

Your ref: MA2025/0032
Our ref: 12547851

26 March 2026

Cherie Smith
Richmond Valley Council
Locked Bag 10
Casino NSW 2470

MA2025/0032 Bentley Quarry Modification - Response to Submissions

Dear Cherie

We provide the following in response to the letter from Richmond Valley Council (Council) dated 3 September 2025 requesting a response to the submissions in relation to MA2025/0032 Bentley Quarry Modification.

1. Proposed modification

In summary, the proposed modification is to:

- Amend Condition 60(b)(ii), which limits truck movements for an hour at peak school pick up and drop off times. It is proposed to amend the condition as follows:
 - *The restricted hours of trucks entering or exiting the quarry (for ~~one hour~~ 15 min at peak school pick up and ~~one hour~~ 15 min at peak school drop off times), as determined in consultation with the school bus service providers consistent with the Deferred Commencement condition.*
- Replace Condition 107 in relation to the community consultative advisory committee, with regular updates about its operations on the website, including monitoring data, complaints, compliance documents and Annual Reports, as per Condition 106.

2. Analysis of submissions

Following the public exhibition of MA2025/0032, 17 public submissions were received, with 15 objecting to and 2 supporting the proposed modifications. A summary of the concerns and our response is provided in Attachment 1.

Some details about the submissions:

- Most were from locals (<5km), while 4 objections were from the regional (<100km) area
- One was from an immediate neighbour of the site
- Six (40%) objections were from one family
- 80% of the objections were from members of Beyond Bentley

Four agency responses were also received. NSW EPA, DPI Agriculture and WaterNSW did not raise any issue with the proposed modification. Transport for NSW (TfNSW) queried if the modification was consistent with Section 2.22 (1)(b) of *State Environmental Planning Policy (Resources and Energy) 2021*. A response to this has been provided in Attachment 1 and legal advice in relation to this comment is provided in Attachment 2.

3. Additional information and assessment

3.1 Bus timetable

Most of the submissions have raised concerns with the proposed amendment to the restrictions on truck movements during school bus periods. This has been an issue with the community since Bentley Quarry was originally proposed. We acknowledge the concern and want to assure the community and Panel that it is not intended to reduce the safety of the road for school students. The intention of the proposed modification is to provide a more functional condition that achieves the same outcome. At the moment, the quarry is not able to have trucks on the road for periods when no buses are operating, so there is no safety benefit.

In response to the communities submissions and the Panel's comments regarding the latest modification, an experienced traffic consultant EMM was engaged to review the proposed reduced restriction. A copy of the EMM review is provided in Attachment 3. While this recommends the reduced restriction is 30 minutes during the morning and afternoon peaks, rather than 15 minutes, it does indicate that due to bus movements and improvements in the road, the hour restriction is not warranted and no restriction is required to the east. EMM also make a range of recommendations and mitigation measures, which Bentley Quarry would commit to implementing, if the modification is approved.

Bentley Quarry has now engaged three traffic consultants (GHD, TTPP and EMM) and the Panel has engaged their own traffic consultant (EMM) to review the traffic issues associated with Bentley Quarry, with TTPP and EMM engaged to specifically consider the bus and truck interaction issue. None have found significant issues with the haulage routes to support the current 1 hour restriction, nor did Council during the assessment of the original application. When consulting the bus companies, they have also indicated the restriction is not necessary.

While it is appreciated that the community do have concerns about the safety of school children, there has not been any tangible evidence provided to support the claims. It is considered that the recommendations provided by EMM, and supported by evidence, provide a reasonable compromise that improves the quarry operations, while still achieving the outcomes intended by the original restriction.

3.2 Community Consultative Advisory Committee

A number of submissions raised concerns about if the Community Consultative Advisory Committee (CCAC) had been formed and how the community members were selected. Due to the animosity between members of the Bentley Beyond group and the applicant during the initial application process and since, Bentley Quarry does not want Bentley Beyond group members to be involved in the CCAC. During this period, some members of the Bentley Beyond group have:

- Defamed Bentley Quarry and the owners/operators on social media, radio and newspaper
- Sent abusive and threatening text messages in the guise of complaints, see Attachment 4
- Taken photos and videos, including drone footage of the quarry and surrounding farm and house
- Followed Bentley Quarry trucks
- Physically intimidated members of the family
- Harassed motorists while stopped due to traffic control, as a result of the quarry implementing the conditions of consent during a blast

It has been so serious, the operators of Bentley Quarry have consulted the Police in regard to getting an Apprehended Violence Order (AVO) placed on one member of the Bentley Beyond group. This was not pursued because it was considered likely to inflame the situation further.

While it is only a few Bentley Beyond members who have displayed the above behaviour, the opposition to the quarry by the Bentley Beyond group has been intense, so the Bentley Quarry operators would prefer not to have them involved in the CCAC. Bentley Quarry has therefore contacted 12 surrounding community members who are not members of Bentley Beyond group, prior to every CCAC meeting. The response has been that the community do not want to be involved due to the controversial nature of the project, they are not interested or they don't have the time.

Otherwise, the CCAC has been held in accordance with the condition. It has an independent chair that was approved by Council, has met approximately 6 monthly, Council is invited (and attended two out of three meetings) and minutes are taken by the chair (and are now available on the website).

While it is acknowledged that there is some interest in the community, this is primarily from members of Beyond Bentley. Outside of this core group, the interest has significantly declined, as indicated by the reduced number of submissions. In our experience, this is not uncommon, with other CCAC in the area (Cedar Point Quarry, Richmond Quarry) only meeting as required or it being a constant challenge to encourage members to attend.

It is acknowledged that the CCAC would be an effective form of communication but only if there are interested and reasonable community members available to attend. As proposed, the alternative is to provide the relevant information on the website on a regular basis that the community can access whenever they like.

We trust this satisfactorily responds to the submissions but if you require any further information, please contact the undersigned.

Regards



Ben Luffman
Technical Director - Environment

+61 2 6650 5613
ben.luffman@ghd.com

© GHD 2026

This document is and shall remain the property of GHD. The document may only be used for the purpose for which it was commissioned and in accordance with the Terms of Engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited.

Attachments

Attachment 1

Response to Submission

Table A.1 *Response to submissions*

	Issue	Submission	Response
	Public submissions		
Traffic	The restriction on truck movements is required due to safety issues related to children and parents waiting on the side of the road	1, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, 17	As explained above, it is appreciated that the community have concerns about school children safety but the intention of the proposed modification is not to reduce safety. The intention is to provide a more functional condition that achieves the same outcome. The proposed modification has been assessed by traffic experts, taking into account bus timetables and the condition of the road. Even the bus companies have indicated the restriction is not required.
	Support the removal of the truck restriction	2, 14	Noted
	Other quarries in the area have similar conditions e.g. Mt Zion Hard Rock Quarry	3, 4, 7, 8	A number of submissions suggested other quarries have similar conditions, with the Mt Zion Hard Rock Quarry being referred to. We have obtained the consent from Clarence Valley Council for this quarry and it does not include a similar condition, see Attachment 5. Regardless, the excerpt of the condition included in the submissions, indicates it relates to a small section of road 50 km from the site, with multiple alternative access options, so it does not restrict trade like the current condition at Bentley Quarry. It is also noted that the access routes of the Mt Zion Hard Rock Quarry pass schools and there is no restriction on haulage at these locations. Likewise, other quarries in the area mentioned, include Petersons, Cedar Point and Doonbah. Petersons, which has approval for 31 trucks per hour and the approved haulage route passes Coraki Public School has no such restriction. Cedar Point which uses Bentley Road has no restriction on haulage times or truck numbers. Doonbah Quarry where haulage and school buses were an issue during the assessment has no restrictions. To deal with the interactions of school buses and trucks, all the above quarries have a requirement that the Drivers Code of Conduct be prepared in consultation with the bus companies. It is appreciated that previous approvals don't necessarily apply to new developments but they do establish a precedent or expectation of what conditions will apply. Despite the above, Bentley Quarry acknowledges the community and Panel's concerns and accepts a condition to minimise the interaction of trucks and school children but they are requesting a more reasonable condition that reflects the actual times buses are on the roads in the area and does not unnecessarily restrict trade.

	Issue	Submission	Response
	The Bentley Community Preschool is a particular concern	3, 5, 8, 13	It is appreciated that the Bentley Community Preschool is a concern but only about 10% of trucks from the quarry travel past the pre-school. The Traffic Assessment did not find a safety concern with the current arrangements at the pre-school. Regardless, as mentioned above, Bentley Quarry will restrict movements in that direction during the peak times of between 8-8.30am and 3.30-4pm, each school day.
	The roads are in poor condition and the quarry does not contribute to their maintenance	3, 7, 8	The maintenance of the roads is outside the control of Bentley Quarry; however, an annual contribution is paid to Council for the maintenance of the road based on the tonnes of material extracted.
	The restrictions allow for moving stock and farm machinery across the road	3, 7, 15	It is considered unlikely that the restriction would impact moving stock and machinery across the road significantly. During peak haulage times, the quarry would contribute up to a maximum of 5% of traffic movements (and 17% of heavy vehicles) on Bentley Road, so the other 95% of traffic would still need to be managed while moving stock and machinery.
	It is misleading that the quarry cannot manage truck times	3, 4, 8, 11, 12	The quarry can manage their own fleet of trucks, which is about 70% of all trucks hauling material from the quarry. The trucks have had trackers installed, so their location can be monitored. It can also influence regular contractors but it cannot manage ad hoc trucks that arrive at the quarry unannounced. However, this is a reasonably low number of trucks.
	Consultation with the bus companies was misleading	3, 4, 8, 10	GHD, TTPP and EMM have consulted with the bus companies on numerous occasions over the years. The correspondence provided in the TTPP report, submitted with the modification application, is considered to accurately summarise what is proposed and the responses indicate the bus companies do not object. This is consistent with the previous response from the bus companies, with some indicating the restriction is not necessary.
	The claim that Bentley Quarry only contributes 3% of traffic is still a lot and does not remove the hazard of large trucks travelling near children.	4, 8	The 3% is based on the latest traffic data and the associated estimates in the Traffic Impact Assessment (GHD 2022) prepared for the EIS. This indicates that the trucks from Bentley Quarry, on Bentley Road, during peak periods would be a relatively small proportion of the total volume of traffic. Recent traffic data indicates the proportion of trucks from Bentley Quarry compared to the total traffic on Bentley Road is closer to 5%, which is still a relatively small proportion and that's when the quarry is operating at the maximum truck movements approved.

	Issue	Submission	Response
	The conditions don't limit the direction trucks will travel in; this will be based on demand.	12	This is true but based on averages, there will be very limited trucks hauling material towards Kyogle. This is because haulage is a large proportion of the cost of quarry material and there is another quarry in that direction that can therefore provide materials at a lower cost.
	No data provided to support the proposal but there has been sufficient time to obtain data regarding bus times.	12	We have reviewed the timetable, inspected the site, been provided information by Bentley Quarry, reviewed Anytrip and consulted the bus companies in regard to bus times. Based on this combination of information sources, we feel we have a good understanding of the bus times. Regardless, we have also allowed some buffer for periods when the buses are running late.
Community consultative committee	The community consultative committee meeting is essential and if operated effectively would provide a transparent avenue to scrutinise compliance measures.	1, 4, 5, 9, 10, 11, 13, 15, 16, 17	It is agreed that a CCAC would be a useful forum to exchange updates and concerns in regard to the operations but given the limited interest of the community, outside the Bentley Beyond group, who Bentley Quarry do not want to be involved with, it has been difficult to establish a functional CCAC. Regularly updating the information on the website will provide everyone access to that information more regularly than the six monthly CCAC meetings.
	It is not accurate that the general community are not interested in the quarry operations	3, 8, 12	The community interest in Bentley Quarry appears to have reduced, since it was approved, as indicated by the reduced number of submissions. The Bentley Quarry has approached 12 surrounding community members, who are not members of Bentley Beyond, prior to each meeting and struggled to get any to attend the CCAC meetings.
	The community members on the Community Consultative Committee were selected by the quarry operator	3, 8, 10, 12, 16	As detailed in Section 3.2, Bentley Quarry operators have contacted 12 local community members, not associated with Bentley Beyond.
	To claim that community members who may be interested are abusive and not considered suitable representatives is offensive	3, 8, 10, 12	As detailed in Section 3.2, there are some members of the Bentley Beyond group who have been abusive and threatening to the Bentley Quarry operators, family and staff. It is not all members of Bentley Beyond but Bentley Quarry do not want to be involved with any members of Bentley Beyond due to their association.
	Support the removal of Condition 107	14	Noted

	Issue	Submission	Response
	No evidence of previous committee meetings being held or minutes being available, despite several requests for a copy of the minutes.	4, 5, 6, 7, 8, 11, 12, 13	Three meetings have been held to date, on 19 July 2024, 13 November 2024 and 19 June 2025. Minutes of the meetings are now on the Bentley Quarry website and are provided in Attachment 6. In relation to the requests for minutes, the Bentley Quarry operator reportedly has only received one request, via Council, and the minutes were provided.
Compliance	The current operations do not comply with the existing restrictions and cannot be trusted	3, 4, 6, 7, 8, 10, 11, 12, 15, 16	Bentley Quarry have advised that no trucks have departed the quarry during the periods truck movements are restricted. However, some trucks have entered the quarry during the restricted period because this was considered a safer option than have them parked on the side of the road. As the contractors become aware of the restriction, this has reduced. Some submissions provided photos of trucks on the road while school children are waiting for buses. We don't know the circumstances of these trucks, so this doesn't necessarily mean there was a non-compliance. The truck may have been held up; after leaving or returning to the quarry, it may not be hauling material, etc.
	Accept the current condition is not achieving its purpose but don't believe the quarry manager will provide the regular updates, as proposed.	8, 13, 15, 16, 17	The quarry is generally compliant with all requirements and if the proposed modification is approved, Bentley Quarry would provide the information required.

