



ASSESSMENT REPORT

ARDMORE PARK QUARRY

Local Product Delivery Routes Modification (MP 07_0155 Mod 2)

1. BACKGROUND

CEAL Limited, trading as Multiquip Quarries (Multiquip) operates a sand and hard rock quarry on the “Ardmore Park” property, approximately 4 kilometres (km) south of the village of Bungonia and approximately 25 km southeast of Goulburn (see **Figures 1 and 2**). The Ardmore Park property has an area of 185 hectares and has been previously used for grazing of beef cattle and sheep.

In 2001, the former Mulwaree Shire Council (now Goulburn Mulwaree Council) approved a small scale soil extraction operation on part of the property (about 2 hectares in area). The consent permitted 28 truck movements per day over a 2-3 week period each year.

Multiquip initially intended to develop a poultry farm on the Ardmore Park property. However, during investigations of groundwater resources at the property, a sand and basalt resource was identified. Based on these investigations, Multiquip decided to pursue the development of the site as a sand and basalt quarry.

On 2 August 2005, the then Minister for Planning refused a proposal by Multiquip to establish a quarry on the site on the grounds that the proposed transport route through Bungonia would have unacceptable impacts on the amenity of the village, and health and safety risks to road users along the proposed transport route. The Land and Environment Court subsequently upheld the Minister’s decision, following an appeal by Multiquip.

Multiquip subsequently altered its proposal to address the key impacts of the original proposal, principally through amending the transport route to bypass Bungonia, and proposing to upgrade the entire transport route from the site to the Hume Highway.

On 7 August 2009, the then Minister for Planning requested the Planning Assessment Commission (PAC) to undertake a review of the Department’s recommended conditions of approval for the final proposal. Overall, the PAC considered that the Director-General’s Report provided a comprehensive and thorough assessment of the proposal’s environmental impacts and that the Department’s recommendations for approval of the quarry were reasonable.

On 20 September 2009, Multiquip received approval from the then Minister for Planning for the Ardmore Park Quarry Project (MP 07_0155), under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Under this approval, Multiquip is allowed to produce up to 400,000 tonnes per annum (tpa) of sand and basalt for 30 years and truck quarry products via public road (and private bypass road) to the Hume Highway and from there to market.

On 7 June 2010, Multiquip requested that the Minister modify its project approval under section 75W of the EP&A Act to allow the relocation of the approved quarry site entrance. The modification application (Mod 1) sought approval to retain and upgrade the existing entrance into the quarry and associated access, rather than relocating the entrance and associated access approximately 180 metres (m) to the south as per the original project approval. Mod 1 was subsequently granted on 8 October 2010.

The approved project includes the upgrade of local roads and the construction of a purpose-built private road for product haulage vehicles to bypass Bungonia. Under the current project approval, Multiquip is restricted to an approved transport route between the quarry and the Hume Highway via Oallen Ford Road, the Bungonia bypass, Mountain Ash Road and Jerrara Road (hereafter referred to as the “approved transport route”, see **Figure 1**).

2. PROPOSED MODIFICATION

On 21 June 2013, Multiquip requested that the Minister for Planning and Infrastructure modify its project approval under section 75W of the EP&A Act, to allow transportation of up to 20,000 tpa of quarry products via the local road network at a maximum rate of five laden trucks per day. The remaining 380,000 tpa of approved product would only be transported via the existing approved transport route.

Multiquip has received commercial enquiries by potential local customers near the southern outskirts of Goulburn, as well as destinations to the west and south of the quarry. Multiquip contends that access to these local customers via the approved transport route is either not possible or impractical. Therefore Multiquip proposes to use an alternative transport route in order to provide the most direct and appropriate route to customers within the local region.

The proposed alternative transport routes (hereafter referred to as the “principal proposed local haulage route”) would allow trucks departing the quarry to turn left from the quarry access road and travel south along Oallen Ford Road before utilising roads such as Windellama Road, Brisbane Grove Road and Braidwood Road, as well as other smaller local roads to provide access to customers within areas such as southern Goulburn, Tarago and other southern destinations (see **Figure 2**).

The Department recognises that there is an ongoing need to develop new sand and hard rock deposits to meet the demand of the construction industry in the Canberra, Southern Highlands and wider Sydney regions. This need has increased in recent years, particularly for sand, and is likely to increase further in coming years, as traditional sources of sand are depleted.

Existing or approved quarries located in the region include:

- Lynwood hard rock quarry;
- Penrose sand quarry;
- Marulan South hard rock quarry;
- Gunlake hard rock quarry; and
- Blue Circle Southern Cement limestone mine.

No other changes to existing approved activities are proposed.

3. STATUTORY CONTEXT

3.1 Section 75W

The Department is satisfied that the proposed modification can be considered as a modification to the original project approval rather than a new development in its own right. The Department notes that no changes are proposed to the:

- approved maximum annual rate of production or extraction;

- approved extraction methods, equipment, site access, handling or processing;
- operational employee numbers;
- approved life of the quarry; and
- operating hours.

