

JRPP Ref No	2013NTH009
DA No	2012/185
Proposed Development	Expansion of Blue Metal Quarry (Marys Mount)
Property Description	Lot 161 DP 755508, 'Burleith' 334 Pownall Road, Mullaley Lot 2 DP 865898, 'Beulah' 259 Barker Road, Marys Mount
Applicant	Stewart Surveys Pty Ltd
Recommendation	Approval with Conditions
Report by	Carolyn Hunt Manager Development & Planning Gunnedah Shire Council

Addendum to the Assessment Report and Amended Recommendation

1 EXECUTIVE SUMMARY

1.1 Background

The subject Development Application was referred to the Joint Regional Planning Panel (JRPP) for determination on 9 April 2014. The determination of the application was deferred by the JRPP to allow the proponent to consider the following:

- Issue relating to the dwelling "Burleith" being within the blast zone and therefore the need to maintain the dwelling in common ownership with the owner of the quarry
- Cessation of haulage during times of school bus operation on the haulage route

The applicant submitted an amendment to the Development Application on 17 April 2014 in response to the matters identified at the JRPP meeting.

1.2 Brief Description of amended Proposed development:

The development application seeks consent for the expansion of an existing quarry. The expansion involves the:

- Increase in annual extraction from 30,000m³ (50,000 tonnes) to 360,000 tonnes, for a 22 year period
- Increase in total project area from 2 hectares to 18.9 hectares

A Voluntary Planning Agreement has also been submitted with the application.

1.3 Consultation of amendments to Proposed Development:

Council has advised all submitters of the decision of the JRPP meeting on 9 April 2014 and the amendments to the development application.

1.4 Recommendation:

It is recommended that development application DA2012/185 be approved, subject to the conditions of consent contained in Annexure 3.

1.5 Annexures:

Annexure 1	Submissions (Confidential) (as submitted to JRPP on 9 April 2014)
Annexure 2	Voluntary Planning Agreement (as submitted to JRPP on 9 April 2014)
Annexure 3	Draft Conditions of Consent (amended)
Annexure 4	General Terms of Approval - Environment Protection Authority (EPA) (as submitted to JRPP on 9 April 2014)

2 EVALUATION OF DEVELOPMENT APPLICATION

2.1 Proposed development

The development application seeks consent for the expansion of the existing Marys Mount Blue Metal Quarry. The application is seeking approval for the following:

- Increase in annual extraction rate for the quarry to 360,000 tonnes (120,00 bank cubic metres), in three main stages
- Operation Period of 23 years, which includes an extraction period of 22 years and 1 year for final rehabilitation of the site
- Quarry boundary of 15.52 hectares, with a total project boundary of 18.9 hectares
- Processing of the material will occur within the proposed quarry footprint, with material stockpiling to occur within the quarry footprint and current stockpile area (north of the pit)
- Method of extraction – drill and blast extraction
- Haulage route –
 - Estimated 75% of traffic - Barker Road to Goolhi Road to Kamilaroi Highway at Emerald Hill and
 - Estimated 25% of traffic - Barker Road to Goolhi Road to Oxley Highway at Gunnedah
- BioBanking Statement
- Voluntary Planning Agreement has been submitted

2.2 Referrals

The amendments to the Proposed Development were referred to the Environmental Protection Authority (EPA) in regard to the issued General Terms of Approval (GTAs) and the Office of Environment (OEH) in regard to the issued BioBanking Statement.

General Terms of Approval

The EPA has advised that there are no changes to their previously issued GTAs. The amendments identify that the private agreement assessed in the original environmental assessment for the residence “Burleith” will remain in place under the modified proposal for noise and dust. However, the blast criteria of 120dB for overpressure and 10mm/s for ground vibration will be met. Consequently, the EPA licence will make reference to the noise and dust limits that will need to be met, but note that the limits would not apply where a private agreement is in place.

