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 www.ballina.nsw.gov.au



**DA 1996/29.003 - Section 96 Amendment - Eatons
 Quarry - Lot 3 DP 619233**

ballina shire council
 geographical information system

Projection: GDA94 / MGA zone 56
 Date: 2/03/2018

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Transport
Roads & Maritime
Services

26 April 2017

A17151364

Ms Stephanie Pohl
Quarry Solutions Pty Ltd
24a Ozone St
Chinderah, NSW 2487

**Woolgoolga to Ballina Pacific Highway Upgrade (W2B Project)
Master Supply Agreement – Quarry Materials
Contract No. 16.0000002544.0600**

LETTER OF ACCEPTANCE

Dear Ms Pohl,

I advise that the Roads and Maritime Services (**RMS**) accepts Quarry Solutions Pty Ltd's (**Supplier**) tender dated 25 November 2016, and offer to supply quarry materials for the W2B Project on the terms of the Master Supply Agreement Contract No. 16.0000002544.0600 (**Contract**).

The rates and prices at which the Supplier must supply quarry materials are included in the form of Supply Deed (which forms Schedule 10 to the Contract). For ease of reference, the rates and prices are also set out in an attachment to this letter.

EXECUTION OF THE CONTRACT AND RELATED DOCUMENTS

We enclose 2 copies of the Contract. Please arrange for:

- (a) both copies of the Contract;
- (b) the Work Health and Safety Deed Poll in Schedule 5 of the Contract; and
- (c) the Parent Company Guarantee in Schedule 12,

to be executed in accordance with s 127 of the Corporations Act.

We also enclose a Section 34(2A) Declaration (**Declaration**) required under the *Building and Construction Industry (Improving Productivity) Act 2016 (Act)*. In the event that section 34(2A) of the Act applies to this Contract, please complete and sign the Declaration.

Both copies of the Contract, and (if required) the Declaration, must be returned to the RMS Representative (details below) within 10 days of the date of this letter.

If the Contract is executed outside New South Wales stamp duty may be payable. It is the Supplier's responsibility to ensure that the Contract is stamped in accordance with the laws of the place of execution.

Roads and Maritime Services

Level 1, 21 Prince Street, Grafton NSW 2460 |
PO Box 546, Grafton NSW 2460 |

www.rms.nsw.gov.au | 13 22 13

ADMINISTRATIVE MATTERS

RMS has appointed Pacific Complete (a joint venture between Parsons Brinckerhoff Australia Pty Limited and Laing O'Rourke Australia Construction Pty Limited) as its Delivery Partner to manage the overall W2B Project.

The RMS Representative for the Contract is Danny Palhares (Email: danny.palhares@pacificcomplete.com.au, Electronic Portal: Danny Palhares in TeamBinder).

All correspondence (including payment claims) should be addressed to the RMS Representative as follows:

Danny Palhares
Pacific Complete, 21 Prince Street
Grafton, NSW 2460,

or submitted via the Electronic Portal - TeamBinder.

All correspondence should reference the Contract number.

RMS would like to draw the Supplier's attention to the invoicing and payment clauses of the Contract. Please ensure the Supplier complies fully with these provisions and in particular submits a Contractor Statement and Supporting Statement with each invoice.

A kick-off meeting will be held between the Supplier and Pacific Complete prior to commencing the work under the Contract. Please liaise with the RMS Representative to organise the date and time for the meeting.

SUPPLIER'S POST AWARD ACTIONS

Within 14 days of the date of this letter please:


- contact AON Risk Services Australia Limited (Level 33, 201 Kent Street, Sydney NSW 2000, Phone: 02 9253 8407, Fax: 02 9253 7106) to provide certificates of currency for the insurances that the Supplier is required to have in place in accordance with the Contract;
- submit the documentation required by the Job Specific Requirements specification;
- submit a completed and signed EFT Authorisation Form (RMS Form No. 594, **attached**) providing the Supplier's bank account details for payment to be made under the Contract, and
- lodge with RMS the security required by the Contract (if any).

EXECUTION OF AGREEMENT BY RMS

Once we receive both executed copies of the Contract, we will arrange for the Contract to be executed by RMS. A copy will be returned to you for your records.

RMS looks forward to working with you on this project.

Yours faithfully



Jim Campbell

Project Director – Woolgoolga to Ballina Project

Roads and Maritime Services

Our Ref: W2B-PC0-0-SB-LET-00121

Enclosed:

1. Contract (in duplicate)
2. RMS Form No. 594 – EFT Authorisation Form
3. Section 34(2A) Declaration
4. Schedule of Rates and Prices

3.16 10mm Aggregate	R11	1	QS Petersons
3.17 7mm Aggregate	R11	1	QS Petersons
4.0 Delivery	Delivery Point		QS Petersons
4.1 Batch Plant @	CH152,100 - CH152,500 (D152.4 Wardell Rd)	1	QS Petersons
4.2 Batch Plant @			QS Petersons
4.3 Delivery	CH145,040 to CH160,000	1	QS Petersons
4.4 Delivery	CH160,000 to CH165,000	1	QS Petersons
4.5 Delivery	CH165,000 to CH180,000	1	QS Petersons
4.6 Delivery	CH180,000 to CH184,600	1	QS Petersons
4.7 Extra Over	Truck Only (No Trailer)	1	QS Petersons
4.8 Extra Over	Waiting Time Per 15 min	1	QS Petersons

Quarry Solutions - Wardell		Portion D	PRIMARY	Tenderer
Pay Item	Specification	Unit		QS Wardell
2.0 Flexible Pavement				
2.2 Granular Sub Bases (DGS20)	3051	1		QS Wardell
2.3 Granular Bases (DGB20)	3051	1		QS Wardell
2.4 Granular Bases (Natural Gravel)	3051	1		QS Wardell
2.5 Granular Bases (DGB20) Category C	3051	1		QS Wardell
2.9 Crushed Chert	3051N	1		QS Wardell
3.0 Other Quarry Materials				
3.1 Select	R44/3071	1		QS Wardell
3.2 Verges	R44/3071	1		QS Wardell
3.4 Drainage Side and Overlay	R11	1		QS Wardell
3.5 Wick Drain	R31	1		QS Wardell
3.6 Rockfill	R44	1		QS Wardell
3.7 Drainage Blanket	R44	1		QS Wardell
3.8 Unspecified Roadbase (Max particle 60mm)	N/A	1		QS Wardell
3.9 Spill Through Abutment	R44	1		QS Wardell
3.14 General Fill	R44	1		QS Wardell
4.0 Delivery	Delivery Point			QS Wardell
4.1 Batch Plant @	CH152,100 - CH152,500 (D152.4 Wardell Rd)	1		QS Wardell
4.2 Batch Plant @				QS Wardell
4.3 Delivery	CH145,040 to CH160,000	1		QS Wardell
4.4 Delivery	CH160,000 to CH165,000	1		QS Wardell
4.5 Delivery	CH165,000 to CH180,000	1		QS Wardell

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Edition 1 - W2B Revision A
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Attachment 3

Environment Protection Licence

Section 55 Protection of the Environment Operations Act 1997

Environment Protection Licence



Licence - 20794

Licence Details

Number: 20794
 Anniversary Date: 29-September

Licensee

QUARRY SOLUTIONS PTY LTD
 PO BOX 6009
 TWEED HEADS SOUTH NSW 2486

Premises

EATONS QUARRY
 OLD BAGOTVILLE ROAD
 BAGOTVILLE NSW 2477

Scheduled Activity

Extractive activities

Fee Based Activity

Land-based extractive activity

Scale

> 30000-50000 T annual capacity to extract, process or store

Region

North - North Coast
 NSW Govt Offices, 49 Victoria Street
 GRAFTON NSW 2460
 Phone: (02) 6640 2500
 Fax: (02) 6642 7743

 PO Box 498 GRAFTON
 NSW 2460

Section 55 Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence - 20794



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Environment Protection Licence

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Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

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The EPA publication "A Guide to Licensing" contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

QUARRY SOLUTIONS PTY LTD
PO BOX 6009
TWEED HEADS SOUTH NSW 2486

subject to the conditions which follow.

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1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Extractive activities	Land-based extractive activity	> 30000 - 50000 T annual capacity to extract, process or store

A1.2 Notwithstanding A1.1, the land-based extractive activity authorised under this licence expires in January 2018 or once 975,000 tonnes of material is extracted (whichever comes first), in accordance with the development consent 1996/29 granted by Ballina Shire Council under the *Environmental Planning and Assessment Act 1979* for the premises specified in A2.

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
EATONS QUARRY
OLD BAGOTVILLE ROAD
BAGOTVILLE
NSW 2477
LOT 3 DP 619233

A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

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2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

P1.2 The following points referred to in the table are identified in this licence for the purposes of the monitoring and/or the setting of limits for discharges of pollutants to water from the point.

Water and land

EPA Identification no.	Type of Monitoring Point	Type of Discharge Point	Location Description
1	Sediment Basin Discharge	Sediment Basin Discharge	Discharge point from sediment basin identified as WR1 (North Sediment Basin) and located at 542263E and 6794376N
2	Sediment Basin Discharge	Sediment Basin Discharge	Discharge point from the sediment basin identified as WR2 (South Sediment Basin) and located at 542171E and 6794059N

3 Limit Conditions

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Concentration limits

L2.1 For each monitoring/discharge point or utilisation area specified in the table below (by a point number), the concentration of a pollutant discharged at that point, or applied to that area, must not exceed the concentration limits specified for that pollutant in the table.

L2.2 Where a pH quality limit is specified in the table, the specified percentage of samples must be within the specified ranges.

L2.3 To avoid any doubt, this condition does not authorise the pollution of waters by any pollutant other than those specified in the tables.

L2.4 Water and/or Land Concentration Limits

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**POINT 1,2**

Pollutant	Units of Measure	50 Percentile concentration limit	90 Percentile concentration limit	3DGM concentration limit	100 percentile concentration limit
Oil and Grease	Visible				Nil
pH	pH				6.5 - 8.5
Total suspended solids	milligrams per litre				50

- L2.5 The concentration limits in the above table do not apply to any discharge from Point 1 or Point 2 solely arising from rainfall exceeding the 85th percentile 5 day (consecutive days) rainfall volume of 82.5 mm.
- L2.6 If the licensee uses turbidity (NTU) in place of TSS to determine compliance with Condition L2.4, the licensee must develop a statistical correlation which identifies the relationship between NTU and TSS for water quality in the sediment basin/s in order to determine the NTU equivalent of 50 mg/L TSS before its use.
- L2.7 The licensee must provide the EPA with a copy of the statistical correlation assessment methodology and results before using NTU in place of TSS.
- L2.8 The licensee must develop and implement a method to enable the ongoing verification of the relationship between NTU and TSS.
- L2.9 The licensee must provide the EPA with any amendments the licensee makes to the statistical correlation as a result of the ongoing verification required by Condition L2.8 before using the revised statistical correlation.

L3 Waste

- L3.1 The licensee must not cause, permit or allow any waste generated outside the premises to be received at the premises for storage, treatment, processing, reprocessing or disposal or any waste generated at the premises to be disposed of at the premises, except as expressly permitted by the licence.

L4 Noise limits

- L4.1 Noise from the premises must not exceed an LAeq (15 minute) noise emission criterion of 43 dB(A) at the most affected residential receiver except as expressly provided by this licence.
- L4.2 Noise from the premises is to be measured at the most affected residential receiver who has not given written permission for an exceedance of Condition L4.1 to determine compliance with this condition.
- L4.3 Noise from the premises is to be measured at the most affected point on or within the nearest affected

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residential property boundary or if this is more than 30m from the residence at the most affected point within 30m of the residence, to determine compliance with this condition.

Note: The noise limits set out in condition L4.1 apply under all meteorological conditions except for the following:

1. Wind speeds greater than 3 metre/second at 10 metres above ground level; or
2. Temperature inversion conditions up to 3oC/100m and wind speeds greater than 2 metres/second at 10 metres above ground level; or
3. Temperature inversion conditions greater than 3oC/100m

L4.4 The noise levels set out in Condition L4.1 do not apply if agreement between the licensee and the occupier of the noise sensitive location has been reached. Any agreement(s) between the licensee and the affected noise sensitive receiver must be recorded in writing and a copy of the agreement(s) kept on the premises for the duration of the licence.

L5 Blasting

L5.1 All sensitive receivers within 1 kilometre of the quarry are to be given at least 24 hours notice when blasting is to be undertaken.

L5.2 The airblast overpressure level from blasting operations in or on the premise must not exceed:

- (a) 115 dB (Lin Peak) for more than 5% of the total number of blasts during each reporting period or one blast in each reporting period (whichever is the greater); and
- (b) 120 dB (Lin Peak) at any time,

when measured at any non-project related residential building or other noise sensitive location such as a school or hospital that is not subject to a private agreement between the owner of the residence or noise sensitive location.

L5.3 The airblast overpressure values stated above apply when the measurements are performed with equipment having a lower cut-off frequency of 2Hz or less. If the instrumentation has a higher cut-off frequency then a correction of 5dB should be added to the measure value. Equipment with a lower cut-off frequency exceeding 10Hz should not be used for the purpose of measuring airblast overpressure.

L5.4 The ground peak particle velocity from blasting operations carried out in or on the premises must not exceed:

1. 5mm/s for more than 5% of the total number of blasts over each reporting period or one blast in each reporting period (whichever is the greater); and
2. 10mm/s at any time.

At any affected residence or noise sensitive location that is not owned by the licensee or subject to a private agreement with the owner of the residence or noise sensitive location.

L6 Hours of operation

L6.1 Blasting hours

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Blasting operations at the premises may only take place between 09:00 and 15:00 Monday to Friday. (Where compelling safety reasons exist, a blast to occur outside the above hours. Prior notification of any such blast must be made to the EPA).

- L6.2 Activities covered by this licence must only be carried out between the hours of 07:00 and 17:00 Monday to Friday and 08:00 and 15:00 Saturday, and at no time on Sundays and Public Holidays.

This condition does not apply if written permission from sensitive receivers for an exceedance of the above hours of operation has been provided to the EPA.

