

Development Application
Material Change of Use —
Extractive Industry (Extension to existing
gravel quarry including extracting,
screening and processing up to 250,000
tonne per annum over four stages)
Clarkes Road, Gin Gin
(described as Lot 104 on RP21941)



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Revision	Date	Chapter/section/page revised	Signatures		
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SUMMARY

This planning assessment report addresses the planning instruments relevant to the proposed extension to an existing quarry at Clarkes Road, Gin Gin (described as Lot 104 on RP21941). The subject site has a current development permit for an 'Extractive Industry', allowing extraction and screening of up to 49,900 tonne of material per annum, but seeking a development approval to increase this amount to 250,000 tonne per annum over 4 stages. As such the proposed extension constitutes a 'material change of use', as there is a material increase in the intensity and scale of the use.

The proposed use is defined as an 'Extractive Industry' under the *Kolan Shire Planning Scheme 2006*, which requires a Code Assessable application to be lodged with Bundaberg Regional Council (Assessment Manager). The proposal also includes the following Environmentally Relevant Activities (ERAs)—'Extracting Material' and 'Screening Material'. The site has all necessary services to support the development including on-site water storage and effluent disposal systems, stormwater drainage and all weather access roads. The proposed development is consistent with the provisions of the *Kolan Shire Planning Scheme 2006* and supports the existing quarry operations on the site.

Heavy vehicle access is already available to the site via the existing access on McIlwraith/Clarkes Road, which also provides access to another approved quarry operator's site to the south of the subject site (Lot 103 on RP21942). The operational aspects of the quarry would be in accordance with operational criteria issued by the Department of Environment and Heritage Protection. Significant natural vegetation exists on-site and would appropriately buffer the operation from public view to ensure no negative impact on visual amenity in this locality.

The proposed quarry would be a positive contribution to the community, with the significant need for gravel and road material currently being required for construction and road projects. This report concludes that there are sufficient grounds to support this proposal under the provisions of the *Kolan Shire Planning Scheme 2006*, subject to reasonable and relevant conditions.

1

INTRODUCTION

1.1 Background

Coachtrail Investments Pty Ltd have commissioned InsiteSJC to prepare this report to accompany a development application for a Material Change of Use for an Extractive Industry for an extension to an existing gravel quarry (extracting, screening and processing up to 250,000 tonne per annum of quarry material over four stages) at Clarkes Road, Gin Gin (described as Lot 104 on RP21941). The threshold for each stage is identified below –

- Stage 1 – up to 100,000 tonnes per annum
- Stage 2 – up to 150,000 tonnes per annum
- Stage 3 – up to 200,000 tonnes per annum
- Stage 4 – up to 250,000 tonnes per annum

1.2 Purpose of report

This report –

1. describes the proposed development;
2. identifies applicable assessment criteria and development criteria;
3. demonstrates compliance with the applicable assessment criteria.

2.1 The proposal

The applicant proposes to expand the existing quarry operations over the subject site at Clarkes Road, Gin Gin (described as Lot 104 on RP21941). The increased operations would provide increased supply of road base material in response to increased current and forecast demand in the region.

The existing facility provides material used predominately in road construction, the current approval for the site allows extraction and screening up to 49,900 tonne per year. This application seeks approval to increase operations for extraction, screening and processing up to 250,000 tonne per annum. The proposed operations would include—

- new extraction areas that extend on the existing approval areas;
- new material stockpile areas in addition to the existing stockpile areas;
- proposed weighbridge;
- proposed site office (demountable); and
- existing dam.

The operations are illustrated on the Proposed Quarry Site Plan prepared by InsiteSJC, dated July 2015, attached at Appendix A. An assessment of the proposal against the relevant planning provisions is provided in Part 4 of this report.