BioBanking Statement

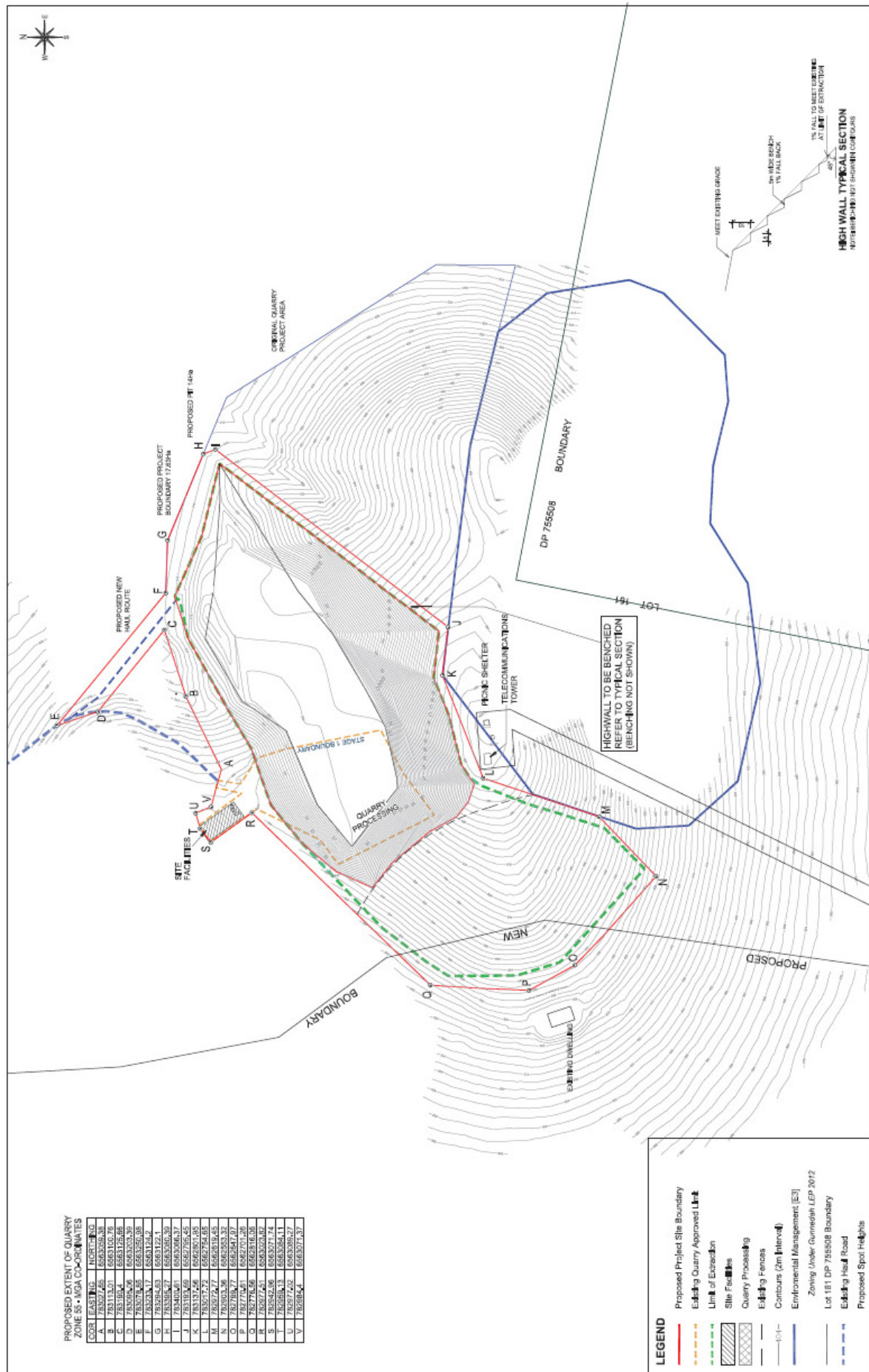
With a reduction in the Project Boundary and Pit, the BioBanking Statement is to be amended, identifying the credit calculations changes. OEH has advised that the BioBanking Statement will be approved.

2.3 *Environmental Planning & Assessment Act 1979*

The previous report to the JRPP included a comprehensive assessment of the proposed development in accordance with the provisions of the Environmental Planning and Assessment Act, 1979. Consequently, the following assessment will only focus on the two matters which the JRPP enable the proponent to consider.

Location of 'Burleith' dwelling within the blast zone and need to maintain the dwelling and quarry in common ownership

- The proposed development has been amended, providing a 250m buffer between the "Burleith" residence and the proposed pit boundary (illustrated in green in the diagram below:



The blast overpressure and vibration impacts have been modelled by Spectrum Acoustics, to accurately quantify the potential impacts on the “Burleith” residence. The assessment considered the geology of the site and the actual proposed blast location below the natural ground surface.

