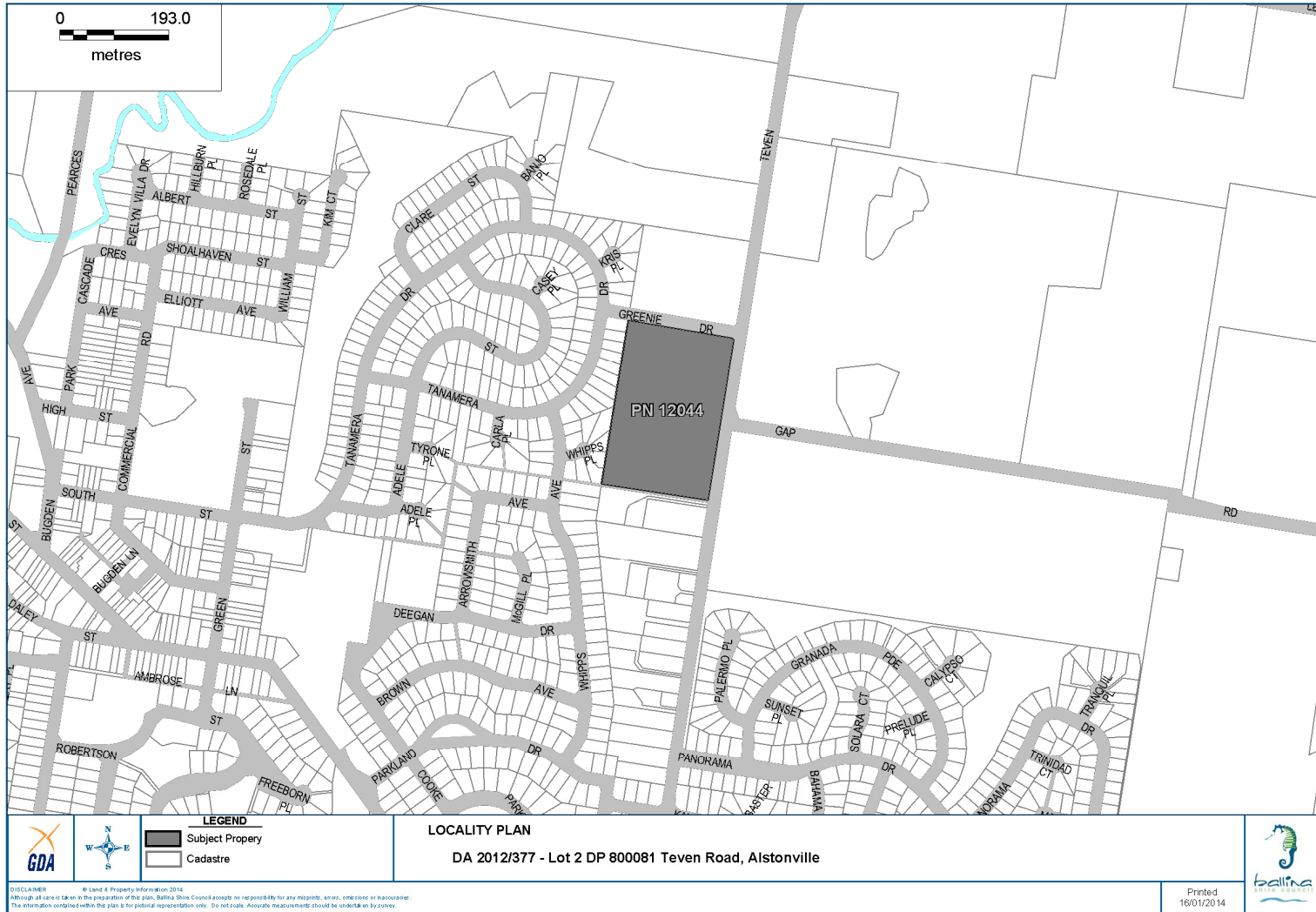
