concrete to be delivered to the Holbrook Bypass Project at an appropriate time of day during hot weather conditions to meet the necessary technical specifications. As Abigroup has obtained consent for the proposed 24-hour operations from the surrounding landowners, the potential night-time noise impacts on these receivers would be acceptable.


The Department has assessed the application in accordance with the relevant requirements of the EP&A Act including the objects of the Act and the principles of ecologically sustainable development and is satisfied that it is in the public interest and should be approved.

## 8. RECOMMENDATION

It is recommended that the Director, Mining and Industry Projects, as delegate of the Minister:

- **consider** the findings and recommendations of this report;
- **determine** that the proposed modification falls within the scope of section 75W of the EP&A Act;
- **approve** the proposed modification under Section 75W of the EP&A Act; and
- **sign** the attached Notice of Modification.

  
20/2/2013  
Kane Winwood  
Team Leader, Mining Projects

 21/2/13  
David Kitto  
Director, Mining & Industry Projects