- L6.3 This condition does not apply to the delivery of material outside the hours of operation permitted by condition L6.2, if that delivery is required by police or other authorities for safety reasons; and/or the operation or personnel or equipment are endangered. In such circumstances, prior notification must be provided to the EPA and affected residents as soon as possible or within a reasonable period in the case of emergency.
- L6.4 General maintenance, landscaping and office work that does not involve the operation of any quarry machinery is permitted on Sundays and Public Holidays

4 Operating Conditions

O1 Activities must be carried out in a competent manner

- O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

- O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:
- a) must be maintained in a proper and efficient condition; and
 - b) must be operated in a proper and efficient manner.

O3 Dust

- O3.1 Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust.

O4 Emergency response

Note: The licensee must maintain, and implement as necessary, a current Pollution Incident Response Management Plan (PIRMP) for the premises. Details of the requirements can be found on the EPA

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website via the following link <http://www.epa.nsw.gov.au/legislation/poefaqspirmps.htm>

O5 Processes and management

- O5.1 The sites sediment basin(s) must be maintained and operated to ensure that:
- All 5-day rainfall events up to 82.5mm (the 90th percentile 5 day rain event) are captured.
 - Any discharge from the sediment basin that occurs as a result of rainfall below the 5-day total of 82.5mm must meet the limit conditions specified in condition L2.4.
- O5.2 Sediment Basins shall be treated, if required, to reduce the Total Suspended Solids level to the licenced concentration limit before being discharged to the environment. Treatment can be with gypsum or any other material that has been approved by the EPA.
- O5.3 All liquid chemicals, fuels and oils must be stored in tanks or containers inside suitable bund(s). Bund(s) are to be designed, constructed and maintained in accordance with AS1940-2004 Storage and Handling of Flammable and Combustible Liquids.
- O5.4 Each sedimentation basin must have a marker (the "sedimentation basin marker") that identifies the upper level of the sediment storage zone.
- O5.5 Whenever the level of liquid and other material in any sedimentation basin exceeds the level indicated by the sedimentation basin marker, the licensee must take all practical measures as soon as possible to reduce the level of liquid and other material in the sedimentation basin.
- O5.6 The licensee must maximise the diversion of stormwater runoff containing suspended solids to sediment basins installed on the premises.
- O5.7 Where sediment basins are necessary, all sediment basins and associated drainage must be installed and commissioned prior to the commencement of any clearing or grubbing works within the catchment area of the sediment basin that may cause sediment to leave the site.
- O5.8 The licensee must ensure the design storage capacity of the sediment basins installed on the premises is reinstated within 5 days of the cessation of a rainfall event that causes runoff to occur on or from the premises.
- O5.9 The licensee must ensure that sampling point(s) for water discharged from the sediment basin(s) are provided and maintained in an appropriate condition to permit:
- a) the clear identification of each sediment basin and discharge point;
 - b) the collection of representative samples of the water discharged from the sediment basin(s); and
 - c) access to the sampling point(s) at all times by an authorised officer of the EPA.
- O5.10 The licensee must endeavour to maximise the reuse of captured stormwater on the premises.
- O5.11 The sediment basins must meet the design and operational standards of *Managing Urban Stormwater Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. This document requires that at a minimum 90 percentile five-day rainfall event be used to determine basin sizing for quarries.

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5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- in a legible form, or in a form that can readily be reduced to a legible form;
 - kept for at least 4 years after the monitoring or event to which they relate took place; and
 - produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- the date(s) on which the sample was taken;
 - the time(s) at which the sample was collected;
 - the point at which the sample was taken; and
 - the name of the person who collected the sample.

M2 Requirement to monitor concentration of pollutants discharged

- M2.1 For each monitoring/discharge point or utilisation area specified below (by a point number), the licensee must monitor (by sampling and obtaining results by analysis) the concentration of each pollutant specified in Column 1. The licensee must use the sampling method, units of measure, and sample at the frequency, specified opposite in the other columns:

M2.2 Water and/ or Land Monitoring Requirements

POINT 1,2

Pollutant	Units of measure	Frequency	Sampling Method
Oil and Grease	Visible	Special Frequency 1	Visual Inspection
pH	pH	Special Frequency 1	Probe
Total suspended solids	milligrams per litre	Special Frequency 1	Grab sample

- M2.3 Special Frequency 1 means sampling any discharge, whether controlled or otherwise, which has not occurred from rainfall exceeding 82.5 mm over any consecutive five day period.

M3 Testing methods - concentration limits

- M3.1 Subject to any express provision to the contrary in this licence, monitoring for the concentration of a pollutant discharged to waters or applied to a utilisation area must be done in accordance with the Approved Methods Publication unless another method has been approved by the EPA in writing before

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any tests are conducted.

M4 Environmental monitoring

M4.1 The licensee is required to install and maintain a rainfall depth measuring device.

M5 Weather monitoring

M5.1 Rainfall at the premises must be measured and recorded in millimetres per 24 hour period at the same time each day from the time that the site office associated with the activities permitted by this licence is established.

M5.2 The rainfall monitoring data collected in compliance with Condition M4.1 can be used to determine compliance with Condition L2.5 and L2.6.

M6 Recording of pollution complaints

M6.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.

M6.2 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 no 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; and
- f) if no action was taken by the licensee, the reasons why no action was taken.

M6.3 The record of a complaint must be kept for at least 4 years after the complaint was made.

M6.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M7 Telephone complaints line

M7.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.

M7.2 The licensee 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.

M7.3 The preceding two conditions do not apply until 2 months the date of the issue of this licence.

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M8 Blasting

- M8.1 The licensee must monitor all blasts carried out in or on the premises at or near the nearest residence or noise sensitive location (such as a school or hospital) that is likely to be most affected by the blast and that is not owned by the licensee or subject of a private agreement between the owner of the residence or noise sensitive location and the licensee relating to alternative blasting limits.
- M8.2 The time of blasting, the air-blast overpressure level from blasting operations and the ground vibration peak particle velocity from blasting operations must be measured at the nearest sensitive receiver for each blast.
- M8.3 Instrumentation used to measure the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 21872 - 2006

6 Reporting Conditions

R1 Annual return documents

- R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:
1. a Statement of Compliance,
 2. a Monitoring and Complaints Summary,
 3. a Statement of Compliance - Licence Conditions,
 4. a Statement of Compliance - Load based Fee,
 5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
 6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
 7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee a copy of the form that must be completed and returned to the EPA.

- R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

- R1.3 Where this licence is transferred from the licensee to a new licensee:
- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
 - b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

- R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and

Environment Protection Licence

Licence - 20794



ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

- R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').
- R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.
- R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:
- a) the licence holder; or
 - b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

R2 Notification of environmental harm

- R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

- R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

R3 Written report

- R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:
- a) where this licence applies to premises, an event has occurred at the premises; or
 - b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.
- R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.
- R3.3 The request may require a report which includes any or all of the following information:
- a) the cause, time and duration of the event;
 - b) the type, volume and concentration of every pollutant discharged as a result of the event;
 - c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
 - d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after

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making reasonable effort;

e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;

f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and

g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the EPA within the time specified in the request.

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

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Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

Section 55 Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence - 20794



flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

Environment Protection Authority - NSW
 Licence version date: 29-Sep-2016

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Section 55 Protection of the Environment Operations Act 1997

Environment Protection Licence

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TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Graeme Budd

Environment Protection Authority

(By Delegation)

Date of this edition: 29-September-2016

End Notes



129 Tamar Street
PO Box 1677 Ballina NSW 2477
P: 6686 7055 F: 6686 8255
ABN: 73 890 511 469
E: ceo@jalilalc.com.au

Wednesday, 13 December 2017

Our Ref: J865

Your Ref: DA 1996/29.03

Kerri Watts
Acting Group Manager
Development and Environmental Health
Ballina Shire Council

By email: council@ballina.nsw.gov.au

Dear Council,

We write to object to the proposed modification to DA 199629 Eaton's Quarry 5 year extension for the following reasons;

- The Quarry location is adjacent to Jali LALC Indigenous Protected Area and approval to extend the life of the quarry by 5 years will negatively impact on endangered species (long nose potoroo), threatened species (koala) and other wildlife owing to ongoing heavy vehicle traffic.
- The RMS Highway Upgrade is scheduled to conclude 2020 and the proposed Quarry DA modification timeframe extends further than the projected completion of the Highway Upgrade project.
- Jali tenants located at Bagotville Road and Lumley's Lane tenants have experienced increase in dust and heavy vehicle access and we object to an extension of this burden.

Should you be unable to attend or require additional information please feel free to contact our office.

Yours sincerely

Mik Smith

Chief Executive Officer
Jali LALC

Phone: 66867055 | Mobile: 0438 668 344 | Fax: 66868255 | Email: ceo@jalilalc.com.au

Anthony Peters

From: Mia Cassidy <miacassidy@hotmail.com>
Sent: Thursday, 14 December 2017 10:14 AM
To: Ballina Shire Council
Subject: Objection 1996/29 Cassidy

To whom It may concern,

We object to the 5 year extension to DA 1996/29 for the following reasons:

1. Past performance of the operator and owner.
 - The applicant Quarry Solutions is a subsidiary of SEE Civil.
 - SEE ran the quarries 1996/29 and 1996/30 from 2010. At this time there was an application to increase extraction amounts from both quarries, this was later withdrawn; only after gross over extraction (triple the allowed amount for both quarries).
 - The applicant was unable to control driver behaviour, this resulted in speeding trucks and loss of safety and amenity to residents along the haulage route.
 - The applicant showed little to no regard for residents, operational guidelines or EPA licensing.
 - We note that the applicant was fined for these breaches, however the \$16 000 is not an amount that would bare significance for a contract such as the highway.
 - The quarry owner was not forthcoming with road tariff monies
1. Inability for the receiving environment to absorb the additional haulage vehicles
 - The RMS is currently running 2 quarries in the immediate vicinity of DA1996/29 the only haulage route is Carlisle Street. The RMS indicate they will run 300 truck and dogs per day up and down our street plus 100 service vehicles.
 - Previously DAs have been rejected by the JRPP based on the Inability for the receiving environment to absorb the additional haulage vehicles

In addition to these points it should be noted at this time that there is no updated traffic report. Please provide this report for comment when it becomes available.

If the application should be approved, we look forward to learning how extraction rates, truck numbers and driver behaviour will be monitored. It is unfair for the community to be expected to continuously complain about safety and amenity issues to only be told to write another email, make another phone call or simply 'it wasn't us it was them'. Please remember that whist we understand the highway is state significant infrastructure; we live here, with our family.

Regards,

Luke and Mia Cassidy

93 Carlisle Street, Wardell

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For more information please visit <http://www.symanteccloud.com>

[REDACTED]

From: Mia Cassidy <miacassidy@hotmail.com>
Sent: Thursday, 14 December 2017 10:15 AM
To: Ballina Shire Council
Subject: Objection 1996/29 Avery and Morton

To whom It may concern,

We object to the 5 year extension to DA 1996/29 for the following reasons:

Past performance of the operator and owner and inability for the receiving environment to absorb the additional haulage vehicles.

The only haulage route considered viable for the quarry is along Carlisle Street. The street is in average condition and due to deteriorate with increased use by the RMS. The trucks shake our homes and bang up and down the road. The drivers show no regard for the safety or amenity of the residents or indeed road rules and laws.

As residents we are sick and tired of writing email after email to try to have consent conditions adhered too. To allow the extension of the life of this quarry for another 5 years will only add insult to injury after the approval of massive haulage from the two RMS quarries in the vicinity.

Please consider our homes, safety, amenity and sanity when assessing this proposal.

Warm regards,

Bonnie Avery and Cheryl Morton

85 Carlisle Street, Wardell.

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Ballina Shire Council
PO Box 450
Ballina NSW 2472



R.McElligott
323 Old Bagotville Rd
Bagotville NSW 2472

OBJECTION TO DA 1996/29.03 To extend the operational life of (Eatons Quarry)

To whom it may concern,

I wish to object to the DA 1996/29.03 due to the hazardous road conditions which already exist on Old Bagotville Road.

Driving to our property on Old Bagotville Road is becoming increasingly dangerous and on numerous occasions I have been forced off the road by heavy vehicles from the already operating quarries .To add to this problem the new Pacific highway upgrade is using Old Bagotville Road for access. I have contacted Pacific Complete and Lend Lease complaining about the dangerous road conditions which exist. The road is not suitable to carry such a large volume of traffic . Any increase in heavy vehicle traffic from the proposed quarry will only make these existing problems worse.

We used to cycle with our children along the road into Wardell, to do this these days would be a death wish. The sheer volume of heavy vehicles and the dust or mud from passing trucks make this almost impossible.

I understand that quarries have to exist to provide resources for development. What I don't understand is how these quarries are operating with such poor quality access roads to service them. How does council allow so many heavy vehicles on this inadequate gravel access road? Throughout the shire all other quarries have good quality sealed access roads which enable road users to share the road comfortably with the associated heavy vehicle traffic from the quarry. It is only a matter of time until there is an accident due to the hazardous conditions.

Old Bagotville Road needs to be upgraded and sealed to make it safe for the general public and other road users. With so much money spent on road infrastructure on the Pacific Highway upgrade surely they should be responsible for upgrading this road as it is a major access point for the works.

Thank you for considering my comments and thoughts towards this matter.

Yours sincerely

R.McElligott.

From: tbcatherding@gmail.com on behalf of Tony Browne <info@tonybrowne.net>
Sent: Tuesday, 19 December 2017 11:59 AM
To: Ballina Shire Council
Subject: Fwd: Objection to the 5 year extension to DA 1996/29

----- Forwarded message -----

From: "Tony Browne" <info@tonybrowne.net>
Date: 16 Dec 2017 10:34 a.m.
Subject: Objection to the 5 year extension to DA 1996/29
To: <councill@ballina.nsw.gov.au>
Cc: "David Wright" <isiseerie@gmail.com>

To whom It may concern,

I object to the 5 year extension to DA 1996/29 for the following reasons:

1. Past performance of the operator and owner.
 - The applicant Quarry Solutions is a subsidiary of SEE Civil.
 - SEE ran the quarries 1996/29 and 1996/30 from 2010. At this time there was an application to increase extraction amounts from both quarries, this was later withdrawn; only after gross over extraction (triple the allowed amount for both quarries).
 - The applicant was unable to control driver behaviour, this resulted in speeding trucks and loss of safety and amenity to residents along the haulage route.
 - The applicant showed little to no regard for residents, operational guidelines or EPA licensing.
 - We note that the applicant was fined for these breaches, however the \$16 000 is not an amount that would bare significance for a contract such as the highway.

