

PLANNING ASSESSMENT REPORT

JRPP Ref. No	2012NTH012
Application Number	DA-60/2013
Proposed Development	Expansion of Existing Quarry
Property Address	Lots 77 and 89 Wavehill Road, Narrabri
Property Description	Lot 77 DP 754937 and Lot 89 DP 821255
Applicant	Johnstone Concrete and Landscape Supplies, c/- SMK Consultants
Date Received	9 July 2012
Assessing Officer	Warwick Stimson
Recommendation	Approval, subject to conditions.

1 EXECUTIVE SUMMARY

Council is in receipt of a development application that seeks consent for the expansion of an existing quarry. The quarry currently operates under an existing licence to extract up to 30,000 tonnes per year. This proposal seeks to expand the operations of the quarry to allow the extraction of, on average, 200,000 tonnes of basalt per year.

The proposal is Designated and Integrated development as it triggers the need for an Environmental Protection Licence (EPL) to be issued – this has been received by the Environmental Protection Authority (EPA). The proposal also requires a water access licence from the New South Wales Office of Water (NOW). A late submission has now been received from NOW.

The application was placed on public exhibition between 17/9/12 and 22/10/12. Nine (9) submissions have been received raising concern over: dust; road width; high number of vehicles using the road; road safety; lack of maintenance; and road condition.

A preliminary site inspection was undertaken with the members of the Panel on 9 May 2013. At that meeting, concerns were raised by Panel members over the generation of dust along Wave Hill Road. Council has subsequently considered this issue and a plan has been put in place addressing the mid to long term maintenance of the road. Correspondence has also been received from both quarries in the locality about this matter. This is discussed later in the report.

As the matter is Designated Development, the application is referred to the Northern Joint Regional Planning Panel for determination as the consent authority.

An assessment of the proposal against the provisions of Section 79C of the *Environmental Planning and Assessment Act 1979* has been undertaken and having regard to the matters discussed in this report, the application is recommended for approval.

2 HISTORY OF APPLICATION

The history of the application has been detailed in the following table.

Date	Action
9 July 2012	DA lodged.
21 September 2012 – 22 October 2012	Public Exhibition.
29 November 2012	GTA's provided by OEH.
9 May 2013	Preliminary site inspection by Panel members.
1 August 2013	Correspondence received from NOW.

3 SITE AND SURROUNDS

The site is located approximately 24km east of Narrabri on Wavehill Road. Legally described as Lot 77 DP 754937 and Lot 89 DP 821255, the site is some 123.3 hectares of undulating land. The property contains a significant deposit of basalt which is suitable for use in road building and for the production of concrete. Vehicular access is via Wavehill Road.

A detailed discussion on Wavehill Road is provided later in this report.

Surrounding land uses generally comprise rural agricultural land including cotton and other cropping. To the east and on the adjoining property however, is situated another quarry that is operated by Boral. This quarry has an EPL for 100,000 tonnes per year.

4 BACKGROUND

Johnstone Concrete and Landscape Supplies (JCLS), the proponent for the development, is a family owned company that operates the quarry on the subject site. The company purchased the quarry in 2003 to secure an aggregate source and quarry operations in the Narrabri region. The previous owner obtained approval from Council in 1997 under development consent DA52/1997, that allowed an extraction rate of 220 tonnes per day over a six day working week. An annual monetary contribution to Council based on a minimum annual production of 25,000 tonnes was agreed to.

The daily rate of extraction equates to a potential production quantity of 68,640 tonnes of basalt per year. No action was taken by the previous owner to obtain an EPL since extraction was not believed to have exceeded the threshold level of 30,000 tonnes and as the quarry was only operated intermittently until purchased by JCLS.

5 PROPOSED DEVELOPMENT

Significant demand for quarry materials in the form of road base and other crushed basalt has been generated by mining related development in the Narrabri area. The current approval for Wavehill Quarry is limited to 68,640 tonnes per year and is unable to meet current and projected demand generated from mining infrastructure development, local infrastructure for Council and private infrastructure for industry wishing to service Narrabri and the mining industry. The company wishes to formalise an approval for expanded operations to enable there enterprise to supply some of the demand in the current mining and construction boom in the Narrabri Shire.

To satisfy this demand the proponent seeks to increase output from the quarry to enable the quarry to extract an average of 200,000 tonnes of basalt per annum. It is estimated that average extraction to meet local demand (without mining) would be in the order of 50,000-60,000 tonnes per annum. Contracts offered by mining related projects range in size from 60,000 tonne through to 120,000 tonnes at present.

