



Environmental Assessment

for an

Additional Minor Area
of Extraction at the
Possum Brush Quarry

November 2012

Prepared in Consultation with:



R.W. CORKERY & CO. PTY. LIMITED



Environmental Assessment

for an

Additional Minor Area of Extraction at the Possum Brush Quarry

Prepared for:

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Ref No. 484/20

November 2012



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1. INTRODUCTION

1.1 SCOPE

This document has been prepared to support an application by Pacific Blue Metal Pty Ltd (the “Proponent” or “PBM”) to modify Development Consent 283/97. A copy of the Application Form and supporting correspondence is reproduced in **Attachment 1**.

Possum Brush Quarry is located approximately 2km west of the Pacific Highway at Possum Brush and 4km northwest of Failford and 5km northeast of Nahiab (see **Figure 1.1**).

The modification sought is of a minor nature and would involve the extraction of weathered rock within a 1 120m² area to improve internal access and safety around the on-site weighbridge, workshops and processing area.

This document presents relevant background information about the Quarry together with details of the proposed modification and likely impacts. The extent of information presented is considered appropriate for the relatively minor/negligible impacts that would arise from the operations within the additional extraction area.

This document has been compiled by Mr Rob Corkery, M.Appl.Sc., B.Sc (Hons), Principal of R.W. Corkery & Co. Mr Corkery has assisted the Proponent in the preparation of the range of environmental documentation for Possum Brush Quarry since 1998.

1.2 BACKGROUND

Possum Brush Quarry has been operated by the Proponent since 1987 providing both road base and aggregate products for the construction industry and the upgrading of the Pacific Highway. The Quarry is currently operating in accordance with Development Consent 283/97 which was issued by the Minister for Urban Affairs and Planning on 25 May 1998 following a Commission of Inquiry and modified on two occasions since, namely:

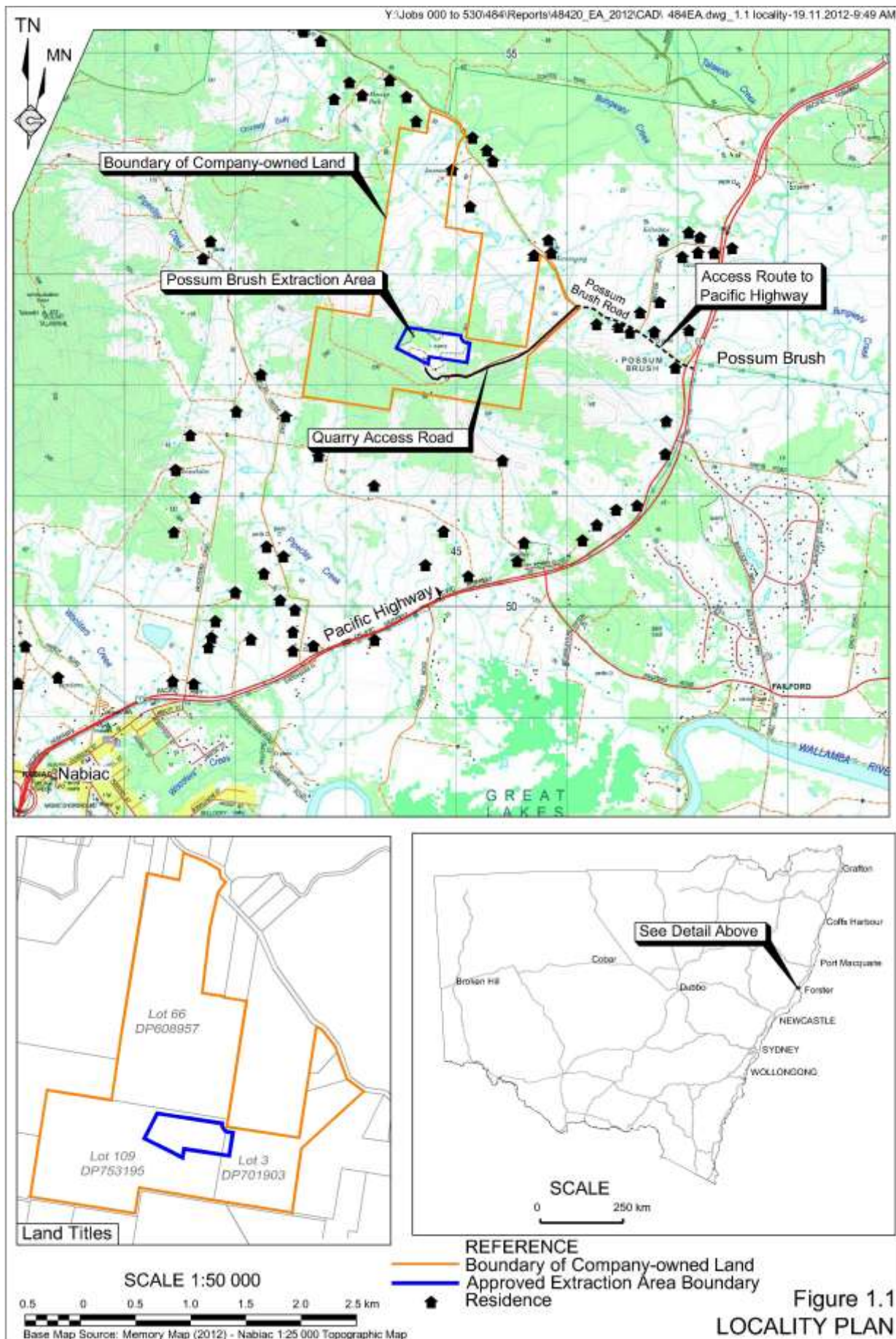
- i) on 4 February 2003, in response to an application to modify conditions relating to the width of the sealed section of Possum Brush Road and rehabilitation of Possum Brush Road between the Pacific Highway and the Quarry entrance; and
- ii) on 5 December 2006, in response to an application to modify the conditional requirements relating to road maintenance contributions for Possum Brush Road.

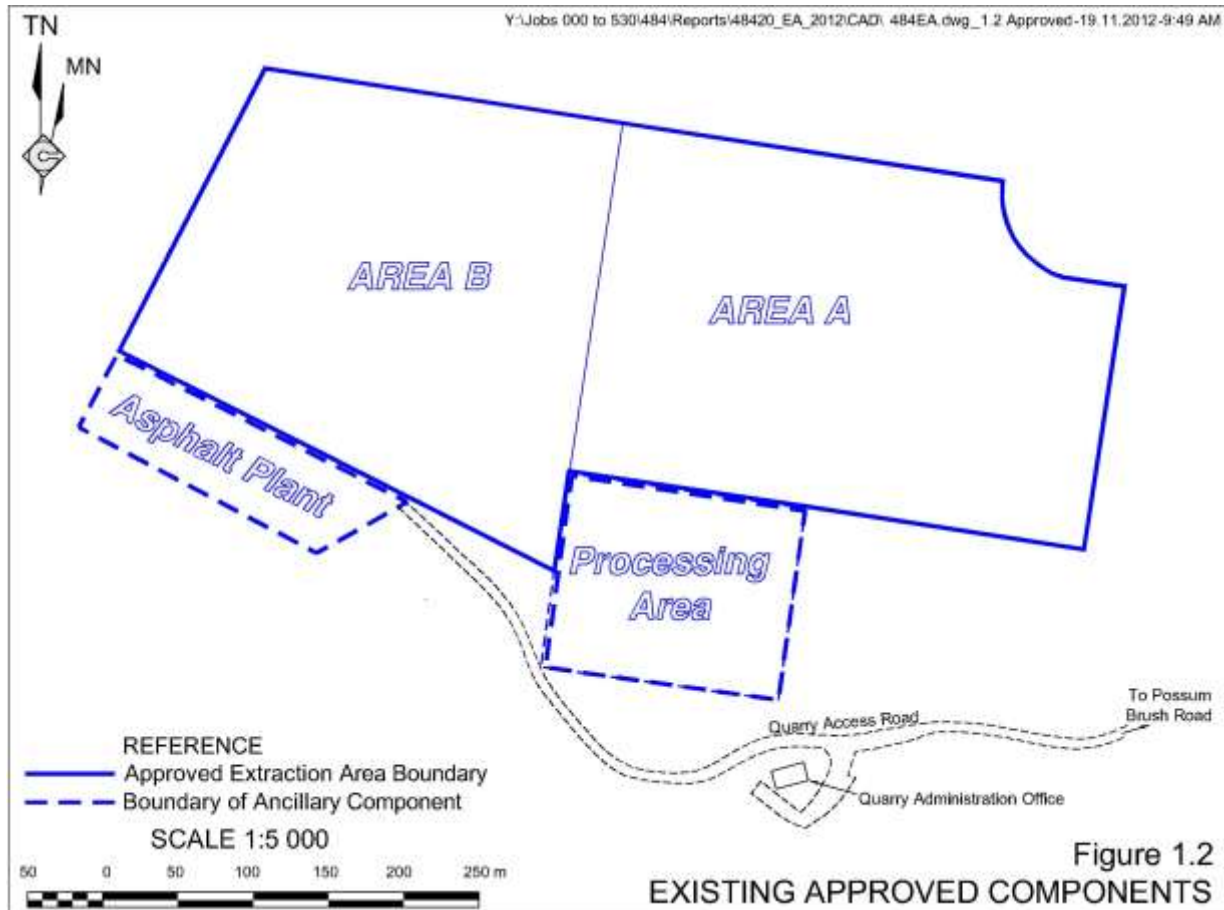
Figure 1.2 displays the approved extraction area (as defined in Figure 1 within Development Consent 283/97) together with areas nominated for the processing area and asphalt plant.