As this underpins activities undertaken as part of the Pacific Complete project, my experience with this project so far has seen:

- Pacific Complete management lying about "no haulage through Wardell, and that it will all be down the new highway corridor"
- The project providing no clear scope, duration, load traffic for the whole project end to end. We have only been informed for parts of work being completed, not the whole project.
- Promises broken in regards to trucks adhering to 40kmh speed limits, no GPS tracking, no enforcement of speed limits which is part of their DA obligations.
- No written guarantees to repair any damage caused to our properties.

I appreciate the value this project will bring to our village and the safety to human life it will provide once complete. I understand you will probably just approve this application anyway due to its significance.

What I want to see is pacific complete and it's partners and providers stick to their word. As part of this for Council to ensure that:

- Speed enforcement for ALL heavy vehicles involved in this project is maintained at the promised 40km/h limit. (If they do 40km/h, our house does not shake anywhere near as much and your road will probably be better off for it)
- We receive a written guarantee from the project to repair any damages caused to our house from these activities. (Our back security screen door no longer shuts properly or locks since haulage commenced).

8.3 DA 1996/29 - Section 96(2) - Quarry - Old Bagotville Road.DOC

- Pacific complete provide a complete project scope for haulage numbers and duration which covers all activity which will use our small suburban street. (i.e. they have provided figures for [REDACTED] corridor up to Ballina, however they are also hauling through our street down to Broadwater and there has been no figures or consultation for this work.)

The project has continually stated that they are working with "local authorities" to control speeding down our street. I'd like to see Council stand up for its residents to ensure our safety and the livability of our street.

Warm regards,

Tony Browne
95 Carlisle St, Wardell
0413 644 522

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<BR



PO Box 414, Brunswick Heads. NSW 2483

Ph: 61 2 66803674 Fax: 61 2 66803612

Email: info@australiansforanimals.org.au

Facebook: www.facebook.com/koalacrisis

Twitter: www.twitter.com/koalacrisis

Registered charity No. 12644

Ballina Council.

Via email: council@ballina.nsw.gov.au

Dear Sir/Madam,

In reference to the DA listed below, Australians for Animals Inc . (AFA) objects to any consent to Quarry Solutions request to extend the operational life of Eatons Quarry for a further five years.

DA NO: 1996/29.003

APPLICANT: Quarry Solutions

PROPERTY: Lot 3 DP 619233, Old Bagotville Road, Wardell

AMENDED PROPOSAL: Section 96 (2) Amendment to DA 1996/29 (Eatons Quarry) to extend the operational life of the quarry for five additional years (to 31 January 2023) for the Pacific Highway upgrade only .

www.australiansforanimals.org.au



PO Box 414, Brunswick Heads. NSW 2483
Ph: 61 2 66803674 Fax: 61 2 66803612
Email: info@australiansforanimals.org.au
Facebook: www.facebook.com/koalacrisis
Twitter: www.twitter.com/koalacrisis

Registered charity No. 12644

Noting clause 37 of the SEPP Mining Petroleum Production and Extractive Industries 2007, AFA contends that the cumulative impacts of the extension have not been properly considered or addressed. Given that the extension is for the sole purpose of providing fill for the Pacific Highway Upgrade, it is important that Council addresses the fact that the RMS has advised that they have not taken into account in their estimates of the traffic flow along Old Bagotville Road any traffic from Eatons Quarry or other quarries that are using this road.

Already the noise and dust levels from Gibsons and Jali Quarries are extremely high, there has been no effective or immediate mitigation of the dust clouds which coat the remaining feed trees which koalas and other forest fauna rely on.

AFA notes that there is no provisions that deal with the impacts of noise on wildlife in spite of a considerable amount of published research demonstrating the impacts which cause stress, inhibit mating, reproduction and communication. Any additional noise will further exacerbate the risks for koala and potoroo populations struggling to survive.

Given the wildfire which burned 320 h.a. of habitat, not only has a major section of koala habitat been burned out, but access for any surviving animals is extremely limited as a result of the exclusion fencing along a major section of the road. No evaluation of the impacts of this fire have been undertaken by the RMS . Ballina Council as the approval authority for this extension request should, therefore, engage an independent qualified scientist to evaluate the status of the koala and potoroo populations along Old Bagotville Road before any consent is considered.

It is also important to consider that the Federal and State approvals for s. 10 have required passage for koalas once traffic on local roads exceeds 100 vehicles a day. This condition has been ignored by the RMS to the detriment of wildlife.

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Facebook: www.facebook.com/koalacrisis
Twitter: www.twitter.com/koalacrisis

Registered charity No. 12644

Given the extension proposal, AFA can confidently predict that there will be no wildlife left in the area as a result of the traffic, dust, noise, blasting creating unacceptable cumulative impacts if the extension is approved.

We also note that the submission for an extension fails to deal with impacts on koalas and potoroos, two listed vulnerable species. The submission simply cannot ignore the impacts of five more years of dust, noise and traffic on a road which is entirely inappropriate for this level of quarry traffic.

Any approval of an extension also creates a legally complex situation in terms of any monitoring given that the RMS is one consent authority for the Gibsons and Jali quarries and the Ballina Council the authority for any extension of Eatons Quarry.

What arrangements, if any, have been made to streamline monitoring? Who monitors?
How will Council determine if there have been violations of consent conditions?

SEPP Mining, Petroleum Production and Extractive Industries 2007

37. Clause 12 of the SEPP provides matters to be considered by the consent authority, including as follows: *“the consent authority must: (a) consider: (i) the existing uses and approved uses of land in the vicinity of the development, and (ii) whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land use trends, are likely to be the preferred uses of land in the vicinity of the development, and (iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and (b) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and*

(c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).”

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Twitter: www.twitter.com/koalacrisis

Registered charity No. 12644

The s. 10 upgrade has been a disaster for the environment exacerbated by the fire which burned a major portion of koala habitat.

Non compliance has been identified on a number of occasions with a complete failure by the relevant authorities to deal with the evidence.

In granting any extension, the Council is allowing the RMS to subvert the legal process, albeit given that the Council is the consent authority for any extension of this quarry.

In summary, the development is not in the public interest, it is certainly not in the interests of the environment, koalas and potoroos.

Without addressing the cumulative impacts on an already highly degraded important habitat, and the failure of the RMS to adequately deal with the extent of quarry traffic, the Council is requested to deny any approval.

Yours sincerely,

Sue Arnold

Sue Arnold

Co-ordinator

3 January, 2018

www.australiansforanimals.org.au

From: trish campbell <hsirt12@hotmail.com>
Sent: Saturday, 6 January 2018 1:23 PM
To: Ballina Shire Council
Subject: Re : DA 1996/29.003

To Whom it May Concern

I object to the above DA on the following ground.

- * An extension for five years will generate massive impacts to the environment and effect the life of ALL residents as a result of EXTRA dust and noise.
- * There is a conflict of legal issues as a result of the RMS having control over Jali and Gibson Quarries and Ballina Council the authority over Eaton's Quarry when the fill is destined for the same purpose.
- * No consideration has been given to the impacts of a five year extension on koalas and potoroos or forest dwelling species.
- * No EIS has been undertaken to establish impacts of a five year extension on koalas, potoroos and other forest dwelling species .
- * No monitoring of dust and noise + the effect on all residents
- * The RMS has only provided traffic estimates for Jali and Gibsons quarries. Traffic from Eatons and other quarries using Old Bagotville Road have been excluded, ensuring extent of traffic is significantly under-estimated.
- * Exclusion fences have not been addressed.
- * Impacts of loss of habitat caused by bushfire last year burning 320 h.a. has not been addressed.
- * Cumulative impacts of a five year extension have not been addressed.

Please thoughtfully consider the above issues in relation to the DA

Sincerely
Trish Campbell
Ballina Rate Payer.

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From: Heather Dunn <heatherdunn@hotmail.com.au>
Sent: Monday, 8 January 2018 12:41 AM
To: Ballina Shire Council
Subject: Eaton's Quarry DA

Sent from my iPhone
Ballina Council.
Via email: council@ballina.nsw.gov.au

Dear Sir/Madam,

As a concerned resident and in reference to the DA listed below, I object to Quarry Solutions request to extend the operational life of Eatons Quarry for a further five years.

DA NO: 1996/29.003
APPLICANT: Quarry Solutions
PROPERTY: Lot 3 DP 619233, Old Bagotville Road, Wardell
AMENDED Section 96 (2) Amendment to DA 1996/29 (Eatons Quarry) to extend the operational
PROPOSAL: life of the quarry for five additional years (to 31 January 2023) for the Pacific Highway upgrade only .

Noting clause 37 of the SEPP Mining Petroleum Production and Extractive Industries 2007, I believe that the cumulative impacts of the extension have not been properly considered or addressed. Given that the extension is for the sole purpose of providing fill for the Pacific Highway Upgrade, it is important that Council addresses the fact that the RMS has advised that they have not taken into account in their estimates of the traffic flow along Old Bagotville Road any traffic from Eatons Quarry or other quarries that are using this road.

Already the noise and dust levels from Gibsons and Jali Quarries are extremely high. There has been no effective or immediate mitigation of the dust clouds which coat the remaining feed trees from which koalas and other forest fauna rely on.

I note that there are no provisions that deal with the impacts of noise on wildlife in spite of a considerable amount of published research demonstrating the impacts which cause stress, inhibit mating, reproduction and communication. Any additional noise will further exacerbate the risks for the koala and potoroo populations which are struggling to survive.

Given the wildfire which burned 320 h.a. of habitat, not only has a major section of koala habitat been burnt out, but access for any surviving animals is extremely limited as a result of the exclusion fencing along a major section of the road. No evaluation of the impacts of this fire have been undertaken by the RMS .

Ballina Council as the approval authority for this extension request should, therefore, engage an independent qualified scientist to evaluate the status of the koala and potoroo populations along Old Bagotville Road before any consent is considered.

It is also important to consider that the Federal and State approvals for s. 10 have required passage for koalas once traffic on local roads exceeds 100 vehicles a day. This condition has been ignored by the RMS to the detriment of wildlife.

Given the extension proposal, I believe that there will be, sadly, no wildlife remaining in the area as a result of the traffic, dust, noise and blasting creating unacceptable cumulative impacts should the extension be approved.

I also note that the submission for an extension fails to deal with impacts on koalas and potoroos, two listed vulnerable species.

The submission simply cannot ignore the impacts of five more years of dust, noise and traffic on a road which is entirely inappropriate for this level of quarry traffic.

Any approval of an extension also creates a legally complex situation in terms of any monitoring given that the RMS is one consent authority for the Gibsons and Jali quarries and the Ballina Council the authority for any extension of EatonsQuarry.

What arrangements, if any, have been made to streamline monitoring ? Who monitors ? How will Council determine if there have been violations of consent conditions ?

The section 10 upgrade has been a disaster for the environment exacerbated by the fire which burned a major portion of koala habitat.

Non compliance has been identified on a number of occasions with a complete failure by the relevant authorities to deal with the evidence.

In granting any extension, the Council is allowing the RMS to subvert the legal process, albeit given that the Council is the consent authority for any extension of this quarry.

In summary, the development is not in the public interest, it is certainly not in the interests of the environment, koalas, potoroos and many other species of wildlife.

Without addressing the cumulative impacts on an already highly degraded important habitat, and the failure of the RMS to adequately deal with the extent of quarry traffic, Council is requested to deny approval.

Yours sincerely,

Heather Dunn

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[REDACTED]

From: maya michel <tacossouth@hotmail.com>
Sent: Saturday, 6 January 2018 7:16 PM
To: Ballina Shire Council
Subject: DA 1996/29.003 Koalas

I object to the above DA on the following grounds.

- * An extension for five years will generate massive impacts to the environment and effect the life of ALL residents as a result of EXTRA dust and noise.
- * There is a conflict of legal issues as a result of the RMS having control over Jali and Gibson Quarries and Ballina Council the authority over Eatons Quarry when the fill is destined for the same purpose.
- * No consideration has been given to the impacts of a five year extension on koalas and potoroos or forest dwelling species.
- * No EIS has been undertaken to establish impacts of a five year extension on koalas, potoroos and other forest dwelling species .
- * No monitoring of dust and noise + the effect on all residents
- * The RMS has only provided traffic estimates for Jali and Gibsons quarries. Traffic from Eatons and other quarries using Old Bagotville Road have been excluded, ensuring extent of traffic is significantly under-estimated.
- * Exclusion fences have not been addressed.
- * Impacts of loss of habitat caused by bushfire last year burning 320 h.a. has not been addressed.
- * Cumulative impacts of a five year extension have not been addressed
- *I pay my rates and want to protect this amazing space and its fauna.

Barbara Michel

Like
Comment

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International Fund for Animal Welfare

IFAW Oceania office:
6 Belmore Street
Surry Hills NSW 2010
Australia
Tel: +61 (0)2 9288 4900
Fax: +61 (0)2 9288 4901
Email: info-au@ifaw.org

Kerri Watts
Acting Group Manager
Ballina Shire Council
Sent by email to: council@ballina.nsw.gov.au

8 January 2018

Re: Development Application 1996/29.03

Dear Ms Watts and Ballina Shire Council,

International Fund for Animal Welfare (IFAW) is one of the world's largest conservation and animal welfare organisations, rescuing and protecting animals around the world, with projects in more than 40 countries. We write to object to the proposal (Development Application 1996/29.03) to extend the operational life of Eatons Quarry by five years to 31 January 2023 for the purposes of supporting the Pacific Highway upgrade.