The proposal constitutes a ‘material change of use’ as there is a material increase in the intensity and scale of the use, which is assessable development under the planning scheme. It therefore requires a development permit for ‘Extractive Industry’ under the *Kolan Shire Planning Scheme 2006* and environmental licenses for Environmentally Relevant Activities (ERAs) under the *Environmental Protection Regulation 2008*. Assessment of both components of the application occurs through the IDAS process under the *Sustainable Planning Act 2009*, as the applicable ERAs are identified as ‘Concurrence’. The operational aspects of the proposed quarry would be governed by the operational criteria required by the Department of Environment and Heritage Protection relating to extractive activities.

Access to the site would be via the previously approved McIlwraith/Clarkes Road, which is bitumen sealed up until approximately 400m west of the subject site. The 400m unsealed section is currently only shared by the subject site and the existing quarry immediately south. There is an existing dam on the site, which would be utilised to provide a water for the quarry, all water used as part of the operations would be recycled on-site.

The quarry use would operate 6 days a week between 6am – 6pm, and accordingly would have limited impacted on the quiet enjoyment of nearby residences at nights or on Sundays. Vehicle movements would include small body trucks with a capacity for 12 tonne of material and a larger semi-trailer or body truck and “dog” trailer with a 24 - 32 tonne capacity.

The proposed development would occur over the following stages —

- Stage 1 (up to 100,000 tonne per annum);
- Stage 2 (up to 150,000 tonne per annum);
- Stage 3 (up to 200,000 tonne per annum); and
- Stage 4 (up to 250,000 tonne per annum).

It is proposed that blasting would occur as part of the proposed extension.

2.2 Environmentally Relevant Activities under the Environmental Protection Regulation 2008

The proposal seeks licenses for Environmentally Relevant Activities including Extracting Material and Screening Material as per the classifications within the Environmental Protection Regulation 2008. These activities are associated with and requires as part of the proposed expansion of the extractive industry operations. A summary of these activities are listed below.

1.1.1 Extracting Activities

“Extractive activities” is defined under the Environmental Protection Regulation 2008 as—

- (1) Extractive activities (the relevant activity) consists of any of the following —
 - (a) Dredging a total of 1000t or more of material from the bed of naturally occurring surface waters in a year,
 - (b) Extracting, other than by dredging, a total of 5000t or more of material, in a year, from an area.

The proposal would include extracting, other than by dredging, in a year more than 100,000t but no more than 1,000,000t of material, triggering threshold 2(b).

1.1.2 Screening Activities

“Screening activities” is defined under the Environmental Protection Regulation 2008 as—

- (2) Screening activities (the relevant activity) consists of any of the following —
 - (a) Screening 5000t or more of material, in a year.

The proposal would include screening, in a year more than 100,000t but no more than 1,000,000 of material, triggering threshold 3(b).

2.3 Building and operational work

No building work or operational work applications are included as part of this development application, however, it is acknowledged that subsequent work approvals may be required.

3 SITE

3.1 Location

The site is located at Clarkes Road, Gin Gin, on land described as Lot 104 on RP21941. The site is approximately 4.5km south-east of the town of Gin Gin, and around 3.5km south-east of Bundaberg Gin-Gin Road (a State-controlled road).