Since 1987, PBM has produced in excess of 3 million tonnes of products from the greywacke extracted within the Quarry Site. The Quarry is well recognised for the high quality of its construction aggregates with the products used on the Pacific Highway upgrades and other State and local roads between Newcastle and Coffs Harbour.

The Proponent obtained development consent from Greater Taree City Council in July 2005 to construct and operate an asphalt plant with an annual throughput of up to 30 000 tonnes. The approved area of the asphalt plant is displayed on **Figure 1.2**. This plant has provided the Proponent with the opportunity to use its premium aggregates in a range of hot mix/asphalt products used throughout its market area.







1.3 EXISTING QUARRY AND ITS ENVIRONMENTAL SETTING AND PERFORMANCE

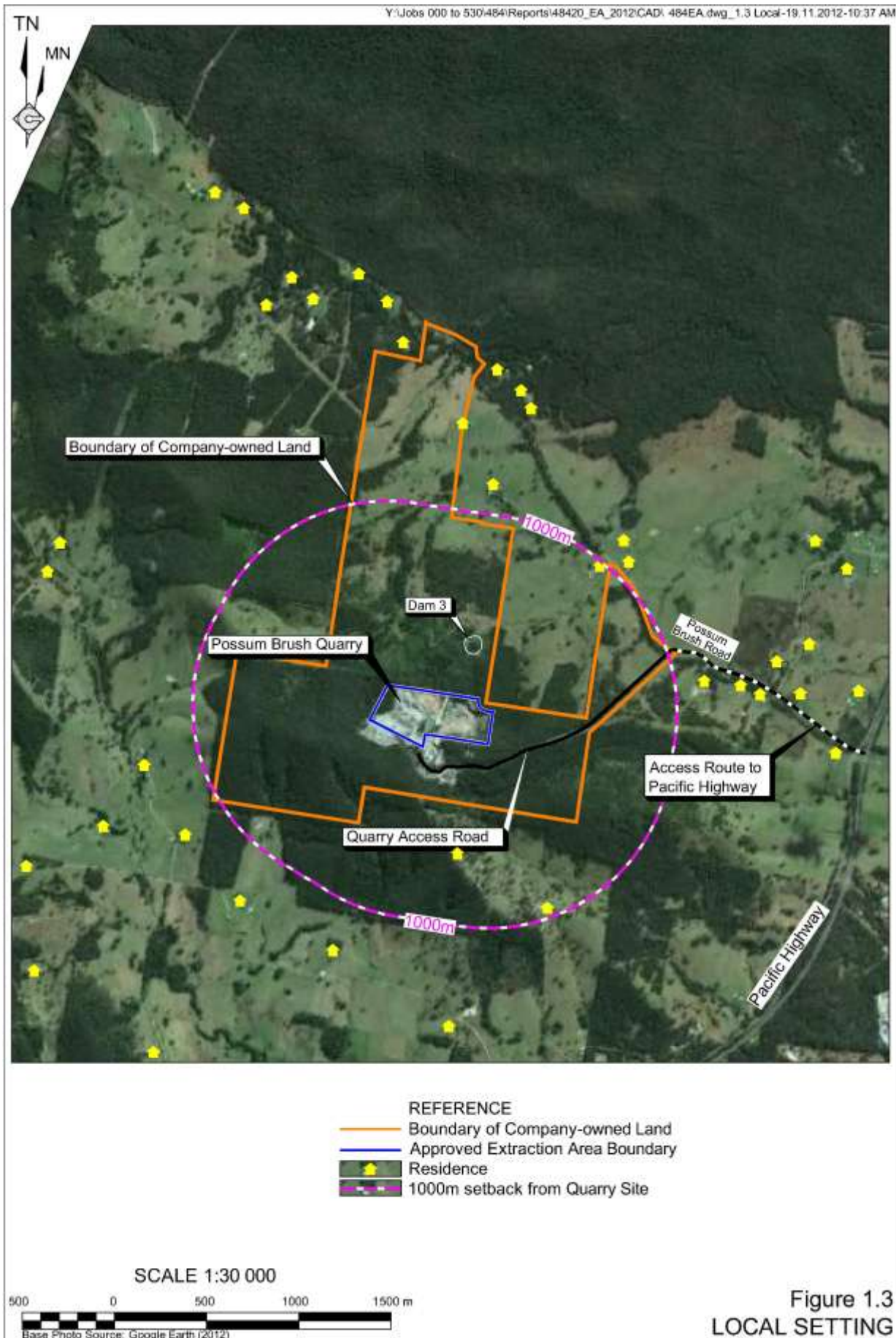
1.3.1 The Existing Quarry

Figure 1.2 displays the four main components of the existing quarry.

1. two extraction areas (Areas A and B) covering 14.7ha;
2. a processing area and associated stockpile areas covering 2.0ha;
3. an asphalt plant covering 1.2ha; and
4. the administration office and amenities are located adjacent to the approved extraction area and immediately south of the Quarry Access Road.

1.3.2 Environmental Setting

Possum Brush Quarry is located in an elevated hilly area west of the Pacific Highway in an area largely surrounded by substantially uncleared native vegetation to the west, south and east (Figure 1.3). The land to the north of the Quarry Site falls gradually to the north and northeast and comprises partially cleared grazing land. The vegetation on the northern side of the approved extraction area shields the extraction areas although small sections of the southern faces behind the asphalt plant and processing area are visible from one residence and short sections of Possum Brush Road.



A number of rural lifestyle blocks are located around the Quarry, i.e. beyond a substantial vegetated buffer around the extraction areas. The Quarry has been intentionally placed in areas that are well shielded both topographically and visually behind the substantial vegetation and at distances of greater than 1km to the residences to the east and northwest and approximately 0.5km from the closest residence to the south. It is noted that there is considerable topographic relief between the extraction areas and the various residences to the south.

Plates 1.1 to 1.4 display recent photographs of the main components of the Possum Brush Quarry. The locations and directions of these plates are displayed on **Figure 2.2**.

1.3.3 Environmental Performance

From an environmental perspective, the Quarry has operated for many years with few complaints being received. In recent years, however, some surrounding residents have raised issues relating principally to noise arising from trucks travelling on the steep section of the internal Quarry Access Road east of the Administration Office. Whilst the frequency of occurrence of noise related to incoming and departing trucks has been limited, the Proponent has endeavoured to eliminate this problem.