The extension of the quarry operations will have numerous negative ecological and social effects on the Ballina area. No environmental impact statement or other robust assessment appears to have been conducted prior to this development application being submitted. The quarry is adjacent to Jali LALC Indigenous Protected Area which is home to many endangered species and has also not been assessed for impact. It is our understanding that the Jali Community is also opposed to the development application.

The highly vulnerable koala and long-nosed potoroo populations as well as other forest dwelling species in the Ballina region are already negatively impacted by the Section 10 highway development, and are likely to be subjected to further pressures over an extended period of time should this proposal be approved. Quarry operations generate significant dust, noise and air pollution, tainting scarce food resources, demolishing shelter, increasing the risk of car strikes and inflicting unnecessary stress on the animals. The genetic uniqueness of particularly the koala population in the area is irreplaceable. The extended quarry operations will threaten this species even further, with scientific evidence suggesting that these populations are at risk of local extinction and the impacts of loss of suitable habitat and injury and death caused by vehicle strike being two of the major identified threats.

Additionally, the impact to the local community will be significant, affecting traffic congestion, road stability, air quality and noise pollution and damage to resident's property. These factors are already a burden on the community, and the proposal to extended quarry operations for an additional five years will only intensify these issues.

page 1 of 2

Given that the NSW Roads and Maritime Service has still not addressed the issue of 320 hectares of habitat loss from bushfires in September 2017, it is questionable as to what environmental mitigation mechanisms will be enforced to protect habitat and wildlife should this development application proceed. Additionally, issues involving the temporary fencing along Old Bagotville Road restricting access for wildlife to safe, non-fire affected habitat have also not been addressed. It is also uncertain as to why the lifetime of the quarry is to be extended until 2023 when the Pacific Highway upgrade is due to be completed by 2020.

As a local council, it is your responsibility to ensure that your local citizens and environment are protected. IFAW does not support this proposal, and along with the Indigenous and local community of the Ballina region, we implore you to make the right decision and not approve the development application.

Yours sincerely,



April Suen

Wildlife Campaigner, IFAW
Phone: +61 (0)2 9288 4980
Email. asuen@ifaw.org

816 Bagotville Road
BAGOTVILLE NSW 2477

8 January 2018

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Dear Mr Hickey,

RE: DA 1996/29.3 Eatons Quarry, Lot 3 DP 619233 Old Bagotville Road, Wardell

I refer to the above development application and wish to lodge my objection to the S96(2) proposed modification to extend the operational life of the quarry for five additional years (to 31 January 2023) for the Pacific Highway Upgrade only. This submission provides the reasons for my objection.

Firstly, the RMS and Pacific Complete have a deadline of 2020 to complete the Pacific Highway Upgrade and as far as they are advising the local community, they are on track to meet this deadline. Therefore, there should be no need for the Pacific Highway to use quarry materials after 2020. Do they know something that we don't know? Are we the local residents and wildlife (including koalas) going to be exposed to another 2 years of Highway construction noise and dust disturbances?

It should be noted that without access to the approved Plan of Management (POM) for the site, it is difficult to make specific comments. I note that the Statement of Environmental Effects (SEE) states the site has been "developed generally in accordance with the approved Plan of Management, retaining the necessary vegetation buffers to site boundaries" and that the RMS are likely to remove some of this buffer. In what ways has the site been developed that is not in accordance with the approved POM, and what are the implications of that to and for wildlife?

The following comments are in relation to the SEE, and include some key considerations if Council should make the unfortunate decision to approve this development application. However, it is noted that Council made the determination that it was of the opinion that this proposed modification is not of minimal environmental impact.

Page 6 Point 25

"The proposed modification application seeks to increase the annual extraction volume and extend the life of the quarry for five (5) years till 2023 to supply materials to the Pacific Highway Upgrade Project. This would not fully exhaust the resource but would align rehabilitation works with construction of the Pacific Highway Upgrade Project which would otherwise sterilise the resource...No change is proposed to the annual extraction volumes, hours of operation, extent of disturbance, total extraction volume, total truck movements, road impact contributions, rehabilitation outcomes, noise, dust or water release criteria."

This paragraph is somewhat confusing. They don't want to sterilise the resource but they aren't going to exhaust it. They have had years to extract this material, and even in the last 18 months since the Federal Government's final approval, they have not been operating anywhere near the capacity they should have. Approving this proposed modification will only seek to reward bad behaviour and poor planning.

Additionally, they want to align the revegetation with the Highway Upgrade. Surely, for the koalas and other wildlife, the revegetation works should start in February 2018 when the current approval lapses. This will at least provide the wildlife with some habitat by the time the Highway opens in 2020. The cumulative impacts to the koalas is already being observed and any additional disturbances to them and their habitat is unacceptable. This is discussed further in points below.

Page 7 Point 29

"The operation will continue to be managed to ensure compliance with the dust, noise, vibration, water release criteria, rehabilitation outcomes and other environmental criteria as set out in the EPL and conditions of consent. As compliance with the existing environmental criteria will be maintained, the proposed modification is of minimal environmental impact but from an abundance of caution this application is made pursuant to s96(2) rather than s96(1A) of the Act."

Over the last 18 months I have observed poor dust management, particularly on local roads, irresponsible driver behaviour (speed and crossing onto the wrong side of road on dangerous corners) from Quarry Solutions double bogeys and light vehicles. On every occasion, I have contacted Pacific Complete who have investigated the report, only to respond it is vehicles from Eatons Quarry. Photos can be provided if necessary.

There are several koalas that live in the habitat on Back Channel Road and Old Bagotville Road whose lives are placed at risk every time vehicles from Eatons Quarries are on these roads. The only time I have seen them go from driving irresponsibly to responsibly was when I was rescuing a sick koala from Back Channel Road, that had been first observed by a Pacific Complete contractor. With cages, flagging poles, nets and rescue vehicle by the side of the road, it appeared to slow down drivers for a while.

On another occasion, one of the Ngunya Jargoan rangers saw a koala crossing on Back Channel Road, just out of Wardell, and had to stop a double bogey from running it over, or at least having to brake quickly to avoid it. The truck driver apparently said words to the effect "Well I'll be blown, never thought I'd see a koala here". Despite all the drumming into contractors the importance of Ballina's koalas and for them to drive safely and koala aware, it seems that if they don't see them then they aren't there. That is a complacency that Ballina's koalas cannot afford.

As the approval was granted in 1996, it would seem prudent that if approving a new Plan of Management be required that is in line with current day expectations, and with additional consideration to the Ballina Comprehensive Koala Plan of Management, and particularly to the koala and long-nosed potoroo populations.

Page 7 Point 30

The proposed extension of time for the operation would not increase the number of truck movements per day and the number of truck movements in total would not increase as the total approved extraction volume of 975,000t is not changing. The haul routes and vehicular access will also remain the same. Accordingly, there will be no additional

impact on the road network than what is already approved to occur. Payments under the conditions of consent will continue to compensate Council for any pavement impacts to the local road network.

There is much more information available on the local area since the development and POM were approved, particularly in relation to the koalas and potoroos. All local roads are used (either walking along or crossing) by koalas to move between feed trees. While the RMS and Pacific Complete have implemented measures that will reduce but not avoid impacts to koalas and potoroos on Old Bagotville Road north east of the quarries, they have not implemented measures to the south west of the quarries. Rather than costly measures they have increased koala signage along this section of Old Bagotville Road and informed staff and contractors that Old Bagotville Road to the south west of the quarries is not to be used unless necessary. This is to reduce the risk of koala mortality. Since this position has been in place (about 12 months), very few Highway Upgrade related vehicles are seen on this section.

However, trucks accessing Eatons Quarry do use the south west section of Old Bagotville Road, and again dust etc. On one occasion, I was photographing a mother and baby in a favourite tree, when a truck came bellowing around the corner, coating mother and baby in dust for over 40 seconds. Photos can be provided. If approving this, then a condition must be that all vehicles (staff, contractors, anyone accessing the site), must only use Back Channel Road and the north east of Old Bagotville Road.

It should be noted that koalas (or a koala – more than one sighting) have been observed on Old Bagotville Road within the fenced area, presumably doing what they did before the fence, walking along the road to get to next feed trees. There is certainly evidence (fresh scats –koala poo) of koala use in those areas when I have followed up on the reports.

Also, had the approved development operated consistently (more or less) over the approval period, the number of truck movements per day would be minimal or at least in short bursts. If approved residents and wildlife, particularly birds and koalas, will be faced with more constant vehicle movements for the duration. The cumulative impact of the Eatons Quarry vehicles with those of all the RMS, Pacific Complete, Lendlease and other contractors vehicles, must be considered as part of Council's deliberations.

Page 7 Point 31

"Impacts on flora and fauna will be unchanged. The extent of disturbance will not increase to facilitate extraction of the remaining approved resource. All buffer zones will be retained in their current extents. The rehabilitation outcome will remain the same as authorised in the approved POM with the establishment of pasture grasses and Koala food trees..."

While it is acknowledged that there is no change to the existing approved footprint of the quarry and no additional loss of vegetation (other than what the RMS may remove), there is no assessment to justify this statement. There was no consideration to the fact that the Ballina Koala Population in this area is now considered as nationally significant or that there is a significant long-nosed potoroo population at risk. We know there are several koalas that live within 1 km of Eatons quarry. The effects of noise, blasting, vibration and dust can have huge effects, far too much to go into in this submission, on koalas exposed to such aspects of quarrying. One only has to look at the koala monitoring reports from Lismore City Council's quarry at Blakebrook to see what can happen.

Briefly, loud noises can impact on koalas during breeding season as male koalas grunt their communication to other male koalas and to attract a female. Noise can interfere with this and could have long term effects. The ongoing noise of vehicles and blasting, scraping etc can cause stress to individuals, and ongoing stress leads to raised cortisol levels which leads to a weakened immune system and disease (Retrovirus and/or Chlamydia). Sudden loud noises such as scraping or reversing beeps, startles koalas and wakes them from their sleep. Koalas need to sleep through the day so they can digest the nutrients in and toxins from the gum leaves, as well as feed on moist new growth at night. Disturbance to their sleep affects their ability to digest and therefore affects their health and results in sick koalas. Noise must be kept to a minimum.

Vibration can start male koalas grunting. In nature, when the thunder starts to vibrate, the alpha male koala near my house starts to grunt, a different grunt to the I am here grunt, come here ladies bellow. It is possibly a warning grunt. What effect the vibration from blasting will have on the koalas is unknown, but must be considered, particularly for those koalas in close proximity to the quarry.

Breathing in dust particles from vehicles is potentially similar to asbestosis for the koalas continually exposed. While koalas are known to lick dirt, presumably to get trace elements, eating dust on leaves is a totally different thing. Firstly, dust coated leaves soak up evening moisture, which is where koalas get much of their water requirements. Secondly, chewing leaves coated in dust wears the koalas teeth down quicker, often resulting in koalas starving to death at an earlier age.

This does not mean that I would like to see Old Bagotville Road tarred. I do not. Tarring the road would only make it more driver friendly and increase both the number of vehicles using the road as well as the speed at which they drive... increasing risk of koalas getting hit.

Furthermore, the fire to the east of the quarry and the quarry operational is likely to impact on the koalas ability to access food trees sufficient to sustain life.

If approving, then baseline information on the health of each koala likely to be impacted must be undertaken, and a blasting monitoring that locates each koala prior to blasting, has an observer quietly watching and videoing the behaviour of the koala for an hour before the blasting, and then records visually and on video the response of the koala to the blasting, with followup observations for 30 mins following blasting. This will provide an insight to which koalas are being disturbed and will need to be watched for the development of disease, and rescuing as necessary.

Additionally, the planting of koala food trees will take 4-18 years, depending on the species, before koalas will eat their leaves, due to the high level of toxins in leaves of young trees. The planting of pasture grasses is not recommended, unless they are low growing. Taller grasses only impede the koalas access to feed trees. It is assumed that the area won't be maintained in perpetuity.

Also if approving, there really needs to be an updated report and Plan of Management to address the issues of impacts to flora and fauna, and improved revegetation outcomes.

Page 7 Point 33

"It is noted that the Pacific Highway Upgrade Project may impact the buffering vegetation along the north eastern boundary of the site. Therefore, it is preferable to complete the full extraction of the approved resource so that rehabilitation works can be well progressed prior to the opening of that section of the project."

One would think that if they started the rehabilitation works at the beginning of February 2018, in line with the existing approval, then the rehabilitation would be well progressed by 2020.

Page 7 Point 34

"It is assumed that the 20 year period of the consent was imposed by Council as it was uncertain what the land use and visual amenity context of the surrounding area would be beyond that 20 year timeframe...With the impending construction of the Pacific Highway Upgrade Project certainty is now held that there will be significant change in the next five (5) years. Aligning the cessation of the quarry with the anticipated completion of the Pacific Highway Upgrade Project would provide certainty to the public of the future land use and visual amenity context of the site."

The author of the SEE is assuming Council imposed a 20 year consent for certain reasons. Irrespective of the reasons, the Ballina Koala Population is now recognised as nationally significant. The approval of this proposed modification in conjunction with impacts from the Highway construction and blasting and quarrying at Gibsons and Jali borrow sites, would almost certainly require a referral as a controlled action under the EPBC Act to the Federal Minister for the Environment.

Again, there is reference to the anticipated completion of the Highway by 2023. This is 2 years past the anticipated completion date and therefore have to question why it is necessary to seek approval for this duration.

Page 7 Point 36

"Clause 3 of s96 of the Act states that, "In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 79C (1) as are of relevance to the development the subject of the application." This section of the Statement of Environmental Effects considers the proposal assessed against the relevant provisions identified in section 79C (1)(a) of the Act."

Discussed below under relevant sections

Page 8 Local Environmental Plan Point 41

Under Ballina Local Environmental Plan 2012, the site is located within the RU2 land zone. Of relevance is the objectives of the RU2 zone:

- To encourage development that involves restoration or enhancement (or both) of the natural environment if consistent with the production and landscape character of the land.
- To enable development that does not adversely impact on the natural environment, including habitat and waterways.