The proposed blast regime was assessed against the human comfort criteria proposed by the Australian and New Zealand Environment and Conservation Council (ANZECC) which are routinely applied to coal mines and allow for blasting during daytime hours, Monday to Saturday.

The submitted information noted that, with the proposed maximum instantaneous charge (MIC) of 250kg, the ANZECC criteria can be met 215 metres from the quarry, ie. the edge of that impact zone will be 35 metres away from the “Burleith” residence, based on the pit boundary being more than 250 metres from the “Burleith” residence.

Spectrum Acoustics have also modelled the potential impact on the “Burleith” residence from fly-rock. The following fly-rock management is recommended to ensure that there will be no impact at the “Burleith” residence:

- Ensuring that every charged hole conforms to a minimum stemming length of 2 metres, so that flyrock projections cannot extend more than one third of the way to the “Burleith” residence based on the minimum separation distance of 250m;
- Ensuring that bench faces within 500m of “Burleith” are aligned so that rock fragments ejected from the free face cannot travel in the direction of the residence;
- Ensuring that any uncharged holes in the pattern (eg. Blocked holes) are back-filled so that fragment projections cannot occur;
- Ensuring that the charging of blast holes is only conducted by qualified personnel, experienced in the practice of blasting in close proximity to occupied residential structures; and
- Establishing positive contact with residents of “Burleith” to confirm their location prior to blasting.

The additional information noted that, if the fly-rock management actions are undertaken, there will be no impact from fly-rock at the “Burleith” residence. It is recommended that a condition of consent be imposed to ensure that the fly-rock management is undertaken.

It was also noted that the reduced pit design will reduce impacts of noise and dust on the “Burleith” residence with the pit now 250 metres east of the dwelling. Existing dense vegetation between the project boundary and residence will now be retained providing a buffer to the residence.

Common ownership – dwelling and quarry

With regard to the need to maintain the dwelling and quarry in common ownership, the applicant has noted the submitted information concludes that the “Burleith” residence is now not located within the blast zone. Consequently, the applicant has requested that the dwelling and quarry no longer be required to be maintained in common ownership.

It is highlighted that the subject development application does not seek approval to subdivide the development site. Consequently, with the supporting information concluding the reduced impacts of the development on the “Burleith” residence, it is considered that a condition requiring the common ownership of the dwelling and the quarry is not required. Any subdivision of the development site will require the lodgement of a development application, where the impacts of the quarry on the “Burleith” residence will be considered, together with the location of the lot boundaries.

