

Multiquip Quarries

ABN: 44 101 930 714

Response to Submissions

**For a S75W Modification of
Ardmore Park Quarry (PA 07_0155)
for Deliveries up to 20 000tpa
on Local Roads**



R.W. CORKERY & CO. PTY. LIMITED

Prepared in conjunction with:

Multiquip Quarries

September 2013



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PREAMBLE

The Response to Submissions as presented has taken great care to consider each of the relevant issues raised by the government and public submissions received by the Department of Planning & Infrastructure.

Each issue is considered individually, however, it is worthy of note that overall, the proposed modification (and the various objections) should be considered against the following key factors.

1. The volume of heavy traffic proposed by the Applicant is very minor. A maximum of five truck loads per day are proposed, with these to be operated outside of school pick-up / drop-off times for the Windellama Public School.
2. The condition of the roads that the Applicant proposes to use have been assessed and in most cases considered of suitable condition for the proposed volume of traffic by an independent traffic consultant (Christopher Hallam & Associates Pty Ltd). In some cases, restrictions on use of certain roads under certain conditions have been recommended by the traffic consultant and these recommendations have been accepted and would be implemented / enforced by the Applicant.
3. Heavy vehicles currently use the local roads in question, in many cases travelling greater distances, on additional roads, and without the nominated restrictions on hours of operation or daily volumes that would be imposed on the Applicant.

In reality, the total volume of heavy vehicle traffic on local roads is unlikely to increase as vehicles originating from the Ardmore Park Quarry would replace those originating from quarries to the northeast. For example, heavy vehicles originating from quarries near Marulan may currently travel via Jerrara Road, through Bungonia village, past Windellama Public School and on the same local roads that would be used by the Applicant without restriction on type, daily volume, frequency or time of day. Given the closer proximity of the Ardmore Park Quarry to locations to the south of Goulburn, the Applicant would almost certainly become the supplier of choice reducing the numbers of unrestricted vehicle movements through the local area. This application does restrict product delivered along this local road network to a maximum of 20,000 tonne per year.

4. Following from the previous point, the Applicant has committed to paying a contribution to road maintenance in accordance with the Goulburn-Mulwaree Council Section 94 Contributions Plan. It is understood that few suppliers of quarry products are obliged to pay this contribution and therefore approval of the proposed modification would result in greater developer contribution to road maintenance.
5. Finally, and again drawing on the points made previously, the impact of the proposed modification on the safety of other road users would almost certainly be neutral and most likely positive. Considering the potential for road accident / incident is a function of volume of traffic, road condition, targeted controls and safety features, and driver behaviour, the Applicant's proposed entry into the local quarry product supply market would either result in minimal change (in the case of traffic volume) or have a beneficial effect. The benefits would be generated by:
 - a. the potential for improved road condition given the contribution to be paid by the Applicant through Section 94 contributions;
 - b. improved safeguards for operations through the Windellama Public School zone; and
 - c. enforcement of safe and courteous driver performance by way of a Driver Code of Conduct.



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1. INTRODUCTION

Following the public exhibition of an *Environmental Assessment* supporting an application made by Multiquip Quarries under Section 75W of the *Environmental Planning & Assessment Act 1979* (EP&A Act) to allow for the delivery on local roads (other than the nominated principal product transport route) of up to 20 000tpa, submissions from three government agencies along with 106 public submissions were received by the Department of Planning. All public submissions, which can be reviewed on the Department of Planning & Infrastructures Major Project Register (http://majorprojects.planning.nsw.gov.au/?action=list_submissions&search=&job_id=6037), were forwarded to Multiquip on 9 August 2013.

Each of the government agency submissions has been reviewed and Section 2 addresses the issues raised in each.

Each of the public submissions were also comprehensively reviewed and specific objections or requests for further information categorised. A separate file is included with this Response to Submission (Objection Summary.xls) and lists the 106 submissions received, categorising the issues raised. Many of the issues raised in the submissions present general objection to quarry operations, or refer to aspects of the approved quarry operations which do not form a component of the proposed modification which is the subject of the current application. These issues are identified in Section 3.1, however, no response is considered necessary due to lack of relevance to the current application. Section 3.2 considers each of the issues relevant to the proposed modification raised in the submissions. For each issue, a direct quote from one of the submissions has been provided to illustrate the objection or request for additional information.



2. GOVERNMENT AGENCY SUBMISSIONS

2.1 ROADS AND MARITIME SERVICES

Roads and Maritime Services (RMS), having reviewed the *Environmental Assessment* have raised no objection to the activities as proposed.

This is significant given RMS' role as the principal road authority in NSW.

2.2 ENVIRONMENT PROTECTION AUTHORITY

The Environment Protection Authority submitted their response to DP&I on 8 August 2013, noting that whilst the road noise assessment methodology relating to internal noise calculations was unusual, the resulting predicated noise calculations were acceptable to EPA's standards and supported the calculations were acceptable and achieved compliance.

No other issues or objections were raised by the EPA.

2.3 DEPARTMENT OF EDUCATION AND COMMUNITIES

In its submission dated 16 August 2013, the Department of Education and Communities (DEC) raises several concerns over the safety of heavy vehicle movements through the Windellama School zone, which it notes is split on both sides of Windellama Road. It is worthy of note that as documented in Section 4.2.1 of the *Environmental Assessment*, the Applicant consulted with the acting Principal of the school. The safeguards proposed in the *Environmental Assessment* with respect to traffic in and around the school reflect this consultation.

The text in italics below paraphrases the issues raised by DEC in its letter of 16 August 2013, with a response to each following.

This proposal will result in an increase to heavy vehicle movements on Windellama Road, which is the location of the Windellama Public School.

Response

The small increase in trucks on local roads has been acknowledged, however, it is worthy of note that the trucks originating from the Ardmore Park Quarry are likely to replace trucks originating from other locations which already travel through the Windellama School zone. As such, the actual increase in truck numbers will not be as significant as the proposed (maximum) of 10 per day (5 return trips).

Notably, the trucks now originating from Ardmore Park Quarry would be subject to restrictions on operating times (outside school pick-up and drop-off times) and speed (40km/hr all day) that trucks from existing suppliers are not.

Windellama Public School is located on a split site. In its daily operations, students cross the road to access their playground during school hours. There is school community concerns about the potential impacts the increase in heavy vehicle



movements could have on the safety of students, staff and the general school community given this operational environment.

Response

The Applicant recognises the split nature of the school and has, following discussions with the Acting School Principal, proposed to restrict hours or operations and speed through the school zone.

It is acknowledged that eliminating the potential for incident or accident is impossible. However, the proposed restrictions, in addition to the enforcement of a Driver Code of Conduct, would minimise the risk of incident/accident.