The quarry would progress in a north-west direction into the hillside within an already cleared area on lot 89 DP 821255. A detailed survey and calculation of the cleared area estimates that there is approximately 1.2 - 1.4 million cubic metres (3.6 - 4.2 million tonnes) of solid basalt material available within the presently approved extraction area.

Key infrastructure for the proposal includes primary and secondary crushing and screening machinery, workshop, weighbridge, worker amenities, excavator and front end loader. Drilling and blasting operations would continue to be provided by specialist contractors. Finished aggregate products would continue to be transported from the quarry by road using a mixture of body and dog vehicles and semi-trailers. Quarry by products such as topsoil and overburden would be stockpiled and may be used in rehabilitation of the site once production ceases.

The proposed operation would require 2-4 additional full time staff at the quarry during operations, with additional contractors to be employed for haulage of the materials from the quarry to various contract locations.

The application seeks the following operating hours:

Drilling and Blasting	9.00am – 3.00pm Monday to Friday
Crushing and Screening within Quarry Pit	7.00am – 6.00pm Monday to Saturday
Stockpiling and Loading	6.00am – 6.00pm Monday to Friday 7.00am – 6.00pm Saturday
Transport (empty trucks in)	6.30am – 5.30pm Monday to Friday 7.00am – 5.30pm Saturday
Transport (loaded trucks out)	7.00am – 6.00pm Monday to Friday 7.00am – 5.30pm Saturday
Staff Maintenance and Servicing of Plant and Equipment Onsite	As required
Emergency*	As required

**Emergency refers to supplying materials to the RMS, ARTC, SES and Councils or other agencies under emergency conditions as awarded by these authorities.*

In terms of quarry operations, the proposal is based on the following plant and machinery (extracted from the submitted noise assessment):

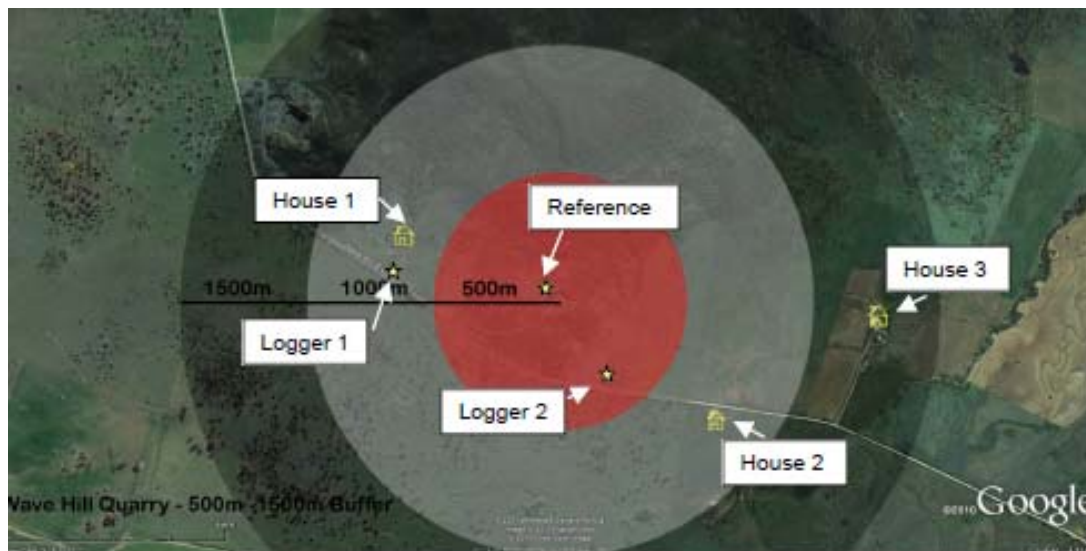
Table 1: Quarry plant and machinery.

Type	Manufacture and Model
Excavator	Caterpillar 330 B
Primary Crusher	Metso Lokotrack LT 1110
Secondary Crusher	Hazemag
Vibrators (3)	-
Loader 1	Caterpillar 972 H
Loader 2	Caterpillar 928 F

Quarry operation involve material obtained from the drilling and blasting being passed through a primary crusher located close to the rock face and fed by excavator. The crushed rock is then moved by loader to the secondary crusher and sieving system allowing aggregates from 50-5mm to be manufactured. Material is then moved by truck from site on an as needed basis.