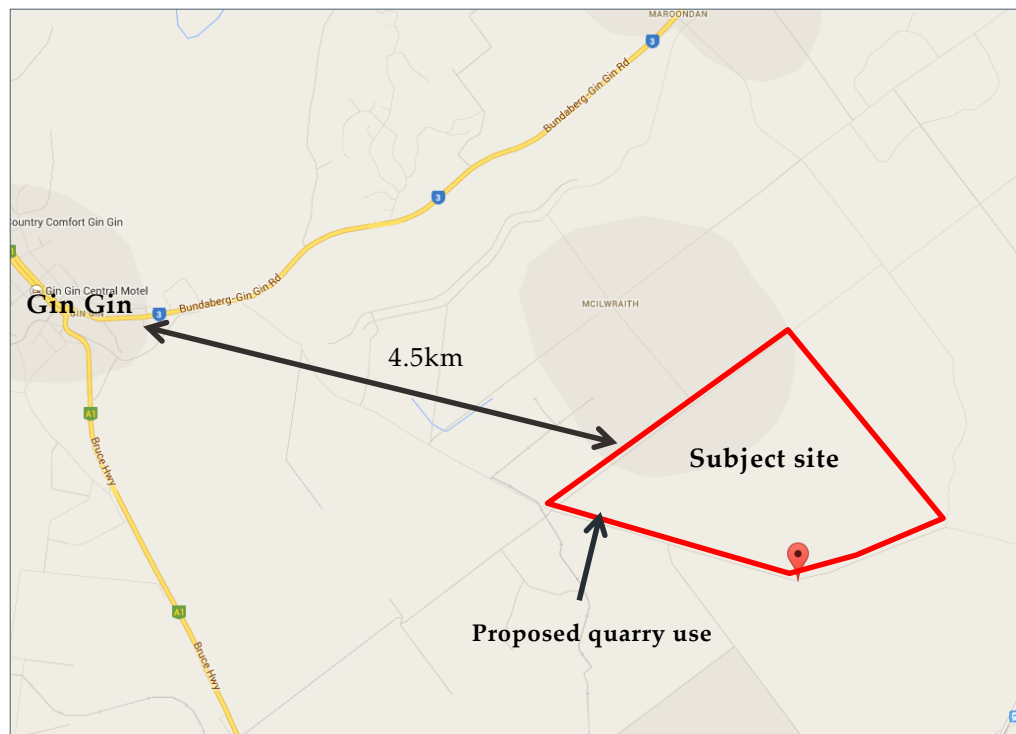


Figure 1—Locality Plan (Source: Google Maps)

4.1.1 Site characteristics

The site is an irregularly shaped lot with approximately a 400m unsealed road frontage to McIlwraith/Clarkes Road.

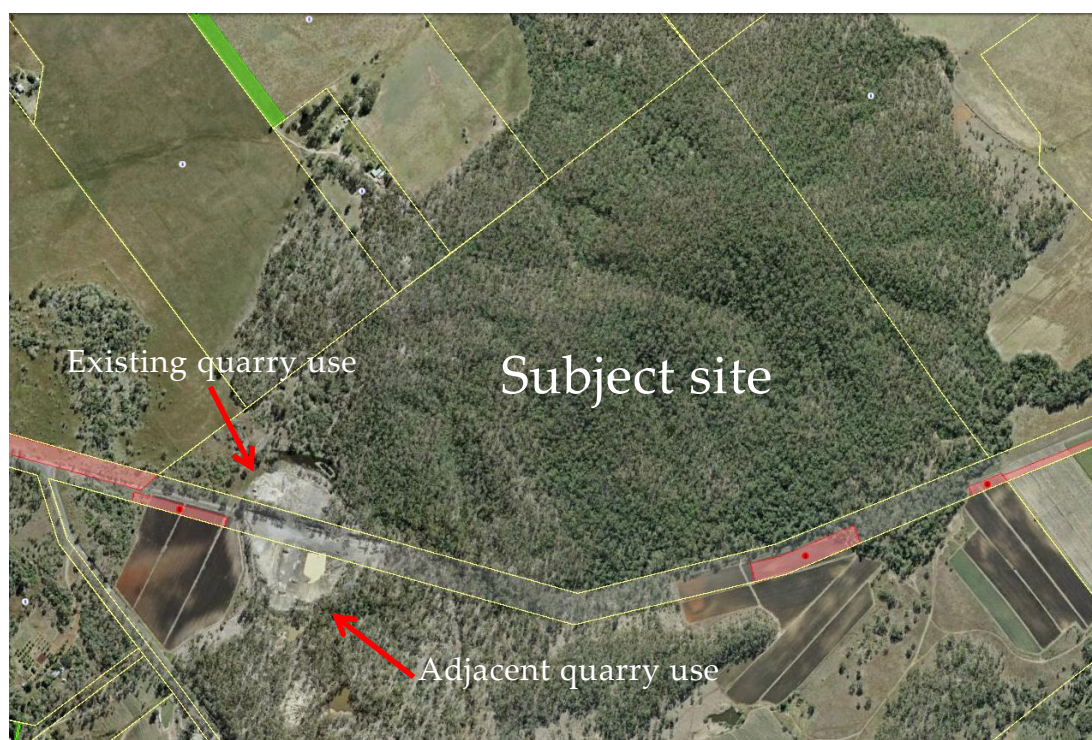


Figure 2—Aerial of subject site (Source: Google Maps)

Refer to Table 1 below for a summary of site details.

