

USE ZONE TABLE

160. MINERAL WORKING

PERMITTED USE CLASSES - (see Regulation 127) Mineral Workings.
DISCRETIONARY USE CLASSES - (see Regulations 26 and 128) Antenna.

CONDITIONS

1. Advertisements Relating to Onsite Uses

The conditions which shall apply to the erection or display of an advertisement on any lot or site occupied by a use permitted or existing as a legal non-conforming use in this use zone, shall be as follows:

- (a) The size, shape, illumination and material construction of the advertisement shall meet the requirements of the Authority, having regard to the safety and convenience of users of adjacent streets and sidewalks, and the general amenities of the surrounding area.
- (b) No advertisement shall exceed five (5) square metres in area.

2. Advertisements Relating to Offsite Uses / Third Party Advertisements

The conditions to be applied to the erection or display of a Third Party advertisement on any site, relating to a use permitted in this or another zone, or not relating to a specific land use, shall be as follows:

- (a) Each advertisement shall not exceed three (3) square metres in area.
- (b) The location, siting and illumination of each advertisement shall be to the satisfaction of the Authority, having regard to the grade and alignment of

streets, the location of street junctions, the location of nearby buildings and the preservation of the amenities of the surrounding area. *(22 June 2017)*

3. Separation from Adjacent Uses

Unless the Authority is satisfied that the mineral working will not create a nuisance and will not adversely affect the amenity of the specified development or natural feature, no mineral working shall be located closer than the minimum distances set out below to the specified development or natural feature:

4. Pit or Quarry Working

	<u>Minimum Distance of Pit or Quarry Working</u>
Existing or proposed Residential Development	300 metres
Any other developed area or area likely to be developed during the life of the pit or quarry working.	150 metres
Public highway or street	50 metres
Protected Road	90 metres
Water body or watercourse	50 metres

4. Screening

A mineral working shall be screened in the following manner where it is visible from a public street or highway, developed area, or area likely to be developed during the life of the mineral working use.

- (a) Where tree screens exist between the mineral working and adjacent public highways and streets or other land uses (excepting forestry and agriculture), the tree screens shall be retained in a 30-metre wide strip of vegetation so that visibility of any part of the mineral working use

from the surrounding uses or streets will be prevented. The tree screens must be maintained by the owner or occupier of the mineral working to retain 30 metres in a forested appearance. Where vegetation dies or is removed from the 30-metre strip, the Authority may require new trees of a minimum height of 1 metre be planted to fill in the areas affected to the satisfaction of the Authority or, at the discretion of the Authority, condition 2(b) must be undertaken.

- (b) Where no tree screens exist of sufficient width and density to constitute a visual screen, earthen berms shall be constructed to a height sufficient to prevent visibility of any part of the mineral working from adjacent uses (excepting forestry and agriculture), or adjacent public highways and streets. The berms shall be landscaped to the Authority's satisfaction.
- c) Where natural topography creates a visual screen between mineral workings and adjacent public highways and streets or other land uses (excepting forestry and agriculture), additional screening may not be required.
- d) Where effective screening for any mineral working or associated processing or manufacturing use cannot be installed or located as required in (a) - (c) above, the Authority may refuse to permit the use or associated activity.

5. Fencing

The Authority may require the mineral working site or excavated areas of a pit or quarry working to be enclosed by a fence designed and constructed to its specifications and no less than 1.8 metres in height.

6. Water Pollution

No mineral working or associated storm or sanitary drainage shall unacceptably reduce the quality of water in any water body or watercourse. Any access road to a pit or quarry working which crosses a brook or stream shall be bridged or culverted at the crossing in accordance with the Regulations of the Department of Environment and Lands.

7. Water Ponding

No mineral working shall result in the excavation of areas below the level of the water table nor in any way cause the accumulation or ponding of water in any part of the site. Settling ponds may be permitted with the approval of the Department of Environment and Lands.

8. Erosion Control

No mineral working shall be carried out in a manner so as to cause erosion of adjacent land.

9. Site Maintenance

The mineral working shall be kept clean of refuse, abandoned vehicles, and abandoned equipment and any derelict buildings.

10. Access Roads

During extended periods of shutdown, access roads to a mineral working shall be ditched or barred to the satisfaction of the Authority.

11. Stockpiling Cover Material

All stumps, organic material and topsoil, including the rusty coloured and iron stained layer, shall be stripped and stockpiled at least 5 metres from active quarry or stockpile areas. The owner or operator shall ensure that the quality of the topsoil is

not affected by dilution with other materials.

12. Operating Plant and Associated Processing and Manufacturing

The Authority may permit processing and manufacturing use associated with mineral workings provided that, in the opinion of the Authority, the use does not create a nuisance nor is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of fumes, dust, dirt, objectionable odour, or by reason of unsightly storage of materials.

13. Building location

All permanent or temporary buildings, plants and structures associated with processing and manufacturing will be located so as not to interfere with the present or future extraction of aggregate resources.

14. Separation distances

The Authority may specify a minimum separation distance between operating plant or associated processing and manufacturing structure or equipment and adjacent developed areas likely to be developed during the life of the mineral working.

15. Termination and Site Rehabilitation

Upon completion of the mineral working, the following work shall be carried out by the operation:

- (a) All buildings, machinery and equipment shall be removed.
- (b) All pit and quarry slopes shall be graded to slopes less than 20° or to the slope conforming to that existing prior to the mineral working.
- (c) Topsoil and any organic materials shall be re-spread over the entire quarried area.

- (d) The access road to the working shall be ditched or barred to the satisfaction of the Authority.

16. Reserve material

If the mineral working contains reserves of material sufficient to support further extraction operations, the Authority may require the work described above to be carried out only in areas of the site where extraction has depleted aggregate reserves.

17. Accessory Building

Accessory buildings in this zone shall conform to the requirements of Regulation 60, Accessory Buildings - General, in Part II of these Development Regulations.

18. Discretionary Use Classes

The discretionary use classes listed in this table may be permitted at the discretion of the Authority provided that they are complementary to uses within the permitted use classes or that their development will not inhibit or prejudice the existence or the development of such uses.