As stated in the above points, the proposed modified development is not consistent with these provisions.

Page 9 Point 42

"As the proposed modification does not change the land use or increase the associated impacts to the community, it remains consistent with the aims of the LEP and the objectives of the RU2 zone."

As stated in the above points, the proposed modified development is not consistent with these provisions.

In relation to the assessment under Section 79C(1) of the EPA Act, the consideration given in the SEE is simply to provide statements with no explanation or justification provided, and in some cases is misleading. For example,

Clause 35 – Is there a significant increase in the environmental impacts of the total development?

Page 9 Point 45. "The proposed modification would not significantly increase the environmental impacts of the total development as the proposal does not seek to change the existing land use or quarry footprint. The quarry will continue to operate in accordance with the conditions of the EPL. Accordingly, it is unlikely that the proposed modification would have any additional environmental impacts above and beyond that already contemplated by the original development."

The proposal will have additional environmental impacts and to make a statement without doing the work to substantiate it is not adequate or appropriate in the context of Ballina's koala population.

Assessment – 'Clause 79C(1)(b) of the EP& A Act 1979'

Page 10 Point 50 "Clause 79C (1)(b) of the Act states that in determining a development application, a consent authority is to take into consideration the *"likely impacts of that development, including impacts on both the natural and built environments, and social and economic impacts in the locality"*. The proposal would not significantly increase the impact of the development on the natural and built environment and social and economic impacts in the locality. The continued operation of the quarry will supply to the Pacific Highway Upgrade Project which is a State Significant Project with beneficial economic and social impacts for the locality."

Again, this is simply a statement without foundation. Why should wildlife and residents be subjected to any additional loss of peace in our quiet landscape and the impacts as identified above, because of poor planning and management on the part of SEE and Quarry Solutions.

Additional Points

The EPL allows approval for maximum of 50000 t /yr which over 5 years is 250000t, far short of the 477000+ t they appear to want to take.

Under condition O3 Dust of the EPL, O3.1 states "Activities occurring in or on the premises must be carried out in a manner that will minimise the generation, or emission from the premises, of wind-blown or traffic generated dust." The EPA has come a long way in dust management over the last 20 years. As discussed above, dust management on local roads by Quarry Solutions is not part of their dust management. This is not acceptable.

I am prepared to provide any additional information required, to undertake a site inspection, and to expand on these comments if necessary. I look forward to Council making the right decision and refusing the proposed modification.

Yours faithfully
Maria Matthes

From: Davison Angela <angela@thehorseherbalist.com>
Sent: Monday, 8 January 2018 1:10 PM
To: Ballina Shire Council
Cc: davison angela
Subject: DA 1996/29.003

Re : DA 1996/29.003

I object to the above DA on the following grounds:

- * An extension for five years will generate massive impacts to the environment as a result of dust and noise.
- * There is a conflict of legal issues as a result of the RMS having control over Jali and Gibson Quarries and Ballina Council the authority over Eatons Quarry when the fill is destined for the same purpose.
- * No consideration has been given to the impacts of a five year extension on koalas and potoroos or forest dwelling species.
- * No EIS has been undertaken to establish impacts of a five year extension on koalas, potoroos and other forest dwelling species .
- * No monitoring of dust and noise.
- * The RMS has only provided traffic estimates for Jali and Gibsons quarries. Traffic from Eatons and other quarries using Old Bagotville Road have been excluded, ensuring extent of traffic is significantly under-estimated.
- * Exclusion fences have not been addressed.
- * Impacts of loss of habitat caused by bushfire last year burning 320 h.a. has not been addressed.
- * Cumulative impacts of a five year extension have not been addressed.

Regards,

Angela Davison 170 Thurgates Lane Wardell.



Angela Davison

*Qualified Medical Herbalist
Equine Herbal Specialist
Member, A.I.M.S*

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**Paul Hickey,
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478**

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PO Box 5034
EAST LISMORE NSW 2480
info@friendsofthekoala.org
www.friendsofthekoala.org
24 Hr Rescue Hotline: 6622 1233
FOK Office: 6621 4664

Dear Paul Hickey,

RE: DA 1996/29.3 Eatons Quarry, Lot 3 DP 619233 Old Bagotville Road, Wardell

I refer to the above development application and wish to lodge my objection on behalf of Friends of the Koala (FOK) to the S96(2) proposed modification to extend the operational life of the quarry for five additional years (to 31 January 2023) for the Pacific Highway Upgrade only.

As you would be aware, FOX fought against the route of S.10 of the upgrade of the Pacific Highway for 12 years because it intersected a core koala colony with potential impacts on koalas in both Ballina and Lismore LGAs. Once the route had been approved by both the State and Federal Governments FOK chose to join the RMS/Pacific Complete Koala Interest Group and to work constructively with their people in the longterm interests of koalas. By doing so we have been able to monitor what's happening and have been able to influence some of their decisions and actions.

Ballina's koala population is considered a nationally significant population, making it a matter of national significance. Despite a number of conditions with the approval of the Pacific Highway Upgrade for koalas, FOK has witnessed firsthand the impact on koalas from the current construction works and operation of the borrow sites near Eatons Quarry.

FOK is aware of a number of koalas that live in this area. The ongoing impact during construction of the Highway will undoubtedly put more koalas at risk, particularly when considering the added effects of the recent fire over 350 ha and the barrier fencing on Old Bagotville Road. FOK is concerned that the cumulative effects of allowing the extension of Eatons Quarry while all the other activities are also going on will be too much for the koalas living in that area to tolerate.

Any increased number of vehicles will increase the likelihood of a koala being hit, of noise and dust related health issues, and the associated immune deficient and stress response diseases. All efforts should be made by Council to ensure Ballina's koala population remains a viable and healthy one.

I am prepared to provide further information and expand on comments

Yours faithfully

**Dr. Roslyn Irwin
President**

8 January 2018

Ballina Environment Society Inc
PO Box 166 Ballina
NSW 2478 Australia
Email: BES2478@gmail.com
Ph: 0421-551-768



To: council@ballina.nsw.gov.au

Submission of Objection - DA 1996/29.003

Ballina Environment Society (BES) supports the surrounding residents of this development in opposing the extension to the Development Application concerning Eatons Quarry, Old Bagotville Road for five years to 2023.

These residents are already being emotionally impacted by the construction of the Pacific Highway bypass. The additional stress of a quarry that poses significant health impacts through the extraction of silica products is unjust. Issues of dust, traffic and noise are real and not insignificant.

These issues and other concerns of residents have not been followed up and resolved by the quarry operators. Any extension is unjustified given the past performance and the failure of the EIS to adequately address issues of concern.

Also, the impact to the environment of this extension is unacceptable in terms of habitat loss and degradation, as well as traffic impacts, particularly given the other nearby quarries and the highway bypass. The vulnerable species in this area do not need further threats to their sustainability.

BES understands the resources which would be produced from this extension are available from other local producers with far less detrimental impacts to neighbourhoods and greatly reduced environmental costs.

Monitoring of the impacts on residents and the environment are insufficient to ensure the extension of this license will not have a significant negative impact and as such BES strongly opposes the continuation of the existing operation without major overhauls to the regime and requirements for environmental and social considerations.

BES implores Ballina Shire Council to give this area a break and reject the DA 1996/29.003.

*Prepared by Fiona Folan MSc(Arch)
President, Ballina Environment Society Inc.
8th January, 2018*

From: Alstonville Studio <alstonvilledancestudio@hotmail.com>
Sent: Monday, 8 January 2018 4:29 PM
To: Ballina Shire Council
Subject: : Eaton Quarry - Objection to extension - Photos on Thurgates Lane and Wardell Road
Attachments: 26165932_2091954144372103_8916966359325233223_n.jpg; 26195474_2090626251171559_8721752420142718510_n.jpg; 26195580_2090626094504908_4377417944677107223_n.jpg; 26195907_2091954094372108_1754890611857825367_n.jpg; 26198216_2092948387606012_259574453058540151_o.jpg; 26240691_2092948317606019_2868337041038892916_o.jpg

To Whom It May Concern

In reference to the DA listed below, I Suzanne Whiteman as a Ballina Shire resident and land owner object to any consent of Quarry Solutions request to extend the operational life of Eatons Quarry for a further five years.

DA NO: 1996/29.003

APPLICANT: Quarry Solutions

PROPERTY: Lot 3 DP 619233, Old Bagotville Road, Wardell

AMENDED PROPOSAL: Section 96 (2) Amendment to DA 1996/29 (Eatons Quarry) to extend the operational life of the quarry for five additional years (to 31 January 2023) for the Pacific Highway upgrade only .

I have been closely watching - since Pre Construction started last year - during this time there has been little support from the Council Staff, Councillors (except one Jeff Johnson) nor the Mayor. I know it is a "critical road in fastructure project" but the impacts of the pre construction are overwhelming, and any issues raised so far have not been properly considered or addressed. There have been repeated requests from residents for assistance from the Council and little attempt to address these issues and therefore no results and no support or assistance as we try to deal with the RMS For example - I object to the Five year extension for the reasons below and I am concerned about the silica dust that will be created with that and the dust from the other quarries and concrete batching plants - and extra traffic on our local roads it is to much for all residents - including the remaining wildlife - flora and fauna

I feel that there is a lack of understanding of what is happening south of Ballina from the Council in general - leading to further concerns to the extension of the Quarry and what will happen and who will deal with the effects that this five year extension will create

I feel there will be little support if things go wrong - For example

After addressing the Alstonville Wollongbar Chamber of Commerce last year on the plight of all the residents re the new highway I was approached by C Ward Councillor Ian Johnston who said "the RMS has done alot for you Sue they have built you a fence for 6 to 8 koalas" David Wright the Mayor standing in the room - said nothing - to spite the fact that they he had recently been to my place where he had seen 15 Koalas.

In February 2017 Mr Wright has stood in front of the affected community and said that Bob Higgens (head of the project) is a friend of his of thirty years and we should trust Bob ? But we can not trust Bob Higgens, in recent dusty times on calling the Council and then the mayor asking for him to get some water trucks on site - or demand that the RMS act upon this he told me there is nothing he can do ? we can not live in a dust bowl and the extension of this quarry will be detrimental to all residents.

If non compliance is identified during that five years what relevant authorities will we deal with ?

Given that the extension is for the sole purpose of providing fill for the Pacific Highway, it is important that Council addresses the fact that the RMS has advised that they have not taken into account in their estimates of the traffic flow along Old Bagotville Road any traffic from Eatons Quarry or other quarries that are using this road which means from my recent thirteen year experience with the RMS that NOTHING will be done and ask will there be support from the council or will your answer as it has often been will be "critical road in infrastructure and there is nothing we can do" - this has been a disappointing and some what dismissive answer from a council who prides itself with the values of accessible ?, respectful ? and safe ?

Already the noise and dust levels from Gibsons and Jali Quarries are extremely high, there has been no effective or immediate mitigation of the dust clouds which coat the remaining feed trees which koalas and other forest fauna rely on. There is no provisions that deal with the impacts of noise on wildlife in spite of a considerable amount of published research demonstrating the impacts which cause stress, inhibit mating, reproduction and communication. Any additional noise will further exacerbate the risks for koala and potoroo populations struggling to survive and domestic animals

Given the fire which burned 320 h.a. of habitat, not only has a major section of koala habitat been burned out, but access for any surviving animals is extremely limited as a result of the exclusion fencing along a major section of the road. No evaluation of the impacts of this fire have been undertaken by the RMS . Ballina Council as the approval authority for this extension request should, therefore, engage an independent qualified

scientist to evaluate the status of the koala and potoroo populations along Old Bagotville Road before any consent is considered.

It is also important to consider that the Federal and State approvals for s. 10 have required passage for koalas once traffic on local roads exceeds 100 vehicles a day. This condition has been ignored by the RMS to the detriment of wildlife.

Given the extension proposal, AFA can confidently predict that there will be no wildlife left in the area as a result of the traffic, dust, noise, blasting creating unacceptable cumulative impacts if the extension is approved.

We also note that the submission for an extension fails to deal with impacts on koalas and potoroos, two listed vulnerable species. The submission simply cannot ignore the impacts of five more years of dust, noise and traffic on a road which is entirely inappropriate for this level of quarry traffic.

Please note that sand mining is conducted at Eaton's Quarry and that this is in addition to mining for silica-bearing rock-types (chert and shale). Mining for said materials produces airborne crystalline silica (silica dust). In N.S.W., silica dust is a listed Hazardous Substance. In addition to other illnesses, silica dust causes the terminal lung disease silicosis. It is also a Group 1 (human) carcinogen. Silica dust is a 'take home' potential killer which can be transported on vehicles, clothing etc.. The World Health Organization has stated: 'Respirable silica dust may be invisible to the naked eye and is so light that it can remain airborne for a long time. It can thus travel long distances in the air and so affect populations not otherwise considered to be at risk'

The section . 10 ugrade has been a disaster for the environment exacerbated by the fire which burned a major portion of koala habitat and stressful for residents

I will be writing to inform you of my dealings with RMS and all the extra expenses incurred to survive just during pre construction.

Non compliance has been identified on a number of occasions with a complete failure by the relevant authorities to deal with the evidence.

I object to any extension

Suzanne Whiteman
Lot 9 Bagotville Road
Meerchaum Vale
2477













~~CONFIDENTIAL~~

From: Susie Header <doggonoz@gmail.com>
Sent: Monday, 8 January 2018 10:52 PM
To: Ballina Shire Council
Subject: Submission re DA 1996/29.003- Quarry Solutions' Eatons Quarry extension proposal

I object to the extension of the quarry on the grounds of the danger of the airborne silica dust for both humans and their pets living in the area and the health impact on native wildlife.

The sand mining conducted at Eaton's Quarry is in addition to mining for silica-bearing rock-types.

Mining for - and transportation of - these materials produces airborne crystalline silica (silica dust). In N.S.W., silica dust is a listed Hazardous Substance. In addition to other illnesses, silica dust causes the terminal lung disease silicosis. It is also a Group 1 (human) carcinogen. Silica dust is a 'take home' potential killer which can be transported on vehicles, clothing etc..