The stated measures identified - to avoid start and finish times of Windellama Public School and to voluntarily reduce travel speeds - do not reflect the operational conditions of the school and are not legally enforceable.

Response

It is noted that the operating restrictions are over and above what other drivers, including truck drivers, are expected to adhere to through the school zone. The restrictions would be enforced by the Applicant who controls the arrival and exit times of all trucks. Furthermore, drivers not adhering to the speed restrictions would have employment terminated or if representing another haulage contractor would not be supplied with product.

It is also noted that the volume of trucks proposed is very small (5 truck loads per day) and would involve only a very small variation to current conditions (noting trucks would already travel through the school zone).

The above notwithstanding, the Applicant is prepared to comply with reasonable requests to modify operating times and conditions to reflect specific needs of the school community. This may include not travelling past the school on intra-district school carnival days or other special activity days.

An important point to note is that if the quarry products are required along Oallen Ford Road this would be the truck's final destination and they will not be travelling through Windellama. The maximum possible impact would be far below the 10 truck movements per day each school day. The 20 000 tonne limit or 1 300 movements (650 loads) is the maximum possible in any one year. When taking into account the times agreed not to travel past the school, the impact of trucks between school hours of 9.30 am to 2.30pm would be very low.

We have calculated the most likely possible scenario as follows:

- 1300 movements total x 75% deliveries along Windellama road = 975 total movements
- 975 movements as an average over 51 weeks (Allowing for a week closure over Christmas) of the year is 19.1 movements per week
- 50% of these movements during the hours of 9.30am to 2.30pm equate to a total impact of 10 movements per week or 5 loads per week. It is further noted that some of these loads may occur on Saturday therefore reducing weekday movements further.



When taking into account the possible removal of trucks that would otherwise travel past the school to deliver quarry products the Windellama area from other more distant quarries, the local delivery impact to the school would be extremely minor.

I understand that the completion of the Bungonia bypass is unknown, and without this infrastructure in place, there is concern Windellama Road will be the only transport infrastructure route in operation or indefinitely should the bypass not be built. This would increase the risks to the school community as traffic movements could remain on Windellama Road for a substantial period of time.

Response

It is reiterated that the maximum volume of quarry product to be transported on local roads would be 20 000tpa with a maximum of 5 truck loads delivered from the quarry on any one day. It is noted that the proposed modification would provide for the use of these local roads for the life of the proposed quarry, however, the total volume and maximum number of truck loads each day would not increase. Impacts to the school hours should be noted as above

Safety measures are therefore recommended to be implemented by way of conditions of consent or by liaising with the relevant roads authority (RTA or Local Council) to ensure a safe environment. This could include:

- *creating a reduced speed zone at the location of the Windellama Public School.*
- *installing flashing lights to warn of the reduced speed zone.*
- *identification of an alternative route that does not pass Windellama Public School.*

Response

With respect to the first recommendation, while only the RMS can formally alter a speed zone, the reduced speed zone as it applies to drivers travelling to and from the Ardmore Park Quarry would be included within a Driver Code of Conduct and enforced.

With respect to the second recommendation, the Applicant is supportive but has no control over implementation.

With respect to the third recommendation, unfortunately Windellama Road represents an important thoroughfare through the local area and avoiding this is not possible. As mentioned previously we have suggested the total possible impact to the school to be 10 movements per week



It is recommended the applicant meet with the school community to give advice on the impacts of the proposed traffic route, and to answer any school community concerns.

Response

The Applicant is keen to maintain dialogue with the school community and as noted previously (and documented in Section 4.2.1 of the *Environmental Assessment*) has already consulted with the school.

2.4 GOULBURN MULWAREE COUNCIL

In its submission dated 14 August 2013, Goulburn Mulwaree Shire Council (Council) noted opposition to the proposed modification, citing three specific issues. It is worthy of note that as documented in Section 4.2.1 of the *Environmental Assessment*, the Applicant consulted with Council on the subject of the proposed modification and presented a proposal considered to be in line with Council's required standards.

Each of the issues raised by Council is considered below.

- *The existing standard of road for the proposed local haul route is unacceptable.*

Response

The Applicant commissioned an independent traffic consultant, Mr Christopher Hallam (BE, MEngSc (Traffic and Transport) of Christopher Hallam & Associates Pty. Limited (CHA), to assess current road conditions and suitability for the level of traffic proposed.

As part of the preparation of CHA (2013) (*Appendix 3 of the Environmental Assessment*) an inspection of the roads was completed. An inventory of road conditions is provided in *Section 3 of CHA (2013)* (and *Section 5.2.2 of the Environmental Assessment*) with CHA (2013) concluding that suitable routes over roads of appropriate standard for the low volume of traffic proposed are available. For the Oallen Ford Road / Windellama Road Route, CHA (2013) states:

"This route provides a reasonable standard for an average of 4-5 truck movements a day, or a maximum of 10 truck movements a day, without requiring upgrading. The contributions made under Council's Section 94 Contribution Plan will provide a source of funds for on-going maintenance and improvements."

For the Tarago Route, CHA (2013) states:

"Appropriate transport routes to the South and South-West are limited by the load limit on Oallen Ford Road south of Windellama. The most appropriate route is that section of Lumley Road west of its intersection with Windellama Road, through the locality of Bronte Hall, to Tarago. At Tarago the route joins a major road, Braidwood Road, for distribution to the North and South."

It is noted that CHA (2013) identifies sections of roads in the region not suitable for use, or only suitable for restricted use. The Applicant recognises this and makes the following commitments as per the recommendations of CHA (2013).

- The Local Haul Route along the western section of Lumley Road, west of Windellama Road, would not be used during or after periods of heavy rain.



- The roads not listed as Local Haul Routes would only be used for local deliveries directly off the roads designated by the Local Haul Routes, not for through transport.
- Load limits on local bridges would be strictly adhered to. These include but are not necessarily limited to Lansdowne Bridge (42.5t), Windellama Road Bridge (Unnamed Creek) (14t) and Oallen Ford Road Bridge (Sandy Point) (15t).

Finally, it is noted that Council has provided no basis for its statement that the standard of roads is unacceptable. Notably, there is currently no restriction on the use of these roads by trucks and in fact, these roads are currently used by trucks, many of which are supplying the sand and gravel which the Applicant requests an opportunity to supply to customers within the LGA. It is recognised that the position taken by Council has been influenced by community opposition to the proposal (see Issue 2 below), as opposed to objective consideration of the road conditions.

An objective assessment of road conditions has, however, been undertaken by CHA (2013) and as discussed above, this study concludes the roads are of suitable standard for the volume of traffic proposed subject to adherence to the recommendations of this study (see *Section 4* of CHA, 2013).