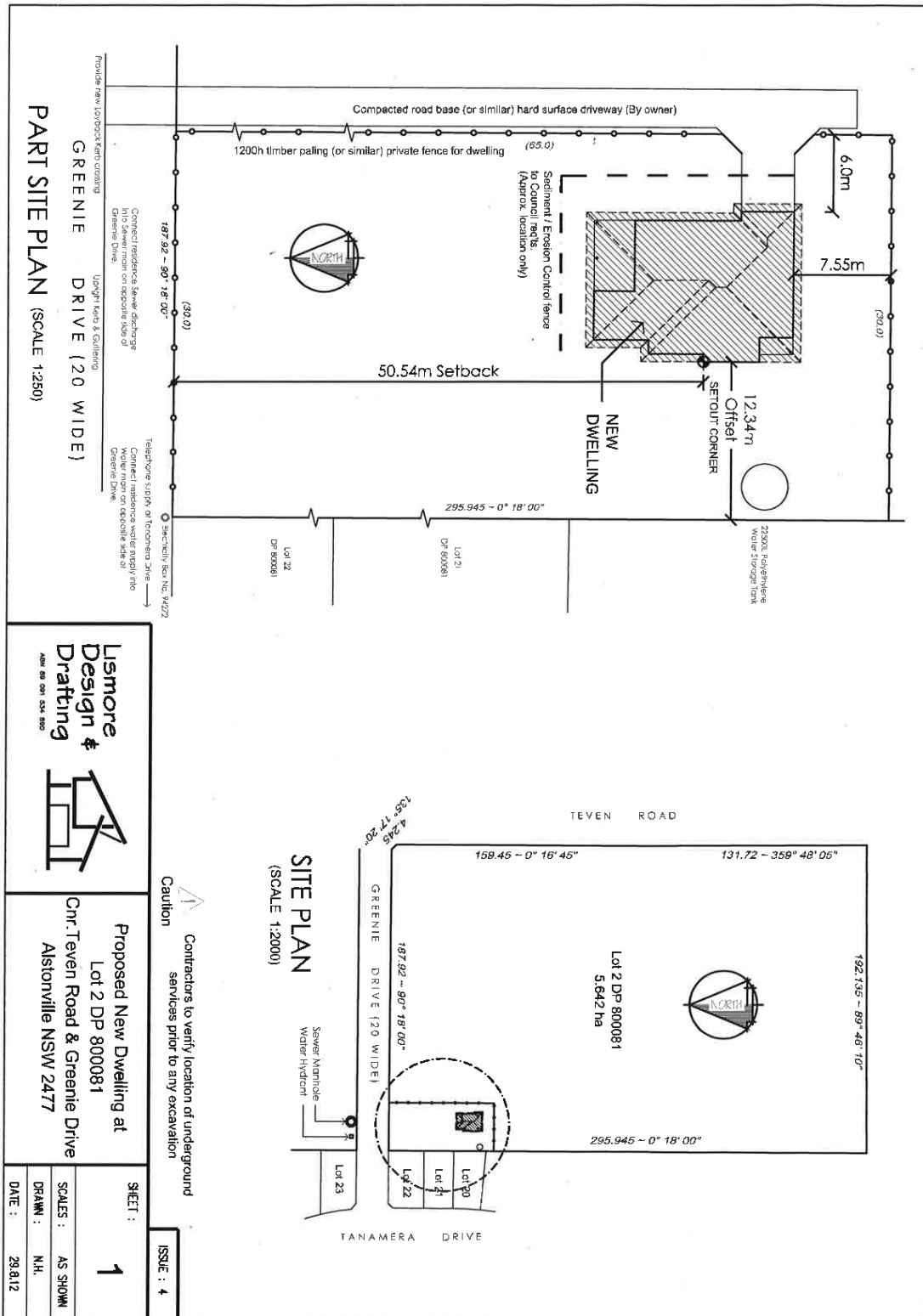