Environmental monitoring is undertaken as required by the Environment Protection Licence (EPL3393) for the Quarry. Full compliance is achieved for the water quality and blast monitoring. Noise monitoring has established that the relevant noise criteria on the EPL were complied with during the 2011-2012 monitoring although it is acknowledged truck noise was audible from some surrounding residences, albeit at levels comparable to truck noise originating from the Pacific Highway. **Attachment 2** reproduces the most recent noise monitoring report for a period during October 2012. It is noted that monitoring undertaken by the EPA in May 2012 recorded comparable levels to those presented in **Attachment 2**.

1.4 CONSULTATION

Prior to the lodgement of the modification application, the Proponent and/or RW Corkery & Co approached both Greater Taree City Council and EPA to discuss the proposed application.

An officer of the Greater Taree City Council inspected the Quarry, and the proposed additional extraction area in particular, and provided the Proponent with a letter advising “Council has no objection to the proposed modification” – see **Attachment 1**.

Discussions with Mr Peter Jamieson of the EPA (Newcastle Office) similarly established that the nature of the proposed modification was minor and given his knowledge of the Quarry did not expect any issues with the proposed modification.

The proposed modification was included in the 2011-2012 Annual Environmental Report for the Quarry which was presented to the Quarry Community Consultative Committee at its most recent meeting in October 2012. No resident representatives expressed any concerns to the Company’s proposal.



Plate 1.1: View to the southeast towards broken rock from a recent blast in Area B. (Ref: E484I-013)

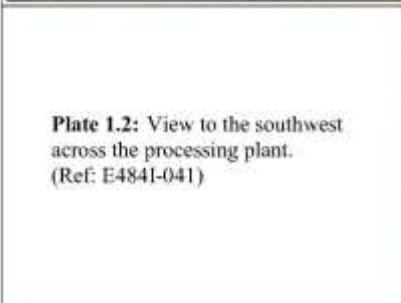


Plate 1.2: View to the southwest across the processing plant. (Ref: E484I-041)



Plate 1.3: View to the west towards the asphalt plant. (Ref: E484I-003)



Plate 1.4: View to the west towards the Quarry administration office. (Ref: E484-H072)



2. THE PROPOSED MODIFICATION

2.1 PROPOSED CONSENT MODIFICATION

The Proponent is seeking to modify Condition 1 of Development Consent 283/97 to the southern boundary of Extraction Area B as displayed in **Figure 2.1**. An amended copy of Figure 1 from Development Consent 283/97 showing the proposed modified boundary is included in **Attachment 1**. The modified condition would reference this document. No other modifications to the existing approval conditions are sought i.e. there would be no change to the approved production rate, hours of operation or life of the quarry.

2.2 MODIFIED EXTRACTION AREA B

Figure 2.1 displays the two approved extraction areas within the Possum Brush Quarry, namely Areas A and B, the approved processing area, asphalt plant, section of the Quarry Access Road and administration office together with the proposed additional extraction area in Area B north of the Quarry Access Road. The additional extraction area lies wholly within Lot 109 DP 753195 as displayed on **Figures 1.1** (Land Titles Inset) and **2.1**. It is noted that the additional extraction area covering 1 120m² amounts to less 1% of the existing 14.7ha approved extraction area.

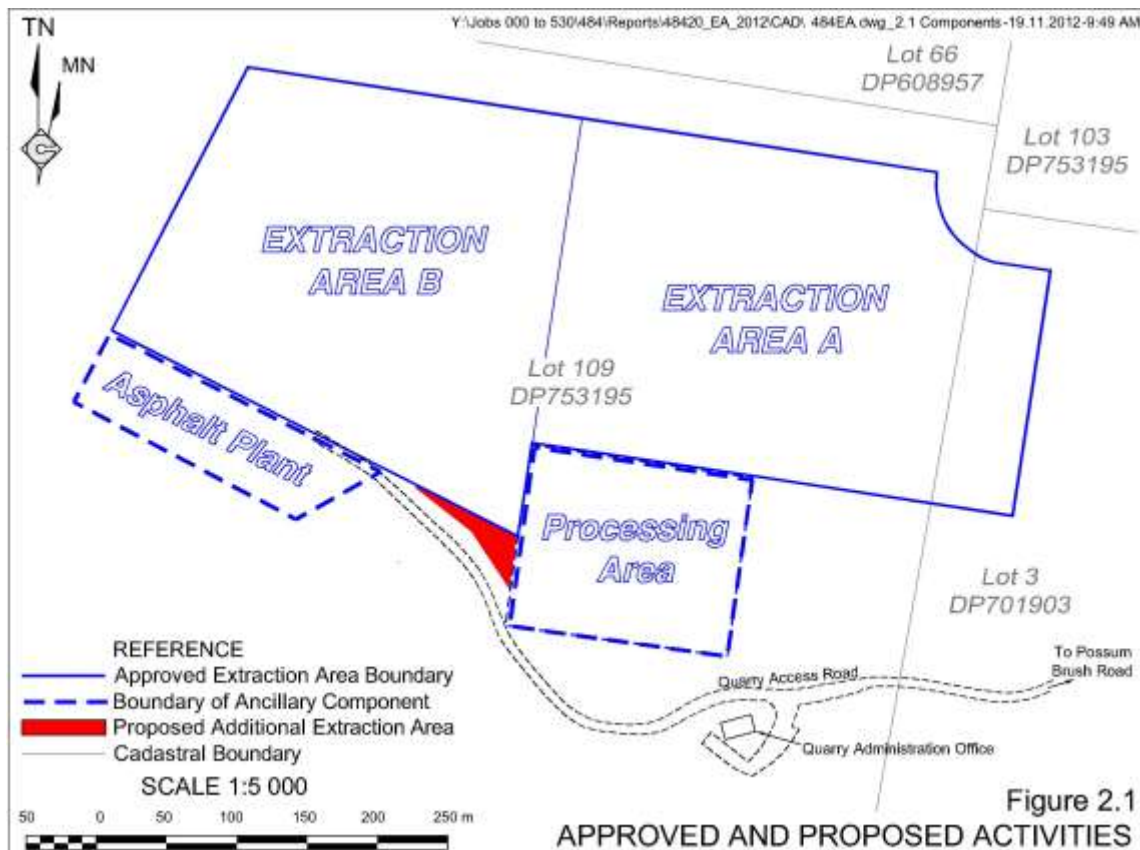


Figure 2.2 displays a detailed layout of Possum Brush Quarry extracted from the 2011/2012 Environmental Management Report identifying the proposed additional extraction area within the southeastern corner of Extraction Area B.

The proposed additional extraction area covers an area of approximately 1 120m² and would yield approximately 13 000 bank cubic metres of weathered greywacke suitable for use in select and road base products. **Plate 2.1** displays a view to the southwest towards the proposed additional extraction area identifying the approximate boundaries of the proposed additional extraction area.



Plate 2.1 View to the Southwest towards the
Proposed Additional Extraction Area (Ref: No. E484J_020)

Figure 2.3 displays the existing contours within the proposed additional extraction area. Essentially, the removal of the weathered greywacke within additional extraction area would enable the Proponent to develop a safer and more practical internal road network to allow separation of traffic in and around the workshop, weighbridge and processing area.

The proposed additional extraction area would be developed with two benches as displayed in Sections AA and BB in **Figure 2.3**. The benches within the proposed additional extraction area would be up to 8m to 10m high with a 3m wide catch bench and with a near horizontal bench at approximately 143m AHD. The final face angles both above and below the catch bench would be approximately 80°. The proposed additional extraction area would provide for a 10m to 15m wide setback from the edge of the existing workshops.



