

DISCUSSION FORUM

DETAILS: EXTENSION TO AN EXISTING EXTRACTIVE INDUSTRY AND ASSOCIATED PROCESS AND STOCKPILING AREA

DATE: 10 JULY 2014

PRESENT: **BRC REPRESENTATIVES: RICHARD DENYER, JANET BINGHAM, AND LORETTA MCLEAN**
ALCHMEMY REPRESENTATIVES: ALEX IRWIN, WILL TOWNSEND, COLIN TOWNSEND, JAMES PRICE
RESIDENTS: MATT BYRNES, BEN EDWARDS, SEAN MCKAY, ROSEMARY MCKAY, DANIEL MCKAY, ANTHONY MCMAHON, SHANNON MCMAHON, JOHN WINDSOR.

FILE: 2014/0155

Meeting Opened: 10.00

J Bingham

- Introduction to the DA and the proposed development.
- Gave an overview of the process that will occur.
- The issue of non-compliance with the previous is not a consideration of this current DA being assessed.
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R McKay: Noise assessment only assessed operations at the floor of the quarry, nothing on the hills of the quarry where extraction occurs.

A Irwin: Modelling is of general predicted scenarios and represents most likely scenarios – not all scenarios

R McKay: Not all the machinery was included in the assessment. Why not use actual data collected from site rather than models.

A Irwin: A professional consultant was hired to do the noise assessment as an expert in the field.

R McKay: Disputes the accuracy of the noise data.

A Irwin: A dozer was included in the noise model included in the EIS

S McKay: The shape of the quarry makes it act as an amphitheatre with noise echoing to neighbouring properties

R McKay: The modelling should be a worst case scenario.

A Irwin: It is impossible to identify worst case scenarios.

- R McKay: 2 bulldozers is worst case scenario from previous experience.
- J Bingham: The EPA set guidelines for noise that the applicant must comply with if the JRPP approves the DA.
- A Irwin: Acknowledgement that noise levels predicted will form the base line. If these levels are exceeded due to changes to operation, machinery or higher up the hill then they will need to be addressed. There will be measures in place to monitor noise.
- S McMahon:
- The close proximity to neighbours especially his property.
 - Noise
 - Declining property values result from the existing and proposed expansion of the quarry.
 - He is a shift worker
- J Windsor:
- Looks directly onto the extraction area (visual)
 - The EIS has loose terms eg: is expected, is hoped
 - Past experience of non-compliance
 - In the future a crusher maybe used on the site.
- J Bingham: If the crusher is used on site a modification or a new DA is required. Not part of this DA.
- J Windsor: Dust
The issue of dust will require substantial water to mitigate the impacts.
The quantity of water required will be greater than the storage dam's capacity.
Would the additional water come from the Evans Plain Creek?
- A Irwin: The applicant currently has a water licence, but if water is used for the extractive industry an additional licence is required.
Crushing is not proposed in this DA
- J Bingham: If crushing is to occur it will be through the same DA process that is currently occurring.
- A Irwin: A terrace style of landform has been adopted because:
- It provided sympathetic landform similar to the flats of the creek.
 - The gravel to be extracted is only so deep.
 - Terrace can be used to easily identify extraction cells.
 - The use of cell based method of extraction provides greater control of areas and volumes to be extracted.
 - The final landform of the terrace will have a more beneficial use for the agriculture.
- J Windsor: Could the proposed quarry be located not in direct view of neighbouring dwellings.