The World Health Organization has stated: 'Respirable silica dust may be invisible to the naked eye and is so light that it can remain airborne for a long time. It can thus travel long distances in the air and so affect populations not otherwise considered to be at risk'. (Ref. WHO Silicosis Fact Sheet No.238.)

Sincerely,
Susie Header

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<BR

Col Wardell

From: Nancy McAndrew <quambys@tpg.com.au>
Sent: Monday, 8 January 2018 5:51 PM
To: Ballina Shire Council; ballina@parliament.nsw.gov.au
Subject: DA 1996/29.003 Eaton's Quarry

We hereby lodge our objection to the extension of excavation at Eaton's Quarry.
The reason for the extension is "to provide materials to the Pac. Hwy Construction until 2023"
Local residents effected have been told the Hwy Construction will conclude in 2020. Do you know something that we don't?

There has been NO obvious previous support of rate payers when it comes to your dealings with the RMS and their dictations re the Hwy Construction.

It is about time our Council considered our sanity and quality of life.

Col & Nancy McAndrew
1247 Wardell Rd
Meerschaum Vale 2477

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Wardell

From: Kim Jones 2 <kim.jones@westnet.com.au>
Sent: Tuesday, 9 January 2018 10:50 AM
To: Ballina Shire Council
Subject: Re : DA 1996/29.003

Dear Sir,

I object to the above DA on the following grounds:

1. It would appear that the RMS/Pacific Complete have not been honest. They have assured residents at Meerschaum Vale and Wardell that the highway upgrade will be completed by 2020. Therefore there is no need to extend operations past 2020. RMS and Pacific Complete should be held accountable for the misinformation they feed residents.
2. An extension for five years will generate massive impacts to the environment as a result of dust and noise.
3. There is a conflict of legal issues as a result of the RMS having control over Jali and Gibson Quarries and Ballina Council the authority over Eatons Quarry when the fill is destined for the same purpose.
4. No consideration has been given to the impacts of a five year extension on koalas and potoroos or forest dwelling species.
5. No EIS has been undertaken to establish impacts of a five year extension on koalas, potoroos and other forest dwelling species .
6. No monitoring of dust and noise.
7. The RMS has only provided traffic estimates for Jali and Gibsons quarries. Traffic from Eatons and other quarries using Old Bagotville Road have been excluded, ensuring extent of traffic is significantly underestimated.
8. Exclusion fences have not been addressed.
9. Impacts of loss of habitat caused by bushfire last year burning 320 h.a. has not been addressed.
10. Cumulative impacts of a five year extension have not been addressed.

Yours sincerely

Kim Jones
PO Box 153
Wardell, NSW, 2477
Ph 02 66834529
Mob 0488 340 808

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From: Maz Carter <mazcarter68@gmail.com>
Sent: Monday, 8 January 2018 2:37 PM
To: Ballina Shire Council
Subject: DA 1996/29.003

To Whom it may concern,
I object to DA 1996/29.033. No EIS has been established to monitor impact on the wildlife over a 5 yr period. Traffic has been under-estimated by not including all quarrie traffic. No set-up has been provided to monitor dust and noise to all the residents and wildlife. These all need to be addressed before a fair approval is passed. Health and safety should always be more important than 'money'.
Yours sincerely
Marilyn Carter



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Donna Wild

From: Donna Wild <donnawild@live.com>
Sent: Saturday, 13 January 2018 6:25 PM
To: Ballina Shire Council
Subject: Re : DA 1996/29.003

To Whom it may concern,

I object to DA 1996/29.003 on the following ground.

- * An extension for five years will generate massive impacts to the environment and effect the life of ALL residents as a result of EXTRA dust and noise.
- * There is a conflict of legal issues as a result of the RMS having control over Jali and Gibson Quarries and Ballina Council the authority over Eatons Quarry when the fill is destined for the same purpose.
- * No consideration has been given to the impacts of a five year extension on koalas and potoroos or forest dwelling species.
- * No EIS has been undertaken to establish impacts of a five year extension on koalas, potoroos and other forest dwelling species .
- * No monitoring of dust and noise + the effect on all residents
- * The RMS has only provided traffic estimates for Jali and Gibsons quarries. Traffic from Eatons and other quarries using Old Bagotville Road have been excluded, ensuring extent of traffic is significantly underestimated.
- * Exclusion fences have not been addressed.
- * Impacts of loss of habitat caused by bushfire last year burning 320 h.a. has not been addressed.
- * Cumulative impacts of a five year extension have not been addressed

Thank you for your time.
Donna

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For more information please visit <http://www.symanteccloud.com>

Department Principal:
Tegan Smith
Project Contact:
Jim Lawler

Date: 2 March 2018
Ref: 1941_DA1_006

Ballina Shire Council
PO Box 450
Ballina NSW 2478

Via email: council@ballina.nsw.gov.au

Attention: Anthony Peters



ABN: 13 609 422 791

Queensland
6 Mayneview Street, Milton Qld 4064
PO Box 1779, Milton BC, Qld 4064
P: +61 7 3871 0411 F: +61 7 3367 3317

South Australia
2/1 First Street, Nuriootpa SA 5355
PO Box 854, Nuriootpa SA 5355
P: +61 8 8562 4158

E: info@groundwork.com.au

Dear Anthony,

***Extractive industry – Lot 3 DP619233, 323 Old Bagotville Road, Wardell DA1996/29.3
Response to Submissions Regarding Other Matters***

Groundwork Plus act on behalf of Quarry Solutions Pty Ltd (Quarry Solutions) regarding the requested extension of the life of the Eatons Quarry. On 20 February 2018, we contacted Ballina Shire Council (Council) to confirm if any submissions had been received during the public notification period. Council advised that a total of seventeen (17) submissions had been received. Council subsequently placed the submissions on its website in the afternoon of the 20 February 2018. The submissions related to a range of matters. A letter was submitted to Council on 21 February 2018 regarding submissions about traffic matters. This letter addresses any other matters raised by the submissions and should be read in conjunction with our previous letter. Provided below are representative statements from each submission with our corresponding response:

Submission 1 – Angela Davison

- An extension for five years will generate massive impacts to the environment as a result of dust and noise.***
 - Response: The day to day operations of the Eatons Quarry are not proposed to increase above what has been historically authorised. No dust or noise complaints have been received by Quarry Solutions regarding the operation of the Eatons Quarry in 2016 or 2017. Therefore, existing management measures appear to be effective. It is reasonable to expect that continued implementation of existing management measures will also be effective. On this basis, it is unreasonable to suggest there will be 'massive impacts to the environment as a result of dust and noise' from the quarry continuing to operate.
- There is a conflict of legal issues as a result of the RMS having control over Jali and Gibson Quarries and Ballina Council the authority over Eatons Quarry when the fill is destined for the same purpose.***
 - Response: Ballina Shire Council is the regulating authority for Eatons Quarry. Roads and Maritime Services (RMS) are the regulating authority for the Jali and Gibsons Borrow Pits. Quarry Solutions is not operating the Jali or Gibsons Borrow Pits.
- No consideration has been given to the impacts of a five year extension on koalas and potoroos or forest dwelling species.***
 - Response: No increase in the disturbance area of the Eatons Quarry is proposed. No additional vegetation clearing is proposed. Therefore, no additional direct impacts to 'forest dwelling species' is anticipated. The Eatons Quarry is only proposed to continue to operate to supply quarry materials to the Pacific Highway Upgrade Project. Haulage of quarry

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materials to the Pacific Highway Upgrade Project will be done by contractors approved by RMS and Pacific Complete. The haulage contractors are subject to the terms and conditions of their contracts with RMS and Pacific Complete. RMS and Pacific Complete use those contracts to ensure haulage contractors operate in accordance with the conditions of approval for the Pacific Highway Upgrade Project and the various management plans and other directives associated with the Pacific Highway Upgrade Project.

The approved management measures for the Pacific Highway Upgrade Project that are required to be implemented for the Koala and other protected species will apply to vehicles hauling materials from the Eatons Quarry. One relevant document is the Koala Management Plan for the Woolgoolga to Ballina Pacific Highway Upgrade prepared by NSW RMS. Another is the Construction Environmental Management Plan for the Woolgoolga to Ballina Pacific Highway Upgrade (Sections 3 to 11) prepared by NSW RMS and Pacific Complete and the Appendix B1 – Construction Traffic and Access Management Plan. The traffic volumes associated with the Eatons Quarry are much less than those associated with the Jali and Gibsons Borrow Pits. Eatons Quarry will utilise the same haulage routes as the Jali and Gibsons Borrow Pits. Koala management measures such as koala exclusion fencing implemented by RMS and Pacific Complete will work for any vehicle operating on the haulage route whether the vehicle is carrying material from Eatons Quarry, Jali or Gibsons Borrow Pits.

- ***No EIS has been undertaken to establish impacts of a five year extension on koalas, potoroos and other forest dwelling species.***
 - Response: An EIS is not required for a modification to an existing development consent.
- ***No monitoring of dust and noise.***
 - Response: The Eatons Quarry is regulated by an Environment Protection Licence (EPL). Conditions of that licence require monitoring in the event of a complaint. In recent years, Quarry Solutions have not received any complaints regarding the operation of the Eatons Quarry.
- ***The RMS has only provided traffic estimates for Jali and Gibsons quarries. Traffic from Eatons and other quarries using Old Bagotville Road have been excluded, ensuring extent of traffic is significantly under-estimated.***
 - Response: Whether or not Roads and Maritime Services (RMS) correctly assessed traffic impacts associated with the Jali and Gibsons Borrow Pits should not prejudice the extension of the life of the Eatons Quarry. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published about the Jali and Gibsons Borrow Sites. The s96 modification application does not seek to increase traffic above and beyond what is already authorised for the Eatons Quarry.
- ***Exclusion fences have not been addressed.***
 - Response: Exclusion fences are not required under any condition of consent or licence relating to the Eatons Quarry. It appears that the submitter might be referring to conditions placed on the Pacific Highway Upgrade Project regarding koala exclusion fencing. Compliance with those conditions is a matter for the contractor delivering the Pacific Highway Upgrade Project. Any haulage operator transporting quarry materials to the Pacific Highway Upgrade Project is subject to the same requirements imposed by RMS and Pacific Complete regardless of where the quarry materials were extracted from. Furthermore, what quarry the material is being hauled from will not impact the effectiveness of a koala exclusion fence constructed along the haulage route shared by Eatons Quarry and the Jali or Gibson Borrow Pits.

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- **Impacts of loss of habitat caused by bushfire last year burning 320 ha has not been addressed.**
 - Response: No increase in the disturbance area of the Eatons Quarry is proposed. No additional vegetation clearing is proposed. The bushfire did not result from the operation of the Eatons Quarry.
- **Cumulative impacts of a five year extension have not been addressed.**
 - Response: Cumulative impacts were addressed in the Statement of Environmental Effects submitted with the application.

Submission 2 – Ballina Environment Society

- **The additional stress of a quarry that poses significant health impacts through the extraction of silica products is unjust. Issues of dust, traffic and noise are real and not insignificant. These issues and other concerns of residents have not been followed up and resolved by the quarry operators.**
 - Response: Quarry Solutions have not received any complaint regarding dust, traffic or noise regarding the Eatons Quarry.

- **The impact to the environment of this extension is unacceptable in terms of habitat loss and degradation, as well as traffic impacts, particularly given the other nearby quarries and the highway bypass.**
 - Response: No increase in the disturbance area of the Eatons Quarry is proposed. No additional vegetation clearing is proposed. Therefore, no additional direct impacts to 'forest dwelling species' is anticipated. The Eatons Quarry is only proposed to continue to operate to supply quarry materials to the Pacific Highway Upgrade Project. Haulage of quarry materials to the Pacific Highway Upgrade Project will be done by contractors approved by RMS and Pacific Complete. The haulage contractors are subject to the terms and conditions of their contracts with RMS and Pacific Complete. RMS and Pacific Complete use those contracts to ensure haulage contractors operate in accordance with the conditions of approval for the Pacific Highway Upgrade Project and the various management plans and other directives associated with the Pacific Highway Upgrade Project.

The approved management measures for the Pacific Highway Upgrade Project that are required to be implemented for the Koala and other protected species will apply to vehicles hauling materials from the Eatons Quarry. One relevant document is the Koala Management Plan for the Woolgoolga to Ballina Pacific Highway Upgrade prepared by NSW RMS. Another is the Construction Environmental Management Plan for the Woolgoolga to Ballina Pacific Highway Upgrade (Sections 3 to 11) prepared by NSW RMS and Pacific Complete and the Appendix B1 – Construction Traffic and Access Management Plan. The traffic volumes associated with the Eatons Quarry are much less than those associated with the Jali and Gibsons Borrow Pits. Eatons Quarry will utilise the same haulage routes as the Jali and Gibsons Borrow Pits. Koala management measures such as koala exclusion fencing implemented by RMS and Pacific Complete will work for any vehicle operating on the haulage route whether the vehicle is carrying material from Eatons Quarry, Jali or Gibsons Borrow Pits.

- **BES understands the resources which would be produced from this extension are available from other local producers with far less detrimental impacts to neighbourhoods and greatly reduced environmental costs.**
 - Response: The Eatons Quarry is directly adjacent to the alignment of the Pacific Highway Upgrade Project. Eatons Quarry and the adjacent Jali and Gibsons Borrow Pits are the closest source of chert to the Pacific Highway Upgrade Project. No increase in the disturbance area of the Eatons Quarry is proposed. No additional vegetation clearing is proposed. No habitat loss will occur from the extension of the operating life of the Eatons Quarry.

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- ***Monitoring of the impacts on residents and the environment are insufficient to ensure the extension of this licence will not have a significant negative impact.***
 - Response: Under the conditions of the EPL monitoring is required in the event of a complaint. Quarry Solutions have not received complaints regarding the Eatons Quarry. If the extension to the operating life of the quarry is granted an amendment to the EPL will be required. At that time, the EPA will review the suitability of the conditions of the EPL.