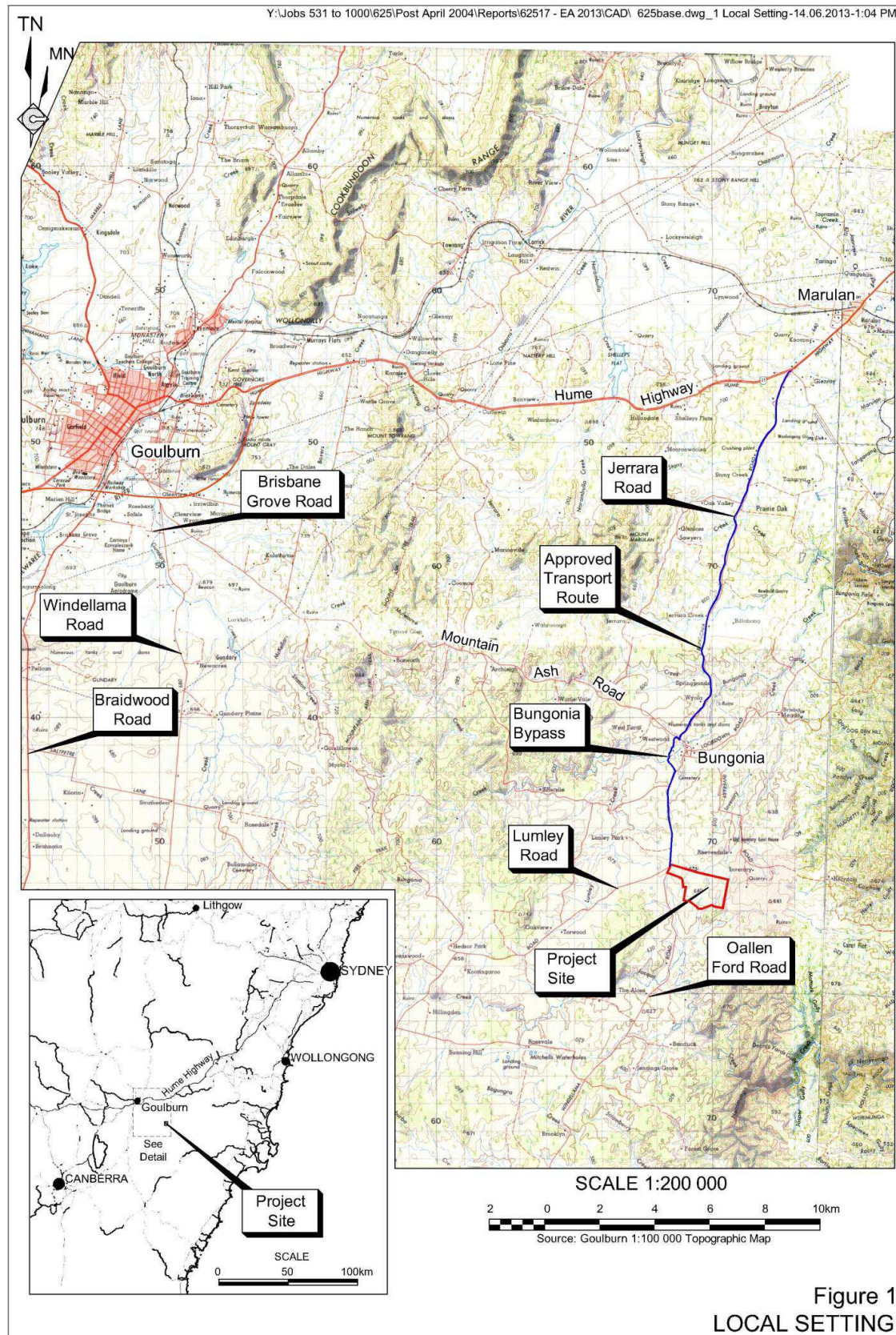


Figure 1: Approved transport route

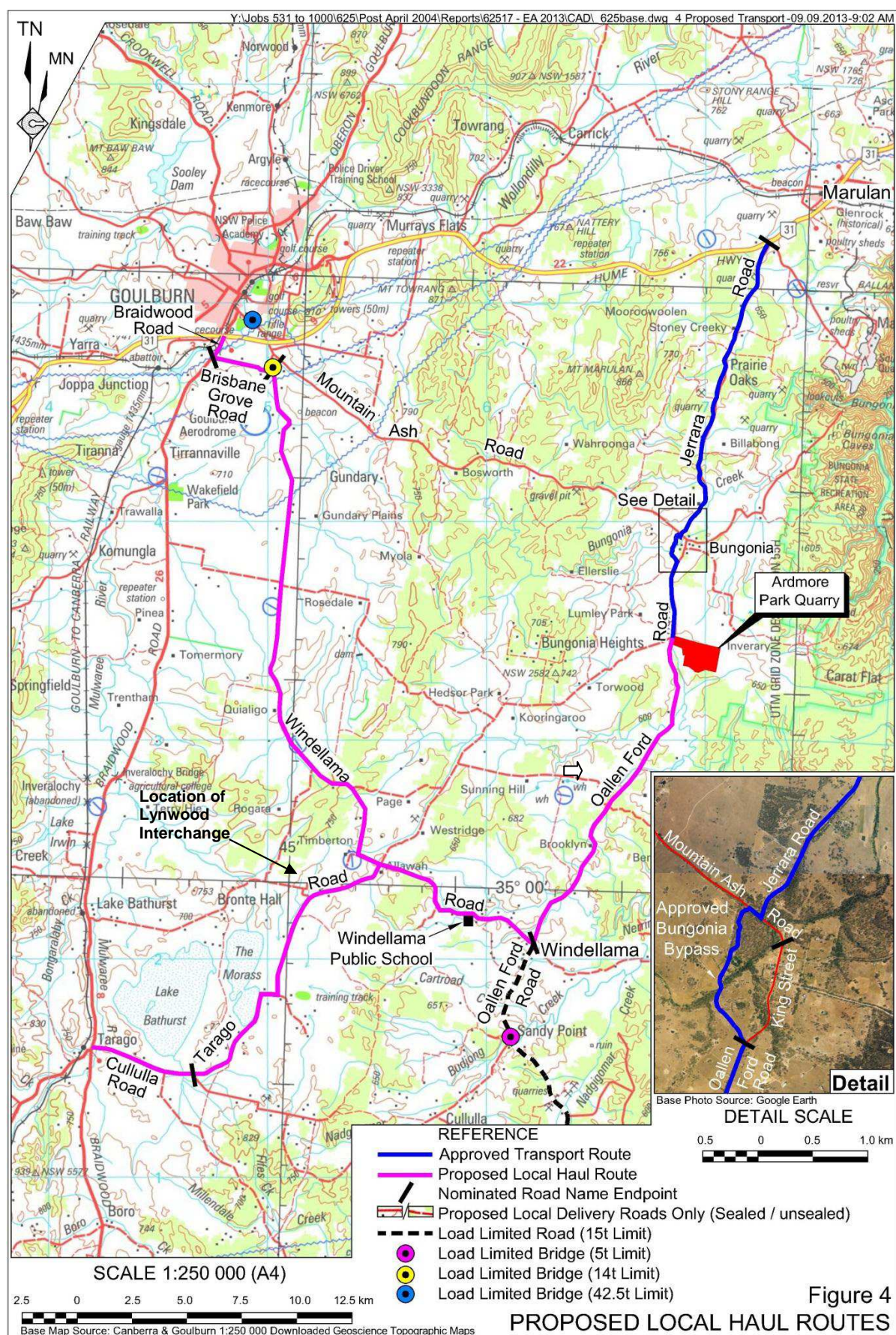


Figure 2: Principal proposed local haulage route

Although Part 3A of the EP&A Act was repealed on 11 October 2011, the approved operations of the Ardmore Park Quarry remain a “transitional Part 3A project” under Schedule 6A of the EP&A Act. The proposed modification must therefore be considered under the former Section 75W of the EP&A Act, in accordance with the relevant savings provisions.

Consequently, the Department is satisfied that the modification may be determined under Section 75W.

3.2 Approval Authority

The Minister was the approval authority for the original project application. Consequently, the Minister is the approval authority for the modification application. However, the Planning Assessment Commission (PAC) must determine the application under the Minister's delegation of 14 September 2011, as the proposal received more than 25 public submissions by way of objection and also an objection from Goulburn Mulwaree Council.

3.3 Environmental Planning Instruments

The Department has considered all relevant environmental planning instruments for the proposal. In particular, it has considered the requirements of the *State Environmental Planning Policy (Infrastructure) 2007*, and has consulted with both roads authorities. The Department is satisfied that no other environmental planning instruments substantially govern the carrying out of the proposal.

3.4 Exhibition and Notification

The Department:

- made the EA (see **Appendix A**) publicly available from 5 July 2013 until 9 August 2013:
 - on the Department's website,
 - at the Department's Information Centre and the offices of Goulburn Mulwaree Council, and
 - at the offices of the Nature Conservation Council;
- notified relevant State government agencies and Goulburn Mulwaree Council by letter;
- notified all landowners within 80 m of the proposed local haulage route by letter;
- notified the Bungonia District Historical Society and Bungonia Progress Association by letter; and
- advertised the exhibition of the EA in the Goulburn Post.

4. CONSULTATION

The Department received 104 submissions on the proposal, comprising:

- 4 from public authorities;