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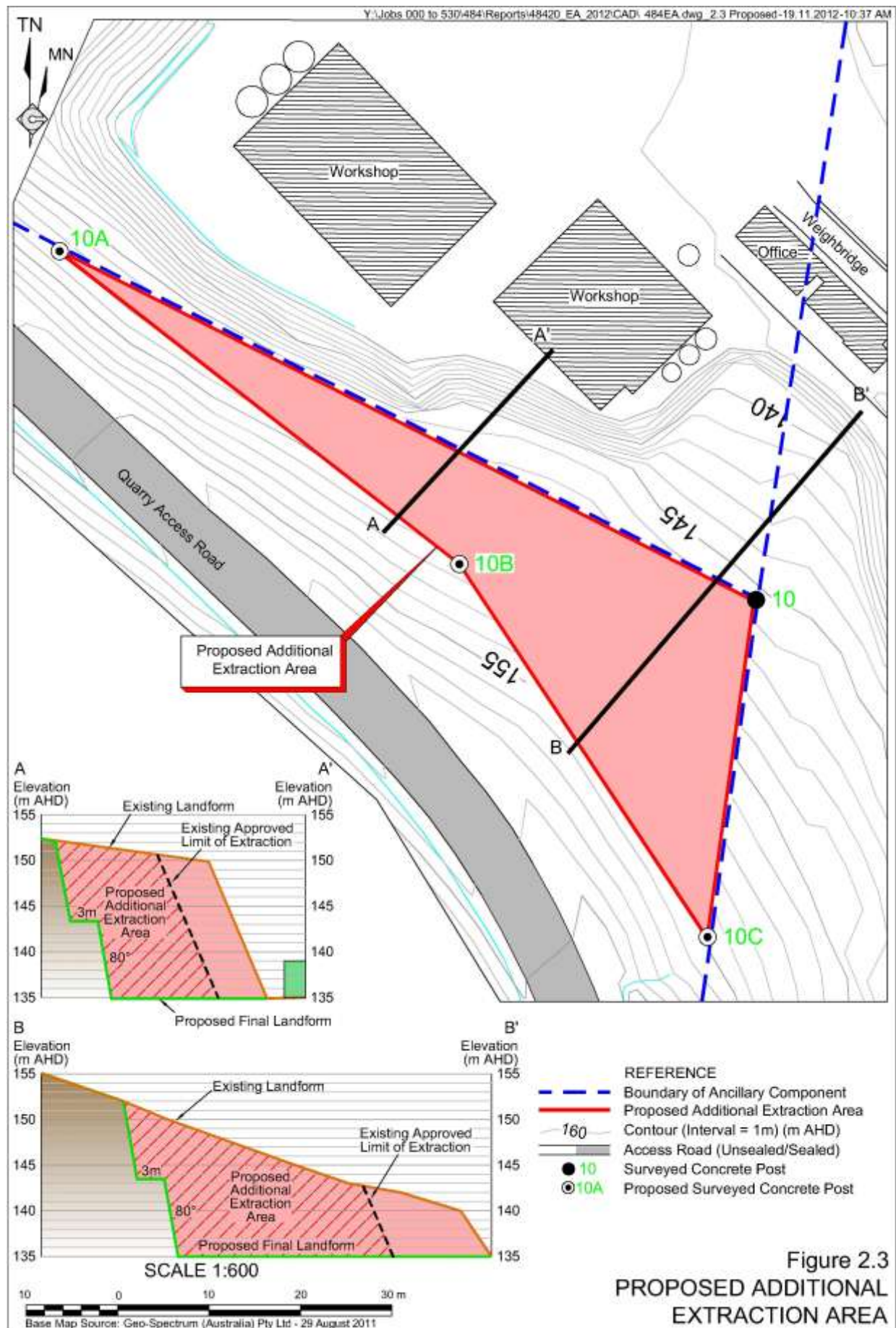


Figure 2.3
PROPOSED ADDITIONAL
EXTRACTION AREA

2.3 METHOD OF EXTRACTION

The proposed additional extraction area would firstly be marked out with new boundary pegs established at Points 10A, 10B 10C (see **Figure 2.3**). The remaining vegetation within this area would be removed and either mulched, used for firewood or agricultural purposes, e.g. fence posts.

Negligible soil is present within the proposed additional extraction area, however, the Proponent would attempt to recover the available topsoil for longer term rehabilitation activities on site. Any recoverable topsoil would be placed on quarry benches that are being finalised.

The weathered greywacke would be extracted using the on-site 65 tonne excavator. Access to the upper level of the additional extraction area would be gained from a ramp developed from the processing area. Extraction would commence in the upper section (i.e. above 143m AHD) with the excavated material placed on the floor of the existing extraction area and/or processing area below. Once extraction is completed on the upper level to approximately 143m AHD, a 3m wide catch bench would be retained and the lower section of the extraction area would then be extracted. All extracted material would be relocated to the surge stockpile adjacent to the processing plant (front-end loader/haul truck) for use as a raw material in the production of select or road base products.

The extraction activities within the proposed additional extraction area would be undertaken in conjunction with the proposed reshaping of the processing area as identified in **Figure 2.2**.

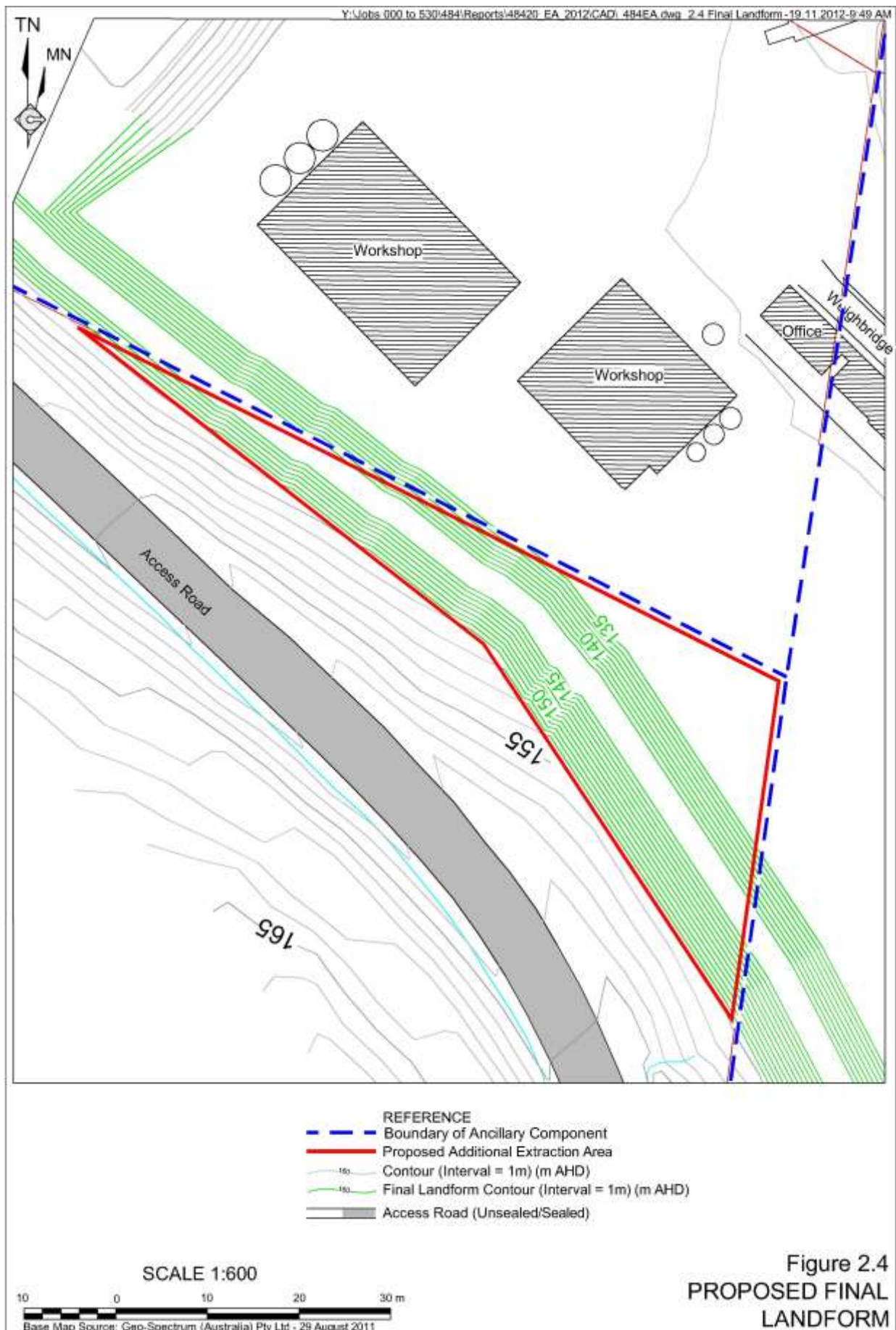
The extraction within the proposed additional extraction area would be undertaken over a period of approximately 2 months with the daily rate of extraction reflecting the requirements for products on that day of operations.