Table 1—Site Details

Address of subject site.	Clarkes Road, Gin Gin
Real property description	Lot 104 on RP21941
Area of site	98.695ha
Name of owner	Wayne Honor
Local Government Area	Bundaberg Regional Council

4.1.2 Context—surrounding development

The site is already being used as a quarry site. The existing operations are located in the south-west corner. The proposed extension would occur over most of the balance area. The site is heavily vegetated. This would be cleared over time to allow for the extraction operations. A vegetated buffer would remain around the perimeter of the site to protect surrounding land uses.

There are a number of detached dwellings to the north-west and south-west of the proposed operations, the closest being a number of dwellings to the south-west on Cloyne Road (around 500m from the proposed operations). The existing quarry to the south of the site is, however, closer to these dwellings than the proposed use, and there is also existing mature vegetation that provides an adequate buffer between the uses.

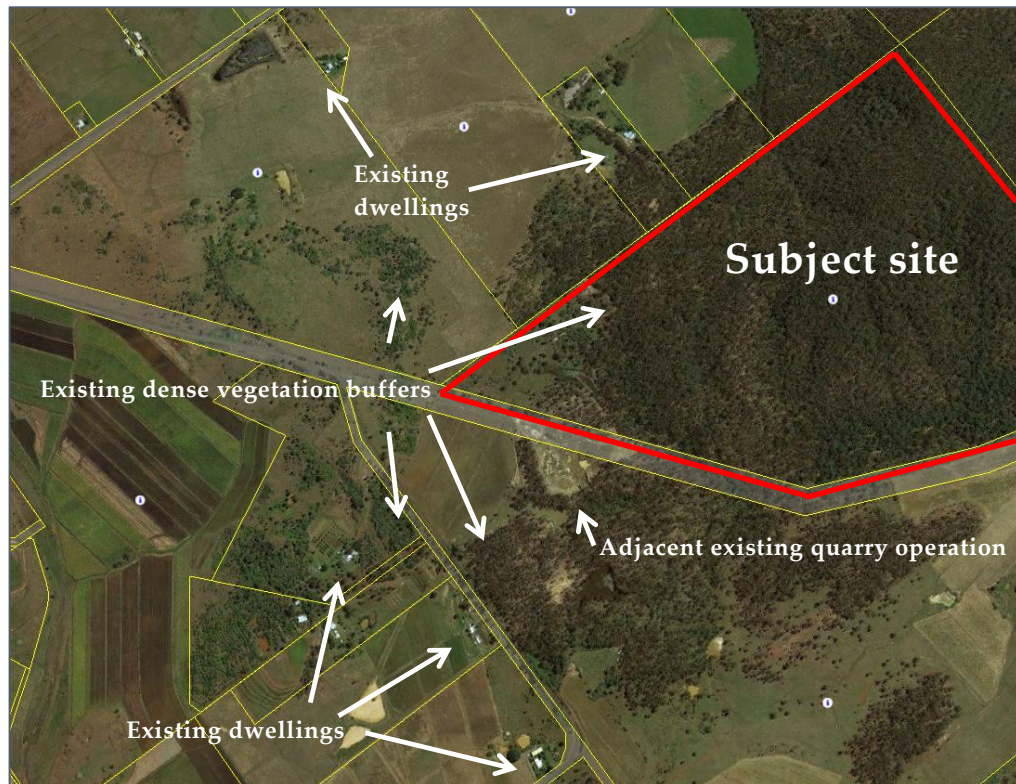


Figure 3—Subject site and nearby land uses (Source: Google Maps)

3.2 Services

The site has access to all necessary infrastructure required to service the proposed quarry activities. McIlwraith/Clarkes Road provides a predominantly bitumen sealed access to the site from the State-controlled Road network (Bundaberg-Gin Gin Road which is approx. 4km to the north-west). The only portion of unsealed road is the 400m from the Cloyne Road intersection, which currently provides access to the site and the quarry operation on the opposite side of McIlwraith/Clarkes Road.