- 9 from special interest groups; and
- 91 from the general public.

The **Roads and Maritime Services (RMS)** and the **Environment Protection Authority (EPA)** had no concerns with the proposed modification.

The **Department of Education and Communities (DEC)** raised a number of concerns in relation to Windellama Public School and its location on the proposed local haulage route. The Department has considered the issues raised by DEC and has addressed them in **Section 5.1.4**.

Goulburn Mulwaree Council (Council) at its Ordinary (Planning) Meeting held on 6 August 2013, resolved in relation to the proposed modification that:

The Department of Planning and Infrastructure be advised that Council opposes the Modified Application for Ardmore Park Quarry on the following grounds:

- *The existing standard of road for the principal proposed local haulage route is unacceptable;*
- *The Modified Application has resulted in considerable community objection; and*
- *The approved haulage route permits access to the local market via the Hume Highway.*

The Department has considered the existing standard of road for the principal proposed local haulage route and Multiquip's ability to access the local market via the approved transport route, and has addressed Council's concerns in **Section 5.1.2** and **5.1.6** respectively.

Furthermore, the Department is aware of the considerable community opposition referred to in Council's submission. Of the 100 submissions from special interest groups and the general public, all objected to the modification. The main grounds of objection relate to transport and traffic impacts, particularly the number of heavy vehicles using the principal proposed local haulage route and the associated potential impacts on the local road network, traffic conditions and road safety. The Department has addressed these concerns in **Section 5**.

A full copy of submissions is attached in **Appendix B**.

Multiquip also provided responses to the issues raised in submissions (see **Appendix C**). Council advised that it did not have any further comment and DEC reiterated many of its previous comments. The Department has fully considered the issues raised in submissions, and Multiquip's responses to these issues in its assessment of the modification.

