

8.1 **DA 1996/29 and 1996/30 - Increase in Extraction Rates - Quarries**





NOTICE TO ALL DRIVERS

18 January, 2011

See Civil has recently had a number of complaints about trucks speeding, making excessive noise and impacting public safety when travelling through the Wardell village area.

I would ask all drivers to read and sign this notice recognising that you understand this content.

All drivers are requested to observe the highest safety standards, travel at slow speed and not to use air brakes around or in the village of Wardell when travelling to or from the Wardell Quarry Sites.

Drivers are aware they are not to travel through the village before 7am and we would further request that trucks not congregate or form cues of trucks when in the village. Please spread out and take all precautions to protect the residents of Wardell, in particular, children and elderly persons.

Drivers are formally advised to observe the following standards:

- Travel at less than 50 (preferably 40kph) between the highway and the bridge at the end of Carlisle Street
- Travel at less than 60kph (preferably 50kph) on old Bagotville Road between the bridge and quarries.
- Do not use air brakes in or around Wardell village
- Cover loads at all times
- Go over bumps in the village area very slow, particularly when empty to minimise truck body noise
- Be courteous and respect the residents and visitors of Wardell
- Minimise dust from wheels going on road verges when passing other vehicles on Carlisle Street. Also minimise speed on gravel sections of old Bagotville Road in the vicinity of houses to minimise dust impact on residents
- Do not congregate or travel in cues of trucks around or in Wardell.

SEE Civil and the Residents Group of Wardell will monitor truck movements to and from the quarry and SEE will not load trucks who we believe are not trying to assist SEE Civil minimise the impact of truck movements on local residents and the entire community in the Wardell area.

Thanks you for your cooperation, assistance and immediate adherence.

Regards

A handwritten signature in blue ink, appearing to be "CL", is written over a faint blue line.

Craig Long
CEO

NAME OF COMPANY: _____ REGO NO: _____
DRIVER: _____ SIGNATURE: _____
(print name) (sign)
DATE: / /

Conditions Applicable to DA 1996/29

The following conditions are to be inserted after condition No 7

- 7A A 1.2 metre wide footpath is to be constructed from the bust stop on the North-Western side of Carlisle Street to connect with the footpath in Bath Street. As part of this footpath a pedestrian refuge is to be constructed in Carlisle Street in the vicinity of the bus stop.
- 7B Prior to the Issue of the Construction Certificate, engineering design drawings shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 for the following civil works. Details are to be in accordance with the Northern Rivers Local Government *Development Design and Construction Manuals* (as current at the time of construction works commencing), Austroads and/or RTA guidelines. Where details are not addressed in these Manuals, the design is to comply with the requirements of Council's *Subdivision Code*.
- At the developer's expense, Old Bagotville Road is to be upgraded to a minimum 8m wide gravel formation from the intersection of Old Bagotville Road - Montis Road south for a distance not less than 650m. The pavement must be designed to carry a vehicle load of 15 tonnes and comply with the requirements of the Northern Rivers Local Government Development Design & Construction Manuals.
- 7C Prior to issue of the Construction Certificate, the following fees and bonds for civil works are to be paid to Council (including the amount of goods and Services Tax payable):
- Inspection Fee: equal to 3% of the estimated cost of the related civil works
 - Maintenance bond: equal to 5% of the estimated cost of the related civilworks.
- A maintenance period of 12 months will apply to all related works from the date of commencement of operations. The bond may be used by Council to maintain, repair or rectify works that are failing.

The following condition is to be replace condition No. 11

- 11 The annual rate of extraction shall not exceed 150,000 tonnes. Details of the actual extraction rates are to be submitted to Council on a quarterly (3 monthly) basis. Prior formal development consent is to be obtained from Council for any proposed extraction in excess of this amount.
- For the purpose of calculating the annual rate of extraction, the extraction period is to be from 1 July to 30 June.

The following condition is to replace condition No 14

- 14 General quarry operations are to be restricted to the hours 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturday. No work is to be undertaken on Sundays or Public Holidays

The following condition is to replace condition No 16

- 16 A road maintenance levy of \$0.329/tonne hauled shall be paid quarterly to Council. The levy is to increase annually in accordance with the mechanism for indexing the Section 94 Contribution Plan for Ballina Shire – “Heavy Vehicle Traffic Generating Development – Maintenance & Construction of Roads”, commencing February 2011 for the life of the extraction..

The quarterly extraction rates referred to in Condition No 11 are to be provided to Council for the period January – March, April – June, July – September, October – December. The extraction rate statements and payments must be received by the end of the following month.

The following condition is to be inserted after condition No 16

- 16A A “remittance form” as issued by Council shall be submitted to Council for each quarter, either accompanying the required payment or as a “nil” return. The information required includes applicable quarter, quantities of material, tonnage rate, contribution payments and the like and be certified by a company officer.

An annual audit of quarry sales by volume and weight shall be undertaken by an independent auditor and submitted to Council. This audit shall also provide a reconciliation between the sales and the contributions that have been paid to demonstrate compliance with the terms of the consent. The annual cycle shall be the financial year unless otherwise notified by Council.

Quantitative/volumetric surveys of the site shall be undertaken periodically by a practising registered surveyor at the cost of the applicant/operator upon written request by Council. The surveyor shall use the methodology supplied by Council to determine the weight of the extracted material and reconcile such with quarterly and annual returns. Where the survey indicates that more material has been extracted than indicated by returns, the applicant/operator shall pay a contribution in respect of the outstanding amount.

The following condition is to replace condition No 17

- 17 Operation of the site shall be in accordance with recommendations included in Eaton’s Pit Noise Management Plan November 2010 and “Results of Noise Monitoring at Eaton’s Quarry Pit, Old Bagotville Road, Bagotville NSW 2477, Garry Hall, 4 February 2011.