2.4 FINAL LANDFORM

Figure 2.4 displays the final landform at the end of the extraction activities within the proposed additional extraction area. Essentially, the final landform will provide a streamlined southern face behind the workshops with the highest section of the excavation being 155m AHD.

2.5 EMPLOYMENT

The proposed modification would not contribute to any changes to the workforce at the Quarry. Rather, the minor modification is proposed to provide a more practical and safe workplace for the Quarry's workforce.



3. ENVIRONMENTAL SAFEGUARDS AND IMPACTS

3.1 INTRODUCTION

This section provides a range of information about the proposed additional area and identifies the various design and operational safeguards that would be adopted by the Proponent during the extraction of the weathered greywacke within the proposed additional extraction area. The impacts of the extraction within the additional extraction area are provided based largely upon the performance of the existing quarry, based on observations by the document author and/or monitoring results.

3.2 NOISE

The proposed location of the additional area extraction within Area B will not require any additional noise safeguards beyond those already adopted within the Quarry. The proposed additional area for extraction is well shielded given its location at the southern side of Area B in an area shielded by the surrounding topography to the south, northeast and the east. All earthmoving equipment used for the proposed extraction is operated with standard exhaust mufflers and within the approved hours of operation.

The extraction of the material from the additional extraction area would be undertaken using the equipment already used in the same manner in the existing quarry. Essentially, the extraction in the southern-most section of Area B is most distant from the residences to the north and shielded substantially from the closest residence to the south by the existing topography between the Quarry and that residence. The elevations of the additional extraction area are marginally higher than the elevated areas within Area B that have been extracted during the past 5 years and proposed within 2012-2013. Given the extraction activities (including drilling) in those areas have not caused exceedances of noise criteria, the extraction within the additional extraction area would similarly not be expected to cause any noise exceedances, particularly since the additional extraction area is approximately 250m more distant from the residences to the north and northeast.

It is also noted that the activities within the additional extraction area would not be visible from any surrounding residence or public road due to a combination of natural topography and vegetation.

The extraction of the additional material would be undertaken within the normal extraction operations of the Quarry and would not involve the extraction of material above the approved annual rate of extraction.

The Proponent commissions annual noise monitoring programs by Spectrum Acoustics, the most recent of which is attached to demonstrate compliance with the Proponent's existing conditional requirements with Development Consent 283/97 and EPL3393. The noise monitoring established the Quarry operations are compliant with the conditional requirements of Development Consent 283/97 and EPL 3393. The Proponent acknowledges that noise levels are attributable to product trucks travelling on the steep section of the Quarry Access Road east of the administration office have been the subject of noise complaints in the recent past. However, noise measurements undertaken by Spectrum Acoustics and the EPA have established that the noise levels of the occasional truck travelling on the internal Quarry Access Road are comparable to the considerable number of heavy vehicles travelling on the nearby Pacific Highway, 24 hours per day.

It is concluded that in the absence of any substantial change in the method of operation and the proposed shielded location of the proposed additional area for extraction would not contribute to any change in the noise levels emitted from the Quarry. Hence, no changes in impacts would occur as a result of the operations within the additional extraction area.

3.3 AIR QUALITY

The proposed location of the additional area for extraction within Area B will provide considerable shielding from the prevailing winds in the vicinity of Possum Brush. The area is well shielded by topography to the west, south, east and northeast. The Proponent has established through the existing operations within weathered greywacke that there is sufficient moisture in the rock to limit dust generation during its extraction, particularly when extracted using an excavator.

The proposed extraction within the additional extraction area would not change the level of dust emissions within the Quarry as the proposed extraction would be undertaken in an area already extracted and proposed for extraction to provide the required landform for the processing area.

It is assessed that there would no change in the air quality surrounding the Quarry as a result of the proposed additional extraction operations, particularly since the proposed extraction would effectively occur instead of elsewhere in the approved extraction area. It is noteworthy that the shielded nature of the Quarry operations and the substantial native vegetation surrounding the Quarry has contributed to the low levels of dust beyond the activity areas. Given the absence of noticeable quarry-related dust in the local environment, there has been no requirement for dust monitoring. The absence of legitimate dust-related complaints since the Quarry commenced further supports the effectiveness of dust controls within the Quarry.

3.4 SURFACE WATER

The proposed surface water runoff from the proposed additional extraction area would flow in the same direction as it currently does towards, and into Dam No. 1. There is limited upslope runoff from the proposed additional extraction area as the Quarry Access Road located above the area (see **Figure 2.2**) collects the bulk of the upslope runoff for direction to the site water management system, also reporting to Dam No. 1.

The catch bench within the proposed additional extraction area will be designed to direct runoff from the additional extraction area and its upslope surrounds to a stable drop down area in the vicinity of Point 10A.

Dam 1 is the upper-most dam within the approved quarry area and is used as a source of water for dust suppression within the Quarry. As such, this dam rarely overflows, however, in an event that an overflow does occur, the water reports to a further dam (Dam 3 – **Figure 1.3**) beyond the northern boundary of the approved quarry on land owned by the Proponent. All monitoring undertaken of overflow from Dam 3 has complied with the discharge requirements of EPL 3933 at that location.

The absence of any change in the direction of runoff together the minimal change in the quantity of runoff (due to higher runoff coefficient), there would be no change in the existing impact. As a consequence, there would no additional impacts relating to surface water.

3.5 VISIBILITY

No additional safeguards are required to reduce or avoid visibility-related issues as the proposed additional extraction area is already shielded visually from all surrounding residences and the public road network. As a consequence, the extraction of the additional material will not cause any visual impacts.

3.6 ECOLOGY

The additional area within Area B is largely cleared as a result of previous clearing for bushfire control and for the installation of an internal overhead telephone line (see **Plate 2.1**). Only limited areas of low scrub and four regrowth trees with diameters greater than approximately 100mm would be removed. None of the trees to be removed contain tree hollows. The trees comprise two Grey Gums (*Eucalyptus punctata*) and two Narrow-leaved ironbark (*Eucalyptus crebra*). Neither tree species is listed as endangered nor is the community in which they are located. This vegetation community is common within and surrounding the Proponent's landholding. The impact of the removal of these four trees would be negligible, particularly in light of the considerable vegetation remaining on the Proponent's land outside the approved disturbance area.

3.7 ABORIGINAL HERITAGE

The additional extraction area lies in an area that was the subject of an archaeological survey conducted in 1994 by Brayshaw & Associates Consultant Archaeologists for the EIS for the 1997 development application. No sites or isolated finds of flaked-stone artefacts were located within the proposed areas of disturbance, nor are sites likely to be present given the comparatively steep topography, vegetation and lack of water. Reliance is placed upon the conclusion by Brayshaw & Associates in 1984 in which it is stated "there is no obstacle to development on archaeological grounds and the Koe-Inba Regional Aboriginal Sites Protection Committee recommended that "no Aboriginal impediment be placed on the proposed development of the area".

3.8 CONCLUSION

The proposed extraction within the additional area in Area B will provide the Proponent with a much more practical and safer working environment around the existing workshops, weighbridge and processing plant without any additional adverse impacts arising from the extraction activities. As consequence of no additional environmental impacts, it is considered appropriate for the requested modification to the boundary of Extraction Area B to be approved.