- A Irwin: The land identified in the EIS was choose because of land capability in this area has the lowest land capability within the applicant property.
- J Windsor: Do we need a quarry?
- J Bingham: It is not a planning consideration.
- A Irwin: Gravel is required commodity and is a resource that is in demand.
- J Windsor: Visual impacts
The close proximity of the site to the highway as it is visible from 4km away.
It is visible from all neighbouring properties.
It will devalue neighbouring properties.
- J Bingham: The visual impacts will be something for the JRPP to discuss.
- J Price: There are other extractive industries in close proximity of the quarry in question.
He understand the concerns with the loose terms in the EIS but if the DA is approved the conditions will be very specific in relation to issues such as: noise, rehabilitation and extraction. These conditions will be monitored and enforced by the EPA and BRC
- A McMahon: Other quarries are 'hidden ', therefore reducing the visual effects of the development.
- J Bingham: Council cannot dictate where developments go but there are restrictions such as buffers from waterway etc.
Non-compliance is not an issue of this DA. If this DA is approved the conditions will be far more rigorous as Council has learnt from past experience and laws and regulations have changed since the previous consent was issued.
- J Windsor: What if Bathurst expands in the next 30 years to Evans Plains?
- J Bingham: Evans Plains is not identified for expansion in the rural strategy.
- J Windsor: Evans Plains is a historically significant village with buildings that were built before Bathurst was a settlement.
- J Bingham: The historical significance of Evans Plains is identified in the planning instruments as Heritage Items
- A Irwin: The proposed quarry will not impact on the existing heritage items within the village of the Evans Plains
- J Windsor: Recently the applicant used the Evans Plains (Stewart Street) for access to the site.
The site should only be accessed off Mid Western Highway.

A Irwin: The existing access to the highway is the sole entry and exit to the proposed development.

J Bingham: Access will be conditioned accordingly.

S McMahon: The entry to the site is not adequate near the bridge; it has the potential for a serious accident.

J Bingham: The proposed development has been referred to the RMS for comment.

A Irwin: Everything where vehicles are involved has the potential to be an accident.
The RMS has confirmed the intersection in its current form is in compliance with Austroad standards.

R McKay: Is there a conflict of interest with the RMS commenting and being a customer?

J Bingham: No they are different office.

J Windsor: There are several access points to other properties within the close proximity of the existing access of the development.
Doesn't believe it is up to satisfaction.

Alex: In the EIS a movement is a one way movement. Eg 60 movements is 30 in and 30 out.

10.34 J Windsor Leaves

R McKay: Why is the project boundary to the creek.

A Irwin: As describe the project boundary to the east is off the existing lot boundary.
The extraction area is clearly identified within the site plans.
No extraction is to be undertaken outside of the proposed extraction area.

M Byrnes: Purchased his property after previous DA was approved and in operation.
Wants to come to a compromise.

10.38 J Windsor returns

J Bingham: JRPP will deal with the application as it is.

M Byrnes: The cell base approach is a good idea.
Can there be a progressive cell base approach which only have one cell active at a time.
Proposed development is 17 times greater than existing .

J Bingham: The aim of the consent is to minimise the impact of the development.

- M Byrnes: Can the applicant reduce the volume to be extracted from 100,000 T?
Is there a need for 100,000 T to be approved?
- A Irwin: It is to account for future growth if it is required.
Currently extraction is 30,000 T P.A at steady rate.
It is easier to have a maximum approved than to modify consent or licence by the EPA.
It is very much an industry that has busy and quiet periods.
The proposed extraction plan with cells is an easy way to mitigate extraction.
- M Byrnes: One cell worked on eg 1a, and finishes the cell and rehabilitates the cell then move to the next cell.
- J Price:
- The applicant has to take into consideration the commercial viability of the business and environmental concerns.
 - The applicant is trying to be proactive to act with the guidelines. By preparing an EIS and going through this process of gaining approval shows they are dedicated to the development.
 - If consent is given the applicant will provided a detailed management plan.
- R McKay: The commercial aspects over take all others?
Environmental concerns have not been considered in the last 15 years.
The previous DA has an EIS as well, but after consent was issued, the principles of the EIS were forgotten.
- A McMahon: 100,000 T is an considerable increase from the existing approximate 30,000 T.
- J Bingham: Anyone who hasn't had an opportunity to speak has the opportunity before closing.
Describes how the process will work from here.
- A McMahon: Who is the JRPP?
- R Denyer: There are 5 representatives on the panel.
2 are from Council and 3 state representatives.
They will have a site inspection
Then the objectors and applicant have the opportunity to address the JRPP.
The JRPP will make recommendations and conditions.
The JRPP will notify them directly of the timing of this process.
- J Windsor: Final issue is the hours of operation.
- J Bingham: The EPA have already specified the hours of operation.
- A Irwin: If they do not comply with the hours of operation the EPA has the power to prosecute if required.

J Bingham:

Summaries the meeting and thanks everyone for coming and they will have another opportunity to address the JRPP.

Meeting Closed:

10.54



D R Shaw

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