



## Cooma Road Quarry Modification 1 (SSD 5109 MOD 1)

### Environmental Assessment Report Section 96(1A) of the *Environmental Planning and Assessment Act 1979*

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#### 1. BACKGROUND

Holcim (Australia) Pty Ltd (Holcim) operates the Cooma Road Quarry, located off Royall Road, Queanbeyan, in the Queanbeyan local government area (see **Figure 1**). A portion of the quarry is leased by Holcim (Lots 103, 104, 110, 111 and 124 in DP 754881) and the remainder is owned by Holcim (Lot 1, DP 808393, Lot 2, DP 1087429 and Lot 4, DP 582954).

Operations at the quarry are currently undertaken in accordance with development consent SSD 5109, which was granted by the then Minister for Planning and Infrastructure on 27 September 2013. This consent allows Holcim to:

- extract up to 1.5 million tonnes per annum (Mtpa) of hard rock, for up to 20 years;
- process extracted and imported materials on-site; and
- transport the processed product to market by road.

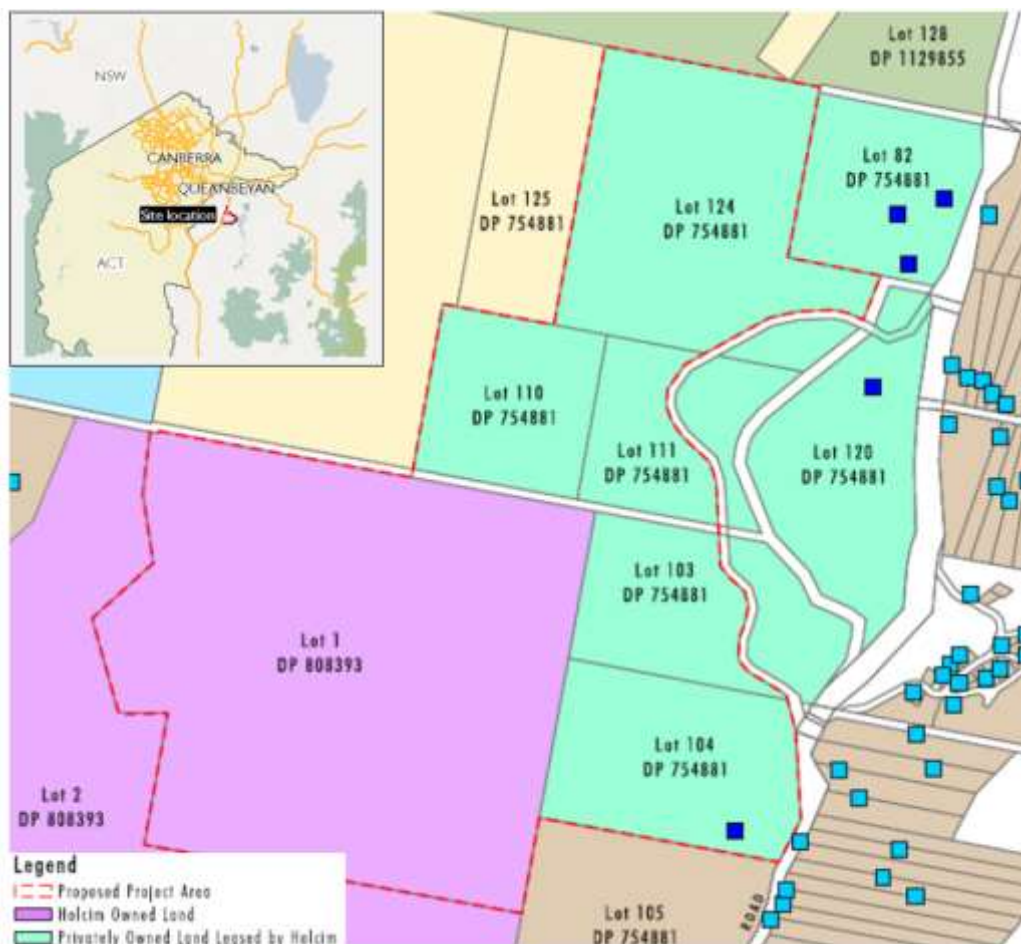


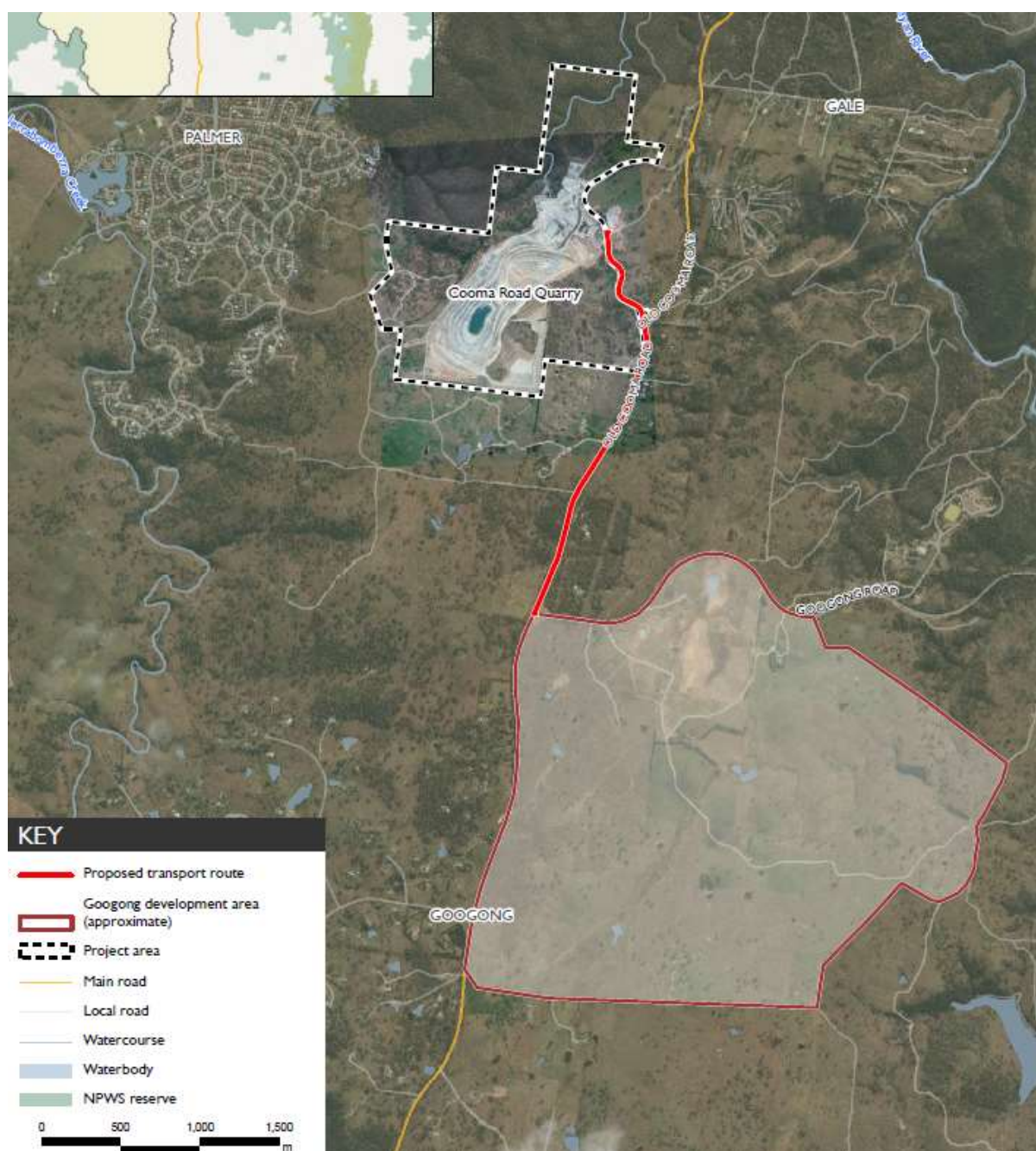
Figure 1: Location of the Cooma Road Quarry

