

Our Ref.: PECS/MB:pnPA15001

12 December 2018

Notice about decision - Statement of reasons

(in accordance with section 63 (5) of the Planning Act 2016)

Proposal:	Material Change of Use – Extractive Industry (up to 1,000,000 tonnes per year) Environmental Authority - Environmentally Relevant Activities – ERA 16(2b) Extracting 100,000 tonnes to 1,000,000 tonnes per year and ERA 16(3b) Screening 100,000 tonnes to 1,000,000 tonnes per year.
Application Number:	PA15001
Address:	“Mazeppa Park”, Gregory Development Road, Frankfield
Property Description:	Lot 7 on BL36
Type of Approval:	Development Permit for Material Change of Use and Environmental Relevant Activities (Extracting and Screening – 100,000 tonnes per year to 1,000,000 tonnes per year)
Decision:	Approved in full with conditions
Date of Approval:	20 November 2018

1. Reasons for the decision

- The development design is considered sufficient to allow effective use of the land in accordance with the intent of the provisions of the Planning Scheme.
- The proposal provides a good planning outcome for the subject site.
- The proposed use is an appropriate use in the Rural Zone under the Planning Scheme.
- The operation of the use will be managed in accordance with the Environmental Management Plan.

2. Assessment benchmarks

Benchmarks applying for the development	Benchmark reference
Rural Zone Code	Part 4, Section 4.1.1(1)- <i>Belyando Shire Planning Scheme 2009</i> .
Natural Hazards, Risk and Resilience	Part E – State Planning Policy July 2017

3. Compliance with benchmarks

- Not applicable.

4. Relevant matters for impact assessable development

- The proposed development generally achieves the Desired Environmental Outcomes for the *Belyando Shire Planning Scheme 2009*.

5. Matters raised in submissions for impact assessable development

- Contamination and suitability in relation to leach waste piles not being suitable for road material as fill, road base or aggregates as a consequence of sulphides, resulting in acid drainage low pH run-off water and the presence of Arsenic and Antimony. The approved Environmental Management Plan contains measures which address concerns raised in the submission and they include a testing regime for stockpiled materials, stockpile handling and tracking procedures and audit procedures and reporting guidelines.
- In terms of the market, the Applicant had acknowledged the depressed market which would result in minimal demand for the product from the proposed development. Consideration of the market is beyond the scope of the assessment of the proposed development.
- Issues related to access arrangement as proposed in the application are under the jurisdiction of the Department of Transport and Main Roads as represented by the Department of State Development, Manufacturing, Infrastructure and Planning.
- The concerns in relation to the operating hours were based on the proposed development operating 7 days a week which would unduly affect the amenity of the area. "Extractive Industry" is an appropriate use in the Rural Zone. The proposed use will only consist of screening material, not blasting which is associated with many other quarries in the local government area and the closest sensitive land use is approximately 4 kilometres north east of the use (on the same site), which is far enough to mitigate noise impacts.

6. Matters prescribed by Regulation

Nil.

If you find an inaccuracy in any of the information provided above or have a query or seek clarification about any of these details, please contact Council.

Yours faithfully



MANUS BASSON

Manager – Planning & Land Development

(on behalf of Gary Stevenson PSM, Chief Executive Officer)