- *The Modified Application has resulted in considerable community objection.*

Response

It is noted that there has been some localised community objection to the Ardmore Park Quarry since it was initially proposed in 2004. It is considered that much of this opposition is based on unfounded claims, a lack of understanding as to the proposed operations, or varying levels of NIMBYism. While Councils are obliged to take into account the sentiment of the community in the decision making process, objective analysis of a proposal and its impacts should be the primary factor in the decision making process.

It is argued that the *Environmental Assessment* demonstrates that the very minor increase in heavy vehicle traffic on local roads could be undertaken without unacceptable impacts on the environment, roads and local amenity. Furthermore, the Applicant would pay a contribution in accordance with the Council's Section 94 Contributions Plan to provide for any accelerated maintenance requirements on the roads. It is suggested that Council's position has been influenced by a vocal minority within the LGA.

- *The approved haulage route permits access to the local market via the Hume Highway.*

Response

Accessing local markets in Goulburn via the Hume Highway would be economically unviable and is currently restricted as the Bungonia By-pass has yet to be constructed. It is considered unreasonable for Council to attempt to apply a restriction on the use of local roads by one operator (the Applicant), when other operators within the LGA (e.g. Divall's, Goulburn Sand and Soil, Rocky Hill Sand and Supplies, Southern Highlands Landscape Supplies, Packsons Quarries, Highland Sand and Gravel; Burgess Sand and Gravel) can use these roads without restriction, along with all other trucks operating for agricultural purposes. These roads are not load limited and currently have truck traffic using these roads.



It is also not a reasonable comment to suggest that once the trucks travel to the Hume Highway it is then suitable for them to use the local roads. To supply these local customers this would simply mean that once the trucks from Ardmore Park travel to the Hume Highway from the quarry along the current approved transport route they can simply turn around and then use any local road to make a delivery.

The more likely alternative, however, is that other quarry operators and quarry material retailers (not restricted in their use of the same local roads) would supply these products. Notably, should supply be generated from Marulan (as would be likely) for supply south of Goulburn, these trucks would travel **THROUGH** Bungonia Village, past the Ardmore Park gate and along any local road not paying any Section 94 contributions to use these roads.

The unintended consequence of Council's objection to this current application would be to promote the ongoing use of trucks on local roads which do not contribute to road maintenance and which impact on the amenity values of Bungonia Village and surrounding landscape (as current supplies of sand and aggregate products must travel through Bungonia village from sources near Marulan).

To service the areas to the south of Bungonia Village, Ardmore Park Quarry is the only potential supplier than can avoid truck traffic impacts through Bungonia Village.



3. PUBLIC SUBMISSIONS

3.1 NON-RELEVANT ISSUES IDENTIFIED IN SUBMISSIONS

The following issues were raised by a number of the public submissions, however, are not relevant to the modification as proposed.

- Issues related to the construction of the Bungonia By-pass and upgrade of Jerrara Road.
- Protection of the historic "Larbert Tree".
- General objection to the Ardmore Park Quarry.

As noted in Section 1, these issues are not addressed in this response to submissions given their lack of relevance to the current application.

However, in order to respond to concerns that the current approved transport route and Bungonia By-pass will not be upgraded/constructed, Multiquip Quarries is able to confirm that it is committed to start construction by November 2013.

3.2 ISSUES RELEVANT TO THE PROPOSED MODIFICATION

3.2.1 Introduction

For each of the relevant categories identified following a review of the 106 submissions (refer to **Table A1** of **Appendix 1**), the following sub-sections:

- identify the number of submissions raising this particular issue or objection;
- provide a direct quote or quotes from relevant submissions referencing this issue; and
- provide a response to the issue raised, including reference back to the *Environmental Assessment* or specialist assessments, where relevant.

3.2.2 Road Condition Unsuitable for Heavy Vehicles / Hazard Created for Other Traffic

Raised by 53 of the 106 public submissions, this common objection contends that existing road conditions are of insufficient standard to accept the proposed heavy vehicle traffic and the shared use of these roads by light and heavy vehicles would be unsafe.

The following extracted quote summarises the general objection.

"These are B-grade roads, narrow and lightly bitumened (sic) on light gravel. They would break apart in no time and overtaking would be very dangerous."

Response:

The Applicant commissioned an independent traffic consultant, Mr Christopher Hallam (BE, MEngSc (Traffic and Transport)) of Christopher Hallam & Associates Pty. Limited (CHA), to assess current road conditions and suitability for the level of traffic proposed.

CHA 2013 (*Appendix 3* of the *Environmental Assessment*) completed an inspection of the roads and confirmed that the delivery of 20 000tpa of products per year (no more than 5 truck loads per day) would not result in significant deterioration and that a contribution to road maintenance in accordance with the Goulburn Mulwaree Section 94 Contributions Plan



would be sufficient to maintain these roads. It is noted that the Applicant would adhere to the following recommendations provided by CHA (2013).

- The Local Haul Route along the western section of Lumley Road, west of Windellama Road, would not be used during or after periods of heavy rain.
- The roads not listed as Local Haul Routes would only be used for local deliveries directly off the roads designated by the Local Haul Routes, not for through transport.

3.2.3 Sections of Local Roads are Unsuitable for Heavy Vehicles

Raised by 16 of the 106 public submissions, this objection asserts that many of the local roads proposed to be used for quarry traffic have sections that are not suitable for continued use by heavy trucks due to poor conditions, deteriorating surfaces and narrow or dangerous curves.

The following extracted quote summarises the general objection.

“This road is very narrow, has many tight corners, virtually no shoulders anywhere, and broken pavement along its edges for most of its 12 km length. The track is so narrow it has no painted lines ANYWHERE except for the intersection with Lumley Road, and reflector posts are often missing, flattened or otherwise damaged.”

Response:

Mr Christopher Hallam of CHA completed inspections of the local roads as part of the Traffic Impact Assessment (CHA, 2013). While it is acknowledged that vertical and horizontal alignment of many sections of roads in the local area are not optimal, CHA (2013) concluded that subject to some restrictions the small number of trucks could use these roads safely.

It is further noted, as earlier, that unlike most other heavy vehicle users of these local roads, the Applicant would contribute to the maintenance of local roads through payment of Section 94 contributions.

3.2.4 Additional Truck Movements will Increase Risk of Accident

Raised by 47 of the 106 public submissions, this common objection asserts that the presence of heavy vehicles on the road will increase the risk of accidents for local road users.

The following extracted quote summarises the general objection.

“The increased volume of heavy traffic on an inadequate road network has a significant risk of motor vehicle accidents impacting on the road users, including the local community.”