## 2. PROPOSED MODIFICATION

On 27 June 2016, Holcim lodged a modification application with the Department, under section 96(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The modification application seeks to allow the importation of virgin excavated natural materials (VENM) to the quarry site, to be used for backfilling and progressive rehabilitation. The majority of the VENM would be sourced from a local residential subdivision in Googong, located approximately 2.5 kilometres (km) south east of the quarry. This subdivision development is expected to continue for at least another 15 years, a timeframe which is generally aligned with the quarry lifespan. The proposed trucking route to access the subdivision site is via Old Cooma Road, as shown in **Figure 2**.

The amount of VENM imported each year would vary. However, Holcim has proposed that the total amount of both imported materials (VENM) and exported materials (extracted hard rock from the quarry site) would not exceed 1.5 Mtpa. This is the current approved production limit for the quarry. The Department notes that the proposed modification does not otherwise seek to change the quarry's approved operating conditions including production limits, truck movements, and operating and transport hours.



**Figure 2: Proposed truck route**

### 3. STATUTORY CONTEXT

The modification application is seeking to modify consent SSD 5109 in accordance with section 96(1A) of the EP&A Act.

A consent cannot be modified under section 96(1A) unless the consent authority is satisfied that the modification is of minimal environmental impact and the development would remain substantially the same development as the development for which consent was originally granted.

The modification application does not seek to change the nature or scale of development approved under the development consent. Rather, the modification involves a minor inclusion which would facilitate better rehabilitation outcomes. As such, the Department is satisfied that the proposed modification is within the scope of section 96(1A), and may be determined accordingly.

The Minister for Planning is the consent authority for the application. However, as Holcim has not reported any political donations, the local Council does not object to the proposal, and there were no public objections, the Director Resource Assessments may determine the application under the Minister's delegation of 16 February 2015.

### 4. CONSULTATION

The Department is not obliged to undertake any consultation relating to the proposed modification. However, the application and supporting Statement of Environmental Effects (SEE, see **Appendix A**) and all other project-related documentation were made publicly available on the Department's website.

Based on the potential impacts of the proposal, the Department invited comment from the Environmental Protection Authority (EPA), Office of Environment and Heritage (OEH), Department of Primary Industries (DPI), the Division of Resources and Energy (DRE) of the NSW Department of Industry and Queanbeyan City Council (Council). A summary of the issues raised in these submissions is provided below. Copies of agency submissions are included in **Appendix B**.

**OEH** was satisfied that there would be no additional impacts to Aboriginal heritage as the proposal does not increase the area of disturbance. **OEH** supported the continued use of the approved Heritage Management Plan. **OEH** acknowledged that no flora would be disturbed and therefore further flora and fauna assessment would not be required for the modification. However, to ensure the protection of biodiversity values, it was recommended that the conditions of consent specify that all works (including stockpiling) be undertaken within areas of the site previously approved for disturbance. The Department has addressed this matter in **Section 5.2**.

The **EPA** was confident that any potential environmental impacts from the proposal could be appropriately managed in a manner that meets the environmental performance standards in its Environment Protection Licence. **EPA** recognised the benefits of using VEMN in land rehabilitation and expressed support for the modification.

**RMS** noted that Old Cooma Road (the identified route for transporting VENM) is a regional classified road managed by Council, and entrusted Council to assess the traffic implications of the proposed modification.

**Council** did not object to the modification subject to Holcim ensuring that the material sourced from the Googong subdivision site does not include the material from the Areas of Environmental Concern (AECs) that were identified in contamination studies and reports prepared for that site's rezoning and subdivision. The Department has addressed this further in **Section 5.2**.