5. ASSESSMENT

In assessing the merits of the proposal, the Department has considered the:

- EA for the original proposal;
- existing conditions of approval;
- EA for the proposed modification and the associated response to submissions;
- submissions received from the public, special interest groups and State agencies;
- relevant environmental planning instruments, policies and guidelines; and
- the requirements of the EP&A Act, including the objects of the Act.

Based on this consideration, the Department believes the key issue for the proposal is the potential impact of increased heavy vehicle traffic on the local road network.

5.1 Traffic and Transport

The proposed modification would result in an increase, albeit minor, to the number of heavy vehicles using the local road network, particularly south of the quarry. The principal proposed local haulage route is to travel south along Oallen Ford Road to Windellama, then turn northwest along Windellama Road and Brisbane Grove Road to Goulburn or Braidwood Road, or turn southwest from Windellama Road along Tarago Road towards Tarago (see **Figure 2**). Smaller local roads would then be used to provide access to individual customers. Increases in numbers of heavy vehicles using these roads could potentially impact on the local road network, traffic conditions and road safety.

The EA for the proposed modification includes a Traffic Impact Assessment (TIA) undertaken by Christopher Hallam and Associates Pty Ltd (CHA). The TIA concludes that the roads that are proposed to be used by Multiquip are of suitable condition for the limited amount of proposed truck movements, subject to certain restrictions.

Notwithstanding the proposed mitigation measures (discussed below), nearly all objections to the modification stated the principal proposed local haulage route was inadequate for

heavy vehicles. The main concern about the modification is that it would jeopardise the safety of people currently using the proposed route, including school children, local residents and other travellers. The key road safety concerns raised by the community were the:

- route is inherently unsafe for such heavy vehicle traffic, particularly given the:
 - narrow width of the roads;
 - shoulders are too narrow or nonexistent;
 - poor sight distance visibility;
 - existing speed limit of 100 km/hour; and
 - frequency of fog and black ice conditions;
- location of Windellama Public School along the principal proposed local haulage route and the safety of the school bus route; and
- proposed modification would mean the required road upgrades would not commence.

Given the history of the proposal and the significant concerns raised by the community regarding the impacts of product transport on local roads, the Department carefully considered all potential traffic impacts of the proposal and the adequacy of Multiquip's proposed mitigation measures.

5.1.1 Traffic generation

CHA undertook a review of traffic counts on Oallen Ford Road (2 km south of Bungonia village) and Jerrara Road (10 km south of the Hume Highway) between 9 February 2006 and 15 February 2006, and also between 10 May 2013 and 16 May 2013 (see **Table 1**). The more recent Jerrara Road counter was stolen; however the count was repeated between 24 May 2013 and 31 May 2013.

Table 1: Current and Projected Daily Two-Way Traffic Flows - Monday to Saturday Average

Location	Year	Current Heavy Vehicles	Current Total Vehicles	Future Total Heavy Vehicles	Future Total Vehicles
Oallen Ford Rd	2006	37	303	125	391
	2013	32	362	120	450
Bungonia Bypass	2006	0	0	88	88
	2013	0	0	88	88
Jerrara Road	2006	26	258	114	346
	2013	24	288	112	376

The Department notes that, while these locations are not ideal for providing information on the principal proposed local haulage route, they are useful for providing an indication of local traffic trends over the past seven years. Traffic counts completed by CHA in 2006 and 2013 note a small, but not substantial, increase in traffic. When future quarry vehicles are included, the total number of vehicles per day (vpd) continues to remain significantly less than the threshold figure of 500 vehicles per day for the recommended application of more stringent road standards (see **Section 5.1.2**).

A number of submissions raised concerns that the cumulative impact of additional trucks using the principal proposed local haulage route would affect the safety and condition of the roads. CHA undertook a further traffic count on Oallen Ford Road, approximately 500 m south of the quarry entrance, between 10 May 2013 and 16 May 2013. The Department considers this particular traffic count to be relevant, since the proposed modification would result in up to five laden trucks per day going past this location.

The TIA reports an average daily flow of 216 vpd at this location, comprising 200 light vehicles and 16 heavy vehicles (see **Table 2**). This flow is substantially less than the 362 vpd observed further to the north on Oallen Ford Road, suggesting that Lumley Road is carrying some of the balance west towards Goulburn. Multiquip would only utilise Lumley Road for deliveries to addresses from this road and would restrict movements during and after periods of heavy rain (see **Section 5.1.2**).

Table 2: Daily Two-Way Traffic Flows on Oallen Ford Road (500 m South of Quarry Entrance) - Monday to Saturday Average

	Light Vehicles	Heavy Vehicles	Total Vehicles
Current	200	16	216
Proposed modification*	200	26	226

* at a maximum rate of five laden trucks per day or ten truck movements.

As indicated in **Table 2**, the modification would increase the proportion of heavy vehicles to total traffic on Oallen Ford Road, south of the quarry entrance, to around 11%, from the existing levels of around 7%. Total traffic volumes on the principal proposed local haulage route would remain relatively low, at 226 vpd.

The TIA indicates that the current average hourly heavy vehicle movements are very low, with typically two trucks per hour between 6 am and 6 pm. The proposed modification, at a maximum of five laden trucks per day, would average one movement an hour over this period, with a peak of two truck movements per hour. The Department considers this to be only a very slight increase with any potential impacts on traffic flows likely to be negligible.