Response:

It is reiterated that the volume of traffic involved is very small (maximum of 5 trucks per day). It is also noted that CHA (2013) has not concluded that the road network is in anyway inadequate as asserted by the various submissions (although various restrictions on use of some roads and bridges have been recommended and would be adhered to).

Furthermore, it is noted that trucks already use the roads nominated as part of the proposed modification and CHA (2013) found no reason to suggest that the very minor change to traffic levels proposed would affect traffic conditions such that accidents would be more likely as contended. In fact, it is likely that the trucks originating from Ardmore Park



Quarry, which would adhere to several conditions restricting speed, operating hours and routes and which would provide for a contribution to road maintenance in accordance with the Council's Section 94 Contributions Plan, would replace trucks generated from other quarries which would not be subject to such conditions nor provide a contribution to Council for road maintenance. Thus, it could be asserted that contrary to the contention of the objections, the use of local roads by Ardmore Park Quarry trucks may improve road conditions and safety.

3.2.5 Contribution to Road Maintenance

Raised by 12 of the 106 public submissions, this objection suggests that the Applicant should be required to provide contributions or security deposits to ensure the safety and road conditions are maintained.

The following extracted quote summarises the general objection.

"This is a specific haulage route designed to provide for a major supply chain without the cost of developing and maintaining sufficient dedicated infrastructure."

Response:

The Applicant has made a commitment to pay Section 94 Contributions to road maintenance, unlike the owners of existing trucks travelling along the same route(s).

3.2.6 Standard of Roads Contributes to Accidents

Raised by a number of submissions, the submission of the Bungonia Progress Association refers to a police report into local traffic accidents to suggest that the conditions of local roads is a cause in local accidents. It is inferred that reference to road condition as a contributor to accidents is being used as a reason to prevent heavy vehicle use of these roads.

The submission(s) includes the following statements.

"Attached is a report on road traffic accidents in the Bungonia/Windellama area dated 6/8/2013 by M.Montgomery of the Goulburn Local Area Command. The report has been prepared by NSW Police. It is an official report sent to me by Superintendent Gary Worboys, the area commander for the Goulburn LAC.

These accidents occurred largely on roads proposed by Multiquip for use if the modification is approved.

The report shows 20 accidents requiring Police to attend in the 18 month period to July 2013. Tragically three of these accidents involved a fatality.

.....

None of these accidents involved speed or alcohol. Of the 20 accidents, 19 occurred in daylight hours. Only one accident occurred in rainy conditions whilst 2 occurred on wet roads.

Clearly the standard of the roads contributed in many cases to these accidents."

Response:

Whilst not attempting to downplay the seriousness of traffic accidents, it is important to note that the police report does not identify a common contributing cause to the accidents



reported. Nor does the report indicate that heavy vehicles have been involved in, or have contributed to these accidents.

The police report identifies that accidents are known to occur on the local roads of the Goulburn Mulwaree LGA. This is not disputed, however, it is important to note that whether or not accidents have been recorded on these roads is not the primary issue to consider. Rather, the most pertinent issue is whether the proposed modification would result in an increase in the risk of accident on these roads, be neutral in impact, or provide for potential improvement in safety outcomes.

It is argued that the potential for road accident / incident is a function of volume of traffic, road condition, targeted controls and safety features, and driver behaviour. Each of these factors in the potential for road accident / incident is considered with respect to the proposed modification.

- **Traffic Volume.** The total volume of traffic would increase very marginally, however, it is important to note that many of the maximum 10 truck movements on any given day would be effectively replacing a movement which would previously have originated from elsewhere in the LGA.
- **Road Condition.** The proposed modification would potentially have a beneficial impact on road condition given the contribution to be paid by the Applicant through Section 94 contributions (which are not paid by current truck operators delivering quarry products).
- **Targeted controls and safety features.** The Applicant would provide for restricted periods of operation through the Windellama Public School zone. Furthermore, the Applicant would also restrict operations on unsealed roads and weight restricted bridges as recommended by CHA (2013).
- **Driver Behaviour.** The Applicant would enforce safe and courteous driver performance by way of a Driver Code of Conduct.

On the basis of the above, the impact of the proposed modification on the safety of other road users and potential for traffic accident would almost certainly be neutral and most likely positive.

3.2.7 Impact on Windellama School

Raised by 17 of the 106 public submissions, this submission raises concern regarding safety for children and families in the vicinity of the school and playing fields along the proposed route for quarry traffic.

The submission(s) of the Windellama Public School P&C Association summarising the general objection.

“The P&C believes even a continual 40km/h speed limit cannot negate the danger of additional trucks on a narrow road, given the frequency and unpredictability of travel across the Windellama Road by students, the number of children crossing the roads, the blind bends, and the danger for children when parents drop off children in the morning, and pick up children in the afternoon”.

Response:

Concern for the safety of school children, their parents and other users of the roads surrounding Windellama Public School is understood. However, as stated in previous responses, the volume of heavy vehicle traffic proposed is minor (no more than 5 truck loads



per day) and highly likely to be no more than 5 truck loads per week (10 movements per week) during school hours. Furthermore, these truck movements would operate outside of school pick-up and drop-off times and avoid periods of school bus operation as far as practical. It is also relevant to note that trucks originating from Ardmore Park Quarry would likely replace at least some of the trucks which operate on these roads and which may travel through the school zone and local centres without the restrictions to be placed on the Applicant's trucks.

It is considered that due consideration has been given to the operation of trucks through the Windellama School zone and surrounding roads and without increasing the risk of incident at this location and on local roads generally.

3.2.8 School Bus Safety

Raised by 24 of the 106 public submissions, this objection contends that the existing school bus will not be able to operate safely on a route shared with heavy vehicles.

The following extracted quote summarises the general objection.

"Also this is the main school route for school bus with pick-up, put-down spots along the way, also right past the Windellama School with a very bad bend nearby, where there has already been a fatality".

Response:

The Applicant has committed to implement several safeguards specifically to minimise the risk of impacts on school pick-ups and drop-offs, and traffic travelling to and from Windellama Public School generally. These are re-stated here.

- No truck movements would occur by the school between 8:00am to 9:30am and 2.30pm to 4.00pm. This commitment would greatly reduce, if not eliminate, the interaction of trucks from Ardmore Park and the school bus.
- All product trucks would maintain a speed limit of 40km/hr within the defined school zone areas at all times throughout the day between 9.30am to 2.30pm school days
- The Applicant would regularly review the bus routes and pick-up / drop-off points and avoid these where possible when in operation (generally between 8:00am – 9:00am and 3:00pm – 3:50pm). This commitment would greatly reduce, if not eliminate, the interaction of trucks from Ardmore Park and the school bus.

