

SUBMISSION

PROPOSED MODIFICATION TO ALBION PARK QUARRY, STAGES 5 & 6 (LEC 10639 of 2005 MOD 3)

We hereby make the following submission to the above application for Modification 3 to the Albion Park Quarry.

We believe the Environmental Assessment relating to the Proposed Modification is inadequate based on the following points:

- **It does not take into account the approved dwelling on the land owned by Figtree Hill Pty Ltd** in relation to noise and blast monitoring management plan. Also, the management plan fails to take into account what will happen should this dwelling be built. The approved site is approximately 430 metres from the nearest part of the proposed extraction boundary.
- **There are discrepancies** in the distances quoted of residences from the nearest part of the proposed extraction areas: Executive Summary (2.2.5 Surrounding Land Use) quotes 375m for the "Cottage" and 460 metres for "The Hill". The SLR Report (11. Blast Design Records and Predicted Emission Levels) quotes 420m for "The Hill" and no reference to the "Cottage".
- **Schedule 4 Condition 14 – Blast Management Plan**
The SLR Report purports to be a Blast Management Plan however there are the following deficiencies in the document:
 - a) There has been no consultation with Figtree Hill Pty Ltd by SLR.
 - b) There is no reference to the approved dwelling which retains its currency .
 - c) There is no reference to the problems concerning the exclusion of people and stock from the buffer zone, even though these issues were noted in Minutes of CCC Meetings 8/7/15 and 9/12/15, Appendix 5. We note two separate occasions when property owners were directed out of areas on Figtree Hill land and a public road to a distance of 400 metres . According to Cleary Bros advice per Minutes of CCC Meeting 9/12/15, the blasting contractors required this as a safety precaution for people and stock.
 - d) There is also no reference to contingent actions taken in the event the owners of Figtree Hill Pty Ltd do not comply with the above requests to vacate that "buffer/exclusion zone" extending over their land.
 - e) There is no reference to any restriction of entitlement of the owner or occupier of the Figtree Hill land regarding the use of their property during the course of

running commercial operations – land use related to dairying is long established and predates quarry uses nearby.

Condition 14 (e):

“Describe the measures that would be implemented to:

- Mitigate, remediate or compensate for any blasting impacts of the development on the Figtree Hill land or use of that Land.”

Whilst we acknowledge there are procedures proposed to **mitigate** the impacts (management of flyrock, and notification of landowners of blast events), the other issues of remediation or compensation have not been addressed.

In addition, we would like to request the following change to the proposed Amended Consent:

Schedule 4 Condition 51 – Heritage

We request that this condition now be amended/modified to refer to “Within 3 months of the date of this modified consent”

- a) Be changed to read “ a program for baseline surveys of residences **and all other buildings** on the Figtree Hill land” There is an operational dairy building and yards and relevant associated farm buildings.

Yours sincerely

Susan Dunster

Director

Figtree Hill Pty Ltd