	Issue	Submission	Response
	Agency submissions		
	<i>TfNSW has reviewed the provided information and it appears the proposed removal of condition 60 (b)(ii) of the development consent may result in the development being inconsistent with section 2.22 (1)(b) of State Environmental Planning Policy (Resources and Energy) 2021. Council should be satisfied that the development maintains appropriate road safety measures and will not result in unacceptable impacts to road users.</i>	1	Clause 2.22 states: (1) <i>Before granting consent for development for the purposes of mining or extractive industry that involves the transport of materials, the consent authority must consider whether or not the consent should be issued subject to conditions that do any one or more of the following—</i> (b) <i>limit or preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools,</i> This provision requires Council to consider if the consent should be issued with conditions to limit or preclude truck movements on roads near to schools, it is not a requirement to include limits and is in relation to 'roads near to schools'. The existing condition is not in relation to limits on truck movements on roads near to schools, so the proposed removal of the condition is not considered to be inconsistent with the SEPP. The modification proposes to remove the condition restricting truck movements for two hours, while school buses are operating but it is still proposed to have measures in place to manage the interaction of school buses and quarry trucks. A school exists on Manifold Road but very limited trucks from Bentley Quarry travel on Manifold Road, as it's not a designated haulage route now that Naughtons Gap has reopened.

Attachment 2

Legal advice



30 September 2025

Enquiries:

Shannon Goodenough
02 6650 7025
sgoodenough@fwolaw.com

Ben Luffman | Associate
GHD | Engineering consultants
230 Harbour Drive, Coffs Harbour, NSW, 2452

Our ref: RF:20250067:SKG

By Email: ben.luffman@ghd.com

Dear Ben,

**Advice in relation to application of SEPP (Resources and Energy) 2021
Modification of Development Application – MA2025/0032 to modify truck restrictions**

We act for R & S Contracting Pty Ltd, the applicant for the modification to Development Consent MA2025/0032 relating to Bentley Quarry (the **Modification**) and provide this advice to GHD in its capacity as the planning consultant for the Modification.

1. Instructions and request for advice

You have requested our advice regarding the proper interpretation and application of clause 2.22 of the *State Environmental Planning Policy (Resources and Energy) 2021* (the **SEPP**), and whether the Modification remains compliant in light of the concerns raised by Transport for NSW (**TfNSW**) and the Northern Regional Planning Panel NSW (the **Panel**).

In particular, we have been asked to comment on the request from Richmond Valley Council (**Council**) for additional information under the Modification to ascertain:

- 1.1. Whether clause 2.22 imposes a requirement for consent authorities to apply specific conditions relating to traffic impacts (truck movements near residential areas or schools); and
- 1.2. Whether the consent authority may lawfully approve the proposed Modification without imposing further restrictions under Condition 60(b)(iii), provided that proper consideration of clause 2.22 has occurred.

2. Summary

Clause 2.22 of the SEPP does not require the imposition of conditions relating to transport, but rather, that the consent authority “must consider whether or not” such conditions should be imposed.

Accordingly, the SEPP imposes a procedural obligation to consider certain matters, not a substantive obligation to impose traffic-related conditions. If the consent authority has considered matters in clause 2.22 of the SEPP and it is satisfied that the Modification maintains appropriate road safety measures, the SEPP is complied with.

GHD's traffic impact assessment demonstrates that appropriate consideration has been given to the relevant transport matters, and we are instructed that the proposed haulage routes do not pass any schools and that the nearest residential area is approximately 15km from the site. On that basis, the Modification may be lawfully approved without imposing conditions relating to traffic and can also be approved when modifying existing conditions of the consent.

3. Facts and assumptions

This advice is based on the following:

- 3.1 The Modification seeks to reduce truck movement restrictions set out in Condition 60(b)(iii) of the existing consent;
- 3.2 Clause 2.22(1)(b) of the SEPP is raised by TfNSW in its submission on the Modification with the view that any reduction in restrictions may lead to non-compliance with the SEPP;
- 3.3 A briefing with Northern Regional Planning Panel (**Panel**) on 15 September 2025 indicated concerns about traffic impacts, particularly relating to bus movements and the proximity of the haulage route to a preschool and a school located approximately 50m from the route where about 10% of traffic will go (access being along Manifolds Road from Bentley Road); and
- 3.4 GHD and the applicant have maintained that all traffic impacts have been properly considered and addressed (or mitigated), including in the Transport Planning Partnership Report dated 25 June 2025 (the **TTPP Report**). This report comments on the adequacy of the proposed haulage restriction modifications and their impact on local traffic and school bus operations.

4. Relevant planning provisions (SEPP)

Clause 2.22 of the SEPP provides as follows (bold for emphasis):

2.22 Transport

*(1) Before granting consent for development for the purposes of mining or extractive industry that involves the transport of materials, the consent authority **must consider whether or not the consent should be issued subject to conditions that do any one or more of the following—***

(a) require that some or all of the transport of materials in connection with the development is not to be by public road,

(b) limit or preclude truck movements, in connection with the development, that occur on roads in residential areas or on roads near to schools,

(c) require the preparation and implementation, in relation to the development, of a code of conduct relating to the transport of materials on public roads.

(2) If the consent authority considers that the development involves the transport of materials on a public road, the consent authority must, within 7 days after receiving the development application, provide a copy of the application to—

(a) each roads authority for the road, and

(b) the Roads and Traffic Authority (if it is not a roads authority for the road).

Note—

Section 7 of the Roads Act 1993 specifies who the roads authority is for different types of roads. Some roads have more than one roads authority.

(3) The consent authority—

(a) must not determine the application until it has taken into consideration any submissions that it receives in response from any roads authority or the Roads and Traffic Authority within 21 days after they were provided with a copy of the application, and

(b) must provide them with a copy of the determination.

(4) In circumstances where the consent authority is a roads authority for a public road to which subsection (2) applies, the references in subsections (2) and (3) to a roads authority for that road do not include the consent authority.

The clause imposes a duty to consider, but it does not require the imposition of any particular condition. This position is consistent with general principles of statutory construction in that where legislation requires a matter to be considered, the consent authority retains discretion as to the outcome.

However, provided the authority has turned its mind to the issues listed in the clause, and documents in its assessment, the obligation is therefore satisfactorily discharged.

5. Advice on whether permissible

The consent authority may lawfully approve the Modification without imposing conditions relating to traffic or it may also modify existing conditions under Condition 60(b)(iii), provided it has:

- i. Considered matters in clause 2.22, including proximity to schools and residential areas; and
- ii. Formed the view that the Modification maintains appropriate road safety measures.

On the basis of the Panel's briefing notes and GHD's traffic assessment (the TTPP report), we are satisfied that the matters required by clause 2.22 has been properly considered and addressed.

6. Conclusion

For the reasons set out above, the proposed Modification is permissible with consent, and there is no legal requirement for the consent authority to impose conditions relating to traffic. The consent authority may also modify existing conditions, as clause 2.22 has been considered and road safety is maintained, as demonstrated by the TTPP assessment.

Further, no additional traffic conditions are warranted on the merits of the application having regard to the TTPP assessment.

Yours faithfully,

FISHBURN WATSON O'BRIEN



ROSS FOX

Principal

Accredited Specialist Planning and Environment

Attachment 3

Traffic Review

25 March 2026

Rob Mckenzie
General Manager
Bentley Quarry
1465 Bentley Road, Bentley
NSW 2480

Re: Bentley Quarry (DA2022/0107) - Haulage truck assessment during the AM and PM peak school hours

Dear Rob,

This letter undertakes a haulage truck route safety assessment for the subject quarry in support of a modification application to shorten the AM and PM peak hour truck haulage restriction which is currently in place.

1 Background

Richmond Valley Council approved the current operation of the quarry on 16 December 2022. The current approval allows extraction and transportation of materials for up to 300,000 tonnes per annum. Following the approval, the proponent (Bentley Quarry) lodged a modification application council to reduce the current truck operational restriction (both inbound and outbound) from one hour to 15 minutes during the school peak hours.

On 21 November 2024, The Northern Regional Planning Panel rejected the application based on the following reasons:

- Traffic safety
- Interaction of haulage trucks with school buses
- Road conditions
- Compliance (effectiveness of deferred commencement condition, enforcement, Council response)
- Effectiveness of community consultation measures
- Justification for proposed modification
- Consultation with bus companies
- Restricted truck activity times also provides a safe period for livestock crossing

- Adequacy of application to revise EIS reports and impacts
- Operational noise disturbance

EMM Consulting Private Limited (EMM) has been engaged to undertake further assessment on the above matters which has contributed for the refusal of this modification application.

Note that the consultation with the bus companies has already been undertaken as part of the modification application and operation noise disturbance is not a traffic issue. Hence, these two items are not considered in this traffic assessment. However, the latest current school bus time tables and routes have been reviewed based on the latest information on the bus company websites.

2 Current approval conditions

The relevant conditions of the ¹development consent is outlined below:

Condition: 34, Table 2:

Operating Hours: 7 am to 6 pm, Mon – Fri; and 8 am to 1 pm on Saturday.

Condition 5:

The operator must not:

- h) dispatch more than 70 laden trucks from the site per day;
- i) dispatch more than 7 laden trucks from the site per hour.

Part 1: DEFERRED COMMENCEMENT

Condition a (ii)

the prevention of trucks entering or exiting the quarry using Bentley Road for one hour at peak school pick up and one hour at peak school drop off times, these time periods to be determined each school year in consultation with school bus companies with the times to be advised each school year to Council,

The project ²Drivers Code of Conduct states that

Trucks are not to enter or exit Bentley Quarry between the peak school bus periods of:

- Morning – 8:00 am to 9:00 am
- Afternoon – 3:00 pm to 4:00 pm

The above time restrictions are in place based on the consultation with the local school bus operators.

2.1 Discrepancy in the approval conditions

The current approval condition above allows a maximum of 9 hours of truck operation on a typical weekday. With the maximum cap of 7 outbound trucks which equates to 63 outbound trucks from the site. However, the maximum allowed daily outbound truck movements are up to 70 per day. Therefore, based on the current approval conditions, it is not possible for this quarry to reach its daily maximum limit on a typical weekday during the NSW school terms.

¹ Dated 16 December 2022

² Prepared by GHD, dated 12 March 2024

It should be noted that there are two other nearby operating quarries in the locality, namely:

- Northern Rivers Quarry, located off Nimbin Road, Booerie Creek (Blakebrook Public School is located approximately 1.5 km to the north-west (owned and operated by Lismore City Council)
- Graham's Quarry, located at 891 Edenville Rd, Cedar Point (owned and operated by Rodney and Karie Graham)

The trucks from both the above quarries are allowed to travel along Bentley Road during the periods which coincide with school bus operation. These quarries do not have any comparable operating restrictions to Bentley Quarry during the school bus AM and PM peak operating periods.

3 Reason for the proposal

The current one-hour operating restriction for Bentley Quarry during the AM (8 am to 9 am) and PM peak (3 pm to 4 pm) periods on NSW school days has created significant operational and logistical issues, especially for the trucks that are not owned by the quarry. For example:

- Trucks arriving from more remote destinations eg Lismore, Ballina, Byron Bay etc which are over one hour's drive away have to coordinate their journey times closer to the site, to fall outside the restricted school hours. However, the inbound travel is subject to prevailing road conditions eg traffic congestion, road works etc which makes the journey time difficult to estimate. If the drivers' arrival falls within the restricted hours for any reason, instead of stopping at the roadside, they should continue to drive to the quarry as it is often unsafe to park on the roadside. As such, Bentley Quarry should allow these trucks to enter the site although they have travelled within the restricted school hours.
- Similarly, sometimes non-Bentley quarry truck drivers, after dropping or collecting materials, refuse to wait up to one hour at the quarry. This sometimes creates disputes and verbal altercations between the truck drivers and the quarry operator.
- There is no designated locality restriction zone for the AM and PM peak hour quarry traffic restrictions in the current conditions.
- As stated earlier, the other quarries operating in the area do not have such restrictions. Hence, the current restrictions on Bentley Quarry are unfairly disadvantageous to them where other quarries don't have this restriction.
- As is discussed in more detail later, on the nearby sections of the two affected roads which are closest to the quarry, which are Bentley Road and Naughtons Gap Road between the quarry and Manifold Road, the current school bus operations generally all cease after 8.30 am and do not commence until after 3.30 pm, so there are effectively only two half hour AM and PM peak periods on these roads, where the quarry truck operating limits are required for school bus related safety reasons.

Based on the above reasons, the proponent wishes to reduce the current AM and PM one-hour restrictions to half an hour only in each case so that their quarry business can remain financially viable.

4 Road network

The NSW administrative road hierarchy comprises the following road classifications, which align with the generic road hierarchy as follows:

- State roads – freeways and primary arterials (TfNSW managed).
- Regional roads – secondary or sub arterials (council managed and part funded by the State).
- Local roads – collector and local access roads (council managed).

Based on the TfNSW road hierarchy, Bentley Road is a Regional Road under the care and control of Richmond Valley Council (Figure 4.1). Regional Roads are higher order roads which are designed to carry local and regional traffic. For this instance, Bentley Road/Kyogle Road provides the primary connection between the Kyogle Shire Council and Lismore City Council areas.

