

#### BRIEFING DETAILS

<b>BRIEFING DATE / TIME</b>	Tuesday, 22 April 2025
<b>LOCATION</b>	MS Teams Videoconference

#### BRIEFING MATTERS

PPSHCC-352 – Upper Hunter – DA 72/2019 - 5 - 2345 Middlebrook Road, Middlebrook 2337 – S4.56  
Modification – Extend life of Quarry

#### PANEL MATTERS

<b>IN ATTENDANCE</b>	Alison McCabe (Chair), Greg McDonald, Maurice Collison
<b>APOLOGIES</b>	Tony McNamara, Roberta Ryan
<b>DECLARATIONS OF INTEREST</b>	None

#### OTHER ATTENDEES

<b>APPLICANT REPRESENTATIVES</b>	Allan Henderson (owner), Jonathan Berry (Wedgetail Project Consulting)
<b>COUNCIL ASSESSMENT STAFF:</b>	Paul Smith
<b>DEPARTMENT STAFF</b>	Nikita Lange

#### COUNCIL BRIEFING

- Overview of the proposal to extend quarry life for 25 years from August 22, 2019, to August 22, 2044.
- Site location, 22km northwest of Scone.
- Proposed 4.5ha of additional disturbance.
- Extraction proposed in stages (1-4). Rehabilitation not complete until stage 3.
- TfNSW seeking additional information on traffic impact assessment, WaterNSW have no concerns
- Key issues include:
  - air quality,
  - dust,
  - road safety,
  - progressive rehabilitation,
  - water quality,
  - waste management,
  - bushfire hazard,
  - erosion and sediment controls.
- RFI issued for revised extraction plan, traffic assessment, road safety audit, and detailed site and waste management plans.

#### Planning Panels Secretariat

- 77 submissions received during public consultation.

## APPLICANT BRIEFING

- Overview of the applicant, development and proposal.
- Proposal seeks to extract an additional 10.3ha of the original quarry resource, 75,000 tonnes per year, max of 30 haulage vehicles per day (one way). At maximum capacity, the quarry can operate 16 weeks a year.
- Previously extracted approximately 550,000 tonnes of the 1.875 million tonnes that was available.
- Mitigation measures and reports completed to limit impacts on community and environment.
- Applicant wants to work with Council to satisfy any road requirements.
- Previous operator did not rehabilitate the quarry site and left stockpiled material outside of the boundary of the approved operational consent.
- First approved under DA82/92 in August, challenged and approved by previous operator in the Land and Environment court in 1994 with conditions. Consent allowed 75,000 tonnes per annum. EIS set an average of 12 haulage trucks a day at 25t/truck, the Court did not specify limit on truck movement in conditions. In 2019 Council added condition 20 to set a limit of 4 loads per day.
- The original operator donated a large portion of land to National Parks in an agreement that National Parks cannot unreasonably object to the extension of quarrying activities.
- The applicant advised rehabilitation cannot be complete until stage 3 until at least half of the resource is quarried and enough space is available for revegetation.

## PANEL COMMENTS

- The Panel noted the consent had lapsed 6 years ago. The Panel requested legal advice from the applicant and Council be provided to the Panel to determine if the consent remains and is actually able to be modified.
- The Panel questioned how the applicant will upgrade roads and improve safety. The Panel requested the applicant provide a clear explanation of the extent of road upgrades, including when and how this will be completed. The Panel was clear that any road upgrade should not be at the cost of Council, noting upgrades to the road are not included in Councils work program.
- The Panel confirmed the total haulage truck movements (including to and from the site) is 60 movements per day.
- The Panel questioned how the increase in demand will not increase dust and noise. The applicant advised the noise and dust specialist, and reports indicate there is no increase, (considered over an annual and 24-hour period).
- The Panel questioned why rehabilitation cannot be completed until stage 3.
- The Panel noted there is currently no quarry operator. The panel request the applicant clearly specify how the quarry will operate.
- The Panel encouraged council to apply today's standards in relation to contributions payable.
- The Panel request the following information be provided:
  - Legal advice specifying how the application is being modified.
  - Comparison of the proposed development from the originally approved development, (including haulage truck movements and disturbed areas) and how this proposal is substantially the same development in accordance with Section 4.56 of the *Environmental Planning and Assessment Act 1979*. This will require a qualitative and quantitative assessment.
  - Response to submissions and key issues.

The Panel will hold a further briefing once the applicant has responded to the further information request from Council. Given the number of submissions the Panel is likely to visit the site and hold a public listening meeting to understand community concerns.

## Planning Panels Secretariat

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