The operations do not require electricity as they are mobile to coincide with the location of the quarry materials. A portable generator would be used to provide electricity, consistent with the noise requirements required by the Department of Environment and Heritage Protection standard operating criteria for quarry operations. Telecommunications would also be available via mobile and no fixed line would be required. The existing dam on the site would provide water for the proposed use. This water would be recycled and re-used where required. A suitably sized on-site effluent disposal system, near the site office, is considered reasonable to cater for this type of use.

4

ASSESSMENT

4.1 State Planning Policy (SPP) December 2013

The site is identified as containing the following overlays —

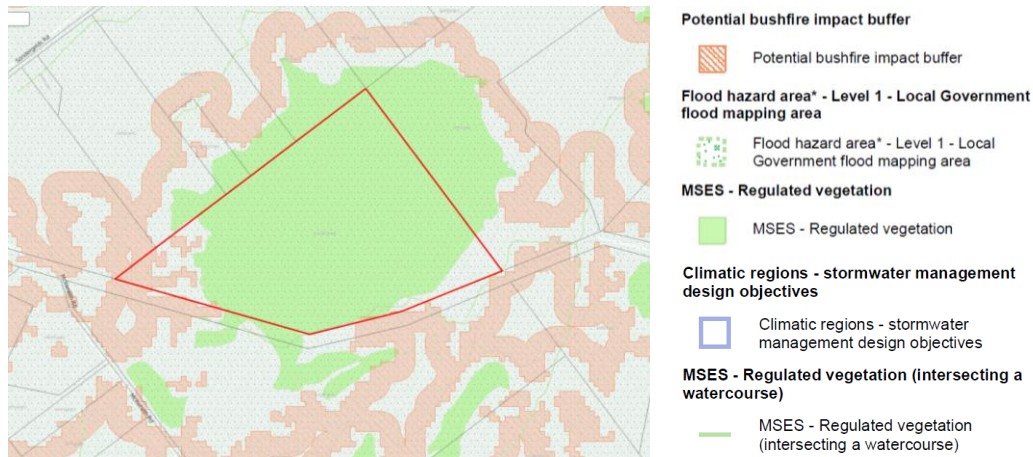


Figure 4—State Planning Policy (Source: SPP Interactive Mapping)

4.1.1 Potential bushfire impact buffer

Avoids natural hazard areas or mitigates the risks of the natural hazards, and avoids the severity of the natural hazard or potential for damage on the site or to other properties.

4.1.2 MSES—Regulated vegetation and regulated vegetation (intersection a watercourse)

A detailed assessment of the vegetation and proposed clearing in relation to the proposed use has been addressed through the report prepared by WBB Environmental, dated 15 July 2015 (refer to Appendix 2).

4.1.3 Climatic regions—stormwater management design objectives

The proposed development does not trigger assessment against this matter as the material change of use is not for urban purposes.

4.2 State Referrals

The proposed development requires referral to the following agency through State Assessment and Referral Agency (SARA) —

- Department of Transport and Main Roads (DTMR) as a concurrence agency under Schedule 7, Table 3, Item 2 of the *Sustainable Planning Regulation 2009 (SPR)* as the proposed development is for a purpose stated in Schedule 9 of the *SPR* ('extractive industry') and exceeds the relevant threshold (10,000t annual output) for that purpose.

- Department of Natural Resources and Mines (DNRM) as a concurrence agency under Schedule 7, Table 3, Item 10 of the *Sustainable Planning Regulation 2009 (SPR)* as the proposed development involves clearing vegetation.
- Department of Environment and Heritage Protection (DEHP) as a concurrence agency under Schedule 7, Table 2, Item 1 of the *Sustainable Planning Regulation 2009 (SPR)* as the proposed development involves an Environmentally Relevant Activity (ERA).