Attachments

Total number of pages including blank pages = 19

Attachment 1 Cover Letter with Application Form and
Supporting Documents

Attachment 2 Noise Monitoring Report 3 October 2012

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Attachment 1

Cover Letter with Application Form and Supporting Documents

Total number of pages including blank pages = 11

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OFFICE & QUARRY
Possum Brush Road
Possum Brush
PO Box 6
Nabiac NSW 2312
PH: (02) 6554 3206
FAX: (02) 6554 3250

19 November 2012

Director General
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir

Re: Modification of Development Consent 283/97 - Possum Brush Quarry

I am writing to formally request a modification of Development Consent 283/97. I have attached a copy of our application to modify a development consent and the *Environmental Assessment* prepared to support our Company's request. A CD incorporating an electronic version of the document is included on the inside front cover of the document.

You will note from the attached document that the modification sought is extremely small in scale as the proposed additional extraction area covers approximately 0.1ha and is designed principally to improve operational efficiency and safety within the quarry.

For your information, I have also attached a copy of correspondence from Greater Taree City Council in which Council records it does not object to the proposed modification as the proposal is minor in nature.

Given the very small scale of the modification and the sentiments from Council, I trust the application can be considered quickly so that we can commence this additional activity in the near future.

I trust the attached document incorporates all information required by the Department to assess this application. Should you require any further information or would like to discuss any of the information supplied, please do not hesitate to contact me.

Yours sincerely

Charlie Kennett
Quarry Manager/Director

Encl. Environmental Assessment & Application Form

Correspondence from Greater Taree City Council

P A C I F I C B L U E M E T A L P T Y L T D



31 October 2012

Pacific Blue Metal Pty Ltd
PO Box 6
NABIAC NSW 2312

Ref: 287/1997/DA
Enquiries: Arna Fotheringham

Dear Sir

Proposed Modification - Possum Brush Quarry

I refer to your email of 14 August 2012 in relation to a proposed modification to the existing development consent for the quarry.

As outlined, the intention of the proposed boundary realignment is to facilitate more efficient and safe access around the workshop and nearby processing plant. The plan submitted to Council nominates the additional area which covers approximately 1120m².

An inspection of the proposed site was carried out on 25 October 2012 which indicated the proposal to be minor in nature. In addition, Council has been advised that consideration will be given to the proposal by the Department of Planning under Section 75W of the EP & A Act, being the mechanism for the Minister to modify a ministerial approval.

Therefore, in accordance with the information provided, you are advised that Council has no objection to the proposed modification.

Yours faithfully


Arna Fotheringham
Development Planner

Application to modify a development consent



NSW GOVERNMENT
Department of Planning

Date lodged: ____/____/____

DA modification no. _____
(Office use only)

1. Before you lodge

This form is to be used for applications to modify Part 4 development consents under section 96 or 96AA of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This form is also to be used for Part 4 development consents that are to be modified under section 75W of the Act.

Disclosure statement

Persons lodging modification applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. For more details, including a disclosure form, go to www.planning.nsw.gov.au/donations.

Lodgement

Anyone wishing to lodge an application is recommended to call the Department of Planning to discuss their proposal and modification application requirements prior to lodging their application. You can lodge your completed form, together with attachments and fees at the relevant Department of Planning office listed below. Please lodge Part 4 modification applications with the Department of Planning head office or, for modification applications that are within the Kosciuszko ski resorts area, the Department's Alpine Resorts team.

NSW Department of Planning
Head Office
Ground Floor, 23–33 Bridge Street, Sydney NSW 2000
GPO Box 39 Sydney NSW 2001
Phone: 1300 305 695 Fax: (02) 9228 6555
Email: information@planning.nsw.gov.au

NSW Department of Planning
Alpine Resorts Team
Shop 5A, Snowy River Avenue
PO Box 36, Jindabyne NSW 2627
Phone: (02) 6456 1733 Fax: (02) 6456 1736
Email: alpineresorts@planning.nsw.gov.au

To minimise delay in receiving a decision about your application, please ensure you submit all relevant information to the Department. When your application has been assessed, you will receive a notice of determination.

2. Applicant and contact details

Company/organisation/agency		ABN	
<input type="text" value="PACIFIC BLUE METAL PTY LTD"/>		<input type="text" value="45 050 224 250"/>	
<input type="checkbox"/> Mr <input type="checkbox"/> Ms <input type="checkbox"/> Mrs <input type="checkbox"/> Dr <input type="checkbox"/> Other <input type="text"/>			
First name		Family name	
<input type="text"/>		<input type="text"/>	
STREET ADDRESS			
Unit/street no.	Street name		
<input type="text" value="113/115"/>	<input type="text" value="POSSUM BRUSH ROAD"/>		
Suburb or town	State	Postcode	
<input type="text" value="POSSUM BRUSH"/>	<input type="text" value="NSW"/>	<input type="text" value="2430"/>	
POSTAL ADDRESS (or mark 'as above')			
<input type="text" value="PO BOX 6"/>			
Suburb or town	State	Postcode	
<input type="text" value="NABIAC"/>	<input type="text" value="NSW"/>	<input type="text" value="2312"/>	
Daytime telephone	Fax	Mobile	
<input type="text" value="(02) 6554 3206"/>	<input type="text" value="(02) 6554 3250"/>	<input type="text" value="(0428) 684 115"/>	
Email			
<input type="text" value="pacificbluemetal@bigpond.com"/>			

3. Property description

Unit/street no. (or lot no. for Kosciuszko ski resorts)

113/115

Street or property name

POSSUM BRUSH ROAD

Suburb, town or locality

POSSUM BRUSH

Postcode

2430

Local government area

GREATER TAREE

Lot/DP or Lot/Section/DP or Lot/Strata no.

Please ensure that you put a slash (/) between lot, section, DP and strata numbers. If you have more than one piece of land, you will need to separate them with a comma e.g. 123/579, 162/2.

109/753195, 3/701903, 66/608957

Note: You can find the lot, section, DP or strata number on a map of the land or on the title documents for the land, if title was provided after 30 October 1983. If you have documents older than this, you will need to contact the NSW Department of Lands for updated details. If the subject land is located within the Kosciuszko ski resorts area, DP and strata numbers do not apply.

4. Details of the original development consent

Briefly describe your approved development in the space below. If the development has been modified previously you must list all previous modifications and the relevant determination date(s).

The proposed development would involve the extraction of weathered rock within an 1 120 square metres area on the southeastern side of the existing approved Extraction Area B. The extraction would improve access within and around the extraction area, nearby processing area and provide a greater level of safety within the Quarry. The development consent has been modified on two occasions previously.

04/03/03 - relating to Possum Brush Road roadworks.

05/12/06 - relating to maintenance payments for Possum Brush Rd.

What was the original development application no.?

DA 283/97

What was the date consent was granted?

25 May 1998

What was the original application fee?

\$1752.00

5. Type of modification

An application under section 96 of the EP&A Act is an application to modify a development consent. Modifications to a development consent can also be made under section 75W of the EP&A Act, or section 96AA for court granted consents.

There are five types of modification applications. Please tick the type of modification application that is being sought:

- ☐ Section 96(1) involving minor error, misdescription or miscalculation.
- ☐ Section 96(1A) involving minimal environmental impact, where the development as originally approved remains substantially the same.
- ☐ Section 96(2) other modification, where the development as originally approved remains substantially the same.
- ☐ Section 96AA modification of consent granted by the Land and Environment Court, where the development as originally approved remains substantially the same.
- ☒ Section 75W modification, involving use of Part 3A processes to modify the Part 4 consent.

Note: If the proposed modification will lead to the consented development being not 'substantially the same' (except in the case of a proposed modification under section 75W) then you will need to submit a new development application.

6. Extent of modification

Will the modified development be substantially the same as the development that was originally approved?

No ☐ ➤ Please submit a new development application.

Yes ☐ ➤ Please provide evidence that the development will remain substantially the same. (If you need to attach additional pages, please list below the material attached).

Note: Question 6 does not apply to proposed modifications under section 75W.