The following conditions are to be inserted after condition No 21

- 21A No more than 220 trucks are to be loaded at the quarry in any week.
- 21B All trucks being loaded or waiting to be loaded, or waiting to be weighed are to remain wholly on the site during these periods. No trucks are to be loaded or wait on the public road.

The following condition is to replace condition No 22

- 22 All operation must be carried out in accordance with the submitted Erosion and Sediment Control Management Plan prepared by Ardill Payne and Partners, dated May 2010.

The following condition is to be inserted after condition No 25.

- 25 A water truck designed to suppress dust from exposed surfaces and access roads shall be available at the site or in the immediate vicinity at all times. Exposed surfaces and access roads including Old Bagotville Road shall be regularly wetted to suppress dust generation.

The following condition is to be inserted after condition No 33.

- 33A In the event of a pollution incident on the premises, that has caused, is causing, or is likely to cause harm to the environment, the occupier shall report the incident to Council immediately the occupier or occupier's managers on site become aware of the incident.

The following condition is to replace condition No 34

- 34 It is an offence to dig, disturb, remove materials or vegetation, encroach upon, stockpile materials, store equipment or machinery, direct stormwater discharges upon Crown land or public road without the permission of the Land and Property Management Authority. To ensure no offence is carried out the applicant shall have the Crown road surveyed, marked and stabilised with vegetative batters of not less than 1(v):3(h) when and if the extractive activities occur in close proximity to the crown road.

Conditions applicable to DA 1996/30

The following condition is to be inserted after condition No 6.

- 6A A 1.2 metre wide footpath is to be constructed from the bust stop on the North-Western side of Carlisle Street to connect with the footpath in Bath Street. As part of this footpath a pedestrian refuge is to be constructed in Carlisle Street in the vicinity of the bus stop.

The following condition is to replace condition No 10

- 10 The annual rate of extraction shall not exceed 150,000 tonnes. Details of the actual extraction rates are to be submitted to Council on a quarterly (3 monthly) basis. Prior formal development consent is to be obtained from Council for any proposed extraction in excess of this amount.

For the purpose of calculating the annual rate of extraction, the extraction period is to be from 1 July to 30 June.

The following condition is to replace condition No 13

- 13 General quarry operations are to be restricted to the hours 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturday. No work is to be undertaken on Sundays or Public Holidays

The following condition is to replace condition No 15

- 15 A road maintenance levy of \$0.329/tonne hauled shall be paid quarterly to Council. The levy is to increase annually in accordance with the mechanism for indexing the Section 94 Contribution Plan for Ballina Shire – “Heavy Vehicle Traffic Generating Development – Maintenance & Construction of Roads”, commencing February 2011 for the life of the extraction..

The quarterly extraction rates referred to in Condition No 10 are to be provided to Council for the period January – March, April – June, July – September, October – December. The extraction rate statements and payments must be received by the end of the following month.

The following conditions is to be inserted after condition No 15

- 15A A “remittance form” as issued by Council shall be submitted to Council for each quarter, either accompanying the required payment or as a “nil” return. The information required includes applicable quarter, quantities of material, tonnage rate, contribution payments and the like and be certified by a company officer.

An annual audit of quarry sales by volume and weight shall be undertaken by an independent auditor and submitted to Council. This audit shall also provide a reconciliation between the sales and the contributions that have been paid to demonstrate compliance with the terms of the consent. The annual cycle shall be the financial year unless otherwise notified by Council.

Quantitative/volumetric surveys of the site shall be undertaken periodically by a practising registered surveyor at the cost of the applicant/operator upon written request by Council. The surveyor shall use the methodology supplied

by Council to determine the weight of the extracted material and reconcile such with quarterly and annual returns. Where the survey indicates that more material has been extracted than indicated by returns, the applicant/operator shall pay a contribution in respect of the outstanding amount.

The following condition is to replace condition No 16

- 16 Operation of the site shall be in accordance with recommendations included in Monti's Pit Noise Management Plan November 2010 and "Results of Noise Monitoring at Monti's Quarry Pit, Old Bagotville Road, Bagotville NSW 2477, Garry Hall, 4 February 2011.

The following conditions are to be inserted after condition No 20.

- 20A No more than 220 trucks are to be loaded at the quarry in any week.
- 20B All trucks being loaded or waiting to be loaded, or waiting to be weighed are to remain wholly on the site during these periods. No trucks are to be loaded or wait on the public road.

The following condition is to replace condition No 21:

- 21 All operation must be carried out in accordance with the submitted Erosion and Sediment Control Management Plan prepared by Ardill Payne and Partners, dated May 2010.

The following condition is to be inserted after condition No 24.

- 24 A water truck designed to suppress dust from exposed surfaces and access roads shall be available at the site or in the immediate vicinity at all times. Exposed surfaces and access roads including Old Bagotville Road shall be regularly wetted to suppress dust generation.

The following condition is to be inserted after condition No 32.

- 32 In the event of a pollution incident on the premises, that has caused, is causing, or is likely to cause harm to the environment, the occupier shall report the incident to Council immediately the occupier or occupier's managers on site become aware of the incident.

The following condition is to replace condition No 33

- 33 It is an offence to dig, disturb, remove materials or vegetation, encroach upon, stockpile materials, store equipment or machinery, direct stormwater discharges upon Crown land or public road without the permission of the Land and Property Management Authority. To ensure no offence is carried out the applicant shall have the Crown road surveyed, marked and stabilised with vegetative batters of not less than 1(v):3(h) when and if the extractive activities occur in close proximity to the crown road.