Richmond Valley Council's 2023 count ³data indicates the daily traffic along Bentley Road is 2,591 vehicles, where 30.4% were heavy vehicles. A significant length of Bentley Road east of the quarry, approximately 4 km in total, has recently been reconstructed and upgraded, which has improved traffic flow and safety for all traffic. The other roads at the vicinity of the site eg Naughtons Gap Road and Manifold Road are council controlled Local Roads.

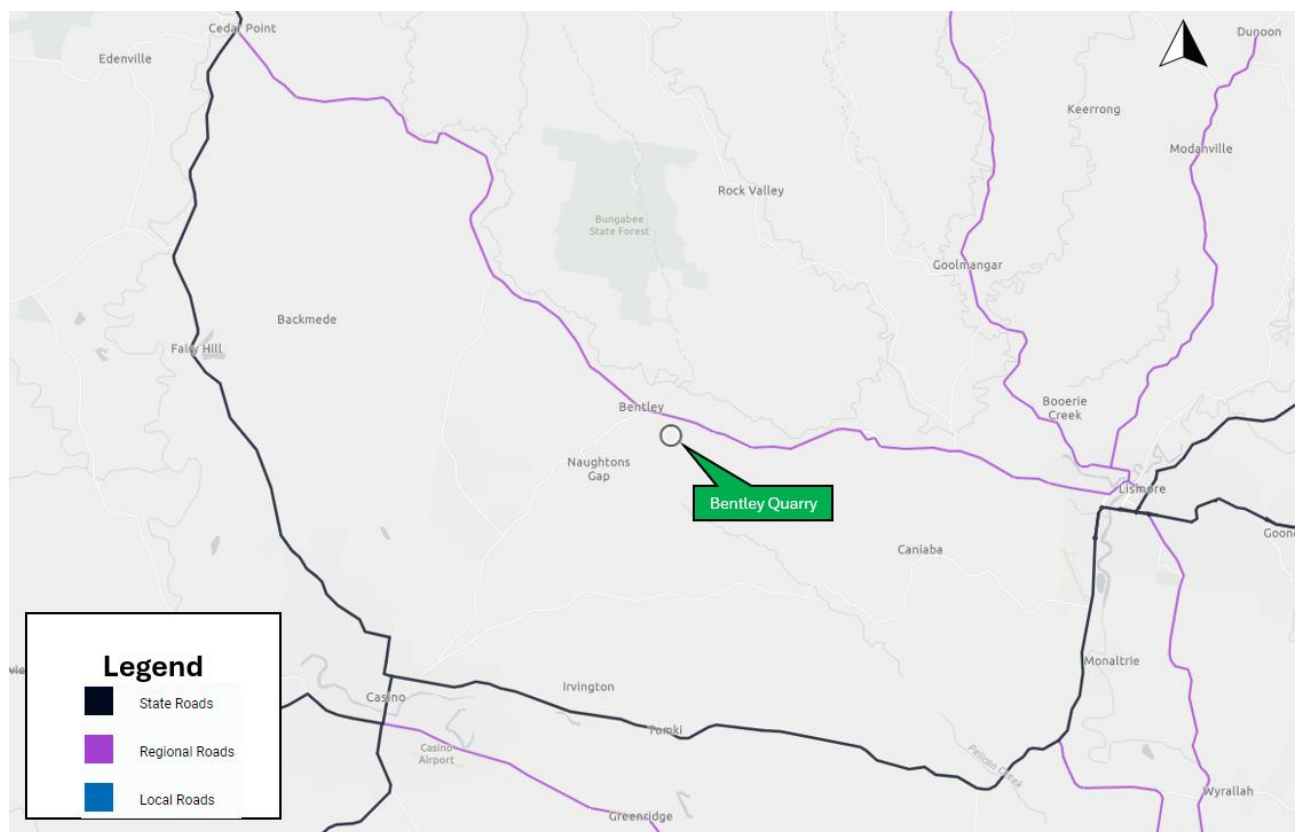


Figure 4.1 Road hierarchy at the vicinity of the site

Source: TfNSW

³ Source: <https://richmondvalley.nsw.gov.au/tenders/vp408588-bentley-road-landslip-design-construction/>

5 Current operation of the school bus

There are three school bus operators in the area, which are:

- Sodhi Bus Service
- Casino Bus Service
- Casino Christian School

The routes travelled by these services at the vicinity of the quarry are shown in Figure 5.1.

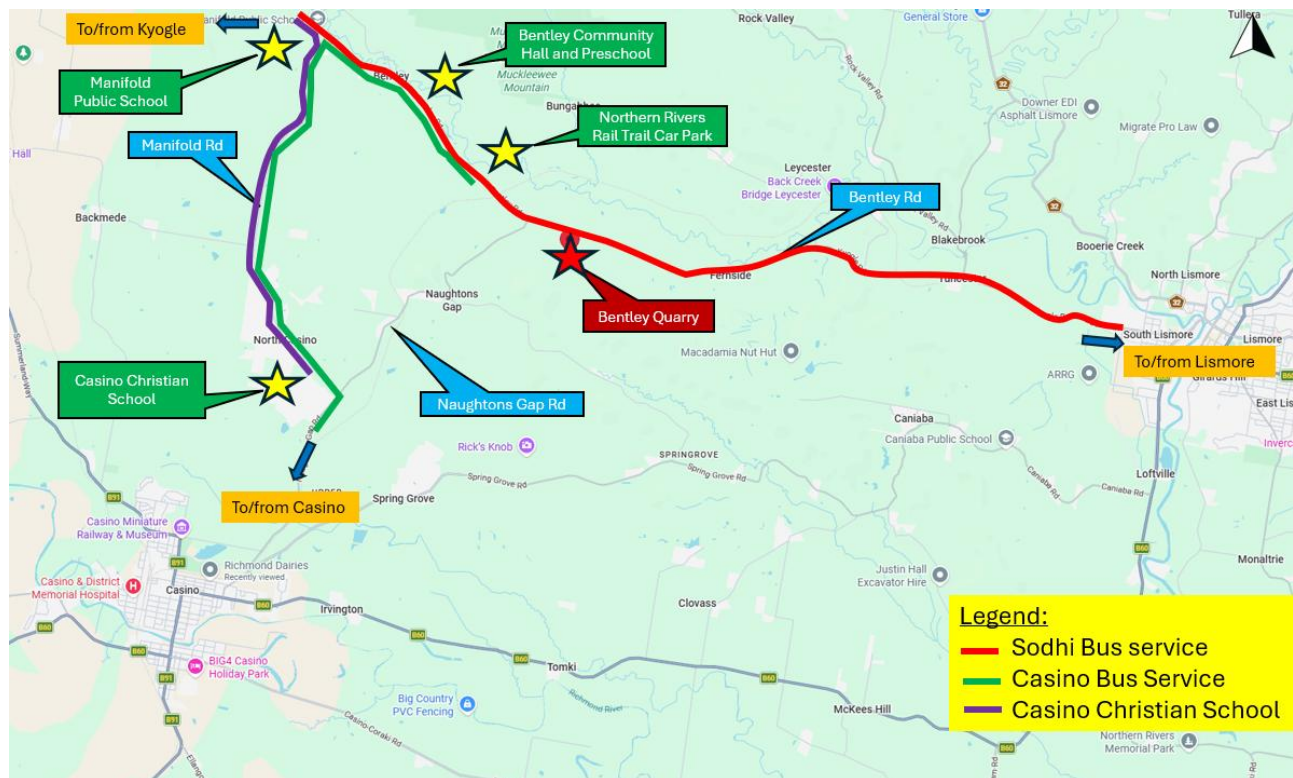


Figure 5.1 Current bus route services at the vicinity of Bentley Quarry

Sodhi Bus Service operate three (3) school buses daily in each direction along Bentley Road which pass adjacent to the Bentley Quarry. The new Northern Rivers Rail Trail Bentley Road Car Park is now used for school bus interchange activities in the morning, with over 20 students changing between school buses to Lismore or Casino at around 8:00 am. The new car park facility allows the student interchange activity to be completely separated from through traffic along Bentley Road.

During the afternoon, the interchanging of students occurs on the corner of Bentley Road and Manifold Road (near the Manifold Public School), where up to 20 students change between buses to Casino or Kyogle and Geneva. This location on Bentley Road and Manifold Road is within a 40 km/h school speed zone restriction, and the interchanging occurs just before 4:00 pm, towards the end of the school speed zone restriction period.

It is understood that all other stops associated with Sodhi Bus Service, including at Bentley Hall/ Preschool are for one to two students only, and typically occur at the property driveways. In some instances, the buses are required to stop on the road temporarily which can block through traffic, where there are double two-way barrier centrelines that prevent vehicles from legally passing a temporarily stopped bus.

Casino Buses operates one school bus route daily in each direction S664 that uses Bentley Road between Manifold Road and the new Northern Rivers Rail Trail Bentley Road car park where students interchange with

the Sodhi Bus Service. They also operate other school bus routes S651, S654, S655, S656, S661, S663 and S664, which operate between Casino and Manifold Road via Naughtons Gap Road.

Casino Catholic School operates buses west of Manifold Road along Bentley Road.

A combined analysis of the bus time table shows that different roads have different bus arrival time and bus pick-up and drop-off times which can vary subject to the prevailing road conditions eg current road works at Bentley Road.

Overall the bus services in the area between Casino, Kyogle Road at Cedar Point and Lismore operate between 7.32 am to 8.56 am and 3.06 pm to 4.24 pm. However, on the two sections of road which are closest to the Bentley quarry, where the current road width and alignment conditions are narrow, which are Bentley Road between the Quarry and Manifold Road and Naughtons Gap Road between Bentley Road and Manifold Road, the school buses generally only operate between 8.00 am to 8.30 am each morning and 3.30 pm to 4 pm each afternoon. Therefore, Bentley Quarry's initial proposal for 15-minute restriction is too short but it would be reasonable to reduce the current one-hour restriction to half an hour for both AM and PM peak hours.

On other sections of these roads outside the immediate local area, closer to Cedar Point, Casino and Lismore, the existing road width and condition of these roads are of a higher standard i.e. the roads are generally straighter and more level with wide traffic lanes, sealed shoulders and good visibility. Currently school buses operate outside the above proposed half hourly time brackets, that there are no potential safety concerns with quarry truck traffic using these roads at the same times as school buses due to the higher road standard and condition.

6 Crash data analysis

A review of the Transport for NSW (TfNSW) Centre for Road Safety ⁴crash data shows that there were 29 vehicular crashes near the Bentley Quarry over the last five-years (between 2020 and 2024). These included seven serious injury crashes, eight moderate injury crashes, three minor injury crashes, and eleven non injury (tow away) crashes.

When grouped by travel direction, eight crashes occurred towards the east eg Lismore, 17 crashes occurred towards the north west eg Cedar Point, and four crashes occurred towards south-west eg Casino ().

The crash investigation showed that several crashes involved vehicles leaving the roadway on bends and striking roadside objects, while others involved animal strikes, rear end collisions, and one head on collision. Most crashes took place during daylight hours, although a portion occurred at night or during dusk.

A further breakdown of the crash data indicates that 12 heavy vehicle crashes were recorded on these roads over the last five-years (Figure 6.2). These included four serious injury crashes, one moderate injury crashes, one minor injury crashes, and six non injury (towaway) crashes.

Given Bentley Road is a Regional Road which is currently carrying over 30% heavy vehicles, it is also reasonable to consider that there will be a high proportion of heavy vehicle crashes recorded (potentially up to 49%) due to the following proportional matrix frequency analysis of the likely vehicle types in crashes:

- Proportion of crashes involving two light vehicles = 0.49 (70% of 70%)
- Proportion of crashes involving a light vehicle and a heavy vehicle = 0.42 (30% of 70% plus 70% of 30%)
- Proportion of crashes involving two heavy vehicles = 0.09 (30% of 30%)

⁴ <https://www.transport.nsw.gov.au/roadsafety/statistics/interactive-crash-statistics>

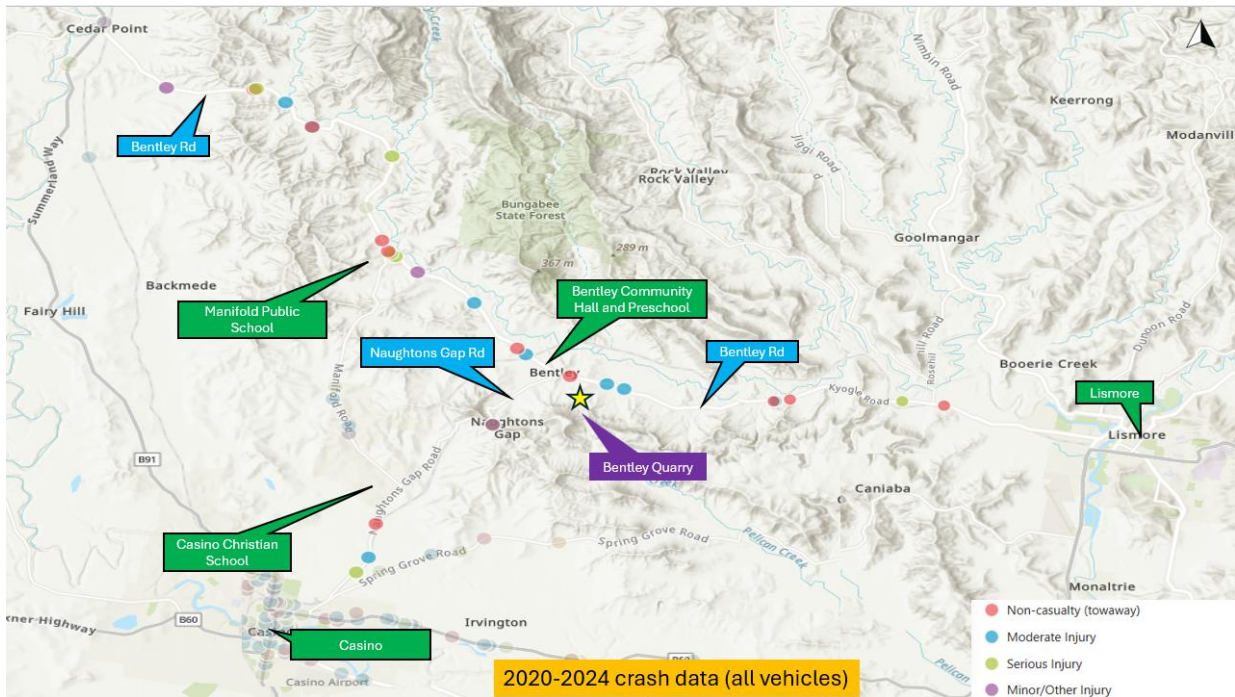


Figure 6.1 2020-2024 crash data (all vehicles)

When grouped by travel direction, three crashes occurred towards the eastern end of the route eg Lismore, seven crashes occurred towards the north west eg Cedar Point, and two crashes occurred towards south-west eg Casino. Several sections of Bentley Road towards the eastern end of the route, near Lismore, have recently been upgraded by roadworks by Lismore City Council, which will have improved the general traffic safety for this section of Bentley Road, in comparison to the historic crash data.