**DRE** raised no issues with the modification in regards to resource utilisation or consistency with *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*.

**DPI** had no comment on the proposed modification.

## 5. ASSESSMENT

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

- Environmental Impact Statement (EIS) for the original project;
- existing conditions of approval;
- SEE for the proposed modification;
- relevant environmental planning instruments, policies and guidelines; and
- requirements of the EP&A Act, including the objects of the Act.

The Department's assessment of the potential impacts of the proposed modification is provided below.

### 5.1 Traffic and Transport

Holcim is proposing the importation of VENM from the Googong subdivision site, which is located approximately 2.5 km south of the quarry. Holcim has proposed to incorporate this importation within the quarry's existing approved dispatch limits and truck haulage limits. Importation of VENM would be incorporated into the quarry's approved dispatch limit of 1.5 Mtpa and its approved truck haulage limits. Condition 13 of Schedule 2 of the existing consent states:

*For the life of the development, the Applicant shall not dispatch:*

- (a) more than 30 laden trucks per hour; and*
- (b) more than an average of 24 trucks per hour on any day.*

As this condition specifically relates to dispatching, the Department has recommended amendments to this condition to clarify the amount of material that can be transported to and from the site. It should be noted that Holcim's proposal would lead to no increase in laden trucks travelling to and from the quarry and therefore should lead to no increase in overall truck movements.

Holcim has not identified a proposed maximum rate of imported VENM over the life of the quarry. However, it has proposed that approximately 50,000 tpa of VENM would be imported to the site in the 2017 calendar year. The Department has undertaken an assessment of potential traffic impacts on Old Cooma Road based on this amount.

Importing 50,000 tpa of VENM from the Googong subdivision site would result in approximately 10 truck movements per day south of the quarry on Old Cooma Road. Traffic impacts on this route were assessed as part of the Environmental Impact Statement (EIS) which supported SSD 5109. This report predicted that only 4 truck movements per day would occur on this route. Consequently, importing 50,000 tpa of VENM would result in an increase to approximately 14 truck movements per day, on this route.

Based on the existing traffic volumes in the EIS (Umwelt 2012), the truck movements from the quarry site would represent a 4.7% increase in two way heavy vehicle movements and a 0.35% increase in total two way traffic movements south of the quarry on Old Cooma Road.

Holcim has identified that the amount of imported VENM per year may fluctuate. However, the Department considers that the amount of VENM to be imported would be largely self-regulating for two reasons. Firstly, the quarry's cash flow is essentially reliant on selling its quarry products. Secondly, Holcim has committed to incorporating the haulage of VENM within its overall dispatch and truck haulage limits.

As the amount of materials (both quarry products and VENM) received and exported from the site would not exceed 1.5 Mtpa and the amount of truck movements in and out of the quarry would not change, the Department is satisfied that the additional traffic associated with the proposed modification would be negligible. Given Holcim's proposal and the limited likelihood and limited impacts of very high haulage of VENM, the Department sees no benefit in imposing a maximum annual limit on VENM importation.

### 5.2 Other Impacts

Other potential impacts are not predicted to be significant, and the Department is satisfied that they can be controlled, mitigated or managed through either existing or recommended conditions of consent. These potential impacts are addressed in **Table 1** below.