At all locations, traffic counts were greatest on Sundays, suggesting the roads are commonly used for recreational and weekender traffic. This may be a result of improvements to local roads linking to the Nerriga Road to Nowra and the south coast. The Department notes that no heavy vehicle traffic associated with quarry product transport would occur on Sundays, meaning that no project-related heavy vehicles would be interacting with road users when traffic flow is at its highest.

The TIA includes an assessment of anticipated traffic levels. It is estimated that 650 trucks would be despatched to local markets per year, assuming the maximum volume of 20,000 tpa, 32.5 tonne capacity per truck, and an estimated 30 trucks per year of 20 tonnes, to allow for travel across the weight-restricted Lansdowne Bridge (see below) or to customers requiring smaller loads. This equates to a total of 1300 truck movements per year.

The Department notes that, if the maximum permitted number of local trucks is dispatched on all days, then the total number of days that trucks could transport local quarry product would be just 130 days, or approximately one third of the year. If product transport were spread more evenly across the year, then there would be significantly less than five trucks per day using the principal proposed local haulage route.

The Department considers the proposed volume of heavy vehicle traffic to be minor and is satisfied the proposed modification would not significantly affect the performance of the local road network.

5.1.2 Road condition

The principal proposed local haulage routes are not defined by a single route. Rather, Multiquip proposes to utilise the principal proposed local haulage route either to deliver to the more significant local markets (such as Goulburn or Tarago) or else to reach smaller feeder roads for deliveries to individual properties or smaller communities. Council objected to the proposed modification on the basis that the existing standard of road for the principal proposed local haulage route is unacceptable.

The Department notes that heavy vehicles associated with other quarries and rural usage requiring truck transport (including stock and machinery transport) already use the principal proposed local haulage route. There is currently no restriction on the use of any of these roads by trucks (other than existing road and bridge weight limits).

The EA states that the principal proposed local haulage route comprises primarily sealed and also some unsealed sections with a maximum width of 7.8 m, reducing to 5.6 m width in

places. The submissions objecting to the modification stated that the road varies in width, ranging from 5.1 m to 6.5 m.

RMS's *Road Design Guide* recommends that rural roads with a traffic volume of less than 2,000 vpd should have a minimum sealed carriageway of 7.0 m (comprising 2 x 3.0 m lanes and 2 x 0.5 m shoulders). However, for rural roads with a high percentage of heavy vehicles, or with 100 km/h speed limits in undulating terrain, or with volumes of between 500 and 2,000 vpd, the *Road Design Guide* recommends a minimum sealed carriageway of 8.0 m (comprising 2 x 3.5 m lanes and 2 x 0.5 m shoulders).

The proposed modification would not result in a high percentage of heavy vehicles and total traffic volume would remain significantly less than 500 vpd. The Department notes that Multiquip has previously committed to maintain a maximum speed limit of 80 km/h on all public roads.

The condition of the principal proposed haulage route has been assessed in the TIA, which concludes that in most cases the roads are of a suitable condition for the proposed volume of traffic. The TIA acknowledges that the vertical and horizontal alignments of some sections of road in the local area are not optimal, nor do they conform to RMS's recommended standard. However, the TIA concluded that, subject to some restrictions, the proposed small number of trucks could use these roads safely.

The TIA identified a number of roads that are currently weight-restricted or else identified as to be avoided wherever possible, including Mountain Ash Road (excluding the 150 m under the approved transport route), Oallen Ford Road south of the Windellama Road intersection, and King Street, Bungonia. At no time would trucks transporting quarry product use King Street, as per the existing conditions of approval.

The following recommendations of the TIA have been accepted by Multiquip:

- western section of Lumley Road, west of Windellama Road, would not be used during or after periods of heavy rain;
- roads not listed as comprising the principal local haulage route would be used for local deliveries only, not for through transport; and
- load limits on local roads and bridges would be strictly adhered to.

Multiquip has committed to generally avoiding weight-limited roads and only utilising these roads when a delivery location is located on that road and no other access is available. Trucks would adhere to weight limits at all times. The same mitigation measures would apply to a number of weight-restricted bridges that have also been identified, including Lansdowne Bridge, Windellama Road Bridge and Oallen Ford Road Bridge (see **Figure 2**).

The Department is satisfied that, subject to all weight restrictions being adhered to and every effort being made to avoid weight-restricted roads and bridges, that the impacts to these local roads and bridges would be minimal given the very limited number of trucks expected to use them. To ensure that Multiquip adheres to the TIA's relevant weight restrictions and recommendations, the Department has included recommended appropriate conditions of approval.

5.1.3 Road safety

A number of members of the public were concerned that the proposed modification would result in increased risk for local road users and affect general road safety. The TIA concluded that the local road network was adequate to accommodate the limited number of trucks proposed and that there is no evidence to suggest that the very minor change to traffic levels would affect traffic conditions in such a way as to increase safety risks to local road users or to cause accidents.

The Department notes that the restrictions placed on its operations by Multiquip, and by the Department's recommended and existing conditions of approval, are designed to restrict the volume of heavy vehicle traffic, control heavy vehicle driver behaviour, maintain or improve road conditions via contributions to Council. They include a number of targeted controls and safety features. The Department is satisfied that these management and mitigation measures would effectively avoid any negative impacts on road safety associated with the proposed modification.

The Department also notes that local delivery of quarry products by trucks from Ardmore Park that must operate in accordance with the proposed suite of measures may offer overall safety benefits to the local community, when compared with the alternative of quarry products being delivered from another source (ie another Southern Highlands quarry) which is not subject to the same suite of restrictions.