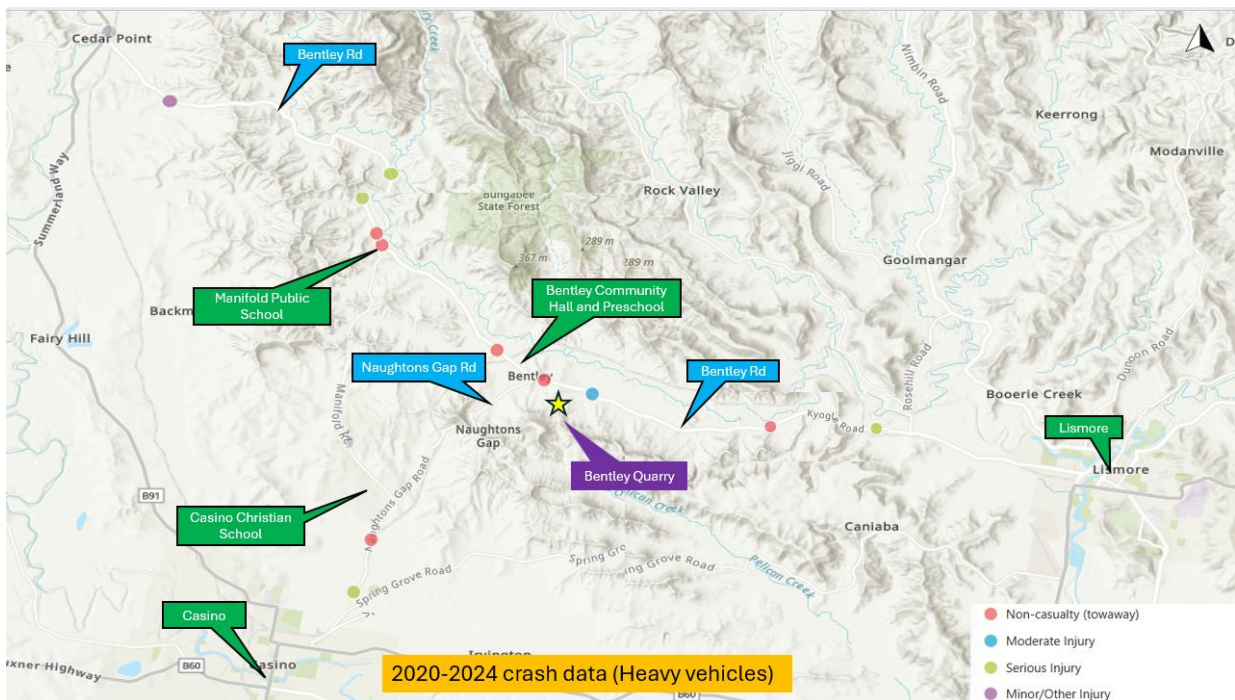


Figure 6.2 2020-2024 crash data (heavy vehicles)

The overall pattern of traffic crashes throughout the haulage routes study area, suggests that road geometry, horizontal curves, roadside hazards, and driver behaviour are probably the major contributing factors to most crashes.

Overall the total of 29 crashes over a five-year period for approximately 45 km total length of these roads (34 km Bentley Road and 11 km Naughtons Gap Road) is relatively normal, noting that the highest route frequency of crashes for all crash types, occurred on the section of Bentley Road to the west of the quarry towards Manifold Road, where the road width is generally narrower and has a more hilly and curved alignment compared to other sections.

7 Bentley Road upgrade

Richmond Valley Council's ⁵website indicates that following the flood damage, a significant upgrade of Bentley Road commenced in May 2023. The road upgrade works, which are over a total length of approximately 4 km include paved shoulder widening, remediation of the slip area and rehabilitation of the road to accommodate improved two-way traffic flow along this road.

8 Site inspection findings

As part of this traffic safety assessment, a site inspection was conducted by EMM on Wednesday, 11 March 2026. The default speed limit on Bentley Road is generally 100 km/h in rural areas. However, the speed limit is reduced to 80 km/h or lower at some major intersections, near the rail trail car park and at bends.

8.1 Bentley Road/Kyogle Road (east of the quarry)

The road upgrade works to Bentley Road east of the quarry are now almost complete. The resheeting is completed at almost all sections of the road but the centre and edge line marking are yet to be done on some sections of the new pavement (Photograph 8.1). Only one section, near Fernside Road has sub-base/base compaction work still underway where one-way traffic is operational, controlled by portable traffic lights. The roadworks speed limit is restricted to 40 km/h (Photograph 8.2).

Upon completion of the road upgrade works the road seal width is now approximately 8.5 m to 9 m, which provides a good standard of traffic safety for this type of rural major road.

⁵ <https://richmondvalley.nsw.gov.au/work-starts-on-bentley-road-landslip/> and <https://richmondvalley.nsw.gov.au/multi-million-dollar-projects-approved-for-local-road-and-infrastructure-upgrades/>



Photograph 8.1 Bentley Road, looking west (east of the quarry)



Photograph 8.2 Roadworks in Bentley Road (looking west)

8.2 Bentley Road/Bentley Quarry site access

This is a relatively new intersection, constructed by Bentley Quarry, which provides dedicated left and right turns. The intersection is constructed in accordance with relevant Austroads standards and has adequate sign and line marking (Photograph 8.3). However, the current 'Bentley Quarry' sign, located on the southern side of Bentley Road west of the site access, is relatively small which is not clearly visible from the road due to the size of the sign and the overgrown vegetation (Photograph 8.4).

Therefore, a large visible sign with contact details of the quarry at the site entrance will not only assist detecting the quarry to drivers unfamiliar with the area but also will assist the community complaint procedure.



Photograph 8.3 **Site access on Bentley Quarry (looking east)**



Photograph 8.4 **Existing 'Bentley Quarry' sign**

8.3 Northern Rivers Rail trail car park

The car park is located on the northern side of Bentley Road, approximately 830 m north-west of Naughtons Gap Road. The speed limit at this section of Bentley Road is reduced to 80 km/h. There is a wide shoulder area at the car park and the signage and line marking at this location of Bentley Road is found to be adequate, with no apparent traffic safety issues (Photograph 8.5).



Photograph 8.5 Northern Rivers Rail Trail car park on Bentley Road (looking north)

8.4 Richmond dairies at 2025 Bentley Road, Bentley

Richmond Dairies is located on the southern side of Bentley Road, opposite to Harley Bridge Road (Photograph 8.6). There are adequate sight distances on both sides of the farm along Bentley Road. There is no evidence of the cattle crossing the road but cattle warning sign on both approaches of Bentley Road will ensure livestock and public safety.



Photograph 8.6 Access to Richmond Dairies on Bentley Road (looking south-east from Hartley Bridge Road)

8.5 Bentley Community Hall

The Bentley Community Hall is located at 2150 Bentley Road, Bentley. Currently a preschool operates at this community hall. Outside the hall there is shoulder widening which assist pick-up/drop-off facilities and car parking. This section of Bentley Road falls outside the school zone which is currently in place for Manifold Public School. However, there are existing 'Children Crossing' (W6-3) and 'Preschool' (W8-24) signage on both approaches on Bentley Road that warn the motorists of presence of this preschool (Photograph 8.8). There is no apparent traffic safety issue outside the community hall.



Photograph 8.7 Bentley Road, outside the Bentley Community Hall (looking south-east)



South approach (northbound traffic)



North approach (southbound traffic)

Photograph 8.8 'Children Crossing' and 'Preschool' signage on Bentley Road

8.6 Bentley Road/Manifold Road intersection

There is existing school zone signage on both Bentley Road and Manifold Road. The signage and line markings at this intersection is found to be adequate and there is no apparent traffic safety issue during the site inspection.



Photograph 8.9 Bentley Road/Manifold Road intersection (looking south-west)

8.7 Level crossing on Bentley Road

There is an active level crossing on Bentley Road, approximately 260 m south-west of Summerland Way/Bentley Road intersection. The level crossing has flashing lights and the existing signs and line markings are found to be adequate (Photograph 8.10).



Photograph 8.10 Existing level crossing on Bentley Road (looking north)

8.8 Summerland Way/Bentley Road intersection

The intersection has a dedicated left and right turn lanes on Summerland Way. The existing signs and line markings at this intersection are found to be adequate.

8.9 Naughtons Gap Road

Naughtons Gap Road provides north-south connections between Bentley Road (north) and Casino (south). Following opening of the road after the flood damage, Manifold Road is no longer used as a haulage route to/from the quarry as Naughtons Gap Road provides direct connection to Casino. The default posted speed limit is 100 km/h

The current width of the road is approximately 6.0 m to 6.5 m, depending on the location. There are some moderate to sharp bends on Naughtons Gap Road where the speed limit is reduced to 35 km/h and guard rails are provided on both sides of the road.



Photograph 8.11 Straight section of Naughtons Gap Road (looking south)

8.10 School bus stops

There are school bus stops in Bentley Road. Some of the bus stops are located next to the roadside where if the bus stops for boarding or alighting school children, the traffic behind them is required to stop. Therefore, the school bus stops should be placed in accordance with the TfNSW [guideline](https://www.transport.nsw.gov.au/system/files/media/documents/2023/advice-for-choosing-locations-of-informal-school-bus-stops.pdf).

9 Current community complaints

A detailed review of the 'Community Complaints Register' shows that since its operation approximately two years ago, the quarry has received one complaint from the neighbour but it is not traffic operation related. There is no other known complaint from the community.

This complaint register should be regularly updated. Any community complaint must be dealt in a fair, timely and transparent manner and all complaints should be treated seriously as stated in Section 15 of the Drivers Code of Conduct.

⁶ <https://www.transport.nsw.gov.au/system/files/media/documents/2023/advice-for-choosing-locations-of-informal-school-bus-stops.pdf>

10 Recommendations

Based on the traffic safety assessment, the following road safety recommendations are made:

10.1 Proposed time restriction and haulage route during the school AM and PM peak hours

10.1.1 Haulage trucks to/from the west and south-west

Based on the traffic safety assessment, there is considered to be strong merit in reducing the current haulage travel restrictions from one hour to half an hour during the AM and PM peak school hours along the closest nearby sections of Bentley Road, Naughtons Gap Road and Manifold Road (Figure 10.1). It is recommended to reduce the current peak hour outbound truck restriction (which is from 8 am to 9 am and 3 pm to 4 pm), to (from 8 am to 8.30 am and 3.30 pm to 4 pm) for the following reasons.

- The recommended half hour outbound quarry truck travel restriction will cater for virtually all the school buses operating in the affected area (Figure 10.1). So the interaction of the school buses and quarry traffic will be minimised during this period;
- Given the quarry currently has travel restrictions of a maximum 14 truck movements (7 inbound and 7 outbound) in any hour, and approximately 70% of the quarry trucks travel to and from the east, there will be maximum 4 – 5 truck movements per hour typically (including both inbound and outbound movements) that would travel to or from the west (eg Cedar Point) and south-west (Casino). This is a relatively a small volume of trucks which will be absorbed in normal peak hourly traffic and will not generally be noticeable;
- There will still be some interactions of quarry truck traffic with school buses during the periods before 8 am and after 4 pm on the other sections of Bentley Road and Naughton Gap, which are closer towards Cedar Point and Casino. However, these sections of roads have significantly improved road conditions travel safety currently which minimise the safety risk for quarry trucks travelling at the same times as school buses;
- Consideration should be given to removing the current peak hour travel restriction for the inbound quarry trucks on traffic safety grounds. For example, if a journey starts outside the restricted hours and due to the unforeseen traffic event along the journey, the inbound journey fall within restricted time (either AM or PM peak), the truck should continue to its journey as parking on the roadside is considered to be unsafe for the truck drivers and passing motorists;
- As Manifold Road is not a designated haulage route for Bentley Quarry, there will only be local deliveries along this road. Hence, travel restrictions should be imposed in this road also;
- There is no known school bus operation along Naughton Gap Road (between Bentley Road and Manifold Road). However, the peak hour half hour travel restriction to Casino is still recommended as there are school bus operations to Casino for Casino Christian School. The travel restriction to Casino can be monitored and be re-evaluated in the next couple of years if there is no community complaint or traffic safety issue associated with the heavy vehicle operation during the school peak hours.
- There is considered to be no need for any quarry truck travel restrictions for Bentley Road (between Manifold Road and Cedar Point) as the road is in currently good condition with wide travel lanes and sealed shoulders. The existing pavement condition, signs and line markings are currently in good condition on this section of Bentley Road.