**Table 1: Assessment of impacts**

<b>Issue</b>	<b>Consideration and Assessment</b>	<b>Recommendation</b>
<b>Contamination</b>	<ul style="list-style-type: none"> <li>• Council reported that the Googong subdivision site contains Areas of Environmental Concern (AECs) identified in the contamination studies and reports prepared for the site's rezoning and subdivision.</li> <li>• Council was supportive of the modification, subject to Holcim ensuring that all material sourced from the residential subdivision does not include material from the AECs.</li> <li>• The definition of VENM precludes the presence of any contaminants within the material.</li> <li>• Holcim clarified that the provider of the VENM would provide EPA Certification to confirm that none of the imported material is or was contaminated.</li> <li>• The Department is satisfied that the above process would prevent contaminated materials from being emplaced at the quarry site.</li> </ul>	No changes to the existing conditions of consent required.
<b>Noise &amp; Air Quality</b>	<ul style="list-style-type: none"> <li>• The proposed modification seeks to allow the importation of VENM to the quarry site to be used for backfilling and progressive rehabilitation. Holcim has proposed that the total amount of materials (both quarry products and VENM) received and exported from the site would not exceed 1.5 Mtpa, which is the approved production limit.</li> <li>• There are no changes proposed to the approved number of truck movements in and out of the quarry site. No other changes are proposed to the quarry's disturbance area, operational hours or method of extraction. As such, it is unlikely there would be significant changes to the existing approved noise and air quality impacts.</li> <li>• The Department notes that, if VENM was transported from the Googong development site to the closest landfill, it would be a haulage distance of approximately 17 km. As the Googong subdivision site is located only 2.5 km from the quarry, the proposed modification would result in substantially lower diesel emissions from truck haulage.</li> </ul>	No changes to the existing conditions of consent required.
<b>Biodiversity</b>	<ul style="list-style-type: none"> <li>• The proposed modification would not disturb any additional flora and therefore no further flora and fauna assessments are required.</li> <li>• However, to ensure the protection of biodiversity values, OEH recommended that the conditions of consent specify that all works (including stockpiling) are undertaken within previously disturbed areas of the site.</li> </ul>	The existing development consent contains a Development Layout Plan which identifies approved and proposed disturbance areas.
<b>Rehabilitation</b>	<ul style="list-style-type: none"> <li>• Imported VENM would be used to backfill final benches which would assist the quarry in meeting its rehabilitation objectives.</li> <li>• The EPA identifies VENM as recognised waste that can be reused beneficially for land rehabilitation purposes. As such, the EPA expressed support for the proposed modification.</li> <li>• The Department is satisfied that the importation of VENM can be appropriately managed under Holcim's Rehabilitation Management Plan.</li> </ul>	The Rehabilitation Management Plan is to be updated to address and manage the proposed import of VENM.

## 6. RECOMMENDED CONDITIONS

The Department has drafted a recommended notice of modification (see **Appendix C**) and a consolidated version of the consent as it is proposed to be modified (see **Appendix D**). The Department has also recommended administrative changes to conditions to update former agency and position titles, and to clarify the implementation of management plans.



## 7. CONCLUSION

The Department has assessed the merits of the proposed modification in accordance with the requirements of the EP&A Act. This assessment has shown that the importation of VENM could be undertaken within the existing conditions of the development consent and result in better rehabilitation outcomes for the quarry site.

The Department has not recommended any changes to the environmental performance standards and criteria contained in existing conditions of consent. Neighbours to the quarry can expect the same level of protection from traffic, noise and air quality impacts as provided in the existing consent.

## 8. RECOMMENDATION

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

- **considers** the findings and recommendations of this report;
- **determines** that the modification is within the scope of section 96(1A) of the EP&A Act;
- **approves** the modification application, under section 96(1A), subject to conditions; and
- **signs** the notice of modification at **Appendix C**.

*J Evans* 17.8.16

Jessie Evans  
Team Leader

*Howard Reed*

Howard Reed  
Director Resource Assessments

17.8.16

## **APPENDIX A – STATEMENT OF ENVIRONMENTAL EFFECTS**

Refer to the Department's website:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7728](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7728)

## **APPENDIX B – COPY OF SUBMISSIONS**

Refer to the Department's website:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7728](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7728)



## **APPENDIX C – NOTICE OF MODIFICATION**

## **APPENDIX D – CONSOLIDATED CONSENT**