8.1 **DA 2012/377 - Lot 2 Teven Road Alstonville.DOC**





PART SITE PLAN (SCALE 1:250)

SITE PLAN (SCALE 1:2000)

Lismore Design & Drafting
 44th St Unit 3/4 Alstonville NSW 2477



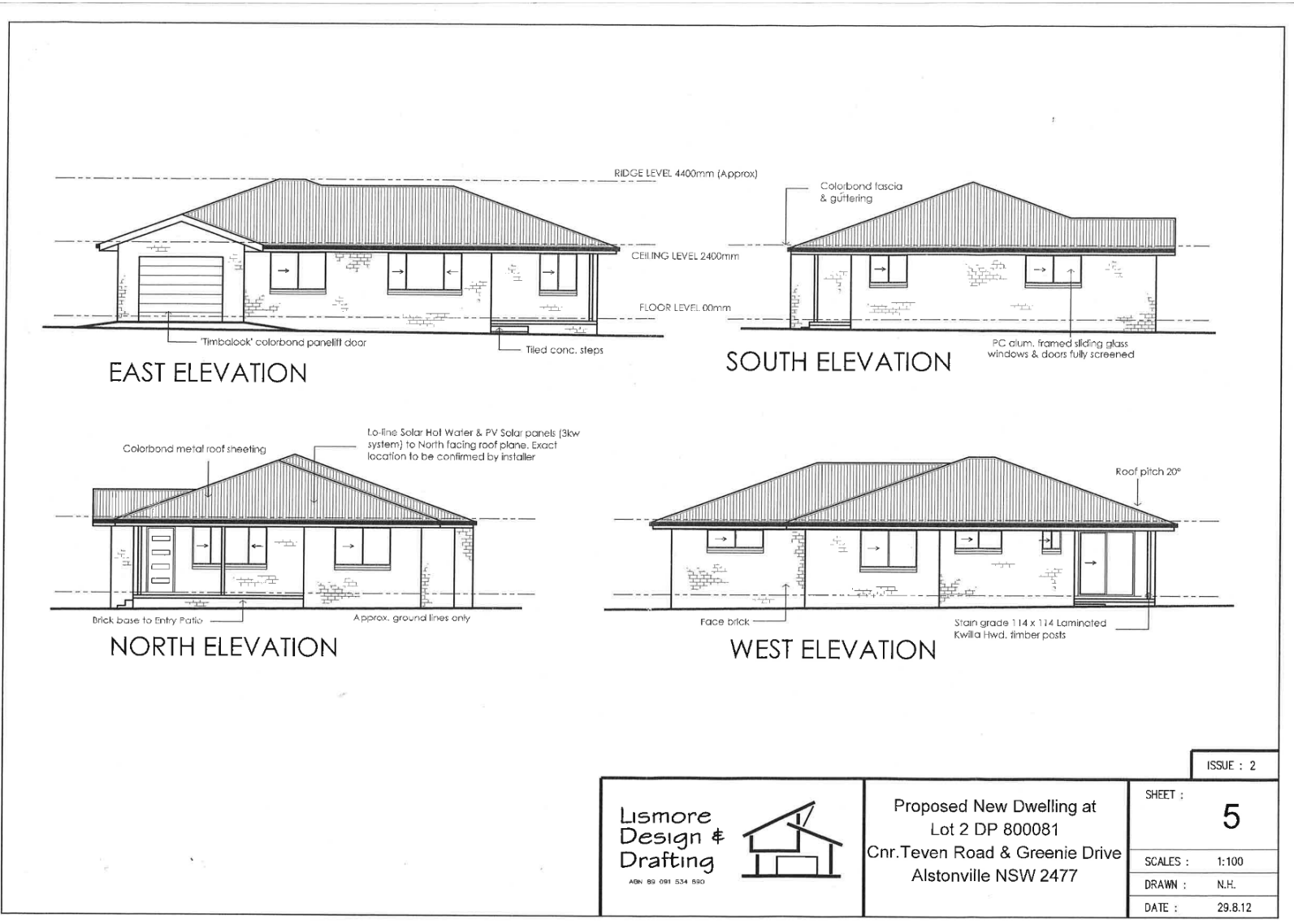
Proposed New Dwelling at
 Lot 2 DP 800081
 Cnr. Teven Road & Greenie Drive
 Alstonville NSW 2477