Noting that there is already heavy vehicle traffic operating through these school zones without such safeguards, and that the trucks originating from Ardmore Park Quarry would replace much of this unrestricted traffic, the concerns are noted but considered to be adequately addressed.

3.2.9 General Objection to Additional Trucks on Local Roads

Raised by 11 of the 106 public submissions, this objections contends that recent changes to road infrastructure in the locality have already caused traffic levels to increase and additional quarry related traffic will have a substantial impact on local road safety and general road conditions.



The following extracted quote summarises the general objection.

“Our roads, Sandy Point Road, Oallen Ford and Cullulla roads have all been affected by the volume of traffic with the upgrade of MR 92 and we do not need any extra trucks using these roads. The roads are too narrow and have crumbling edges now and more heavy trucks will only degrade these roads further.”

Response:

As stated previously, traffic counts completed by CHA (2013) when compared to traffic counts completed in 2006 notes a small (but not substantial as asserted by other objectors) increase in traffic, possibly as a result of improvements to local roads linking to the Nerriga Road to Nowra and the south coast. However, an increase of 2.5 trucks per day (maximum of 5) on local roads does not represent a significant increase in usage of local roads. Furthermore, these trucks are likely to replace at least some of the existing trucks using these roads to deliver sand and gravel to local destinations and would provide for contribution to road maintenance through Section 94 contributions. Current truck traffic using these roads would not be liable to pay these Section 94 contributions. Therefore, Council would be in a better position to have funds to repair these roads for all motorists.

3.2.10 Possible Preferential Use of Local Roads Over Approved Quarry Transport Route

Raised by 20 of the 106 public submissions, this objection contests that the creation of an alternative haul road on local roads would lead to this being used in preference to the approved principal product transport route for the Ardmore Park Quarry. It has also been argued that the modification is intended to delay or evade contributions and road upgrades included in the existing development approval.

The following extracted quote(s) summarises the general objections.

“The request changes fundamentally the conditions under which the Quarry was granted approval; the Consent did not allow access to local roads, because the quarry was presented and consented as of Part 3 A scale.”

“I do not believe Oallen Ford Road is a viable alternative and it appears to me that this option has been requested because of the expense involved in the Bungonia Village by-pass, together with the upgrades of Jerrara Road.”

Response:

The concerns raised above and others are noted, however, it is re-stated that the proposed modification is to satisfy a particular demand for locally supplied sand and gravel which would not exceed 20 000tpa. The supply of this material would be restricted to no more than 5 truck loads per day which would likely replace at least some of the existing unrestricted heavy vehicle transport through Bungonia, Windellama and other local centres on local roads. Furthermore, it is noted that in order to transport the remaining 380 000tpa approved by MP 07_0155, the Bungonia By-pass and other road upgrades must be completed. The Applicant is committed to the construction of the Bungonia By-pass, construction of which is programmed to commence in November 2013.

The assertion that the local roads would now be used as the primary haul route for the remainder of the 400 000tpa is inaccurate.



3.2.11 Adverse Impact on Local Lifestyle or Amenity

Raised by 24 of the 106 public submissions, this objection relates to the potential impact of heavy vehicle activity on the general lifestyle and amenity for local residents.

The following extracted quote summarises the general objection.

“Every extra truck we allow on our roads, we only increase the danger involved, not mention increase noise pollution, air pollution, basically the quality of our lives”.

Response:

Section 5.4 of the *Environmental Assessment* addressed the issue of impacts on local amenity to which this issue is referring to. The concluding statement presented in this section of the *Environmental Assessment* (p.24), is considered an accurate assessment of the likely impact on local amenity and lifestyle.

“It is concluded that at a maximum of 10 truck movements per day, the relatively short nature of delivery trucks passing residences and accounting for current non-quarry related traffic levels, any local amenity impacts on residents as a result of the Proposal would be minimal.”

3.2.12 Cumulative Impacts on Road Safety and Condition

Raised by 17 of the 106 public submissions, this objection contends that the cumulative impact of additional Multiquip trucks using local roads will affect the safety and conditions on these roads substantially.

The following extracted quote summarises the general objection.

“Such an increase in heavy traffic use will be additional to an already substantial growth in vehicular growth over recent years.”

Response:

Traffic counts completed by CHA (2013) when compared to traffic counts completed in 2006 notes a small (but not substantial as asserted by other objectors) increase in traffic, possibly as a result of improvements to local roads linking to the Nerriga Road to Nowra and the south coast. However, an increase of 2.5 trucks per day (maximum of 5) on local roads does not represent a significant increase in usage of local roads. Furthermore, the trucks travelling from the Ardmore Park Quarry are likely to replace at least some of the existing trucks using these roads to deliver sand and gravel to local destinations.

3.2.13 Impacts Associated with Noise and Vibration from Trucks

Raised by 12 of the 106 public submissions, this objection asserts that the Applicant has not sufficiently assessed the potential impact of noise and vibration associated with the quarry traffic using the proposed route on the local community and the existing road conditions.

The following extracted quote summarises the general objection.

“The noise levels at my residence will be excessive given that the dwelling is very close to the road. It is an old building (170 years) and will not stand the vibration from heavy vehicle breaking and acceleration.”



Response:

Reference is made to Section 5.3 and Appendix 4 of the *Environmental Assessment* which confirms noise and vibration levels would be compliant with the relevant criteria.

3.2.14 Inadequate Community Consultation Undertaken

Raised by 12 of the 106 public submissions, this objection contends that the Applicant has not completed sufficient community consultation to appropriately gauge community sentiment regarding the proposed modification nor allowed for community concerns to be heard.

The following extracted quote summarises the general objection.

“We also wish to point out that despite the proponents of this modification stating they had consulted widely in the community, none of the local community organisations have been contacted and we have also been informed that none of the landowners on the route have had any contact regarding this matter which will have a great impact on their lives.”

Response:

The Applicant has been involved in community consultation in the local area for almost 10 years and understands the sentiment of the community towards its presence.

The Applicant took the position to ensure that the community was informed of their intention. Information sheets were provided at various locations (refer to Section 4.2.1 of the *Environmental Assessment*) and the Council was provided with several briefings of the proposed modification. Considering the various media reports (print and radio) and generation of flyers objecting to the current proposal, was successful in ensuring that the local community was informed of the proposed modification.

3.2.15 Concern Over Sharing Roads with Trucks

Raised by 11 of the 106 public submissions, this objection asserts that local road users need to use compensatory or defensive driving techniques while using the roads with existing truck traffic and the addition of more traffic to these routes would increase the dangers associated with sharing the roads with large vehicles.

The following extracted quote summarises the general objection.

“These roads are not suitable for for (sic) these trucks and would cause many problems and affect the safety of other motorists. On more than one occasion I have almost been run off the road when a large truck has passed on the other side of the road. The roads are NOT wide enough and are mostly are unmarked.”