A few members of the public were concerned that the proposed modification would result in an unsafe right-hand turn into the quarry for trucks returning from local deliveries. The TIA included an assessment of the intersection and concluded that traffic flows at the intersection were significantly below the threshold for an upgrade to a Type CHR(S), indicating that the potential for a conflict between a right-turn truck and a passing vehicle is very low. Furthermore, in the rare instance that a truck was stopped to await a safe right-turn into the quarry, it was concluded that the sight line from an approaching northbound vehicle to the waiting truck would be very good and the truck would be easily seen on approach. The Department also notes that widening of both corners and upgrading of the quarry access intersection are required under the existing conditions of approval (also see **Section 5.1.6**).

A number of submissions raised concerns that the proposed modification would impact on road safety in black ice and fog conditions. The Department is satisfied that these concerns have been adequately addressed in the course of previous assessment processes and through the existing conditions of approval. The Department is also satisfied that existing mitigation and management measures adequately reduce such impacts to acceptable levels. Multiquip is required by existing conditions of approval to review and, if necessary, revise its management plans to reflect the changes proposed by the modification.

The Department is satisfied that the current conditions of approval, including the requirement that Multiquip prepares and implements a Traffic Management Plan which includes a driver's Code of Conduct, are adequate to ensure that transport of quarry products on local roads is managed safely and in accordance with best practice.

5.1.4 Windellama Public School

Windellama Public School is located on Windellama Road approximately 4 km from the Oallen Ford Road intersection and caters for approximately 30 students. A large number of public submissions raised concern about the location of the school on the principal proposed local haulage route.

DEC recommended a number of safety measures to be implemented by way of conditions of approval or through consultation with RMS and/or Council. These included creating a reduced speed zone at the location of the school, installing flashing lights to warn of the

reduced speed zone and identification of an alternate route. DEC also provided comment on Multiquip's RTS which reiterated many of its previous comments and also highlighted the need for a pedestrian crossing outside the school and upfront and continued ongoing consultation.

The Department notes that that only RMS can formally alter a speed zone and that Multiquip has committed to adhere to a 40 km/h speed limit at all times during both school hours and school drop-off and pick-up times (ie from 8:00 am to 4:00 pm on schooldays). Multiquip has also committed to ensure that no truck movements past the school occur within pick-up and drop-off times, namely between 8:00 am to 9:30 am and 2:30 pm to 4:00 pm. Furthermore, Multiquip has obtained a copy of the school bus timetable and routes to assist in scheduling of product transportation. Formal reduction of the speed zone outside the school during school hours would therefore be best discussed between DEC, Council and RMS.

A large number of public submissions raised concern about the split nature of the school grounds in that it operates on both sides of the road. The school has an oval on one side of the road and its classrooms on the other, resulting in pedestrian activity, especially on event days such as carnivals. Multiquip, in its response to submissions, has committed to maintain consultation with the school with the aim of scheduling product transportation around certain events, including school carnivals. The Department notes that Multiquip met with the school principal and P&C committee on 14 October 2013 to discuss the proposed modification and establish relationships for ongoing consultation.

Given these considerations and that Multiquip use of the public road near the school would be very limited, the Department does not consider that Multiquip should be made responsible for installing flashing school zone lights (should a formal reduction in speed limit be adopted) or a pedestrian crossing at the school. Any decision to install either a pedestrian crossing or flashing lights should instead be resolved in discussions between representatives of the school, DEC, Council and RMS. The Department understands that these discussions have since begun.

In relation to requiring Multiquip to source an alternate route, the Department notes that Windellama Road represents an important thoroughfare through the local area and avoiding the road is not practical, nor readily possible.

The Department considers that Multiquip's proposed safety measures would effectively avoid any potential impacts to Windellama Public School and its staff and students, particularly given that the overall number of trucks expected to travel by the school would be very limited. Commitments to avoid truck movements during school drop-off and pick-up times and to maintain a 40 km/h speed limit during school hours (under the driver's Code of Conduct) would effectively ensure the safety of students and staff. The Department has recommended conditions of approval ensuring that these commitments are implemented. The Department also notes that other heavy vehicles travelling past the school are not required to adhere to any of these limitations which Multiquip is proposing on its delivery schedules.

5.1.5 Section 94 contributions

Under the existing project approval, Multiquip is required to pay contributions to Council for the upgrade and maintenance of roads under Section 94 of the EP&A Act and in accordance with Council's *Mulwaree Shire - Development Contributions Plan 2003-2008*. The required rate is 4 cents per kilometre per tonne of material trucked from the site.

The relevant development contributions plan has since been updated. The resulting *Goulburn Mulwaree Section 94 Development Contributions Plan 2009 Amendment No.2* sets out requirements for contributions towards road maintenance and reconstruction. The rate set within the plan is 4 cents per kilometre per tonne of material where roads are

controlled by Council, however the applicable rate is now calculated at 4.43 cents per tonne per kilometre, due to inflation.

The contributions would apply to the principal proposed local haulage route as depicted in **Figure 2**, in addition to other local roads used for final delivery to customers. The Department is satisfied that contributions to Council under Section 94 would assist in the maintenance and general up-keep of the local roads proposed to be used by Multiquip under this modification. The Department has included a recommended condition of approval requiring Multiquip to pay a monthly contribution in accordance with the updated Development Contributions Plan.