SHEET :	1
SCALES :	AS SHOWN
DRAWN :	N.H.
DATE :	29.8.12

Caution Contractors to verify location of underground services prior to any excavation

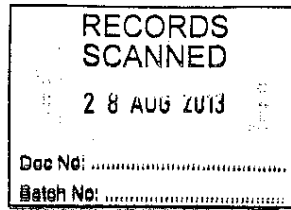
ISSUE : 4

8.1 DA 2012/377 - Lot 2 Teven Road Alstonville.DOC





Our reference:



27 AUG 2013

Rod Willis
Group manager
Development and Environmental Health
Ballina Shire Council
PO BOX 450
BALLINA
NSW 2484

Dear Mr Willis

The erection of a dwelling house on Lot 2 Teven Road Alstonville.

I refer to your letter of 26 June concerning the erection of a dwelling house up on Lot 2 Teven Road Alstonville, the operations of the Tuckombil Quarry, the Environment Protection Licence (EPL) 3856 for the quarry, the *Land Use Conflict Risk Assessment in support of a Development Application for a Proposed Dwelling-House on Lot 2 DP 80008, Teven Road, Alstonville* and the *Noise and Vibration Impact Assessment Report* prepared by Ambience Audio Services.

The EPA notes that the *Land Use Conflict Risk Assessment* states:

- The Teven Quarry is located on the western side of Teven Road. The quarry is approximately 225 metres from the proposed dwelling site.
- Ballina Development Control Plan 2012. Chapter 2, Section 3.1 relates to Land Use Conflicts and identifies a preferred buffer between proposed dwellings and extractive industries (involving blasting) of 1000 metres.
- The report concludes that results of noise monitoring of the asphalt plant and quarry at the proposed building site indicate a level of 35 dBA LAeq, 15 min for each of the asphalt plant and quarry operations under load conditions for the day time period. It is predicted the combined day-time noise level is 38 dBA LAeq, 15 min which complies with the Project Specific Noise Guideline (PSNG).
- The over-pressure level of the blast conducted on the 07/02/2013 measured 111.9 dB LLpk at the proposed building site and 106 dB LLpk at a nearby residential property (rear of 1358 Teven Rd) which is below the allowed limit of 115 dB LLpk. The ground vibration peak particle velocity was measured at the 1.27 mm/sec at 1358 Teven Rd which is below the allowed limit of 5 mm/sec.

The EPA has reviewed EPL 3856 held by Lismore City Council for Tuckombil Quarry at 486 Gap Road Alstonville. There are currently no noise or blasting limits specified on the licence. The EPA is currently negotiating with Lismore City Council to add licence limit conditions to the licence. The noise limit conditions on the licence will be based on the *Project Specific Noise Level* in accordance with the *New South Wales Industrial Noise Policy*. Specifically the *intrusive criteria* and *amenity criteria* need to be determined. *Project Specific Noise Level* reflects the most stringent of noise level derived from the amenity noise criteria and the intrusive noise criteria.


P O Box 498, Grafton NSW 2460
State Office Block Level 2, 49-51 Victoria Street,
Grafton NSW 2460
Tel: (02) 6640 2500 Fax: (02) 6640 2539
ABN 30 841 387 271
www.environment.nsw.gov.au

The EPA notes that residences located in close proximity to a quarry of this scale as is proposed in this case has considerable potential to result in intractable land-use conflict. While the Landuse Conflict Risk Assessment supports the proposal for the erection of the dwelling it is noted that conclusions based on limited monitoring can lead to expectations that are not consistent with the reality of long term coexistence of disparate land-uses.

