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EMAIL TRANSMISSION

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ORGANISATION: Kempsey Shire Council

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SUBJECT: Farrowell's Quarry: T6-14-272 PBM Comments on Draft Conditions

Confidential Please Reply For Follow-up Urgent For your information

MESSAGE:

Greetings Rachael & Erin,

Firstly, many thank for the opportunity to review and comment upon the draft conditions.

I attached a few notes on the JRPP documentation together with a copy of the draft conditions incorporating a range of suggested edits together with a few comments for your consideration prior to the JRPP meeting.

I trust Council accepts the reasoning for the suggested changes. Our client is keen to ensure that the conditional approval is practical, workable and does not involve any unnecessary expenses.

The attached document also raises a few comments relating to the report to the Northern JRPP.

Should Council have any questions relating to the suggested edits or comments, please don't hesitate to contact either Charlie Kennett (6554 3206 / 0418 684 115) or myself in our Brooklyn Office.

Regards

Rob Corkery
Principal/Managing Director

Attached: Notes on Northern to JRPP Documentation - Farrowell's Quarry (2 pages)
Annotated comments on Appendix A (24 pages)
Existing sign at Quarry front gate (1 page)

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FARRAWELL'S QUARRY: DA T6-14-272**Notes on Northern Region JRPP Documentation****Assessment Report and Recommendations**

These brief comments are provided on the contents of the Assessment Report.

1. Page 15 – Comments

The comment “It is unfortunate if the RMS has more recently used this already established offset to provide an offset for one of its own projects” is no longer applicable.

Council has recently been advised that this matter has been clarified whereby RMS has instead “taken over” the management of the offset established by Mr Farrawell within the E2 Zone and not relied upon the subject land for an offset for its own projects.

It is noted that the report conclusion (Page 27) currently states the situation regarding the offset.

2. Page 28 – Section 6.6.3

The reference to “gross tonnage hauled” introduces an uncertainty regarding what the contribution relates to. The reference to “gross weight” normally refers to the weight of the truck and the material it is carrying. It would be preferable to avoid future confusion by clearly stating in Condition C47 that the contribution relates to the “net weight of material”.

3. Page 24 – Section 6.6.3

The actual contribution payable under Council’s Section 94 contribution plan would be \$0.074 per tonne i.e. \$0.086 x 0.86km.

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Appendix A – Conditions of Consent

The attached copy of the draft Conditions of Consent incorporate a few suggested edits/rewording for Council's consideration. The edits/rewording have been provided for the one or more of the following reasons.

1. Some conditions are unnecessary or need to be reworded as the Quarry is already operational. This particularly relates to matters such as signage, fencing and the timing of various activities, i.e. where reference is made to prior to "commencement of operations".
2. It would be far more practical (and involve less work and expense) if a single Environmental Management Plan is prepared covering all relevant environmental issues rather than the multitude of plans referred to in Condition B8. The Quarry has operated very successfully to date with a Plan of Management, a copy of which has been forwarded to Council separately. It would be the Applicant's preference to upgrade the attached document (as an Environmental Management Plan) to address matters relating to the expanded quarry and any other matter arising from the new set of conditions. Given this approach it is considered that Condition B9 is unnecessary.
3. **Annual Reporting**
The Applicant would prefer that annual reporting relates to the period 1 July to 30 June each year and the submission of the report by 30 September each year.
4. **EPA's General Terms of Approval**
It is recognised that the GTAs provided by the EPA are inconsistent with the Environment Protection Licence (EPL) 20018 currently held for the Quarry. I have separately forwarded a copy of EPL 20018 for Council's information. The suggested edits are provided to ensure the GTAs are consistent, where applicable, to EPL 20018. This particularly relates to hours of operation (Condition E9.1) and rainfall (Condition E5.5). The cross-references throughout the GTAs to other conditions numbers are not correct.

It will also be necessary for adjustments to be made given the reference to "Prior to Commencement of quarrying activities."

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