Some members of the community raised concerns regarding how haulage trucks would be monitored to ensure that only 20,000 tpa would be hauled on the principal proposed local haulage route and how the applicable rates would be calculated. Multiquip proposes to implement a monitoring system based on weighbridge records at the quarry. Log books at the quarry's weighbridge would record the load, destination and proposed route. Log books would be summarised at the end of each recording period and Section 94 contributions would be calculated and paid on this basis.

The Department is satisfied that such a monitoring system is a standard and effective way of monitoring product tonnage and truck movements. Furthermore, Multiquip is required, under existing conditions of approval, to ensure it records and maintains a log of the extraction quantities and traffic movements in and out of the quarry site. The log must be made available at the request of the Department or the Council. The Department is satisfied that these concerns have been adequately addressed in the course of previous assessment processes and through existing conditions of approval.

5.1.6 Timing of approved road works

There was some concern raised in the public submissions that the principal proposed local haulage route would be used as a means of transporting all quarry products instead of Multiquip completing the required upgrades and the Bungonia bypass. The proposed modification seeks to allow transportation of up to 20,000 tpa of quarry products via the local road network, at a maximum rate of five laden trucks per day. The remaining 380,000 tpa of quarry products would continue to be transported via the approved transport route only.

The Department has consulted with Multiquip regarding these community concerns and Multiquip, in its response to submissions, has committed to commence the required road upgrades for its approved northern transport route by November 2013.

Product transport along the approved transport route can only occur after the required road works and upgrades (including the Bungonia bypass) are constructed, as per the existing conditions of approval. At no time would any project-related heavy vehicles utilise King Street, Bungonia to get to or from the quarry site. The Department is satisfied that the existing conditions of approval adequately address the potential impacts to the village of Bungonia and that there will be no impacts to King Street or the remainder of Bungonia as a consequence of the proposed modification.

The EA infers that Multiquip would first construct the required upgrade of the quarry access road intersection with Oallen Ford Road and Lumley Road before permitting local deliveries to the south, and would then move to construct the other road works required for the approved (ie northern) transport route. Upgrade of this intersection would result in safer entry and exit of vehicles to and from the quarry site and for drivers on Oallen Ford Road and Lumley Road. The Department considers that these should be completed before any transport of quarry products, to either the north or the south, and has proposed conditions to this effect. Multiquip's commitment to commence the required upgrades for the approved transport route by November 2013 should also give the local community confidence that the

required upgrades will occur and that the proposed modification is only for local deliveries and is not a “back entry” to transport product to larger markets.

5.1.7 Conclusion

Both Council and DEC contended that Multiquip should only use the approved transport route or else find an alternative route, not involving the principal proposed local haulage route. The Department notes that this may not always be practical or possible for local delivery purposes.

Given the small number of heavy vehicle movements proposed, the Department is satisfied that the proposed modification would only result in marginal increases in total local traffic movements, would not materially affect the safety or capacity of the local road network or Windellama Public School, and would not significantly impact on road conditions.

The Department is satisfied that continued (and increased) Section 94 contributions to Council would assist in the maintenance and general up-keep of the local roads proposed to be affected by this modification.

The Department is therefore satisfied that the proposed modification would not significantly impact on the condition or usage of the local road network.

5.2 Other Impacts

Other impacts resulting from the modification are not predicted to be significant, and the Department is satisfied that they can be controlled, mitigated or managed through appropriate conditions of approval. These other impacts are addressed in **Table 3** below.

Table 3: Other Impacts

Aspect	Issue/Consideration	Management/Mitigation
Traffic Noise	<ul style="list-style-type: none"> The EA contains a traffic noise and vibration report, prepared by SLR Consulting Australia Pty Ltd (SLR), to assess the possibility of traffic noise from the proposed modification impacting on sensitive receivers along the principal proposed local haulage route. SLR concluded that the minor increases in truck movements on the local road network would not result in either noise level increases above the relevant criteria of the <i>NSW Road Noise Policy</i> or vibration impacts. 	<ul style="list-style-type: none"> Existing conditions of approval require Multiquip to take all reasonable and feasible measures to ensure that traffic noise generated by the project after quarrying operations commence does not exceed specified traffic noise impact assessment criteria on specified roads. The Department has extended these requirements to the principal proposed local haulage route. It is otherwise satisfied that these concerns have been adequately addressed in previous assessment processes and through existing conditions of approval. The Department is also satisfied that existing and proposed mitigation and management measures adequately reduce impacts to acceptable levels.
Air Quality	<ul style="list-style-type: none"> A number of submissions raised concerns that the proposed modification would result in increased impacts on local air quality. However, most of the principal proposed local haulage route comprises sealed roads. Only Tarago Road is substantially unsealed. Some minor local roads (to be used for specific deliveries) are also unsealed. Therefore, additional dust emissions from public roads would be quite limited. The Department also notes that the amount of quarry product to be transported would not increase, therefore overall vehicle emissions would not substantially vary. Multiquip contends that travel distances required to deliver quarry products to areas south of 	<ul style="list-style-type: none"> The Department is satisfied that these concerns have been adequately addressed in previous assessment processes and through existing conditions of approval. Existing conditions of approval require Multiquip to ensure that all loaded vehicles entering or leaving the site are covered and that all loaded vehicles leaving the site are cleaned of materials that may fall on the road, before they leave the site. The Department is also satisfied that the existing mitigation and management measures adequately reduce impacts to acceptable levels.