- The risk minimisation for the collision between heavy vehicle and livestock is provided in subsequent section of this report.

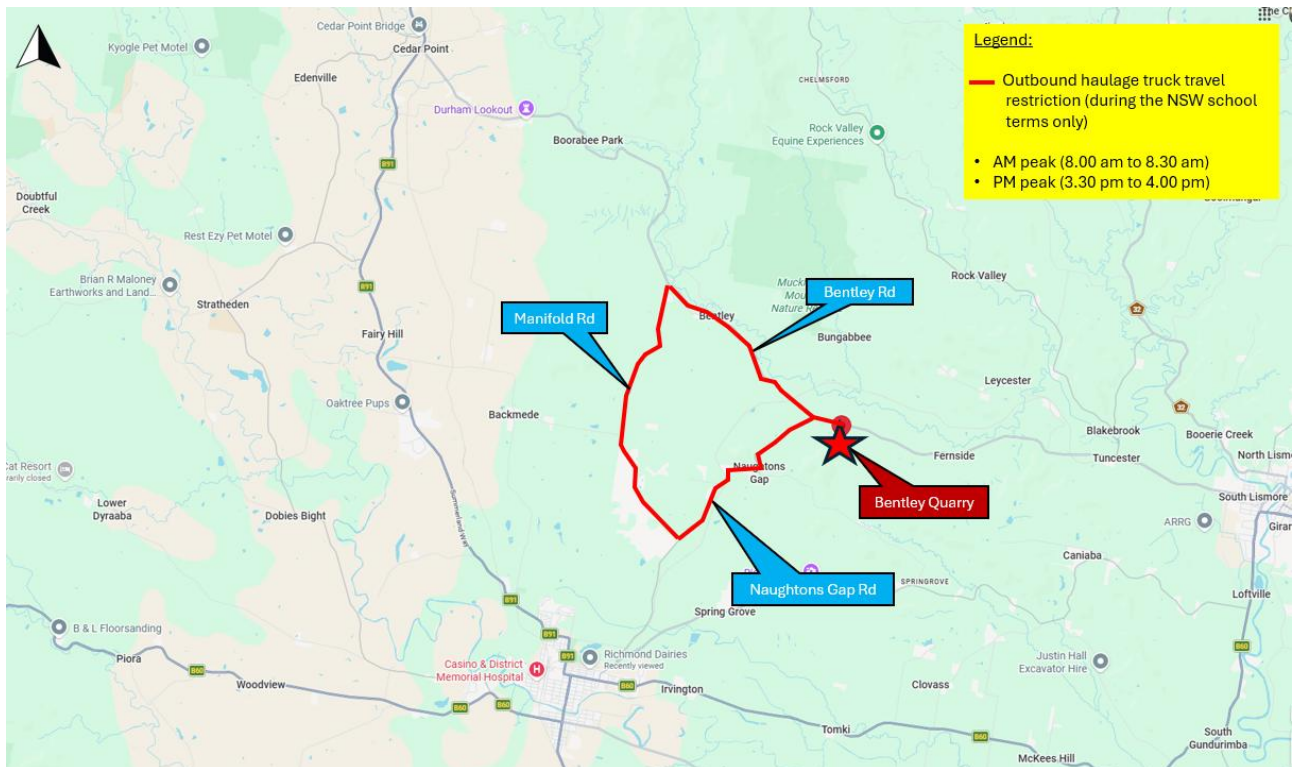


Figure 10.1 Proposed haulage route restriction

10.1.2 Haulage trucks to/from the east along Bentley Road

The existing one-hour AM and PM school peak travel restrictions for the quarry trucks (inbound and outbound directions) should be lifted for travel to/from the east based on the following reasons:

- There are extensive recently completed and current roadworks in Bentley Road for approximately 4 km east of the quarry (towards Lismore). The current upgrades include resealing of the road with shoulder widening, centre and edge line marking. Based on these road upgrade, the traffic safety along this section of Bentley Road/Kyogle Road will improve significantly;
- Bentley Road is a Regional Road which is designed to carry high volumes of traffic. Currently there are over 30% heavy vehicles using this road. Therefore, the likely additional truck movements during the peak hour from Bentley Quarry (up to 7 per hour in each direction) are unlikely to have any significant traffic flow impacts along this section of Bentley Road;
- The operating times of Sodhi school bus services along this route will be notified to the truck drivers through the updated Drivers Code of Conduct. Hence the additional traffic related risk of allowing peak hourly truck movements (up to 7 per hour in each direction) will be marginal, given there are already over 30% of heavy vehicles in traffic which currently uses this route;
- Given approximately 70% of the quarry trucks travel to the east, the logistics and operation of the quarry will be much simpler. The restrictions will be more comparable to other quarries in the area which operate without any travel restriction during school bus operating periods; and

The current discrepancy of the approval condition in relation to the daily heavy vehicle maximum cap for the quarry not being achievable, can be rectified as stated in Section 2.1.

10.2 A large quarry sign at the site entrance

A larger 'Bentley Quarry' sign is recommended to be installed at the site entrance on Bentley Road which should have the contact details of the quarry in relatively large texts, clearly visible by the passing motorists. However, the sign should not restrict the visibility to the left and right while exiting the quarry.

10.3 Cattle crossing signage on both approaches of Bentley Road

To improve safety, Cattle Crossing signage is recommended on Bentley Road for both approaches to Richmond Dairies (Figure 10.2). The cost associated with this signage is to be borne by the proponent.

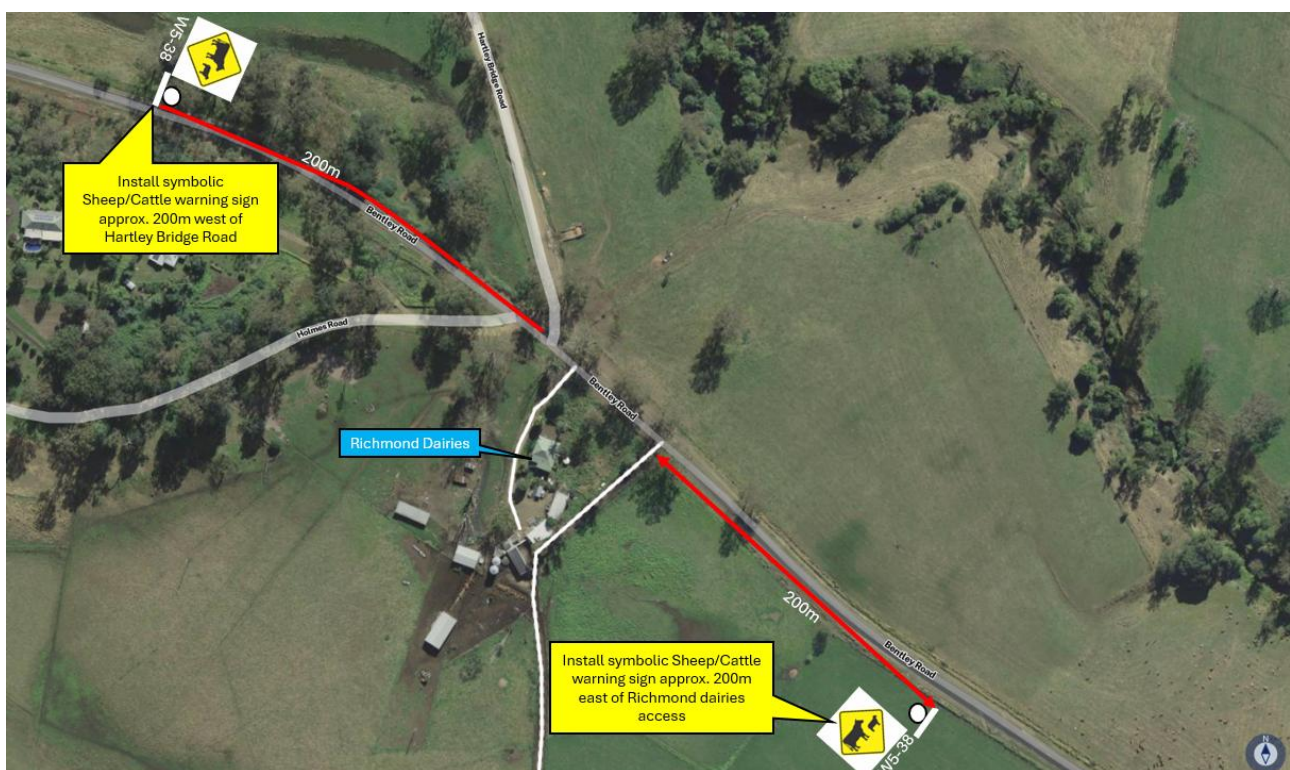


Figure 10.2 Recommended Cattle Crossing signage on Bentley Road near Richmond Dairies

10.4 Update of the TMP Drivers Code of Conduct

As part of the modification application, it is recommended to update the existing Drivers Code of Conduct. If the reduced time restriction for the quarry truck is approved, it is recommended to update the following sections of the Drivers Code of Conduct:

1. Section 3: Truck movement – the outbound truck movement is to be adjusted based on this modification approval;
2. Section 4: Removal of interim route eg Manifold Road being a haulage route;

3. Figure 9.1: update of the figure by removing the secondary haulage route and include a new figure showing the prescribed haulage route and NSW school hours travel restriction during the AM and PM peak hours as part of the modification approval;
4. Section 10: School bus requirements: update the table and its associated texts based on the outcome of this modification application;
5. Section 15: Complaint resolution and discipline procedure: outline the complaint process eg quarry website, contact number on the fence etc

Further to above, it is recommended that to include another chapter by outlining the risks and mitigation measures for the livestock along Bentley Road.

10.5 Enforcement and monitoring of truck movements

The GPS monitoring will continue for the trucks that belongs to Bentley Quarry. The quarry gate keeper will record all heavy vehicle arrival and departure time, vehicle type, origin/destination information for both inbound and outbound trucks on daily basis. This record is available for authorities review, upon request.

10.6 Other recommendations

10.6.1 Update of the modification condition

As stated in Section 2.1, the existing hourly maximum cap for the truck movements should be changed to an average as part of this modification application, so the daily maximum is achievable. It is also recommended that the restriction on trucks entering the quarry is removed, to avoid a traffic hazard being created by trucks parking on the side of the road.

10.6.2 A review of the existing school bus stops on public roads

To improve public safety, a review of the existing and future bus stops should be undertaken by the relevant bus companies to ensure that bus stops are placed in accordance with TfNSW's ⁷[guideline](#).

11 Mitigation measures

Based on this traffic assessment, the quarry should be allowed for the unrestricted truck haulage to the east (along Lismore) but half an hour travel time restriction will be enforced to the south-west (Casino) and west (Cedar Point). To minimise the traffic related risks, the mitigation measures are to be implemented (Table 11.1).

Table 11.1 Mitigation measures

Issue	Mitigation measure	Responsibility	Timing
AM and PM school peak hour truck travel restriction	Reduce the haulage truck travel restrictions during the AM and PM peak school hours as per the recommendations in Section 10.1 of this report.	Richmond Valley Council	As part of this modification application approval.
Daily and peak hourly truck movements	Change of the existing hourly maximum cap to an average so that the daily maximum truck movements are achievable.	Richmond Valley Council	As part of this modification application approval.

⁷ <https://www.transport.nsw.gov.au/system/files/media/documents/2023/advice-for-choosing-locations-of-informal-school-bus-stops.pdf>

Issue	Mitigation measure	Responsibility	Timing
Effective community complaints	A large 'Bentley Quarry' signage with the contact details of the quarry in larger fonts visible by the passing motorists.	Bentley Quarry	As part of the modification approval and prior to implementation of the modification application.
Community complaints register	Record keeping and take immediate action on any traffic related community complaints. The proponent to ensure the confidentiality of the complainers.	Bentley Quarry	Ongoing
Enforcement and monitoring	GPS monitoring for the trucks that belongs to Bentley Quarry. The quarry gatekeeper to keep heavy vehicle record on daily basis.	Bentley Quarry	Ongoing
Drivers Code of Conduct	Update the existing Drives Code of Conduct as per the recommendations stated in Section 10.4.	Bentley Quarry	As part of the modification approval and prior to implementation of the modification application.
Livestock safety	Installation of 'Cattle Crossing' signage on both approaches of Richmond Dairies (Figure 10.2).	Bentley Quarry	As part of the modification approval and prior to implementation of the modification application.
School bus stop	Ensure the bus stops are placed in accordance with TfNSW's guideline.	Relevant bus companies	Ongoing

12 Conclusions

This report recommends reducing the current truck travel restrictions from one hour (inbound and outbound) to half hour (outbound only) for the AM and PM peak periods during the NSW school terms to the west and south-west along Bentley Quarry. No travel restriction is necessary to the east of the quarry based on the current road upgrade along this section of Bentley Road.

I trust the above information adequately addresses the proposed Bentley Quarry haulage traffic operation for the AM and PM peak hours during the NSW school terms. However, if you have any further questions/clarifications, please don't hesitate to contact me on 0425 478 650.