7. Description of modification

- In the case of a section 96(1) application, indicate the nature of the minor error, misdescription or miscalculation in the space below.
- In the case of a section 96(1A), section 96(2) or section 96AA application describe the impact of the modification in the space below. A statement of environmental effects will need to accompany the application, which includes an assessment of the development as proposed to be modified in accordance with section 79C(1) of the EP&A Act. Provisions of the *Heritage Act 1977* may also apply for works to a heritage item or works adjoining a heritage item.
- In the case of a section 75W application under clause 8J(8) of the Environmental Planning and Assessment Regulation 2000, a development consent in force immediately before the commencement of Part 3A of the Act may be modified under section 75W as if the consent were an approval under that Part. However, approval from the Minister is required to lodge a section 75W application. **Applicants should contact the Department first if they are considering applying for a modification under section 75W.**

Regardless of the type of modification, please state below the specific conditions of consent to be modified, deleted or additional conditions request, and details of any other changes being sought.

It is respectfully requested to adjust Condition 1 of DA 283/97 to refer to the attached Environmental Assessment outlining the information relevant to the proposed minor additional extraction area at the Quarry. Reference could also be made to Figure 1 (Amended) included in Attachment 1.

Note: If your proposal is within Kosciuszko ski resorts area, please attach a copy of the Interim Lease Variation Approval received from the Department of Environment and Climate Change to your application.

8. General terms of approval from State agencies

If the original development application was classified as integrated development and required approval from one or more State agencies, list them in the space below and their respective general terms of approval. Depending on the type of modification, it may be necessary to refer the modification application to the approval body.

Environment Protection Authority - general terms of approval were incorporated into Environment Protection Licence 3393

9. Number of jobs to be created

Please indicate the number of jobs the proposed development will create. This should be expressed as a proportion of full time jobs over a full year, (e.g. a person employed full time for 6 months would equal 0.5 of a full time equivalent job, six contractors working on and off over 2 weeks equal to 2 people working full time for 2 weeks, which equals approximately 0.08 of an FTE job).

Construction jobs (full time equivalent) 0

Operational jobs (full time equivalent) No Change

10. Application fee

Part 15 of the Environmental Planning and Assessment Regulation 2000 sets out how to calculate the fees for an application for modification of a development consent. If your development needs to be advertised to the public you may also need to include an advertising fee.

Note: Advertising fees attract GST, all other fees do not.

Please contact the Department in order to calculate the fee for your modification application.

Estimated cost of the development	Original application fee	Total fees lodged
\$10 000 (\$0.77/cubic metre).	\$1 752.00	\$5 000.00

11. Political donation disclosure statement

Persons lodging modification applications are required to declare reportable political donations (including donations of or more than \$1,000) made in the previous two years. Disclosure statements are to be submitted with your application.

Have you attached a disclosure statement to this application?

Yes ☒

No ☐

Note: For more details about political donation disclosure requirements, including a disclosure form, go to www.planning.nsw.gov.au/donations.

12. Owner's consent

The owner(s) of the land to be developed must sign the application. If you are not the owner of the land, you must have all the owners sign the application. If the land is Crown land, an authorised officer of the NSW Department of Lands must sign the application. An original signature must be provided.

As the owner(s) of the above property, I/we consent to this application.

Signature 

Name ARCHUAN A. KENNETT

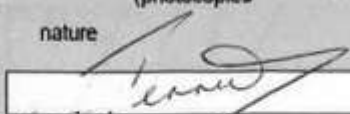
Date 19-11-2012

Signature 

Name DON. CLARK

Date 19-11-2012

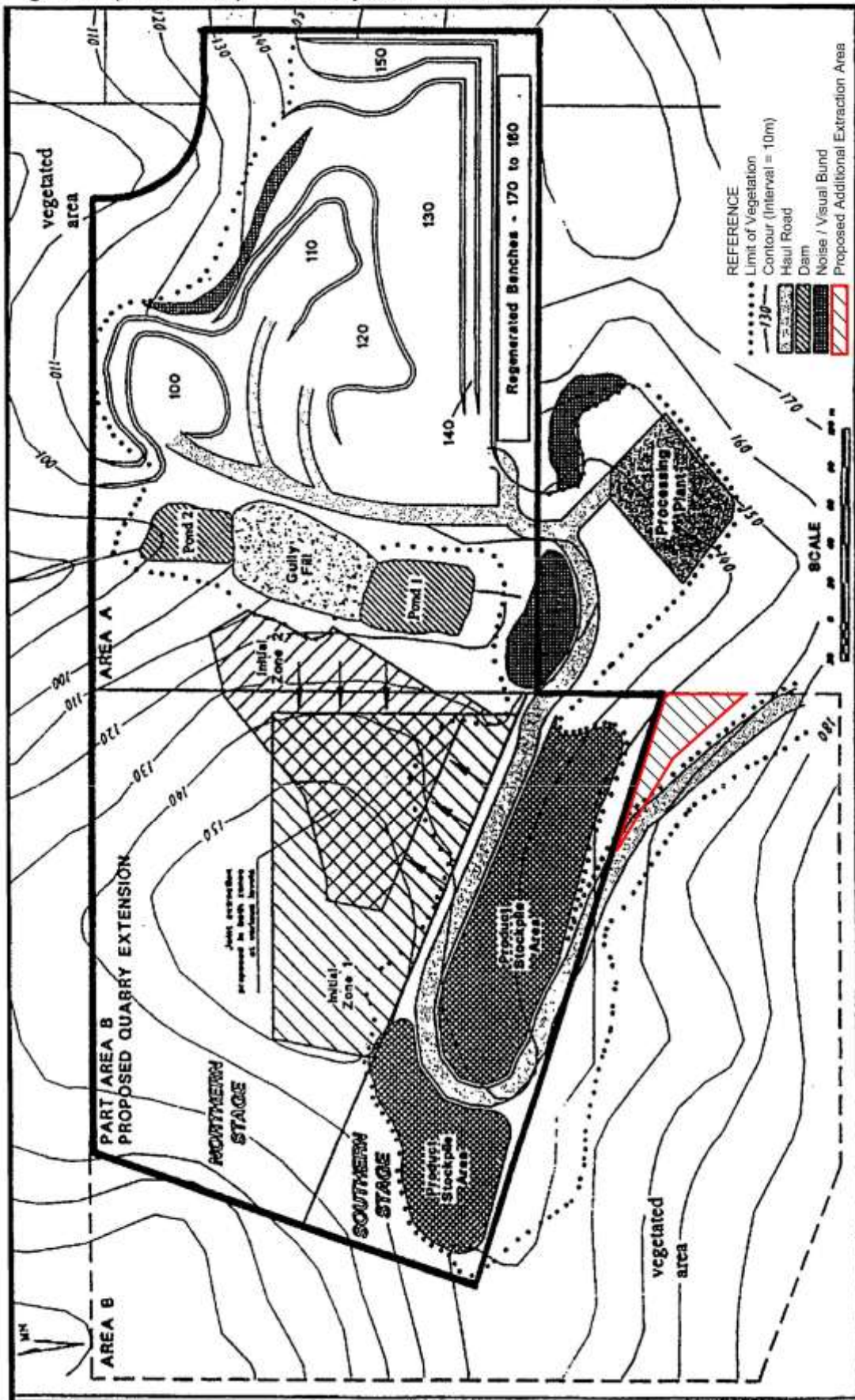
Note: For applications within the Kosciuszko ski resorts area, the approval of the lessee rather than the owner is required.

The applicant, or the applicant's agent, must sign the application. Only an original signature will (photocopies)	
nature	you
	applicant
<input type="text"/>	<input type="text"/>
Date	Name, if you applicant
<input type="text"/>	<input type="text"/>

The information you provide in this application will enable the Department, and any relevant state agency, to assess your application under the *Environmental Planning and Assessment Act 1979* and other applicable state legislation. If the information is not provided, your application may not be accepted.

If your application is for designated development or advertised development, it will be made available for public inspection and copying during a submission period. Written notification of the application will also be provided to the neighbourhood. You have the right to access and have corrected any information provided in your application. Please ensure that the information is accurate and advise the Department of any changes.