4.3 State Development Assessment Provisions (SDAP)

Table B.3 of the SDAP identifies that the following modules will need to be addressed as part of this development application, based on the referral matters identified above –

- Module 4: Environmentally relevant activities
 - 4.1 Concurrence environmentally relevant activity state code
- Module 8: Native vegetation clearing
 - 8.1 Queensland vegetation management state code
- Module 17: Public passenger transport
 - 17.1 Public passenger transport state code
- Module 18: State transport infrastructure protection
 - 18.1 Filling, excavation and structure state code
 - 18.2 Stormwater and drainage impacts on state transport infrastructure state code
- Module 19: State transport network functionality
 - 19.2 Transport infrastructure and network design state code

Sufficient information has been included as part of the development application to address each of the relevant modules in the SDAP.

4.4 Kolan Shire Planning Scheme 2006

Subject Site	Clarkes Road, Gin Gin (described as Lot 104 on RP21941)
Planning Scheme	<i>Kolan Shire Planning Scheme 2006</i>
Zone	Rural Zone
Overlays	Infrastructure Overlay (Irrigation Area) Bushfire Prone Areas (Low, Medium and High Bushfire Risk) Good Quality Agricultural Land (Class A) Natural Features or Resource (Sand Pit and Gravel Pit)

Level of Assessment	Code Assessment
Defined Use	Extractive Industry – “means the use of premises for dredging or extracting sand, gravel, rock, soil or similar materials for commercial gain. The term includes the ancillary washing, crushing, screening and stockpiling of those materials. The term does not include the winning and processing of minerals authorised under the Mineral Resources Act 1989.”

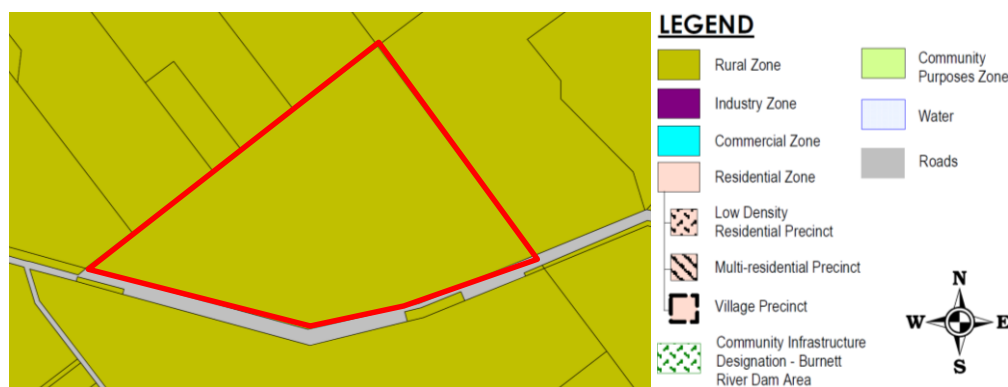


Figure 7—Extract of Zoning Map (Source: Kolan Shire Planning Scheme 2006)

- (1) The proposed development is defined as an “Extractive Industry” under the *Kolan Shire Planning Scheme 2006* (the “planning scheme”);
- (2) The site is located in the Rural Zone as shown on map “Zones 1.4” of the planning scheme.
- (3) Table 4.9 of the planning scheme identifies that a material change of use for an “Extractive Industry” in the Rural Zone is Code Assessable.
- (4) Table 4.9 of the planning scheme identifies that the proposal requires assessment against the following codes —
 - (a) Rural Zone;
 - (b) Infrastructure Works Code
 - (c) Car parking and Access Code; and
 - (d) Landscaping Code.
- (5) The proposal is consistent with the ‘probable solutions’ or ‘sought outcomes’ of the relevant codes. A summary of development aspects requiring an alternative solution to any ‘probable solution’, therefore requiring assessment against the relevant sought outcome, is provided below.
- (6) An assessment against the ‘sought outcomes’ for the following ‘probable solutions’ within the planning scheme is required as part of the assessment of this application —
 - (a) Probable Solution PS149.1 of the Infrastructure Works Code stipulates that water supply, sewerage and roads are designed and constructed to the standards stated in Planning Scheme Policy 5. Excluding the demountable site office, the proposed use would not have any permanent building or structures. Most of the machinery is mobile and moves around the site to