Response:

As noted in the *Environmental Assessment*, truck drivers operating to and from the Ardmore Park Quarry would be required to adhere to a Driver Code of Conduct requiring them to drive to conditions and respect other road users. Failure to adhere to this code would result in refused entry to the quarry or termination of employment.

On the basis of the above, and generally very low volume of traffic to be generated, the conclusions of the *Environmental Assessment* are supported.



3.2.16 Foggy or Frosty Road Conditions and Flooding

Raised by 8 of the 106 public submissions, this objection contends that heavy traffic on the proposed route will be unsafe due to fog, frost or flooding conditions that may result in accidents or damage to nearby properties.

The following extracted quote summarises the general objection.

“On frosty mornings, there are nearly always skid marks on the Jacqua Creek Bridge. During the past four years accidents have occurred at this bridge with vehicles ending up either on this property (through the fence) or in the creek.”

Response:

Issues associated with fog and frost were considered as part of the initial development application for the Ardmore Park Quarry and remain relevant to local roads. The following quotes directly from CHA (2008).

“Some concerns have been raised about fog and black ice on the road. These are issues that affect all existing users of these roads. As with existing drivers, truck drivers would be required to take the necessary precautions. The drivers of trucks are professional drivers who are aware of such issues. Modern trucks have features such as anti-lock braking, electronic stability control and in the case of newer Scania trucks, a third component of the braking system, being a “retarder” on the output end of the gearbox, providing braking additional to the conventional brakes and to the exhaust brakes. Based on the preceding, it is unlikely that the Project trucks would result in any significant increase in the risk of accident as a consequence of weather conditions.”

With respect to road flooding, like any user of the road, caution would be taken by truck drivers and journeys delayed during periods of heavy or prolonged rainfall (when flooding may occur). From a practical perspective, periods likely to result in flooding are not conducive to the local construction or road building projects likely to be supplied by Ardmore Park Quarry. As such, it would be extremely unlikely that any truck movements would be planned or required during these conditions.

3.2.17 Road Upgrades Should be Completed Prior to Use of Roads

Raised by 8 of the 106 public submissions, this objection asserts that the Applicant is obliged to contribute to the upgrade of roads that are intended for use as haul routes and are not suitable for heavy traffic use.

The following extracted quote summarises the general objection.

“I feel that Multiquip should upgrade any roads it intends to use frequently for these large truck movements at it's own expense as it will more than recoup any outgoings once the quarry is up and running. And they should most certainly be made to construct the Bungonia Bypass as per the original Application.”

Response:

The assessment of local roads completed by CHA (2013) confirmed these to be suitable for use by heavy vehicles in their current condition (subject to several management recommendations). As state previously, these roads are already used by trucks and the proposal of Multiquip would result in only minor increases to total truck movements. It would also be considered unreasonable to expect one company to widen/rebuild any and all



local roads in the area that it would like to travel on. The company has committed to upgrading the main haul route as this would be the majority of all deliveries but to extend these upgrades beyond this haul route would not be practical considering other companies use these roads in the current condition and once the trucks travel to the Hume Highway they can then use these roads in the current condition.

As noted in Section 3.2.12, the Applicant would contribute to road maintenance through payment of Section 94 Contributions.

Finally, the Applicant confirms it still intends to construct the Bungonia By-pass prior to commencement of transport of bulk of quarry productions (380 000tpa) and has committed a start date by November 2013.

3.2.18 Traffic Counts Inadequate

Raised by 7 of the 106 public submissions, this objection asserts that traffic counts used in the assessment of traffic impacts were faulty or not comprehensive enough to satisfactorily assess the potential impacts to a local roads and road users.

The following extracted quote summarises the general objection.

“the traffic counts uniformly continue to ignore predictions or to provide realistic counts for the service vehicles extra to the quarry in its start up phase and its operational phase.”

Response:

The traffic counts conducted were completed to provide an indication of changes in traffic since 2006 (when the Applicant undertook traffic counts for use in the 2008 Environmental Assessment). The information provided by the 2013 traffic counts, noting that vandalism impacted on the collection of data from one counter, is considered sufficient for the purpose of the current assessment.

3.2.19 Justification for Multiquip Supply

Raised by 7 of the 106 public submissions, this objection asserts that sufficient suppliers of quarry products exist in the locality to satisfy local demand and that the modification to the transport route to supply the local market would be in surplus of actual demand.

The following extracted quote summarises the general objection.

“Locally there are numerous other suppliers e.g. Divall's , Goulburn Sand and soil, Rocky Hill Sand and supplies; Southern Highlands Landscape supplies, Packsons Quarries, Highland sand and gravel; Burgess sand and gravel., easily able to supply a local market.”

Response:

Notwithstanding the fact that the supply of construction materials remains a free market, and as has been argued previously, there would be environmental and social benefits of the Applicant's entry into the local market. The travel distance between source and market would be reduced with the subsequent reduction in emissions and cost to the customer. Furthermore, as the Applicant would effectively be replacing existing suppliers, traffic which currently is not required to pay for road maintenance would be replaced (in part) by traffic which would pay contributions to Goulburn Mulwaree Council for road maintenance.



The proposed supply of quarry products from the Ardmore Park Quarry to local customers would actually reduce current truck traffic through the Bungonia Village. The quarry would be a viable source of product that could be used throughout the local area without trucks having to travel through Bungonia – a positive feature for the Village's atmosphere and amenity.

3.2.20 Application Should be Submitted as a New Application

Raised by 6 of the 106 public submissions, this submission asserts that there are sufficient changes to the existing approval to require a new development application be assessed for the quarry rather than a modification as has been proposed.

The following extracted quote summarises the general objection.

“a "campaign" of deliveries will see the operation of a specific haul route for a major supply chain and should be treated as a major change to the existing conditions of consent for the Ardmore Park Quarry and trigger the need for a new DA.”

Response:

The Department was consulted and the application submitted as a modification as agreed.

3.2.21 Quarry Intersection is Dangerous for Other Road Users

Raised by 5 of the 106 public submissions, this objection contends that the modified route will increase the risk of traffic accidents at the entry to the quarry due to the modified direction of traffic leaving and returning to the quarry.

The following extracted quote summarises the general objection.

“quarry trucks returning to the Ardmore Park Quarry under this proposed modification will now cross the south bound lane to make a right turn into the Quarry Access Road, thereby potentially blocking north bound traffic along Oallen Ford Road and traffic exiting Lumley Road onto Oallen Ford Road”

Response:

CHA (2013) reviewed the suitability of the existing intersection and confirmed it met relevant RMS standards. Notably, the RMS in their submission does not raise this as a concern.