Figure 1 (Amended) - Site Layout Plan and Extraction Areas



753195



GREATER TAREE CITY COUNCIL

ADMINISTRATION CENTRE: 2 PULTENEY ST., TAREE 2430.
(P.O. BOX 482) TELEPHONE: (065)913399
D'Y 7020 TAREE FACSIMILE: (065)913311

OFFICIAL RECEIPT

ISSUED SUBJECT TO CHEQUES BEING PAID

GENERAL MANAGER

OFFICE HOURS:

TAREE: 8.30am to 4.30pm.

WINGHAM: 8.30am to 2.00pm; 2.30pm to 4.30pm.

DA/283/97 - PACIFIC BLUE METAL P/L

DA FEES	JGP	023334	0000	
SUNDRIES	G.8103.040.	01		\$240.00
DA ARCHIVE	JGP	023334		\$12.00
Receipt 02	23334	Total		\$1752.00
Paid by Chq.		1752.00		12/09/97

DA/283/97 - PACIFIC

To Council promptly to ensure your application is processed

- | | | |
|---|---|---|
| <input type="checkbox"/> Application fee \$ | <input type="checkbox"/> Archive fee \$ | <input type="checkbox"/> Building inspection fee \$ |
| <input type="checkbox"/> Advertising fee \$ | <input type="checkbox"/> Other \$ | |
| <input type="checkbox"/> Plans | | |
| <input type="checkbox"/> Specifications | | |
| <input type="checkbox"/> Neighbour notification plans (A3) | | |
| <input type="checkbox"/> Registered property owner's consent | | |
| <input type="checkbox"/> Builders details | | |
| <input type="checkbox"/> Plumbers details | | |
| <input type="checkbox"/> Council to sight original & retain copy of : | <input type="checkbox"/> Insurance certificate | |
| | <input type="checkbox"/> Long service levy receipt | |
| | <input type="checkbox"/> Owner builder's permit | |
| | <input type="checkbox"/> Survey report <i>or</i> receive certified copy | |
| <input type="checkbox"/> Septic tank requirements - <i>see attached sheet</i> | <input type="checkbox"/> Soil test booked | |
| <input type="checkbox"/> Other | | |

You will be notified after your application has been determined.

per

PLANNING & BUILDING DEPARTMENT

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Attachment 2

Noise Monitoring Report

3 October 2012

Prepared by
Spectrum Acoustics Pty Ltd

Total number of pages including blank pages = 5

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18 October 2012

Ref: 09497/4535

Mr. Charlie Kennett

Pacific Blue Metal Pty Limited
P.O. Box 6
Nabiac NSW 2312

RE: POSSUM BRUSH QUARRY – NOISE MONITORING, OCTOBER 2012

This letter report presents the results of noise monitoring conducted for Pacific Blue Metals at their Possum Brush Quarry on Wednesday October 3, 2012 at approximately 3.55 p.m.

The noise monitoring was carried out to determine compliance with the Environmental Licence for the quarry (EPL condition L6.1). Noise measurements of fifteen minutes duration were taken, in each of the day, evening and night time periods, with a third-octave band Bruel & Kjaer Observer sound level meter (Type 1). The monitoring locations are shown below in **Figure 1**. The relevant noise limits for each location are shown in **Table 1** (as per condition L6.1). The L_{max} criterion is applicable for night time operations only (i.e. between 10.00 pm and 7.00 am Monday to Saturday and to 8.00 am on Sundays and Public Holidays).

Table 1 : Noise Limits – Possum Brush Quarry

Location	dB(A) Leq (15 min)	dB(A), L _{max}
1. 5 St Peters Close	39	45
2. 175 Possum Brush Rd	38	45
3. 55 Possum Brush Rd	37	45

The quarry was operating typically throughout all of the monitoring periods. During the evening period the asphalt plant was running at the site and trucks were being loaded. Measurements at each location were timed to coincide with truck movements.

Measured noise levels are summarised in **Table 2**. An analysis of the data was undertaken using Bruel & Kjaer Evaluator software which, when referenced to site observations, enables the identification of noise not related to the quarry and the calculation of the contribution of quarry noise to overall received noise levels. The respective estimated noise contributions are shown in brackets in Table 2.



Possum Brush Quarry Noise Monitoring October 2012



Figure 1 Noise Monitoring Locations

Table 2 : Noise Monitoring Results – 3 October 2012

Location	Wind Speed/dir	dB(A), LAeq	Comments
5 St Peters Close 4.45 pm	0.5ms/E	40	Distant traffic (39), Quarry (32)¹ , birds & insects (31)
5 St Peters Close 8.02 pm	1.0ms/ENE	38	Distant traffic (35), Quarry (33)¹ , frogs and insects (32)
175 Possum Brush Rd 3.55 pm	1.0ms/E	39	Distant traffic (38), birds & insects (30), Quarry inaudible
175 Possum Brush Rd 7.10 pm	1.0ms/ENE	43	Birds & insects (40), distant traffic (40), Quarry inaudible
55 Possum Brush Rd 4.14 pm	1.0ms/E	54	Distant traffic (53), traffic on Possum Brush Rd ² (44), birds (42), Quarry inaudible
55 Possum Brush Rd 7.35 pm	1.0ms/ENE	51	Distant traffic (47), traffic on Possum Brush Rd ² (46), insects (46), Quarry inaudible

1. Quarry noise is that of trucks on access road

2. Noise from quarry trucks on public road

The results shown in Table 2 indicate that, under the operational and atmospheric conditions at the time, noise emissions from the quarry did not exceed the relevant noise criteria at any monitoring location at any time during the survey.

The asphalt plant at the quarry commenced work in early evening and ceased at around 9 pm. During the monitoring periods the trucks on the quarry access road (when they are considered as a site noise source) were audible at each of the monitoring locations at 5 St Peters Close and 175 Possum Brush Road.

The measurement at 5 St Peters Close shown in Table 2 for “Quarry” represents the calculated 15 minute Leq level of truck noise from the quarry access road.





Possum Brush Quarry Noise Monitoring October 2012

For the day time period it represents two trucks with Leq noise levels of 42.5 and 42 dB(A) over 45 second periods respectively (i.e. time audible for each truck). The total combined noise for the 15 minute period was, therefore, 29.5 dB(A) plus 29 dB(A), which is **32.3 dB(A) Leq (15 min)**.

For the evening time period it represents three trucks with Leq noise levels of 39 dB(A) over 90 seconds 38 dB(A) over 40 seconds and 41.6 dB(A) over 50 seconds respectively (i.e. time audible for each truck). The total combined noise for the 15 minute period was, therefore, 29 dB(A) plus 25 dB(A) plus 29 dB(A), which is **32.8 dB(A) Leq (15 min)**. Note that the evening measurement at 5 St Peters Close was carried out over an approximate 25 minute period with trucks on the access road at 8.05, 8.16 and 8.21 pm.

At 175 Possum Brush Road neither quarry noise nor noise from trucks on the access road was audible at any time.

At 55 Possum Brush Road the quarry was not audible. The noise from quarry trucks on Possum Brush Road was measured during the evening and night time monitoring periods. In NSW noise from vehicles on public roads is assessed separately to site noise. The criterion for noise from traffic travelling on Possum Brush Road is **55 dB(A) Leq (1 hour)** during the day and **50 dB(A) Leq (1 hour)** at night. In relation to traffic noise day is considered as the time between 7.00 am and 10.00 pm, with night all other times.

Based on the worst case measured noise levels for a truck pass by it can be calculated that there can be up to 9 trucks per hour at night on Possum Brush Road before the criterion is exceeded at the monitoring location at 55 Possum Brush Road. During the day (up to 10.00 pm) there may be up to 25 trucks per hour before the criterion is exceeded.

We trust this report fulfils your requirements at this time, however, should you require additional information or assistance please do not hesitate to contact the undersigned.

Yours faithfully,

SPECTRUM ACOUSTICS PTY LIMITED

A handwritten signature in black ink, appearing to read "Ross Hodge".

Ross Hodge
Acoustical Consultant



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