Submission 3 – Heather Dunn

- ***Noting clause 37 of the SEPP Mining Petroleum Production and Extractive Industries 2007, I believe that the cumulative impacts of the extension have not been properly considered or addressed. Given that the extension is for the sole purpose of providing fill for the Pacific Highway Upgrade, it is important that Council addresses the fact that the RMS has advised that they have not taken into account in their estimates of the traffic flow along Old Bagotville Road any traffic from Eatons Quarry or other quarries that are using this road.***
 - Response: Cumulative impacts were addressed in the Statement of Environment Effects submitted as part of the s96 modification application. Whether or not Roads and Maritime Services (RMS) correctly assessed traffic impacts associated with the Jali and Gibsons Borrow Pits should not prejudice the extension of the life of the Eatons Quarry. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published about the Jali and Gibsons Borrow Sites. The s96 modification application does not seek to increase traffic above and beyond what is already authorised for the Eatons Quarry.
- ***Already the noise and dust levels from Gibsons and Jali Quarries are extremely high. There has been no effective or immediate mitigation of the dust clouds which coat the remaining feed trees from which koalas and other forest fauna rely on. I note that there are no provisions that deal with the impacts of noise on wildlife in spite of a considerable amount of published research demonstrating the impacts which cause stress, inhibit mating, reproduction and communication. Any additional noise will further exacerbate the risks for the koala and potoroo populations which are struggling to survive.***
 - Response: This application does not relate to the Gibsons and Jali Quarries. Conditions of the existing consent and the EPL for Eatons Quarry regulate noise and dust emissions. No change is requested to those conditions. Therefore, the existing noise and dust requirements regulating the Eatons Quarry will continue to apply.
- ***Given the wildfire which burned 320 ha of habitat, not only has a major section of koala habitat been burnt out, but access for any surviving animals is extremely limited as a result of the exclusion fencing along a major section of the road. No evaluation of the impacts of this fire have been undertaken by the RMS. Ballina Council as the approval authority for this extension request should, therefore, engage an independent qualified scientist to evaluate the status of the koala and potoroo populations along Old Bagotville Road before any consent is considered. It is also important to consider that the Federal and State approvals for s. 10 have required passage for koalas once traffic on local roads exceeds 100 vehicles a day. This condition has been ignored by the RMS to the detriment of wildlife. Given the extension proposal, I believe that there will be, sadly, no wildlife remaining in the area as a result of the traffic, dust, noise and blasting creating unacceptable cumulative impacts should the extension be approved.***
 - Response: This application relates only to the extension of the life of the Eatons Quarry. Matters of compliance with conditions of approval for the Pacific Highway Project are a matter for RMS.
- ***The submission simply cannot ignore the impacts of five more years of dust, noise and traffic on a road which is entirely inappropriate for this level of quarry traffic. Any approval of an extension also creates a legally complex situation in terms of any monitoring given that the RMS is one consent authority for the Gibsons and Jali quarries and the Ballina Council the authority for any extension of Eatons Quarry. What arrangements, if any, have been made to***

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streamline monitoring? Who monitors? How will Council determine if there have been violations of consent conditions?

- Response: Assessment of potential dust, noise and traffic impacts have been provided to Council. Extension of the life of the Eatons Quarry does not change the monitoring arrangements for the Quarry. Ballina Shire Council will continue to be the consent authority for the Eatons Quarry and accordingly, Council officers are able to visit the Eatons Quarry.

Submission 4 – International Fund for Animal Welfare

- *The extension of the quarry operations will have numerous negative ecological and social effects on the Ballina area. No environmental impact statement or other robust assessment appears to have been conducted prior to this development application being submitted. The quarry is adjacent to Jali LALC Indigenous Protected Area which is home to many endangered species and has also not been assessed for impact. It is our understanding that the Jali Community is also opposed to the development application.*

- Response: An EIS is not required for a s96 modification application. Potential environmental effects have been assessed as part of the s96 modification application. The Jali and Gibsons Borrow Pits are in closer proximity to the Jali LALC Indigenous Protected Area than the Eatons Quarry.

- *The genetic uniqueness of particularly the koala population in the area is irreplaceable. The extended quarry operations will threaten this species even further, with scientific evidence suggesting that these populations are at risk of local extinction and the impacts of loss of suitable habitat and injury and death caused by vehicle strike being two of the major identified threats. Given that the NSW Roads and Maritime Service has still not addressed the issue of 320 hectares of habitat loss from bushfires in September 2017, it is questionable as to what environmental mitigation mechanisms will be enforced to protect habitat and wildlife should this development application proceed. Additionally, issues involving the temporary fencing along Old Bagotville Road restricting access for wildlife to safe, non-fire affected habitat have also not been addressed. It is also uncertain as to why the lifetime of the quarry is to be extended until 2023 when the Pacific Highway upgrade is due to be completed by 2020.*

- Response: The extraction footprint of the Eatons Quarry is not being increased. There will be no clearing of koala habitat. Compliance with conditions of approval for the Pacific Highway Upgrade Project in relation to koala management are a matter for RMS. Quarry Solutions has a contract to supply quarry materials from Eatons Quarry to the Pacific Highway Upgrade Project. It is understood that the Pacific Highway Upgrade Project is forecast to be open to traffic by 2020. It is not unreasonable to anticipate that certain work will occur after that date. Potential works might, for example, include completion of maintenance access tracks or rectification of erosion and sediment control devices. On this basis and from an abundance of caution, an extension of time until 2023 is sought for extraction from the Eatons Quarry for delivery to the Pacific Highway Upgrade Project.

Submission 5 – JALI LALC

- *The Quarry location is adjacent to Jali LALC Indigenous Protected Area and approval to extend the life of the quarry by 5 years will negatively impact on endangered species (long nose potoroo), threatened species (koala) and other wildlife owing to ongoing heavy vehicle traffic. The RMS Highway Upgrade is scheduled to conclude 2020 and the proposed Quarry DA modification timeframe extends further than the projected completion of the Highway Upgrade project. Jali tenants located at Bagotville Road and Lumley's Lane tenants have experienced increase in dust and heavy vehicle access and we object to an extension of this burden.*

- Response: Potential environmental effects have been assessed as part of the s96 modification application. The Eatons Quarry is only proposed to continue to operate to supply quarry materials to the Pacific Highway Upgrade Project. Haulage of quarry materials to the Pacific Highway Upgrade Project will be done by contractors approved by RMS and Pacific Complete. The haulage contractors are subject to the terms and conditions of their contracts

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with RMS and Pacific Complete. RMS and Pacific Complete use those contracts to ensure haulage contractors operate in accordance with the conditions of approval for the Pacific Highway Upgrade Project and the various management plans and other directives associated with the Pacific Highway Upgrade Project.

The approved management measures for the Pacific Highway Upgrade Project that are required to be implemented for the Koala and other protected species will apply to vehicles hauling materials from the Eatons Quarry. One relevant document is the Koala Management Plan for the Woolgoolga to Ballina Pacific Highway Upgrade prepared by NSW RMS. Another is the Construction Environmental Management Plan for the Woolgoolga to Ballina Pacific Highway Upgrade (Sections 3 to 11) prepared by NSW RMS and Pacific Complete and the Appendix B1 – Construction Traffic and Access Management Plan. The traffic volumes associated with the Eatons Quarry are much less than those associated with the Jali and Gibsons Borrow Pits. Eatons Quarry will utilise the same haulage routes as the Jali and Gibsons Borrow Pits. Koala management measures such as koala exclusion fencing implemented by RMS and Pacific Complete will work for any vehicle operating on the haulage route whether the vehicle is carrying material from Eatons Quarry, Jali or Gibsons Borrow Pits.

Quarry Solutions has a contract to supply quarry materials from Eatons Quarry to the Pacific Highway Upgrade Project. It is understood that the Pacific Highway Upgrade Project is forecast to be open to traffic by 2020. It is not unreasonable to anticipate that certain work will occur after that date. Potential works might, for example, include completion of maintenance access tracks or rectification of erosion and sediment control devices. On this basis and from an abundance of caution, an extension of time until 2023 is sought for extraction from the Eatons Quarry for delivery to the Pacific Highway Upgrade Project. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published about the Jali and Gibsons Borrow Sites. The s96 modification application does not seek to increase traffic above and beyond what is already authorised for the Eatons Quarry.

Submission 6 – Maria Matthes

- ***Firstly, the RMS and Pacific Complete have a deadline of 2020 to complete the Pacific Highway Upgrade and as far as they are advising the local community, they are on track to meet this deadline. Therefore, there should be no need for the Pacific Highway to use quarry materials after 2020. Do they know something that we don't know? Are we the local residents and wildlife (including koalas) going to be exposed to another 2 years of Highway construction noise and dust disturbances?***
 - Response: Quarry Solutions has a contract to supply quarry materials from Eatons Quarry to the Pacific Highway Upgrade Project. It is understood that the Pacific Highway Upgrade Project is forecast to be open to traffic by 2020. It is not unreasonable to anticipate that certain work will occur after that date. Potential works might, for example, include completion of maintenance access tracks or rectification of erosion and sediment control devices. On this basis and from an abundance of caution, an extension of time until 2023 is sought for extraction from the Eatons Quarry for delivery to the Pacific Highway Upgrade Project.
- ***They don't want to sterilise the resource but they aren't going to exhaust it. They have had years to extract this material, and even in the last 18 months since the Federal Government's final approval, they have not been operating anywhere near the capacity they should have. Approving this proposed modification will only seek to reward bad behaviour and poor planning.***
 - Response: A maximum of 50,000t per annum can be extracted from the Eatons Quarry under the conditions of the development consent. A total of 477,102t remains in situ. Operation of the quarry for a further 5 years would only permit extraction of 250,000t (i.e. 5 years x 50,000t

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= 250,000t). Quarry Solutions would prefer to extract all the remaining 477,102t but that can't be achieved under the conditions of the consent. Therefore, in a best case scenario, only 250,000t of the remaining 477,102t will be extracted if a 5 year extension is granted as requested.

- ***Additionally, they want to align the revegetation with the Highway Upgrade. Surely, for the koalas and other wildlife, the revegetation works should start in February 2018 when the current approval lapses. This will at least provide the wildlife with some habitat by the time the Highway opens in 2020. The cumulative impacts to the koalas is already being observed and any additional disturbances to them and their habitat is unacceptable.***
 - Response: Rehabilitation of the quarry can't commence until extraction of the resource in a particular area of the quarry has been completed. The approved Plan of Management includes staging plans showing progressive rehabilitation of the quarry floor once the final level of the quarry floor has been reached at approximately 12m AHD. It states that 'areas where quarrying has been completed and which will be subject to no further disturbance shall be planted with a mix of quick growing annual grasses and perennial grazing grasses such as Carpet grass, Paspalum, Setaria or Kikuyu'. An aerial survey undertaken in 2016/2017 shows a small portion in the north western corner of the quarry at approximately 12m AHD. That area has not been rehabilitated because it is required for access and a sediment basin. The remainder of the site remains at levels significantly above 12m AHD reflective of the 477,102t remaining to be extracted. As previously stated, no additional vegetation clearing is proposed. No additional direct impacts to koala habitat will occur as a result of the s96 modification application.

- ***Over the last 18 months I have observed poor dust management, particularly on local roads, irresponsible driver behaviour (speed and crossing onto the wrong side of road on dangerous corners) from Quarry Solutions double bogeys and light vehicles. On every occasion, I have contacted Pacific Complete who have investigated the report, only to respond it is vehicles from Eatons Quarry. Photos can be provided if necessary.***
 - Response: Local roads are not managed by the operator of the Eatons Quarry. If the local roads are nominated routes for the Pacific Highway Upgrade Project a request should be made to Pacific Complete for more regular dust suppression via water trucks. However, driver behaviour is a matter taken very seriously by Quarry Solutions. If a member of the public is concerned about driver behaviour they should contact the General Manager of Quarry Solutions.

- ***As the approval was granted in 1996, it would seem prudent that if approving a new Plan of Management be required that is in line with current day expectations, and with additional consideration to the Ballina Comprehensive Koala Plan of Management, and particularly to the koala and long-nosed potoroo populations.***
 - Response: As discussed above, no additional vegetation clearing is proposed as a result of this s96 modification application. Therefore, no additional direct impact to koala habitat will occur. Potential impacts from haulage of quarry materials from Eatons Quarry to the Pacific Highway Upgrade Project is already addressed under the conditions of approval of that project and more specifically by the Koala Management Plan, Woolgoolga to Ballina Pacific Highway Upgrade prepared by NSW RMS. Therefore, there is no need to revise the existing Plan of Management to consider the Ballina Comprehensive Koala Plan of Management.

- ***Also, had the approved development operated consistently (more or less) over the approval period, the number of truck movements per day would be minimal or at least in short bursts. If approved residents and wildlife, particularly birds and koalas, will be faced with more constant vehicle movements for the duration. The cumulative impact of the Eatons Quarry vehicles with those of all the RMS, Pacific Complete, Lendlease and other contractors vehicles, must be considered as part of Council's deliberations.***

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- **Response:** As previously stated, it is not proposed to increase traffic movements from the Eatons Quarry above what has been historically authorised. Whether or not Roads and Maritime Services (RMS) have correctly assessed traffic impacts associated with the Jali and Gibsons Borrow Pits should not prejudice the extension of the life of the Eatons Quarry. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published in the documentation released to the public about the Jali and Gibsons Borrow Sites.
- ***We know there are several koalas that live within 1 km of Eatons quarry. The effects of noise, blasting, vibration and dust can have huge effects, far too much to go into in this submission, on koalas exposed to such aspects of quarrying.***
 - **Response:** Noise, blasting, vibration and dust emissions are regulated by the EPL. No change to the conditions of the EPL is sought. An amendment to the EPL will need to be made if the life of the development consent is extended by Council. The EPA will review the suitability of the conditions of the EPL at that time.