3.2.22 Stock Grazing and Wildlife Issues

Raised by 5 of the 106 public submissions, this objection asserts that insufficient consideration has been given to those residents who graze their stock on the road ways or local wildlife that is often seen along the road.

The following extracted quote summarises the general objection.

“My home is alongside the road and I will be severely inconvenienced by increased heavy traffic - I move my cows along the road and graze them there (with a permit) from time to time.”



Response:

As with existing drivers, truck drivers would be required to take necessary precautions. The drivers of trucks are professional drivers who would be required to operate their vehicle in accordance with a Driver Code of Conduct which would ensure speed limits are adhered to and drivers take appropriate account of conditions, such as grazing livestock and wooded areas likely to conceal wildlife.

The above notwithstanding, the number of trucks proposed is very low and unlikely to result in traffic conditions dissimilar to current conditions

3.2.23 Inadequate Assessment Report

Raised by 5 of the 106 public submissions, this objection contends that the *Environmental Assessment* is not suitably comprehensive to assess all potential impacts and contains factual errors and questionable sources of information.

The following extracted quote summarises the general objection.

“The Environmental Assessment to support the Modification is factually incorrect in many aspects. Information within the document was provided by Mr Mikosic, hardly an unbiased source.”

Response:

The author of the *Environmental Assessment* stands by all statements made in the document and considers the level of detail supplied to more than adequate for the very minor modification proposed.

3.2.24 Traffic Levels will Increase as Demand Grows

Raised by 4 of the 106 public submissions, this objections asserts that as the demand for the products of the quarry increases the number of heavy vehicles using the road will also increase.

The following extracted quote summarises the general objection.

“I can foresee as demand grows the movement of trucks on the route would increase causing this to become the main route for transportation to those areas south of Goulburn.”

Response:

As stated throughout the *Environmental Assessment*, traffic on local roads (other than the approved transport route) would be capped at 20 000tpa (5 truck loads per day maximum possible / at this maximum this would only be for 130 days of the year).

3.2.25 Truck Movements on Cullulla Road Should not be Increased

Raised by 4 of the 106 public submissions, this objection asserts that there should be no further increase to heavy vehicle use on Cullulla Road.

The following extracted quote summarises the general objection.

“I strongly object to an increase of trucks on Cullulla Road. The road is narrow and winding and not suitable for heavy trucks.”



Response:

The assessment of local roads completed by CHA (2013) identifies Cullulla Road as a sealed, unmarked, 7m wide two lane road from Tarago Road to the township of Tarago (5km). CHA (2013) considers this road suitable for the small numbers of trucks proposed. As stated previously, these roads are already used by trucks and the proposal of Multiquip would result in only minor increases to total truck movements. The amount of trucks travelling to Tarago would most likely be far below the 20 000 tonne limit and may only be in the order of 3 000 – 5 000 tonne or 93 - 154 truck loads per year (8 to 13 truck loads per month).

3.2.26 Existing Causeways, Crossings, Culverts, Channels are unsuitable for the movement of heavy vehicles

Raised by 4 of the 106 public submissions, this objection contends that existing road features are not suitable for use by heavy vehicles and will cause rapid deterioration of these elements of the roads.

The following extracted quote summarises the general objection.

“culverts, deep erosion channels close to the road verges have not been assessed by engineers for stability under sustained heavy road transport such as would come from a "campaign" of deliveries.”

Response:

Based on the small volume of traffic, assessment of CHA (2013) and proposed contribution to road maintenance proposed, a formal engineering assessment is not warranted.

3.2.27 Dust Impacts on Unsealed Roads

Raised by 3 of the 106 public submissions, this objection asserts that the modification should not be approved on the basis of the impact of dust that becomes airborne through the use of local dirt roads by heavy quarry traffic.

The following extracted quote summarises the general objection.

“The proposal gives no thought to the environmental issues of heavy trucks driving on inadequate roads nor indeed to the dust issues or road damage issues that will arise from driving on dirt roads.”

Response:

The very minor volume of trucks to use unsealed roads would have no significant impact on local air quality. Trucks delivering on the local unsealed roads would occur if the product was coming from the Ardmore Park Quarry or from another source.

3.2.28 No Assessment of Intersections with Driveways and Local Roads

Raised by 3 of the 106 public submissions, this objection asserts that assessment of the impacts of the modification did not include suitable assessment of local intersections and driveways along the proposed haul route.



The following extracted quote summarises the general objection.

“There is no intersection assessment for the numerous rural driveways and local roads along the routes now chosen.”

Response:

Considering the minor levels of traffic proposed, such an assessment was not considered warranted. This is ultimately a consideration for the relevant home owners and road authority, not road users.

3.2.29 Other Roads should have been Considered

Raised by 3 of the 106 public submissions, this objection asserts that the documentation accompanying the request for modification of the haul route did not assess all impacted roads along the route and is not comprehensive enough to ensure all potential impacts have been included.

The following extracted quote summarises the general objection.

There is no count for the southern end of Oallen Ford Road, closer to the junction with Windellama Road and none at all for Windellama & Brisbane Grove Roads.

Response:

Section 2.2.2 of the *Environmental Assessment* considers all relevant local haul routes, identified on Figure 4 of the *Environmental Assessment* as main local roads to areas such as, but not limited to Goulburn and Tarago and destinations in between (see **Figure 4**) and which would provide access to customers along these roads, as well as other roads which divert from these local haul routes.

Assessment of this scale, which includes Oallen Ford Road, Windellama Road and Brisbane Grove Road amongst others is considered appropriate and suitably comprehensive.

3.2.30 Potential for Future Modifications with Greater Level of Impact

Raised by 2 of the 106 public submissions, this objection contends that incremental approvals relating to the quarry will establish a pattern of approval that would result in cumulative impacts beyond what would have been approved had a single approval been sought.

The following extracted quote summarises the general objection.

“Common sense should prevail within the Department of Planning and Goulburn-Mulwaree Council to not allow this expansion of a private venture by increments.”

Response:

The proposed modification, as presented, represents the operation as it would be undertaken.

3.2.31 Potential Inaccuracies of Maps Presented

Raised by one of the 106 public submissions, this objection contends that the map(s) included within the Environmental Assessment are not correct.



The following extracted quote summarises the general objection.

“The map in the main report showing proposed local haul route doesn't include Mountain Ash Rd. between Jerrara Rd & Goulburn ...Oallen Ford road has been miss- labelled and extended to include the full length of Jerrara Road ... There are similar inaccuracies with the labelling of other local roads on this map e.g. Tarago road is labelled Cullulla road.”