access the quarry materials. As such it is proposed that a potable water supply and on-site effluent disposal system would be located at the site office to cater for employees. Portable toilets may also be used near extraction areas that are remote from the site office.

- (b) Access to the site is achieved via McIlwraith/Clarkes Road, which currently provides access to the site and the existing quarry operation to the south. As discussed above, it is proposed that the road and access may require upgrades as the number of vehicles movements increase with the thresholds in each of the proposed stages.
- (c) Probable Solution PS153.3 of the Landscaping Code stipulates that landscaping not less than 5.0 metres wide is provided along the full length of the road frontage, other than at approved access points. McIlwraith/Clarkes Road doesn't provide public access along the frontage of the subject site. It only provides access to the existing two quarry sites. Regardless, the site contains dense native vegetation along the Clarkes Road frontage which would enhance and protect the amenity along this road should it be developed as a public road in the future. No further landscaping is proposed or necessary for the quarry as it is adequately screened from the public.
- (d) Probable solution PS172.3 states that the number of vehicle parking spaces must not be less than that identified as applicable to the specific use, defined use in Table 6.19. Table 6.19 identifies that an 'industrial use' requires 2 spaces plus one space per 150m² of gross floor area. Apart from the demountable site office, there would be no other buildings or structures. It is proposed that only informal car parking is required for this type of use. Equipment operators would normally just drive to the site of the extraction and park their vehicles nearby. The use would not be open to the general public and as such formal car parking is not relevant to this development application.

4.5 Traffic

A detailed Road Impact Assessment & Traffic Report has been prepared by Craig Thompson at Tipec Pty Ltd. This report addresses the SDAP Modules 18 & 19 relating to the Department of Transport and Main Roads interests.

4.6 Vegetation Management

The Vegetation Management Report has been prepared by Jane Barratt at WBB Environmental. This report address SDAP Module 8 relating to the Department of Natural Resources and Mines interests. A PMAV has also been prepared for the site.

4.7 Blasting

Our client has indicated that although the preferred method of extraction would be via excavation, difficult to remove rock may require blasting from time to time. This would not be standard practice and any blasting would be in accordance with the Site Based Management Plan and conditions for the development permit.

5

CONCLUSION

The applicant seeks a development permit for a Material Change of Use for an Extractive Industry to extend the existing gravel quarry (extracting, screening and processing up to 250,000 tonne per annum of quarry material over four stages) at Clarkes Road, Gin Gin (described as Lot 104 on RP21941). The proposed quarry has been staged to allow for the provision of infrastructure and services once particular thresholds are reached. The existing approved access would be utilised, however, it is acknowledged that future upgrades may be required. This can be reflected through appropriate conditions of approval.

As this report demonstrates, the proposal would be appropriately located adjacent to an existing quarry operation on McIlwraith/Clarkes Road, Gin Gin. All impacts of the development would be appropriately managed in accordance with standard operating requirements issued by the Department of Environment and Heritage Protection for extractive industry operations.

The proposal is consistent with the requirements of the *Kolan Shire Planning Scheme 2006* and would make a positive contribution to the community, which is currently experiencing a significant demand for quarry material.

This Assessment Report supports the proposed development and recommends it to Council, as Assessment Manager, for approval subject to reasonable and relevant conditions.

APPENDIX 1—PROPOSAL PLANS PREPARED INSITE SJC

**APPENDIX 2—VEGETATION
MANAGEMENT REPORT
PREPARED BY WBB
ENVIRONMENTAL**