

Email from representative of the applicant, received at 5:02 PM on Tuesday 20 September 2016:

Attention:

Panel Chair

Northern Joint Regional Planning Panel

RE: 2016NTH002 (DA2015 - 953.1) - Comments on Council Response to Applicant's Comments on Draft Proposed Conditions

I refer to Council's comments dated 16 September 2016 on the proposed amended DA conditions, and in particular to Condition A 12(a).

This proposed condition states:

12) (A196) Progressive rehabilitation of the site shall be carried out generally in accordance with the Rehabilitation Plan prepared by Naturecall Environmental and dated December 2015, with the following additional requirements:

- a. Rehabilitation for each stage of the quarry shall be completed prior to commencing extraction in the subsequent stage.

b.

CTKNR proposed amended the wording of part (a) as follows:

- c. Rehabilitation for each stage of the quarry shall be completed ~~prior to commencing extraction in the subsequent stage~~ **not later than the completion of each particular stage of quarrying.**

Council in its disagreement to the proposed change noted the following:

Condition A(12)(a)

Disagree with suggested deletion and amended wording for this condition. It is important that there is an appropriate hold point for the completion of progressive rehabilitation and that there

is a financial disincentive (ceasing production) if the rehabilitation is not appropriately planned and carried out in a timely manner.

I would like to raise some points for consideration:

A) Stage 1 is the Working Platform for the whole quarry operation

What Council has not fully appreciated is the crushing plant, the material stockpiles, and some of the sediment and erosion control works are all contained within the footprint of Stage 1. This means that the rehabilitation cannot be “completed” until the crusher and the stockpiles are removed.

This is at odds with the intent of the development. Stage 1 was to provide the working platform for the whole quarry operation. Its rehabilitation would not be fully completed till the quarry resource is expended.

In addition, various haul roads are required to bring the raw material from the quarry working face to the crushing plant. These roads cross the various stages and cannot be rehabilitated till the quarry works are complete.

B) Rehabilitation is an on-going process

Rehabilitation is an on-going process, A section is not complete till the vegetation is established and growing. This could be months after the initial re-spreading of topsoil and re-planting of trees etc occurs.

It is unreasonable to expect the quarry to cease operations for 6 or more months waiting for the rehabilitation works to strike before being able to commence the next stage.

C) Variable Staging depending on Quarry Product

The quarry resource provides a variety of quarry products which are sourced from the various geological stratum in the quarry. Depending on market demands, the quarry may need to chase the required material within the overall quarry approved boundary. This may mean having to excavate in the Stage 2 area, before the Stage 1 is fully expended or similar. To say that none of the Stage 2 material can be excavated till Stage 1 is complete is not economically realistic.

D) Intent of Council Condition

Council is keen to see progressive rehabilitation of the quarry as sections of the quarry reach their design levels. The proponent should also be after the same goal as this will lead to him minimising his costs on sediment and erosion control maintenance as the quarry develops.

Given the above, I would suggest wording along the following lines.

12) (A196) Progressive rehabilitation of the site shall be carried out generally in accordance with the Rehabilitation Plan prepared by Naturecall Environmental and dated December 2015, with the following additional requirements:

- a. Those sections of a stage, not required for on-going production, shall be rehabilitated when completed. The Quarry Operator shall develop a rehabilitation timeline which will be submitted to Council for approved. Audit reports detailing the rehabilitation works undertaken will be lodged annually with Council.**
- b.**

Regards

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