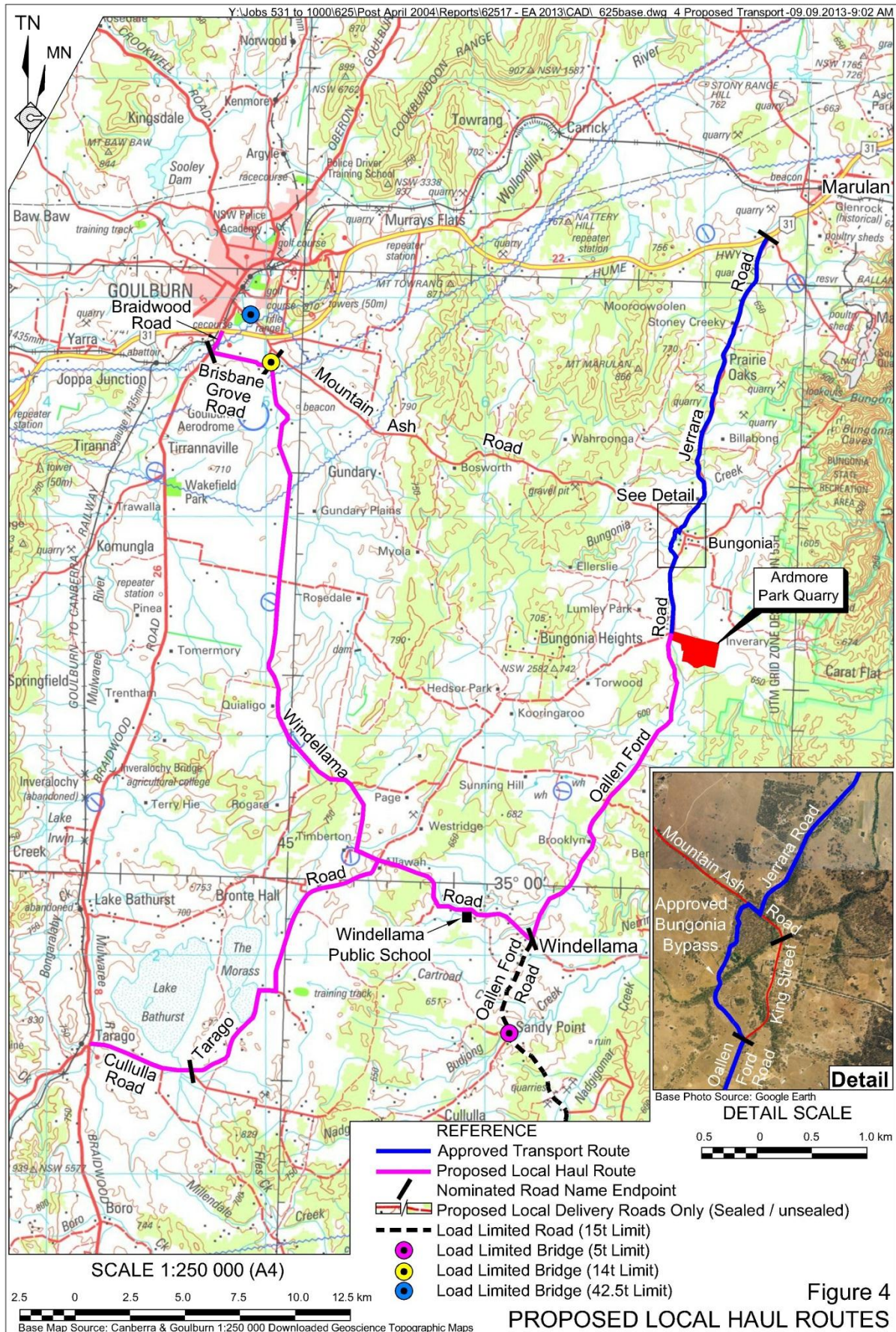
Response:

It is recognised that **Figure 4** within the EA and **Figure 2** of CHA (2013) were mislabeled in relation to Oallen Ford Road and Jerrara Road. An inset has been added to **figure 4** to more clearly define the road network within and around Bungonia. As such, the following **Figure 4** has been amended and should supersede all previous versions of **Figure 4** as displayed in the EA. This figure and its contents should also supersede **Figure 2** within CHA (2013).

Mountain Ash Road would not be used as a local haul route as alluded to in **Figure 2** in CHA (2013) and used only when deliveries are required along that road.

Lastly, the labeling of Tarago Road and Cullulla Road is correct as of September 2013 (via Google Maps) however, **Figure 4** has been amended to more clearly define the road name end points between these roads.





4. CONCLUSION

Each of the government agency and public submissions have been considered and issues raised addressed. In each case, the information included within the *Environmental Assessment* as presented is considered as sufficiently addressing the concerns or issues raised.

Attention is again drawn to the key factors which demonstrate that the proposed modification would have minimal if any impact on the local setting.

1. The volume of heavy traffic proposed by the Applicant is very minor. A maximum of five truck loads per day are proposed, with these to be operated outside of school pick-up / drop-off times for the Windellama Public School.
2. The condition of the roads that the Applicant proposes to use have been assessed and, subject to application of some restrictions on use, considered of suitable condition for the proposed volume of traffic.
3. Heavy vehicles currently use the local roads in question, in many cases travelling greater distances, on additional roads, and without the nominated restrictions on hours of operation or daily volumes that would be imposed on the Applicant up to a maximum amount of 20,000 tonnes per year.
4. The Applicant has committed to paying a contribution to road maintenance in accordance with the Goulburn-Mulwaree Council Section 94 Contributions Plan, which current quarry operators or quarry material resellers do not pay to use these local roads.
5. Finally, and again drawing on the points made previously, the impact of the proposed modification on the safety of other road users would almost certainly be neutral and most likely positive given the very minor change (if any) to heavy vehicle volume, increased contribution to road maintenance, improved safeguards through the Windellama Public School zone and enforcement of safe and courteous driver performance.

On the basis of the *Environmental Assessment* and this Response to Submissions, it is confirmed that the modification does not present an unacceptable environmental, social or safety risk and should be approved.



5. REFERENCES

- Christopher Hallam & Associates Pty Ltd (CHA) (2008). *Traffic Assessment of the Modified "Ardmore Park" Quarry Proposal*, Prepared on behalf of Multiquip Quarries – Part 1 of the *Specialist Consultant Studies Compendium* (2008).
- Christopher Hallam and Associates Pty Limited (CHA) (2013) 'Local Roads Project Application for "Ardmore Park" Quarry, Oallen Ford Road, Bungonia, NSW'.
- R.W. Corkery & Co. Pty Limited (RWC) (2008). *Environmental Assessment for the Modified "Ardmore Park" Quarry Project Via Bungonia, NSW*. Prepared on behalf of Multiquip Quarries.



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