

# QUARRY DEVELOPMENT BULLETIN

## Expand Your Quarry the Low-Key Way



If you have an existing approved quarry, consider expanding your operation in a number of incremental stages, rather than doing it in one big step.

This “keep it below the radar” approach can be done by way of making a number of successive s.96 modifications under the EP&A Act 1979 to your existing consent. If done correctly, the potential advantages include:

- Avoids need for costly studies- a change to only one aspect of your quarry tends to narrow the issues needing assessment.
- Approvals can go through in much shorter times (6-8 months or less has been our experience).
- Incremental changes are easier to understand by approval authority.
- Less likelihood for community opposition to each change.
- Unlike an EIS, there are no right to appeal by objectors.
- Protects your existing approval.

Section 96 applications have the effect of modifying your existing quarry consent. Provided that it is “substantially the same” quarry then it can be lawfully expanded.

Some points to keep in mind:

- Concentrate on one change to your quarry at a time. This “keep it simple” approach narrows the issues and makes it easier for an approval authority to approve. Otherwise you may encounter obstacles to your project, or even refusal.
- Don’t try and make the modification to your quarry too large. This may lead to either refusal or a demand that you prepare an EIS instead.
- Local councils cannot impose new s.94 roads contributions if your current consent does not provide for them- another benefit of making s.96 applications and modifying existing quarry consents.

Some examples of s.96 quarry approvals that our firm has obtained:

1. Near doubling of production at one quarry to 235,000 tonnes pa.
2. Approx. 2ha lateral expansion of existing quarry.
3. Increasing maximum daily quarry trucks numbers, from an initial 67 trucks/day, now increased to 250trucks/day.
4. Removing onerous environmental conditions set out in the original consent. Includes preparation of Quarry Plan of Management.
5. Approval to increase the depth of quarrying by 50m.
6. Increasing quarry production from 45,000 tonnes pa to 199,000 tonnes pa (but maintaining maximum permitted daily truck traffic volumes).
7. Increase quarry production from 285,000 tonnes pa to 499,000 tonnes pa.
8. Increase the life of quarry from 30 years to 42 years.
9. Allow increased hours of operation of quarry.



### FOR FURTHER INFORMATION, PLEASE CONTACT:

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