Yours sincerely



Abdullah Uddin

Senior Associate | Transport Engineering and Planning
auddin@emmconsulting.com.au

Attachment 4

Abusive text messages

Date	Complaint
29/10/2024	Another f.....g complaint! Shut your f....g noise up arsehole. Only the lowest of shit dies what you do and karma will come. Another compliant of the EPA and the general manager. I've just had it confirmed that this is the complaints line for your stinking quarry. Your noise is u acceptable and needs to stop. If you want a ware then you will certainly ly get one!
30/10/2024	Another complaint! Shut the f...k up, arsehole. Once again your racket is way beyond acceptable.
12/11/2024	Another noise complaint! Your noise is not acceptable under any circumstances and will be reported. Only the worse kind of scum turns what was once an idealic valley into something from hell. Just shows how low you and your family actually are! Absolute trash!
5/12/2024	This is advertised as the compliants number. Your obscene noise is not acceptable, but, hey, what do you expect from you?
16/12/2024	Once your noise levels are unacceptable. This is another complain about your excessive noise. Just typical behaviour of an uneducated bogan
28/01/2025	Another noise complaint addressing your totally unacceptable noise levels. Keep your f...g noise to your scum self, you piece of dog shit! We are sick and f...king tired of hearing it. Just shows what sort of absolute scum you and your family are. Trash!
27/05/2025	Another noise compliant! Shut your fucking noise up you mongrel cunt
29/09/2025	Another noise complaint! Yes, another. It never stops and the hate of this community toward you and your family only grows. Only absolute shit people do what you are doing.
13/10/2025	Shut your fucking noise up, cunt. You really are a fucking piece of shite. Your noise is totally unacceptable and certainly contravenes your DA conditions, but hey, don't worry about that! Other people living mean nothing and fuck them. Well, fuck you, you piece of scum!
14/10/2025	Shut your fucking noise up cunt! Expecting people to put up with your shit is beyond belief. Only the worst does what you do and your time will come, cunt! No, you're lower than any cunt I have ever met. If you can't fucking operate without all the fucking noise, then don't operate! Only a mongrel cunt like you does shit like you do. Just shows the sort of person you are! Scum. Shut the fuck up! Shut your fucking noise up! Two can play your game, cunt!
18/10/2025	You can't fucking comply with noise regulations, can you you fucking piece of dog shit? Only a filthy piece of shit does this to a neighbourhood. Yes, we ALL hate your fucking gurs and can't wait to see you fuck off
21/10/2025	Shut your fucking noise up, arsehole Shut the fuck up, cunt! Why the fuck should we have to put up with your shit? Two can play the fucking noise game! How does it feel to be the most hated piece of shit in the valley?
8/12/2025	You absolute fucking piece of shit. Hey cunt, you are required to notify your fucking blasting. You're the lowest form of creature I've ever come across. Absolute scum! Shut your fucking noise up cunt. Another complaint you fucking mongrel cunt. No wonder everyone around here hates your fucking guts! Your whole breed have been scum and we all pray for your bad health.
9/12/2025	Can't fucking help yourself, can you? Your noise level destroying this valley and you don't give a fuck. Only an absolute bastard would do that. You are above an acceptable levels so wind it down.
10/12/2025	At it again cunt. Your fucking noise is NOT acceptable and needs to stop. Who the fuck do you think you are? Nothing but a filthy hated piece of trash. Scum Your fucking noise Shut your fucking noise up, cunt!
11/12/2025	Right cunt, it after 5pm and you have no right to be still making fucking noise. Yep, it fucking loud and clear. Sending these texts allows me to keep an accurate time and record of your non-compliance. And, yes, it will be used against you. Father like fucking son, bad to the core. Fucking this valley with your stinking shit is just going to cause you to be hated more and more. You fucking parasite! You want a war, cunt? Keep you filthy fucking noise to yourself. We're sick the fuck of it. Just shows what sort of low cunt you are.

Date	Complaint
16/12/2025	Once again we have remind your very ignorant self that your noise and dust are unacceptable. We will continue to send comments to relevant authorities because you are such a cunt that you just continue your shit without care for anything. The sort of thing an intelligent arsehole does. Shut the fuck up! Shut your fucking noise up, cunt.
17/12/2025	Once again, shut your fucking disgusting noise up! You really are a low cunt.
6/01/2026	Start of the year and you're at it again. Another endless noise complaint for your disgusting operation! You are bound to not negatively impacting the local district, but you continue to do it. Only a low fucking cunt would do that and this is going to lead to consequences, cunt. So shut the fuck up.
23/03/2026	Noise complaint! Shut your fucking noise up. We do NOT need to be listening to your fucking shit. DO YOU FUCKING UNDERSTAND? OR ARE YOU TOO THICK TO GET IT?
	Did you not fucking understand? Your fucki g noise is not acceptable once again. You can understand why people around hate every breath you take. Absolute scum of the worst kind!
	You fucking maggot. Lowest fucking piece of shit I've ever come across.
	You have truly shown yourself to be the worst trash! Your noise is NOT acceptable and will once again be formally reported. You really are a great example of a human being!

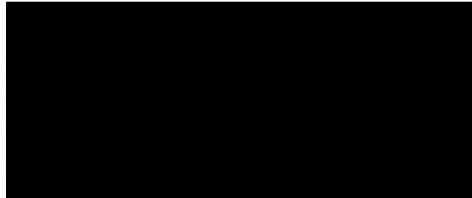
Attachment 5

Mt Zion Hard Rock Quarry consent



22 August 2017

Reference: GD17/0177 CVC:1970331
Contact: Sarah Sozou



NOTICE OF DETERMINATION OF APPLICATION

Pursuant to Section 81(1)(a) of the Environmental Planning and Assessment Act, 1979

Application No: DA2017/0177
Applicant: [REDACTED]
Owner: [REDACTED]
Property Address: Boundary Creek Road NYMBOIDA NSW 2460
Legal Description: Lot 20 DP 46031, Part Lot 48 DP 752839, & Part Lot 50 DP 752839
Development Proposal: Hard Rock Quarry - Stage 2

DEVELOPMENT CONSENT

Pursuant to Section 81(1)(a) of the Environmental Planning and Assessment Act, 1979, notice is hereby given that Council has considered your application for the subject Development. The subject determination is an **"operational"** consent which is effective from the date appearing on the bottom of each page of the formal notice.

The Development Application has been determined by:

Consenting to the development with conditions.

Determination of the application was made:

By the Northern Joint Regional Planning Panel at its meeting of 16 August 2017

Determination Date:

16 August 2017

Approved Plans and Documentation

THE DEVELOPMENT SHALL COMPLY WITH THE PLANS LODGED WITH THE APPLICATION AND AS MAY BE AMENDED BY THE FOLLOWING CONDITIONS OF CONSENT AND/OR BY AMENDED PLANS AND DETAILS.

DEFINITIONS

Applicant means [REDACTED] or any party acting upon this consent.

ADVICE TO APPLICANT

Council in determining the subject application requests you to take note of the following advice and where pertinent to convey the advice to future owners or tenants:

1. No building construction is to be commenced until a Construction Certificate has been issued.
2. Prior to work commencing on a development the applicant must give notice to Council of their intention to commence work. Such notice shall be in the form of a Notice of Commencement form and must be submitted to Council at least two (2) business days before work commences.
3. All building and construction work, which includes subdivision and civil works, which cost \$25,000 or more require the payment of the long service levy prior to a Construction Certificate being issued. The levy is required under the Building and Construction Industry Long Service Payments Act 1986. The total value of works must be included on the Construction Certificate Application form.
4. Effective measures are to be taken to prevent any nuisance being caused by noise, vibration, smell, fumes, dust, smoke, waste water products and the like at all times.
5. It is the developer's responsibility to make satisfactory arrangements with other property owners affected by the development, and to meet all costs associated with the development.
6. This application is integrated development under section 91 of the Environmental Planning and Assessment Act 1979 seeking General Terms of Approval under the *Protection of the Environment Operations Act 1997*. The NSW Environment Protection Authority (EPA) response, dated 16 May 2017, stated that no General Terms of Approval will be provided as the quarry can operate under the existing Environmental Protection License (EPL No. 20650). A copy of the NSW EPA response is attached to this development consent for your information.
7. The applicant is advised that Council may carry out periodic inspections of the premises to ensure that the conditions of this consent are being complied with. In accordance with the provisions of Section 118G of the *Environmental Planning and Assessment Act 1979*, if as a result of any such inspection Council requires work to be carried out on or in the premises then Council may charge a fee to recover the costs of that inspection. The appropriate fee will be as specified in Council's current adopted fees and charges.

8. The biodiversity offset on the land is to be managed in accordance with the Nature Conservation Trust Plan of Management dated September 2015, and the corresponding restriction on the title of the land (including the Trust Agreement dated 8 October 2015).
9. The quarry operator may not:
 - Encroach upon the Crown Road adjoining Lot 48 DP752839;
 - Remove any vegetation from the Crown Road;
 - Stockpile any materials, equipment, or machinery on the Crown Road;
 - Direct Stormwater discharges onto the Crown Road; or
 - Use the Crown Road as an Asset Protection Zone.

CONDITIONS OF CONSENT

1. The development being completed in conformity with the Environmental Planning & Assessment Act, 1979, the Regulations thereunder, the Building Code of Australia (BCA) and being generally in accordance with plans titled 'Quarry Footprint' and 'Amendments to Quarry Layout', dated 21/03/17, two (2) sheets, prepared by GeoLink, as amended in red or where modified by any conditions of consent.

This consent grants approval to quarry hard rock from Area 2 only, as indicated on the approved plan. Area 1 on the plan is to operate under separate development consent (DA2014/0024 as modified).

2. Staging of the quarry is to be undertaken in accordance with the staging shown in the approved plans. Quarrying of material from Area 2 (shown as Stage 4) is not to commence until quarrying of Area 1 (shown as Stages 1, 2 and 3) has concluded and final rehabilitation works for Area 1 have commenced.

To clarify, this condition does not restrict the immediate construction of the office / amenities building.

3. Compliance with the conditions and advice of NSW DPI Water, as contained in their letter reference number 30ERM2014/0099, consisting of seven (7) pages as attached to this Notice of Determination.
4. Submission of a Plan of Management prepared by a suitably qualified and experienced person/s to Council for approval prior to the commencement of quarrying under this Notice of Determination. The Plan of Management is to include, but is not limited to, the following details:
 - Operating details including: numbers, type and location (if fixed plant) of plant and machinery; numbers of employees on-site and off site; stockpile and overburden storage areas; vehicle storage and refuelling areas; and fuel storage areas.
 - An operational erosion and sediment control plan. The plan is to identify the sedimentation/storage ponds at each proposed stage of the quarrying operations. That is, as quarry expansions are proposed, any necessary relocation of sedimentation structures should be

identified on the plan. The dimensions, capacity and anticipated levels of waste water within these structures should be included in this detail.

- A water quality monitoring program which assesses the quality of discharged water from the sedimentation ponds as they occur. Details of measures for drainage or pumping from the ponds after storm events are to be provided, including the time taken for ponds to empty.
 - Any proposal for the re-use of wastewater from the dams is to be provided. Such water could be used for water of access roads and exposed areas to avoid dust nuisance.
 - A ground water treatment and sampling plan.
 - Details of dust mitigation measures and monitoring program.
 - Full quarry rehabilitation details, including details of topsoil and overburden to be stored on-site, finished landforms, plantings, and commencement and completion of each stage of rehabilitation proposed.
 - Details of the method of weighing extracted material. A schedule is to be included which allows for the annual update of the rates of extraction. This will ensure monitoring of the amount of material extracted and enable Council to calculate the contributions for Council road maintenance.
 - A waste management plan, including measures to optimise the efficiency of resource recovery and the reuse or recycling of material.
5. The establishment, operation and management of the development is to comply with the approved Plan of Management at all times.
6. An annual update of the Plan of Management is to be submitted to Council by 31 July each year. This update is to include a plan and statement demonstrating compliance with this consent and the Plans of Management. Specifically, the statement is to include:
- a. A site plan showing:
 - The extraction area at the date of report
 - The areas intended for extraction in the next twelve (12) months
 - Sediment ponds
 - Stockpile sites
 - Overburden storage sites
 - Erosion controls in place at the time of the report
 - Rehabilitated areas
 - b. Written details addressing:
 - State of compliance with each condition of consent and the Plan of Management at the time of the report.
 - The stage of the quarry and quantity of material extracted in the immediately preceding twelve (12) months
 - The stage of the quarry and quantity of material proposed to be extracted in the next twelve (12) months
 - Results from all monitoring programs for the preceding twelve (12)

- months
 - Sedimentation ponds constructed during the preceding twelve (12) months or proposed to be constructed in the next twelve (12) months
 - Rehabilitation works that have occurred in the preceding twelve (12) months or proposed to be undertaken in the next twelve (12) months
 - Records of any complaints received in the immediately preceding twelve (12) months
- 7. Development consent is given to extract a maximum of 200,000 tonnes of material per annum. The total amount of material to be extracted for Area 2 is not to exceed 3.25 million tonnes.
- 8. Quarry truck movements for haulage purposes are not to exceed a maximum of 100 movements (i.e. 50 trips) per day, on permitted operational days.
- 9. The area of the quarry (i.e. Area 2) shall not exceed 5ha as shown in the approved plan. All blasting, crushing, screening, stockpiling and loading is to be undertaken within this area.
- 10. The quarry/extraction area is to be defined on the ground by the establishment of permanent survey marks located and shown on a plan by a registered surveyor and submitted to Council, prior to commencement of works.
- 11. All vehicles associated with the use of the premises, including employees' vehicles, are to be parked within the confines of the site at all times.
- 12. A sign must be erected on the subject land in a prominent position visible from the entrance of the property during quarrying operations. The sign is to:
 - State that unauthorised entry to the quarry work area is prohibited; and
 - Show the name of the person in charge of the quarry operations and a contact number for that person.
- 13. Accurate records of quantities extracted are to be kept, maintained and available for inspection by authorised Council officers on request. The method of recording and the location where records are to be kept are to be outlined in the Plan of Management.
- 14. Should any Aboriginal relics or artefacts be uncovered during works on the site, all work is to cease and the Director-General of the NSW Office of Environment and Heritage shall be contacted immediately and any directions or requirements of that Department complied with.
- 15. No advertising sign is to be erected, painted or displayed without approval from Council.

