

16 July 2018

NSW Department of Planning & Environment  
Planning Services Resource Assessments  
Att: Rob Beckett

Email: [Rob.Beckett@planning.nsw.gov.au](mailto:Rob.Beckett@planning.nsw.gov.au)

Dear Mr Beckett,

**Submission – Modification to Champions Quarry Project (PA09\_0080 Mod 4)**

I refer to the exhibition of the subject project seeking modification of the approval for the purpose of:

- *Increasing the maximum hourly truck dispatch from 5 trucks to 10 trucks; and*
- *Increasing the maximum daily truck dispatch from 50 trucks to 100 trucks.*

Council makes the following submissions in response to exhibited proposal:

1. It is noted that the annual report for the quarry for the 2017 year production has not been published on the quarry website as referred to in condition 4 of schedule 5, and Council has therefore been unable to determine the annual production for the quarry. The consequence of this reporting failure is that Council has been unable to levy contributions for road transport activities as referred to in condition 26 of Schedule 3 of the Major Project Approval. This outcome has negative impacts for the community sharing the roads affected by heavy haulage from this quarry.
2. It is considered essential to ensure that any proposal to increase hourly/daily truck movements can be logged accurately and properly regulated.
3. Council notes that Mod 1 to this Major Project Approval sought approval to remove the requirement *“relating to the use of a weighbridge to provide accurate records of quarry materials transported off-site to determine Section 94 contributions payable to Council”*. This was conditionally approved.
4. Mod 2 requested the operator be allowed *“the use of scales fitted to front end loaders for weighing product as an alternative to the use of a weighbridge”*, and that the previous cap of 100,000 tonnes per annum before a weighbridge must be installed, was removed.
5. Mod 3 sought approval for a mobile sand washing plant capable of processing 80 tonnes per hour.
6. Council is concerned about the progressive facilitation of increased production potential, that is incompatible with a relaxation of production data logging and record keeping requirements. This is of particular concern where the quarry production data being reported under the Major

Project Approval is currently and annual amount generally less than 10% of the approved production potential.

Note:

28,842.17 tonnes of crushed coarse sandstone materials sold during the 2014/2015 financial year

5,271 tonnes of crushed coarse sandstone materials sold during the 2015/2016 financial year

7. There are no proposed measures in the modification application to verify compliance with the terms of any modified approval for which approval is now being sought.

To address the above issues, the following outcomes are sought:

- a) Modify condition 26 of the Major Project Approval to accord with the provisions of Council's current Contributions Plan Contributions and require that contributions toward road transport are reported, and paid on a monthly basis to Council based on a fee for each tonne of extractive resource leaving the extractive industry/ mine site by road transport. Condition 26 of Schedule 3 would then read as follows (changes underlined):

**“Road Maintenance**

26. During the project, the Proponent must pay Council the applicable rate per tonne per kilometre for every tonne of extractive materials in excess of 8,500 tonnes per annum transported from the site on roads for which Council is liable for road maintenance funding, in accordance with Council's *Section 94 Contributions Plan 2004* or any subsequent relevant contributions plan adopted by Council.

Each payment must be:

- (a) based on the quantity of extractive materials transported from the site recorded by either accredited scales fitted to front-end loaders in accordance with the terms of this approval, or weighbridge records, and reported to Council monthly;
- (b) paid by the date required by the invoice issued by Council; and
- (c) increased over the life of the project in accordance with the annual CPI.”

*Note: This rate is in accordance with the rate of \$0.05/tonne/kilometre set out in Council's Section 94 Contributions Plan 2004, subject to CPI adjustments since December 2003, as required under that Plan.”*

The above outcome would be consistent and accord with the terms and conditions for Blakebrook Quarry, which is the only other Major Project Approval for a quarry in the Lismore LGA.

- b) The modification of condition 26 above should also correlate with a requirement for modification of condition 9 and reinstating of the requirement for a weighbridge to be installed (previously removed in Mod 2). The modified condition would read (changes underlined)

**“Extractive Material Transport**

9. The Proponent shall not:
  - (a) transport more than 250,000 tonnes of extractive material from the site in any calendar year;
  - (a1) transport more than 100,000 tonnes of extractive material from the site in any calendar year without having first installed a weighbridge;
  - (b) dispatch more than 100 laden trucks from the site on any day; or
  - (c) dispatch more than 10 laden trucks from the site in any hour.”



It is considered that the above measures a) and b) will enable regular record keeping, reporting and accountability and ensure proper regulation of the activity for which approval is now being sought. It will also enable early detection of any potential breaches in relation to daily/hourly haulage restrictions from the quarry that need to be addressed before they have longer term adverse impacts on the local community.

We note the suggestion in the traffic assessment that if heavy haulage conflicts occur in the cane harvesting season occur, haulage routes will be amended, however, we are unclear as to if this is likely, or how it could be effectively monitored/regulated on an “as needs” basis.

Subject to the above conditions being included in the proposal, Council has no objection to facilitating the changes now being proposed.

Should you require any further information, please do not hesitate to contact me.

Yours faithfully

Peter Jeuken  
**Manager – Development & Compliance**