	<p>Goulburn would actually decrease, thereby reducing vehicle emissions.</p> <ul style="list-style-type: none"> The Department considers that the proposed modification is unlikely to result in any significant changes to either dust or vehicle emissions. 	
<i>Local Amenity</i>	<ul style="list-style-type: none"> The proposed modification has the potential to impact on the amenity of persons not previously subject to project-related heavy vehicle movements. The Department notes that heavy vehicles associated with other quarries and rural uses requiring truck transport (including stock and machinery transport) already use the principal proposed local haulage route. Trucks would use the principal proposed local haulage route wherever possible to deliver product and only utilise less travelled routes for specific delivery purposes. 	<ul style="list-style-type: none"> The Department is satisfied that these concerns have been adequately addressed in previous assessment processes and through existing conditions of approval. Multiquip would continue to operate within the approved hours of operation, meaning no deliveries would occur after 1 pm on Saturdays or at all on Sundays. Multiquip operates a complaints register which notes the complaint, complainant, time and date, comments and follow-up actions. A summary of complaints and follow-up actions is provided in the quarry's Annual Environmental Management Report, which is required to be submitted to the Department within 12 months of commencement of project construction and annually thereafter. The Department is further satisfied that the existing mitigation and management measures adequately reduce impacts to acceptable levels.
<i>Socio-economic</i>	<ul style="list-style-type: none"> Multiquip contends that the proposed modification would have a positive socio-economic impact on the local area for the following reasons: <ul style="list-style-type: none"> costs to local customers would be reduced as a result of reduced travel distances; continued employment; and Section 94 contributions to Council. The TIA contends that, if the proposed modification is not approved, then other heavy vehicles would use the local road network to deliver product for Council road works and local building and development. The TIA further contends that the location of Ardmore Park Quarry would allow for shorter haulage routes than quarries outside of the area, and hence should allow for more competitive delivery costs, as well as reducing the total kilometres of truck travel on the local road network, with consequent environmental benefits. 	<ul style="list-style-type: none"> The Department is satisfied that there is an ongoing need for the project to satisfy the current and future demand for construction materials in the local region. The Department is also satisfied that continued (and increased) Section 94 contributions to Council would assist in the maintenance and general up-keep of the local roads proposed under this modification.

6. RECOMMENDED CONDITIONS

The Department has prepared recommended conditions of approval for the modification, which require Multiquip to:

- restrict product transport on the principal local haulage route to 20,000 tpa, to be transported at a maximum rate of five laden trucks per day and only to customers located within 100 km of the quarry;
- pay a Section 94 contribution rate to Council for all product transport, in accordance with the provisions of Council's 2009 Development Contributions Plan, indexed to inflation;
- adhere to all weight restrictions on affected roads and bridges;
- ensure no truck movements occur by Windellama Public School during school pick-up and drop-off times and also ensure that trucks adhere to a speed limit of 40 km/h in the vicinity of the school during school hours; and

- review and, if necessary, revise its management plans to reflect the changes proposed by the modification.

The Department has also updated project approval conditions to reflect changes to Government agency names, relevant administrative changes and standard reporting and management plan requirements. A consolidated set of proposed conditions is provided at **Appendix E**. Multiquip and RMS have reviewed and accepted these conditions.

DEC advised that both it and representatives of the Windellama Public School are satisfied with the conditions the Department has recommended and that they will pursue discussions with the relevant authorities in relation to speed zones and other safety control measures.

Council officers noted that the recommended conditions of approval are not consistent with Council's resolution. However, they were satisfied that Council's submissions had been considered and the conditions were consistent with Council's Section 94 policy and that the limits imposed for trucking to local customers were reasonable.

7. CONCLUSION

The proposed modification would result in a maximum of five laden trucks per day using the local road network south of the Ardmore Park Quarry, with all truck movements to take place outside of Windellama Public School's student pick-up and drop-off times. The Department considers the proposed volume of truck traffic to be minor and is satisfied the proposed modification would not significantly impact on performance of the local road network.


The proposed modification would not result in any significant environmental impacts on local residents and sensitive receivers, while allowing for a limited amount of quarry product (20,000 tpa) to be efficiently delivered to local customers.

The Department has assessed the proposed modification 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.

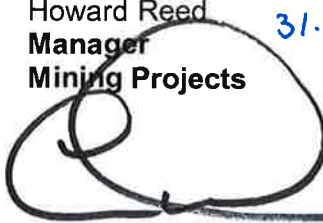
8. RECOMMENDATION

It is RECOMMENDED that the PAC, as delegate of the Minister:

- **consider** the findings and recommendations of this report;
- **determine** that the proposed modification is within the scope of the EP&A Act;
- **approve** the proposed modification under section 75W, subject to conditions; and
- **sign** the attached Notice of Modification (**Appendix D**).


Howard Reed
Manager
Mining Projects

31.10.13


7.11.13

Chris Wilson
Executive Director
Development Assessment Systems and Approvals


David Kitto
Director
Mining Projects

APPENDIX A – ENVIRONMENTAL ASSESSMENT

Please see: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6037

APPENDIX B – COPY OF SUBMISSIONS

Please see: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6037

APPENDIX C – RESPONSE TO SUBMISSIONS

Please see: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6037

APPENDIX D – NOTICE OF MODIFICATION

APPENDIX E – CONSOLIDATED CONSENT

APPENDIX F – FINAL AGENCY RESPONSES