Engineering

- 16. Prior to commencement of quarry operations, the applicant shall submit a 'Traffic Management Plan and Truck Driver Code of Practice' for assessment and approval by Council. The plan and the code of practice shall document:

- a) The road maintenance program
- b) Surrounding environment, existing conditions and road safety
- c) Existing private property driveways and farm access points
- d) Dust suppression methods including water supply management, monitoring, reporting, source, licencing, drought management
- e) Noise suppression methods including monitoring and reporting
- f) Road inspection activities to be implemented for the life of the quarry
- g) Approved haulage routes highlighting specific locations for consideration such as school zones, school bus routes, residential areas or potential risk locations (including map).
- h) Induction process for staff and sub contractors outlining clear expectations and consequences for any breach of the code
- i) Instruction on all operational and safety requirements related to the quarry operations

Note:

The Traffic Management Plan and Truck Driver Code of Practice (Rev2) dated December 2015 applying to Area 1 of Mt Zion Quarry may be used as a basis for preparing the plan for Area 2.

- 17. The quarry is to operate in accordance with the approved Traffic Management Plan and Truck Driver Code of Practice.
- 18. All quarry trucks exiting the site shall do so via a weighbridge, or all trucks are to be loaded by a machine with scales to enable accurate records of loads.
- 19. Prior to commencement of quarry operations for Area 2, the applicant shall enter into a legally binding road maintenance agreement with Clarence Valley Council for all utilised sections of Boundary Creek Road, Boundary Creek Forest Road and the interface with the Armidale Road - Boundary Creek Road intersection that are utilised by the applicant. This agreement shall be for the life of the quarry.
- 20. Payment to Council of a road maintenance contribution per annum for the use of Council's roads by extractive industry trucks at a rate of \$0.05 per tonne of material extracted (maximum annual rate is \$10,000).
NB
 - 1. The contribution rate that will apply at the time the contribution is being paid will be adjusted in accordance with changes in the Consumer Price Index from the date of this consent up to the date the contribution is payable.
 - 2. The contributions are to be paid to Council on an annual basis. The amount will be determined by the extraction amounts specified in the Plan of Management and revised annually by the operator, with Consumer Price Index adjustments also being applied.
- 21. All internal quarry roads shall be constructed to consider all design service vehicles used in the quarry operations and be wide enough to facilitate 2 way traffic, unless alternate routes are determined which will ensure vehicles do not pass in opposite directions.
- 22. The adequacy of parking, driveways, and vehicular accesses for the development must be demonstrated by the submission of standard scale plans with manoeuvring paths shown in accordance with AS2890. The

parking area plans must be approved by Council or accredited private certifier as part of the Building Construction Certificate. The works are to be completed in accordance with the approved plans prior to issue of the Occupation Certificate.

23. Grades and paths of travel for persons with disabilities are to be provided from carparking bays through to the main entrance of the site office / amenities building in accordance with AS2890, AS1428.1 and the Building Code of Australia.
24. Any fill earthworks related to building construction or internal roads to be undertaken on the site must be carried out in accordance with the placement and compaction of fill described in AS 3798.
25. The western site access must only be utilised for light vehicle access to the site amenities and office. No heavy vehicles are to enter the site via this access. Signage advising this vehicular access limitation for this driveway is to be installed and maintained in position.
26. If a driveway gate is proposed for the quarry at any location, it shall be set back so that the largest design service vehicle using the access can stand clear of Boundary Creek Forest Road.
27. During dry weather, standard dust suppressions methods are to be used as often as is necessary to ensure that adjoining properties are not adversely affected by undue dust.
28. All trucks carrying quarry or crusher products from the site shall ensure their loads are fully covered by a suitable material to prevent spillage or dust falling from the truck.

Building

29. A Construction Certificate Application for the office / amenities building and parking area is to be lodged with Council or a Private Certifying Authority within three (3) months of determination of this application.

The structures approved under the Construction Certificate are to be constructed and an Occupation Certificate issued within three (3) months of the Construction Certificate being issued.

30. A Construction Certificate shall be obtained in respect of the office and amenities buildings prior to their installation/placement on site.
31. The buildings are not to be occupied or used until such time as an Occupation Certificate has been issued.
32. Prior to commencement of works, a sign must be erected in a prominent position on any work site on which work is being carried out:
 - a Stating that unauthorised entry to the work site is prohibited, and
 - b Showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside of

- working hours, and
- c Showing the name, address and telephone number of the principal certifying authority for the work, and

Any such sign is to be removed when the work has been completed.

33. The facility shall be provided with sanitary facilities and a water supply of appropriate quantity and quality to satisfy sanitary and drinking water requirements for staff. Details of how this is to be achieved are to be submitted to Council for consideration and approval prior to any works commencing on the site.
34. Access to the buildings for disabled persons shall be provided and constructed in accordance with the requirements of Part D3 of the Building Code of Australia and AS 1428.1-2009.
35. Accessible facilities for the use of the disabled shall be provided as specified in Clause F2.4 of the Building Code of Australia and shall be constructed to the requirements of AS 1428.1-2009.
36. Car parking spaces for people with disabilities are to be provided as required by Part D3.5 of Building Code of Australia.
37. In a building required to be accessible, braille and tactile signage complying with Specification D3.6 of the Building Code of Australia and incorporating the international symbol of access or deafness, as appropriate, in accordance with AS 1428.1-2009 must identify each sanitary facility; space with a hearing augmentation system and door with a required 'exit' sign.
38. The Construction Certificate plans shall detail dimensional compliance with the requirements of AS 1428.1-2009 for access and facilities.
39. An On-Site Wastewater Management (OSM) Application is to be lodged with Council demonstrating how wastewater will be disposed and treated on-site. An approval from Council (in accordance with s68 of the *Local Government Act 1919*) for the proposed OSM system is to be granted prior to issue of the Construction Certificate. The OSM system is to be installed in accordance with the approval prior to issue of the Occupation Certificate for the buildings.
40. The following Asset Protection Zones (APZ) shall be established around the office / amenities buildings at the commencement of the building works and maintained for the life of the building in accordance with the requirements of the NSW Rural Fire Service document titled 'Planning for Bushfire Protection 2006'.

North: 30m / boundary
South: 30m
West: 20m / boundary
East: 30m

The APZ shall have a tree canopy cover of less than 15%; have no trees within 10 metres of the building; all trees shall have their lower limbs removed to a height of two metres and ground litter is to be kept to a

minimum. The APZ shall be provided prior to the commencement of any building works within the APZ area.

41. A water storage tank dedicated for bushfire fighting purposes with a minimum capacity of 20,000 litres is to be installed. A suitable connection for the Rural Fire Service must be made available. In general a 65mm sturtz outlet with a gate or ball valve shall be provided. Above ground tanks are to be manufactured out of concrete or metal. Plastic tanks are not to be used.
42. An Emergency and Evacuation Plan shall be prepared for the quarry for the purpose of bushfire protection in accordance with the RFS Guide to a Developing a Bushfire Evacuation Plan (RFS2004). A copy of that plan is to be submitted to Council prior to quarry operations commencing.

Ecology

43. The applicant is to develop a detailed rehabilitation plan for the life of the quarry. The rehabilitation plan is to be included in the Plan of Management.
44. Removal of native vegetation approved under this application is to be undertaken in accordance with the recommendations of the Ecological Assessment and Addendum Ecological Assessments submitted with the application. This includes staging vegetation removal, methods of vegetation removal and works to be undertaken by a qualified ecologist.

No native vegetation is to be removed from the site, with the exception of that identified for removal in the application.

45. Written notice is to be provided to Council at least two (2) weeks prior to removing any vegetation approved under this consent. The notice is to detail the areas to be cleared, timing of works and name and contact details of the any qualified ecologist/persons supervising the clearing work. A pre-inspection may be carried out by Council of the proposed area to be cleared, and the area to be cleared is to be clearly marked on-site prior to the Council inspection.
46. Necessary sediment and erosion control methods are to be in place prior to any clearing works commencing. The controls are to remain in place until clearing works are complete.
47. Council is to be notified on completion of vegetation clearing and may undertake an inspection to ensure clearing has been undertaken in accordance with this consent.

Environmental Health

48. Hours of operation, including but not limited to quarrying, processing or movement of heavy vehicles along Boundary Creek Forest Road and Boundary Creek Road, are restricted to times between 7:00am and 5:00pm Monday to Friday, and between 8:00am and 1:00pm on Saturday.

49. There is to be no quarrying, processing or transportation on Sundays or statutory public holidays except for emergency purposes; for example, but not limited to, sudden damage to public infrastructure or any damage posing an immediate risk to life or property.

The quarry operator is to inform Council on the first working day following the emergency that trucks were carrying quarry products outside the approved hours for emergency purposes.

50. Noise from the premises must not exceed an $L_{Aeq(15\text{ min})}$ of 35 dBA at the nearest residential receiver who has not given written permission for an exceedance of this condition including under adverse meteorological conditions.
51. Quarry operations are to be undertaken in accordance with the Noise Management Plan prepared by Wilkinson Murray Pty Limited, dated 14 July 2015, and as subsequently amended and approved by Council.
52. Traffic noise shall not exceed an $L_{Aeq(1\text{ hour})}$ of 55 dBA (external) for any resident who has not given written permission for an exceedance located along Boundary Creek Forest Road and Boundary Creek Road (measured 1 metre from the façade and 1.5 metres above the floor of any residential receiver).
- Traffic noise shall not exceed an $L_{Aeq(15\text{ hour})}$ of 60 dBA (external) for any resident who has not given written permission for an exceedance located along Armidale Road (measured 1 metre from the façade and 1.5 metres above the floor of any residential receiver).
53. Noise mitigation efforts and best practice noise management protocols must be implemented to reduce the noise generated by heavy vehicular traffic as is considered reasonable and feasible.
54. Residential receivers shall be notified of forthcoming blasts at least 24 hours in advance unless otherwise indicated by the resident in writing.
55. Blasting shall not be conducted outside of the hours of 9:00 am to 3:00 pm on Monday to Friday and shall not be conducted on weekends or public holidays. (Where compelling safety reasons exist, Council may permit a blast to occur outside the above mentioned hours. Prior written notification of any such blast must be made to Council.)
56. Blasting events are limited to once per day except for minor blasts such as required to clear crushers and feed chutes.
57. Blasting amenity level criteria at any point within 1 metre of any affected residential boundary or other noise sensitive location must not exceed:
- a. A ground vibration peak particle velocity of:
 - i. 5mm/sec for more than 5% of the total number of blasts in an annual period;
 - ii. And 10mm/sec at any time;
 - b. An overpressure of:
 - i. 115dB (Lin Peak) for more than 5% of the total number of blasts

- in an annual period;
- ii. And 120dB (Lin Peak) at any time.

58. Quarry operations are to be undertaken in accordance with the Draft Blast Management Plan prepared by Civil Blast, dated 20 January 2015, and as subsequently amended and approved by Council.
59. Council, having reason to believe an exceedance has occurred of the noise, blasting or vibration limits as identified in the conditions of this consent, may request the quarry operator undertake compliance monitoring. The monitoring is to be conducted by suitably qualified persons in accordance with relevant standards / guidelines current at the time of monitoring. The monitoring results are to be submitted to Council for review within 30 days of the request.
60. The quarry operator must operate a telephone complaints line during the approved hours of operation for the purpose of receiving complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant. The quarry operator must notify the public of the complaints line telephone number and the fact that it is a complaints line so that the impacted community knows how to make a complaint. A legible record of all complaints is to be made available to Council on request and included in the annual update of the Plan of Management. The record must include details of the following:
 - a. The date and time of the complaint;
 - b. The method by which the complaint was made;
 - c. Any personal details of the complainant which were provided by the complainant or, if not such details were provided, a note to that effect;
 - d. The nature of the complaint;
 - e. The action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant;
 - f. And if no action was taken by the licensee, the reasons why no action was taken.

Environment

61. Drainage berms are to be constructed so as to direct clean run-off around the quarry area. All run-off from disturbed areas, including access roads, is to be diverted into sedimentation dams. The design and location of these features is to be incorporated into the Plan of Management and revised as required.
62. Storage of hazardous materials, including fuels, oils and chemicals are to be contained in a roofed and bunded area with the bund to have a capacity of 110% of the largest container.
63. If the quarry machinery is to be serviced/maintained on site, prior to commencing quarry activities, the following information/plans shall be provided detailing:
 - a. the measures to be implemented to prevent discharge of waste liquids/pollutants to the environment.

- b. details of the storage of hazardous materials.
- c. that the refuelling of machinery is conducted in a manner whereby any leaks or spills are captured and discharge to the environment is prevented.
- d. how wastewater will be managed if machinery is washed on site.

This information is also to be detailed in the Plan of Management for the quarry. The quarry is to operate in accordance with the plans/documents approved by Council.