Council is urged to consider the potential impacts on the operation of the Tuckombil quarry should the limited monitoring fail to be representative of longer term noise and blasting impacts. In this context it is noted that blast testing has occurred on only one day. Given that the over-pressure level of the blast conducted on the 07/02/2013 measured 111.9 dB (Lin Peak), there is a strong possibility that future blasts may exceed the proposed over-pressure licence limit of 115 dB (Lin Peak). Given that the proposed dwelling site is only 225 metres from the quarry, which is 775 metres less than the preferred buffer between proposed dwellings and extractive industries outlined in the Ballina Development Control Plan 2012, the EPA emphasises the potential for conflict between the proposed dwelling and the quarry/asphalt plant.

Should you wish to discuss the matter further information please contact Peter Lynch on 6640 2502.

Yours sincerely

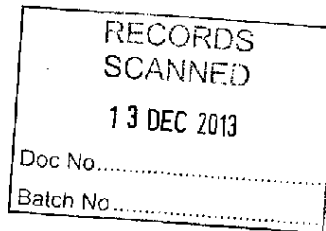


Graeme Budd
Head Environmental Management Unit North Coast
Environment Protection Authority

Cc: Murray Punshon murray.punshon@lismore.nsw.gov.au



Our reference: EF13/5642 Doc13/92441
Contact: Peter Lynch 66402502



Rod Willis
Group manager
Development and Environmental Health
Ballina Shire Council
PO BOX 450
BALLINA
NSW 2484

12 DEC 2013

Dear Mr Willis,

The erection of a dwelling house up on Lot 2 Teven Road Alstonville.

I refer to the email of 28 November 2013 from Graham Plumb of Ballina Shire Council and the *Addendum to Noise and Vibration Impact Assessment Report* prepared by Ambience Audio Services 2013 concerning the erection of a dwelling house up on Lot 2 Teven Road Alstonville.

Further to the EPA letter dated 27 August 2013 concerning the erection of a dwelling house up on Lot 2 Teven Road Alstonville, The EPA adds the following comments:

- The EPA has proposed noise limits and blasting conditions for EPL 3856, held by Lismore City Council for Tuckombil Quarry at 486 Gap Road Alstonville. The draft conditions are attached as Appendix 1.
- The EPA reports that it has received recent complaints from near-by residences about dust and odour from the Boral asphalt plant on Gap Road Alstonville.
- The EPA emphasises the potential for conflict between the proposed dwelling and the quarry/asphalt plant due to dust, odour and noise.

Should you wish to discuss the matter further information please contact Peter Lynch on 6640 2502.
Yours sincerely

GRAEME BUDD
Head Environmental Management Unit – North Coast
Environment Protection Authority

Email: graffon@epa.nsw.gov.au
PO Box 498, Grafton NSW 2460
49 Victoria Street, Grafton NSW 2460
Tel: (02) 6640 2500 Fax: (02) 6640 2539
ABN 43 692 285 758
www.epa.nsw.gov.au

RECEIVED
28 SEP 2012
RECORDS

Howard Atkinson
97 Tanamera Drive
Alstonville
N.S.W
2477

The General Manager
Ballina Shire Council
P.O. Box 450 Ballina
N.S.W.
2478

RECORDS
SCANNED
26 SEP 2012
Doc No.....
Batch No.....

27 September 2012

Dear Sir

I am writing to strongly oppose the proposed construction of a dwelling (D.A. 2012/377) on Gap Rd buffer Zone on corner of Teven Rd and Greenie Drive Alstonville.

The application is clearly within the allowed area in buffer zone,

The development application should cover all the areas relating to restriction and conditions on development on Buffer Zone, and should have an assessment of the potential noise impact along with blasting tremors and dust generated by the Gap Rd Quarry.

It is not considered to be sound practice to simply locate a house near other residential uses in order to justify the dwelling complies with specific noise standards.

Non-compliance with nominated noise standards will create potential issues for the operation of the quarry and obviously for the amenity of the residents occupying the dwelling.