Submission 7 – Maya and or Barbara Michel

- ***Refer to Submission 1.***

Submission 8 – Nancy McAndrew

- ***The reason for the extension is “to provide materials to the Pac. Hwy Construction until 2023”. Local residents effected have been told the Hwy Construction will conclude in 2020. Do you know something that we don’t? There has been NO obvious previous support of rate payers when it comes to your dealings with the RMS and their dictations re the Hwy Construction.***
 - **Response:** Quarry Solutions has a contract to supply quarry materials from Eatons Quarry to the Pacific Highway Upgrade Project. It is understood that the Pacific Highway Upgrade Project is forecast to be open to traffic by 2020. It is not unreasonable to anticipate that certain work will occur after that date. Potential works might, for example, include completion of maintenance access tracks or rectification of erosion and sediment control devices. On this basis and from an abundance of caution, an extension of time until 2023 is sought for extraction from the Eatons Quarry for delivery to the Pacific Highway Upgrade Project.

Submission 9 – R McElligott

- ***Driving to our property on Old Bagotville Road is becoming increasingly dangerous and on numerous occasions I have been forced off the road by heavy vehicles from the already operating quarries. To add to this problem the new Pacific Highway upgrade is using Old Bagotville Road for access. I have contacted Pacific Complete and Lend Lease complaining about the dangerous road conditions which exist. The road is not suitable to carry such a large volume of traffic. Any increase in heavy vehicle traffic from the proposed quarry will only make these existing problems worse.***
 - **Response:** It is not proposed to increase traffic movements from the Eatons Quarry above what has been historically authorised. Whether or not Roads and Maritime Services (RMS) have correctly assessed traffic impacts associated with the Jali and Gibsons Borrow Pits should not prejudice the extension of the life of the Eatons Quarry. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published in the documentation released to the public about the Jali and Gibsons Borrow Sites.

- *Old Bagotville Road needs to be upgraded and sealed to make it safe for the general public and other road users. With so much money spent on road infrastructure on the Pacific Highway upgrade surely they should be responsible for upgrading this road as it is a major access point for the works.*
 - Response: As previously stated, it is not proposed to increase traffic movements from the Eatons Quarry above what has been historically authorised. Whether or not Roads and Maritime Services (RMS) have correctly assessed traffic impacts associated with the Jali and Gibsons Borrow Pits should not prejudice the extension of the life of the Eatons Quarry. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published in the documentation released to the public about the Jali and Gibsons Borrow Sites. The assessment did not recommend sealing of Old Bagotville Road.

Submission 10 – Roslyn Irwin

- *FOK is aware of a number of koalas that live in this area. The ongoing impact during construction of the Highway will undoubtedly put more koalas at risk, particularly when considering the added effects of the recent fire over 350 ha and the barrier fencing on Old Bagotville Road. FOK is concerned that the cumulative effects of allowing the extension of Eatons Quarry while all the other activities are also going on will be too much for the koalas living in that area to tolerate.*
 - Response: This application relates only to the extension of the life of the Eatons Quarry. Matters of compliance with conditions of approval for the Pacific Highway Project are a matter for RMS. As discussed above, no additional vegetation clearing is proposed as a result of this s96 modification application. Therefore, no additional direct impact to koala habitat will occur. Potential impacts from haulage of quarry materials from Eatons Quarry to the Pacific Highway Upgrade Project is already addressed under the conditions of approval of that project and more specifically by the Koala Management Plan, Woolgoolga to Ballina Pacific Highway Upgrade prepared by NSW RMS.
- *Any increased number of vehicles will increase the likelihood of a koala being hit, of noise and dust related health issues, and the associated immune deficient and stress response diseases. All efforts should be made by Council to ensure Ballina's koala population remains a viable and healthy one.*
 - Response: It is not proposed to increase traffic movements from the Eatons Quarry above what has been historically authorised.

Submission 11 – Susie Hearder

- *I object to the extension of the quarry on the grounds of the danger of the airborne silica dust for both humans and their pets living in the area and the health impact on native wildlife. The sand mining conducted at Eaton's Quarry is in addition to mining for silica-bearing rock-types.*
 - Response: Eatons Quarry is not a sand mine. Nevertheless, NSW Mine and Safety Department regulate this matter under the *Work Health and Safety Act 2013* which requires a person conducting a business or undertaking to ensure, so far as is reasonably practicable, workers and other people are not exposed to health and safety risks arising from the business or undertaking including from inhalable dust. Quarry Solutions must comply with these requirements.

Submission 12 – Suzanne Whiteman

- *Given that the extension is for the sole purpose of providing fill for the Pacific Highway, it is important that Council addresses the fact that the RMS has advised that they have not taken into account in their estimates of the traffic flow along Old Bagotville Road any traffic from Eatons Quarry or other quarries that are using this road which means from my recent thirteen year experience with the RMS that NOTHING will be done.*

- Response: Whether or not Roads and Maritime Services (RMS) correctly assessed traffic impacts associated with the Jali and Gibsons Borrow Pits should not prejudice the extension of the life of the Eatons Quarry. A traffic impact assessment has been submitted to Council for the Eatons Quarry. The assessment has been prepared by a suitably qualified person. The assessment considered the traffic volumes RMS published about the Jali and Gibsons Borrow Sites. The s96 modification application does not seek to increase traffic above and beyond what is already authorised for the Eatons Quarry.
- ***Already the noise and dust levels from Gibsons and Jali Quarries are extremely high, there has been no effective or immediate mitigation of the dust clouds which coat the remaining feed trees which koalas and other forest fauna rely on.***
 - Response: Noise, blasting, vibration and dust emissions are regulated by the EPL. No change to the conditions of the EPL is sought. Quarry Solutions can only manage dust within the confines of the Eatons Quarry. Dust management on local roads and within the Jali and Gibson Borrow Pits is a matter for the road manager or Pacific Complete.
- ***Given the fire which burned 320 ha of habitat, not only has a major section of koala habitat been burned out, but access for any surviving animals is extremely limited as a result of the exclusion fencing along a major section of the road. No evaluation of the impacts of this fire have been undertaken by the RMS. It is also important to consider that the Federal and State approvals for s. 10 have required passage for koalas once traffic on local roads exceeds 100 vehicles a day. This condition has been ignored by the RMS to the detriment of wildlife.***
 - Response: This application relates only to the extension of the life of the Eatons Quarry. Matters of compliance with conditions of approval for the Pacific Highway Project are a matter for RMS.
- ***Please note that sand mining is conducted at Eaton's Quarry and that this is in addition to mining for silica-bearing rock-types (chert and shale). Mining for said materials produces airborne crystalline silica (silica dust). In N.S.W., silica dust is a listed Hazardous Substance.***
 - Response: Eatons Quarry is not a sand mine. Nevertheless, NSW Mine and Safety Department regulate this matter under the *Work Health and Safety Act 2013* which requires a person conducting a business or undertaking to ensure, so far as is reasonably practicable, workers and other people are not exposed to health and safety risks arising from the business or undertaking including from inhalable dust. Quarry Solutions must comply with these requirements.

Submission 13 – Tony Browne

- ***The applicant Quarry Solutions is a subsidiary of SEE Civil. SEE ran the quarries 1996/29 and 1996/30 from 2010. At this time there was an application to increase extraction amounts from both quarries, this was later withdrawn; only after gross over extraction (triple the allowed amount for both quarries). The applicant was unable to control driver behaviour, this resulted in speeding trucks and loss of safety and amenity to residents along the haulage route. The applicant showed little to no regard for residents, operational guidelines or EPA licensing. We note that the applicant was fined for these breaches, however the \$16 000 is not an amount that would bare significance for a contract such as the highway. What I want to see is pacific complete and it's partners and providers stick to their word. As part of this for Council to ensure that: Speed enforcement for ALL heavy vehicles involved in this project is maintained at the promised 40km/h limit. (If they do 40km/h, our house does not shake anywhere near as much and your road will probably be better off for it). We receive a written guarantee from the project to repair any damages caused to our house from these activities. (Our back security screen door no longer shuts properly or locks since haulage commenced). Pacific complete provide a complete project scope for haulage numbers and duration which covers all activity which will use our small suburban street. (i.e. they have provided figures for the new corridor up to Ballina, however they are also hauling through our street down to Broadwater and there has been no figures or consultation for this work.)***

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- Response: Compliance with conditions of approval of the Pacific Highway Upgrade Project is a matter for RMS. Driver behaviour is a matter taken very seriously by Quarry Solutions. If a member of the public is concerned about driver behaviour they should contact the General Manager of Quarry Solutions. A Driver Code of Conduct will be implemented for the Eatons Quarry (refer **Attachment 1**). The Driver Code of Conduct includes requirements such as the voluntary adoption of a reduced speed limit of 40KPH along Carlisle Street within Wardell. The Driver Code of Conduct will integrate with the system implemented at the Quarry Solutions Petersons Quarry at Coraki. The system includes the following components:
 - A Driver Induction Procedure.
 - Compliance with the Driver's Code of Conduct will be enforced by a 'Two strikes and you're out' policy administered by the Quarry Manager and reviewed by the General Manager.
 - Installation of forward and driver facing cameras on haulage trucks managed by Quarry Solutions.
 - Installation of GPS monitoring devices on haulage trucks managed by Quarry Solutions. Each GPS monitoring unit is installed on the truck. A GPS 'fob' or 'key' is assigned to an individual driver as per the Driver Induction Procedure. The driver logs on to the GPS monitoring unit on the truck prior to commencing each shift. The GPS monitoring unit tracks the vehicle location, speed, exceedance of speed limits and harsh vehicle movement and braking as well as mapping the location of any potential incident or infringement to assist in future investigations. In the event of an incident or infringement (e.g. exceedance of speed limit) alerts are sent immediately by email and 'phone app' to the Quarry Manager, Operations Manager, Transport Manager and General Manager. All alerts provide detailed information including, date, time, nature of the infringement, driver name, truck registration and type and the location of the event.
 - The installation of GPS monitoring unit on all local school buses using the haulage route where permission is provided. Each GPS monitoring unit fitted to a school bus enables tracking and interaction with the GPS monitoring unit in each truck. The GPS monitoring system is configured to send an alert to a truck driver traveling in the same direction as a school bus when the truck comes within 500m of the school bus. The alert is in the form of a beep audible only to the truck driver and not the school bus driver. Being alerted of the nearby school bus the truck driver is to reduce speed and be alert and maintain a minimum 50m separation distance to the school bus. If the 50m separation distance is encroached an alert is generated and the infringement will be investigated. In the event that the school bus stops the truck is also to stop and not pass the school bus. If the truck does pass the school bus an alert is generated and the infringement will be investigated. The GPS tracking system is intelligent and also alerts a truck traveling in the opposite direction of a school bus when it is approaching the school bus, but the alert will not be triggered when the truck passes the school bus in the opposite direction.

Quarry Solutions successfully manage traffic associated with the Petersons Quarry, which is a significantly larger operation than the Eatons Quarry through the implementation of the above system. It is also understood that the modern trucking fleet contracted by Pacific Complete for the Pacific Highway Upgrade Project have improved safety, noise and CO₂ emission ratings compared to the trucks typically used 20 years ago when the Eatons Quarry first commenced operations.

Submission 14 – Trish Campbell

Refer to Submission 1

Submissions 15 – Australians for Animals

Refer to Submission 3 and 4

Submission 16 – Mia Cassidy for Avery and Morton

Refer to Submission 13

Submission 17 – Mia Cassidy

Refer to Submission 13

Should you have any questions in relation to this application, please feel free to contact me on 07 3871 0411 or email jlawler@groundwork.com.au.

Yours faithfully,
Groundwork Plus


Jim Lawler
Project Director

Enc:
Attachment 1 – Driver Code of Conduct

Attachment 1

Driver Code of Conduct

GROUNDWORK plus



Driver Code of Conduct

Eatons Quarry

Quarry Solutions Pty Ltd ABN - 13 133 700 848
24a Ozone St Chinderah NSW 2487 – Ph. 0266 712 300

Quarry Solutions Pty Ltd recognises the need for safe, responsible and efficient transport of quarry materials in the interest of public benefit and safety. Any truck driver who enters or leaves the Eatons Quarry is expected to respect the community in which they drive, and adopt the following code of conduct.

Objective

Work together to maximise safety in road haulage and minimise the impact of trucks on other road users and the surrounding communities

Drivers Code of Conduct

1. Acknowledge this Driver Code of Conduct is enforced as a 'Two Strikes and you're out' policy
2. Report any complaints, incidents or reports to the Quarry Manager
3. Present to the Quarry Site Office to sign on to the Daily Toolbox on first entry into the quarry
4. Abide by QS Drug & Alcohol Policy by presenting to work with 0.00 BAC
5. Adhere to Site Operating Conditions for Traffic Management and Noise Restrictions and Operating Hours
6. Strictly comply with all traffic rules and regulations
7. Report all incidents and accidents no matter how minor
8. Ensure there is no loading over registered gross mass
9. Appropriately cover and secure loads before leaving the quarry site
10. Ensure drawbars, tailgates, rails and duals are clear of rocks before leaving the quarry site
11. Maintain appropriate signage to enable identification by road users in the event of a complaint
12. Comply with all posted speed limits on all roads
13. Comply with the reduced speed limit of 40KPH along Carlisle Street within Wardell.
14. Comply with the School Zones and follow the bus interaction guidelines on Fleet Office IVMS
15. Always drive in a manner that is in accordance with road conditions
16. Only use horn only when appropriate to do so
17. Be aware that we start early and not all the community start as early as we do
18. Decrease truck speeds to minimise dust and noise around private dwellings, road works, men on the ground and stationary vehicles
19. Reduce engine brake noise to respect the community through which they are driving
20. In the event of an environmental incident, make sure every endeavour is taken to contain and minimise environmental harm
21. Respect the environment by not littering
22. Encourage professional and appropriate use of two-way radios
23. Remain calm and courteous when in contact with other road users and members of the public
24. Acknowledge courteous acts by others

Non-compliance with this code of conduct under the 'Two strikes and you're out policy' will result in a review by QS Management and may result in a refusal to load out from QS Sites in future. Compliance will be assessed in the event of a complaint, incident or emergency and may also be subject to random inspection prior to issue of a 'docket' from the weighbridge.