64. An operational plan detailing the proposed methods for groundwater treatment must be submitted for Council approval prior to any groundwater treatment works for Area 2. The operational plan must detail any chemicals to be used for treatment as well as proposed sampling regime for analysis prior to release or reuse of the groundwater. Detailed records of the amount of groundwater treated and methods of treatment are to be kept. The quality of discharged groundwater shall be within the thresholds of the Australian Drinking Water Guidelines.

This information is also to be detailed in the Plan of Management for the quarry.

REASONS

- 1. To ensure that the development complies with Council's Local Environmental Plan and any Development Control Plan that may be applicable to the proposed development.
- 1. To ensure that the surrounding environment is not detrimentally affected as a result of the development.
- 2. To comply with legislative requirements.
- 3. To ensure works are completed to an appropriate standard and documented.

RIGHT OF APPEAL AND VALIDITY OF CONSENT

Section 97 of the Act provides that you have a right of appeal to the Land and Environment Court against Council's decision in the matter, exercisable within 6 months after receipt of this notice.

Section 98 of the Act provides that any person who makes a submission in writing objecting to the proposal and who is dissatisfied with the decision may appeal to the Land and Environment Court, exercisable within 28 days of the date of this notice.

Consent becomes effective from the consent validation date. Section 95 of the Act provides for the period of validity of consent, and it is the applicant's responsibility to ensure that commencement of the development is carried out within the prescribed period. The consent period for this application will be five (5) years.

If you require any further information in regard to this notice of determination please contact Sarah Sozou of Council's Environment, Development and Strategic Planning Services section on (02)66450202.

Yours faithfully,



Sarah Sozou
Development Planner

Attachment 6

CCAC minutes

Community Consultative Advisory Group Meeting

Community Consultative Advisory Group Meeting (Bentley Quarry)

Held on: 26/06/2024 – 5pm to 6pm

At: Casino Gold Club, 147 West St, Casino NSW 2470

Chaired by: Luke Meadows

Attended

Angela Jones (Richmond Valley Council), Katrina Bloomfield (Community representative), Rob Mckenzie (R & S Contracting – Quarry owner), Ben Luffman (GHD), Luke Meadows (ENV Solutions)

Apologies

-

Declarations of interest

No pecuniary or non-pecuniary interest were indicated

Agenda

Agenda
Welcome to country
Declarations of Interest
Introductions of meeting members
Role of the community
Summary of activities and monitoring at the quarry
Community issues
Close out
Next meeting

Community Consultative Advisory Group Meeting

Meeting Minuets

Welcome to country:

Luke Meadows acknowledges the Bundjalung people of the local Casino area.

Declarations of Interest:

Katrina Bloomfield (Community representative) signs wavier indicating no pecuniary or non-pecuniary interest in the quarry.

Introductions of meeting members:

Angela Jones Richmond Valley Council, Director of community service delivery: Angella coordinates a group of operational staff. Manages events, tourism, engagement, communications, customer experience, environmental health, Libraries and IT.

Katrina Bloomfield: Katrina is acting on behalf of the community group. Katrina lives and works in the local area.

Rob Mckenzie: Rob is the owner of the quarry and operates the quarry under R & S Contracting. Rob also resides on the land the quarry operates on.

Ben Luffman: Ben of GHD acting on behalf of R & S contracting responsible for managing the environmental approvals for the quarry.

Luke Meadows: Luke is an environmental consultant and occupational hygienist working for ENV Solutions in Ballina. Luke is acting as the independent chair for this community advisor meeting.

Role of the community:

Katrina Bloomfield is acting on behalf of the community. Katrina lives in the local area and is favour of the quarry operations currently. Katrina indicates she actively discusses the quarry with other community members in day-to-day life and the general consensus is that most people are in favour of current operations at the quarry, with a small number of people unhappy.

Summary of activities and monitoring at the quarry:

Ben Luffman (GHD) gives a presentation via Microsoft power point outlining the following:

- History of quarry on site since 1960s
- Recent activities:
 - DA lodged to increase quarry size to 300,000 tons/year and footprint, approved December 2022
 - Preparation of environmental management plans and actions for operation
 - Upgrade of quarry intersection for safety
 - Obtained EPL from EPA
 - Commenced operations 19th March
 - Blast held 3rd June (small blast, close to road, no issues reported, drone used to check for damage/debris on road post-blast)
- Monitoring:

Community Consultative Advisory Group Meeting

- Dust monitoring at 2 of 3 planned locations (results within criteria), 3rd location pending sale of nearby property
- Noise monitoring scheduled for next month once full operations in place
- No water monitoring required as no off-site discharge
- Dilapidation surveys completed on 2 nearby structures (John's shed and heritage listed house)
- Modification application:
 - Removal of truck movement restrictions during school bus periods (safety concerns with trucks waiting, consistency with other quarries)

Weighbridge being set up to monitor truck movements (currently 20-30 trucks/day, 7 trucks/hour, 300 tons/day extraction)

- Change to extraction sequence (4 stages to single stage, pit to full depth then expansion, noise/dust benefits from pit depth)
- Key points raised:
 - Preference for single quarry location rather than multiple quarries on individual properties
 - Query on impacts if extraction reaches approved 300,000 ton limit
 - Council to investigate complaints and take action if any breaches of approval conditions
- Additional notes or comments:
 - Some attendees have set views on the quarry
 - Further process to go through before final decision on modification.

Community Issues:

Katrina Bloomfield indicates from her perspective most people are generally happy with the quarry, however is a small group of people who are disgruntled.

A few members concerned with additional trucks being on the road during school drop off and pick up times.

Rob McKenzie (R & S Contracting – Quarry owner) indicates that he thinks it would be more unsafe having 10 or more trucks waiting to leave the quarry at 9am and potentially causing move traffic along the road as apposed to the trucks leaving independently across the 8-9am period.

Questions was asked to Angela Jones (Richmond Valley Council) are the council receiving compliants about the quarry and what is the frequency of complaints in comparison top other quarries in the local area?

Angela Jones indicates complaints similar to other quarries in the local area, with some “Nasty” emails being received.

Angela indicates if a genuine complaint is made, the council would go and fact check it. If there was a breach somewhere, they would be a formal process, site inspection and conversations and take appropriate action taken, whatever it might be at the time. But if the currently operations are in accordance with what's been approved no action will be taken.

Community Consultative Advisory Group Meeting

Close out:

Meeting finishes at approximately 17:50.

All attendees discuss next meeting date and location.

Rob McKenzie (R & S Contracting – Quarry owner) suggests hosting the next meeting at the quarry as to give the community a better understanding of the operations at the quarry.

All attendees agree that this is a good option.

All attendees agree next meeting late November to early December this year.

Upcoming meetings

Late November / Early December 2024

Community Consultative Advisory Group Meeting

Community Consultative Advisory Group Meeting (Bentley Quarry)

Held on: 13/11/2024 – 3pm to 4pm

At: Bentley Quarry - 1465 Bentley Road, Bentley NSW 2480

Chaired by: Luke Meadows

Attended

Frank Clarence Hathaway (Community representative), Rob Mckenzie (R & S Contracting – Quarry owner), Steve Leadbetter (R & S Contracting – Employee) Ben Luffman (GHD), Holly Lammers (ENV Solutions), Luke Meadows (ENV Solutions)

Apologies

-

Declarations of interest

No pecuniary or non-pecuniary interest were indicated

Agenda

Agenda
Welcome to country
Declarations of Interest
Introductions of meeting members
Role of the community
Summary of activities and monitoring at the quarry
Community issues
Close out
Next meeting

Community Consultative Advisory Group Meeting

Meeting Minuets

Welcome to country:

Luke Meadows acknowledges the Bundjalung people of the local Casino area.

Declarations of Interest:

Frank Clarence Hathaway (Community representative) signs wavier indicating no pecuniary or non-pecuniary interest in the quarry.

Introductions of meeting members:

Frank Clarence Hathaway: Frank is acting on behalf of the community group. Frank lives and works in the local area.

Rob Mckenzie: Rob is the owner of the quarry and operates the quarry under R & S Contracting. Rob also resides on the land the quarry operates on.

Ben Luffman: Ben of GHD acting on behalf of R & S contracting responsible for managing the environmental approvals for the quarry.

Holly Lammers: Holly is an occupational hygiene consultant working for ENV Solutions in Ballina. Holly is witnessing the meeting to gain experience in community consultative committees.

Luke Meadows: Luke is an environmental scientist and occupational hygienist working for ENV Solutions in Ballina. Luke is acting as the independent chair for this community advisor meeting.

Role of the community:

Frank Clarence Hathaway is acting on behalf of the community. Frank lives in the local area and is favour of the quarry operations currently. Frank indicates he actively discusses the quarry with other community members in day-to-day life and the general consensus is that most people are in favour of current operations at the quarry, with a small number of people unhappy.

Summary of activities and monitoring at the quarry:

Ben Luffman (GHD) gives a verbal presentation and hands out summary of recent activities document outlining the following:

- Recent activities
- Approximately 400 tonnes of concrete waste has been received at the site
- Regular noise and dust monitoring at the quarry hasn't indicated any exceedances
- No water monitoring currently as water has not been discharged at the quarry so not required
- A number of complaints have been received from the community, this is outlined in Ben (GHD) document
- On average 25-30 truck movements at the quarry during working days
- Request for truck movement time to be modified. Currently 1hr morning/afternoon. Request to be reduced to 15 mins morning/afternoon. Pending approval with regulators.
- A blast is planned for early 2025.

Community Consultative Advisory Group Meeting

Community Issues:

Frank Clarence Hathaway indicates from his perspective most people are generally happy with the quarry, however, is a small group of people who are disgruntled. Frank lives on the adjacent property and does not have any issues with the current operations at the quarry.

Close out:

Meeting finishes at approximately 15:30.

All attendees discuss next meeting date and location.

Rob McKenzie (R & S Contracting – Quarry owner) suggests re-hosting the next meeting at the quarry.

All attendees agree that this is a good option.

All attendees agree next meeting late March – April 2025.

Upcoming meetings

March / April 2025

Community Consultative Advisory Group Meeting

Community Consultative Advisory Group Meeting (Bentley Quarry)

Held on: 19/06/2025 – 3:30pm to 4pm

At: Bentley Quarry - 1465 Bentley Road, Bentley NSW 2480

Chaired by: Luke Meadows

Attended

Not in attendance (Community representative), Rob Mckenzie (R & S Contracting – Quarry owner), Jarrod Hellya (R & S Contracting) Andy Edwards (Richmond Valley Council), Luke Meadows (ENV Solutions),

Apologies

Community representative

Declarations of interest

No pecuniary or non-pecuniary interest were indicated

Agenda

Agenda
Welcome to country
Declarations of Interest
Introductions of meeting members
Role of the community
Summary of activities and monitoring at the quarry
Community issues
Close out
Next meeting

Community Consultative Advisory Group Meeting

Meeting Minuets

Welcome to country:

Luke Meadows acknowledges the Bundjalung people of the local Casino area.

Declarations of Interest:

Andy Edwards (Richmond Valley Council), signs wavier indicating no pecuniary or non-pecuniary interest in the quarry.

Introductions of meeting members:

Rob Mckenzie: Rob is the owner of the quarry and operates the quarry under R & S Contracting. Rob also resides on the land the quarry operates on.

Luke Meadows: Luke is an environmental scientist and occupational hygienist working for ENV Solutions in Ballina. Luke is acting as the independent chair for this community advisor meeting.

Andy Edwards (Richmond Valley Council) is a council assessment officer at Richmond Valley Council.

Jarrold Hellya (R & S Contracting) is an employee of R & S Contracting working across the quarry's administration and sales area.

Role of the community:

Not in attendance

Summary of activities and monitoring at the quarry:

Luke Meadows (ENV Solutions) gives verbal presentation and hands out summary of recent activities document outlining the following:

- Recent activities
- Slower start to the year dictated by weather conditions
- Blast 20,000t in February, blast complied with the criteria
- Approximately 25-30 truck movements per day
- Accepted approximately 2000m³ of waste concrete
- Regular noise and dust monitoring at the quarry hasn't indicated any exceedances
- No water monitoring currently as water has not been discharged at the quarry so not required
- Update to the current modification including submission of detailed traffic assessment to support proposed new modification. Modification to be put to public exhibition and determined by the planning panel.
- Another blast planned before end of year.
- Continued planned environmental monitoring and annual report also proposed.
- Rob Mckenzie (R & S Contracting – Quarry owner) enquires if these meetings need to continue as lack of interest from community and significant financial cost to the quarry.

Community Consultative Advisory Group Meeting

Community Issues:

Summary of complaints discussed by Luke Meadows (ENV Solutions). Complaints included the following:

Date	Complaint	Response
5/12/2024	This is advertised as the complaints number. Your obscene noise is not acceptable, but, hey, what do you expect from you?	Due to nature of complaints a response was not considered necessary
6/12/2024	Once your noise levels are unacceptable. This is another complain about your excessive noise. Just typical behaviour of an uneducated bogan	
28/01/2025	Another noise complaint addressing your totally unacceptable noise levels. Keep your f...g noise to your scum self, you piece of dog shit! We are sick and f...king tired of hearing it. Just shows what sort of absolute scum you and your family are. Trash!	
27/05/2025	Another noise compliant! Shut your fucking noise up you mongrel cunt	

- No further issues received from the community.

Close out:

Meeting finishes at approximately 16:15.

All attendees discuss next meeting date and location.

Rob Mckenzie (R & S Contracting – Quarry owner) suggests re-hosting the next meeting at the quarry.

All attendees agree that this is a good option.

All attendees agree next meeting late November – December 2025.

Upcoming meetings

November / December 2025