Although the application is for a single dwelling, on talking to the building contractor who was doing a site inspection recently, advised he was under the opinion it was all go ahead and he was starting in Nov, he advised he has been instructed to build this house and another a short time later, on the same area in the D.A Application adjacent to Greenie Drive.

This land was sold recently at way below the market value because of the building restrictions on this block.

The proposed development is clearly within the boundaries of the Gap Rd Quarry buffer zone, and allowing this dwelling to proceed is outside current boundary laws, and will allow for future development on the site.

I thank you for your time and look forward to your reply, if the DA is successful legal advice will be sort.

Yours Faithfully
Howard Atkinson

Concerned Resident.

The General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478
1st October 2012.

Dear Sir
Re- DA 2012/377

<p>RECORDS SCANNED</p> <p>- 2 OCT 2012</p> <p>Doc No.....</p> <p>Batch No.....</p>
--

The above DA seeks permission to construct two dwellings on an area of land generally referred to as the buffer zone between the village of Alstonville and the quarry bounded by Teven Road and Gap Road - the "Boral Quarry"

Attached is a letter signed by residents of Tanamera Drive whose properties adjoin the Buffer Zone.

Each household was asked to sign the letter in protest at the DA proposal to build two houses in the area of the Buffer Zone.

I was overwhelmed by the response and also alarmed at the level of concern expressed by all once the intent of the DA was explained to them.

The major concern was the prospect of further development in the Buffer Zone if a precedent was set in the event of approval of this DA.

The site proposed for the two new dwellings is the closest point to the Quarry.

We raise the issue of vibration during blasting and the noise coming from the crusher especially resulting from an easterly wind.

I have personally noticed increased vibration during blasting to the point where a vase in the kitchen was dislodged and broken.

It seems bizarre that an application to locate the said dwellings even closer to the quarry could even be considered.

This is further reinforced by the suggestion that an area in the south western corner of the Buffer Zone could be approved for a dwelling but we stress this site is the furthest possible distance from the working quarry.

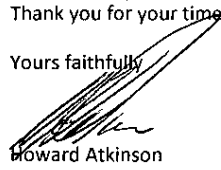
Could you advise the guidelines and rules covering the operation of this particular Buffer Zone.

We urgently request that Council thoroughly review this DA and consultation with the effected residents would be appreciated if only to allow the true facts concerning the Buffer Zone be made available.

At the moment there a lot of confusion and discontent about the rules regarding this issue

Thank you for your time and we would welcome a reply.

Yours faithfully



Howard Atkinson
97 Tanamera Drive
Alstonville NSW 2477
Phone 0434 583864.

The General Manager
 Ballina Shire Council
 P.O. Box 450
 Ballina
 N.S.W.
 2478

Concerned Residents

I the undersigned wish to oppose the proposed development (D.A. 2012/377), ^{being} been the construction of a dwelling on Gap Road Buffer Zone Corner of Teven and Greenie Drive Alstonville.

This proposal is clearly within the gazetted area know as buffer zone, and well within the 500 mtr zone.

I oppose the application on the grounds that it does not comply with zoned conditions eg sound etc, if this is gazetted and allowed to proceed it will allow for further development.

This land was sold at a price well below current value because of the developing restrictions within the buffer zone

I sincerely trust the council will reject this application, on the grounds it does not comply with current Buffer Zoning Council Conditions.

Yours Faithfully
 Concerned Citizen

Name	Address	Signiture.
Shawn Mortimer	95 Tanamera DRV	
ROBERT MAXWELL	93 TANAMERA DRIVE	
Tamara Stein	99 Tanamera Drive	
Linda Finati	103 Tanamera DR	
Donna Muszynski	105 Tanamera Drive	
Jim Muszynski	105 Tanamera Drive	
JIM WILSON	109 TANAMERA DR	
MAT HOGAN	107 TANAMERA DR	
GRAEME STEWART	5 WHIPPS PLACE	
DAVID WILSON	6 WHIPPS PLACE	
Carol Laskey	8 Whipps Place	
James Pennington	101 Tanamera Dr	