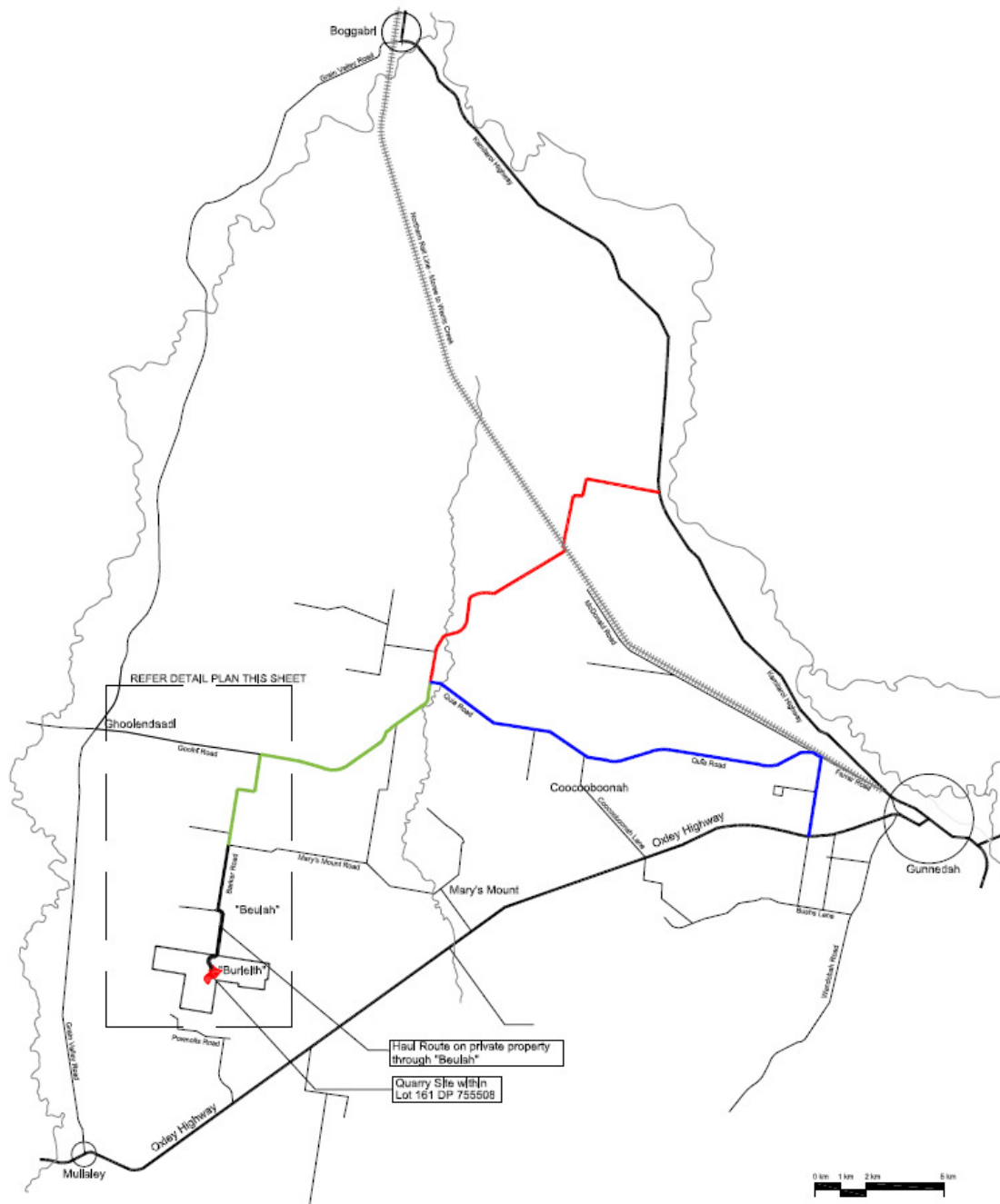
Cessation of haulage during times of school bus operation on the haulage route

➤ In response to this matter, the developer has confirmed that Gunnedah Quarry Products will cease operations for the following times when the school bus is travelling along the haul route (school term only):

- Marys Mount Road to Quia Road
7.50am – 8.10am and 3.50pm – 4.10pm
- Emerald Hill to Quia Road
7.50am – 8.10am and 3.50pm – 4.10pm
- Quia Road to Gunnedah
8.00am – 8.30am and 3.30pm – 4.00pm

A condition has been proposed in response to the amendment. The haulage schedule is illustrated below, which satisfies the issue raised by the JRPP:

HAULAGE OPERATIONS TO CEASE AT SCHOOL BUS TIMES



QUARRY HAULING HOURS

MONDAY TO FRIDAY 7:00am-6:00pm (DAY LIGHT SAVINGS TIME)

MONDAY TO FRIDAY 7:00am-5:00pm (NON-DAYLIGHT SAVINGS TIME)

SATURDAY 8:00am-3:00pm

EXCEPT WHEN SCHOOL BUS IS OPERATING (SCHOOL TERM ONLY)

— MARY'S MOUNT RD TO QUIA RD - 7:50AM- 8:10AM AND 3:50PM- 4:10pm

— EMERALD HILL TO QUIA RD - 7:50AM - 8:10AM AND 3:50PM - 4:10PM

— QUIA RD TO GUNNEDAH - 8:00AM - 8:30AM AND 3:30PM - 4:00PM

3 CONCLUSION

The amendments to the proposed development have addressed the two matters raised by the Joint Regional Planning Panel at the meeting on 9 April 2014.

The reduction in the proposed project boundary, total product extraction and quarry life are considered to adequately address the issue relating to the impacts on the dwelling "Burleith". The quarry operator has advised that haulage operations will cease while school buses are using the haul route.

It is recommended that, in relation to Development Application No. 2012/185 for the Expansion of the Blue Metal Quarry (Marys Mount) located at Lot 161 DP 755508, 'Burleith' 334 Pownall Road, Mullaley and Lot 2 DP 865898, 'Beulah' 259 Barker Road, Marys Mount, be approved subject to the Conditions of Consent in Annexure 3.

Annexure 1	Submissions (Confidential) (as submitted to JRPP on 9 April 2014)
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