Drilling and blasting at the site are proposed to occur approximately 4-5 times per year.

In terms of receptors, three residences are located within a 1500m radius of the quarry that have the potential to be affected by quarry operations, shown in the following figure.



Results of the noise monitoring measurements conducted at the receivers show that a 5m noise bund between quarry equipment and nearby receivers will ensure that all quarry operations will be within the noise criteria for the proposed extended operations.

Consultation has occurred through a Planning Focus meeting in August 2011. At that meeting staff from Narrabri Shire Council, Office of Environment and Heritage, NSW Office of Water and the proponent attended. The results of that meeting were considered by the Director General of the Department of Planning and Infrastructure.

The area from which the resource will be extracted is disturbed land and is presently used for grazing and quarry operations. The current site contains a crushing and screening plant to process the material that is produced by the blasting process. The quarry consists of north-east, north and north-west faces from which the material is obtained.

The site is currently being upgraded to include a workshop and stockpile area, this upgrade involves extending the floor of the pit. This additional area would allow for the stockpile of material around the South eastern edge of the pit, which can act as a noise bund to reduce the levels of noise leaving the site.

The main haul route is between the quarry, the concrete batching plant and the gravel storage yard owned by the proponent, and comprises of Wavehill Road (SR18), Maules Creek Road (SR19) and Old Gunnedah Road (SR10). These roads are categorised as sub arterial roads as they connect local roads to arterial roads. Other local roads would be used for deliveries to end users.

Wavehill Road is partly sealed and functions as a collector road for a wide farming area. It has a present Annual Average Daily Traffic (AADT) of 100 vehicles of which 55% are heavy vehicles. Heavy vehicle traffic on Wavehill Road is generated by both farm and quarry operations. Light vehicle traffic likewise, is based mainly on the farm population. Maules Creek and Old Gunnedah Roads are both sealed for the length of the haul route.

The quarry presently uses a combination of semi-trailers and body-dog truck units carrying around 25 tonnes to transport the material from the site. Road trains are not permitted to access the quarry. The existing quarry has an AADT of 8 and it is estimated that the proposal would increase this to a maximum of AADT of 22. At maximum quarry production the AADT on Wavehill Road would rise to 114 which is less than 10 vehicles per hour if all vehicles are assumed to travel within a 12 hour period during the day. This level of traffic density is well within the capacity of the road network which would continue to function at a level of service a with the additional vehicle trips.

6 WAVEHILL ROAD

6.1 The Boral Quarry

Adjoining the subject site to the west is a quarry currently owned by Boral. This quarry has been operational for many years and has a current consent to extract 100,000 tonnes per annum.

Despite suggestions in the submissions, there is no evidence of any requirement of any consent for Boral to pay formal road maintenance contribution. However, following negotiations Boral funded a number of works in the early to mid 1990's as follows:

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- Initial section of Wave Hill Road was sealed (approximately 2km).
 - A concrete causeway was installed approximately 1.5 km from Boral's Wave Hill Quarry gate.
 - A sealed section of road was constructed either side of the concrete causeway to reduce dust to the affected residence nearby.

6.2 History of Wavehill Road

Wavehill Road provides access to both quarries. Whilst it is sealed for some 2.4km (approx.) from Maules Creek Road, the remaining 8.0km (approx..) distance is not sealed. It is clear that there are times where the vehicle movements associated with the quarries result in significant impacts on the amenity of residents along the road.

From a review of available Council records, it appears that previous approvals relating to the Johnstone Quarry required by way of consent conditions, the payment of a voluntary contribution based on tonnage amounts generated from that quarry. Payments have been and continue to be made in accordance with those arrangements.

In relation to the Boral Quarry, Council's records are limited. Anecdotally, there have been suggestions through meetings with those who have made submissions that a similar requirement was made of the owner of the quarry (previous to Boral).

In any case, the quality of the road is not commensurate with the intensity of the use that it is currently subject to. It is considered that a reasonable approach would be to share the costs associated with the upgrade between the three parties – Council, JCLS and Boral.

6.3 Way Forward

At its preliminary site view, Panel members highlighted the road as a concern and requested that a plan be outlined prior to this matter being reported to them.

Since that meeting the following has been achieved:

- Council engineers place a very approximate cost of the upgrade at \$2 million. It is anticipated that a detailed cost estimate will result in a lower figure. At the time of writing this report, Council was identifying an appropriate organisation capable of producing an accurate cost estimate of the works that are required.
- Council has allocated \$750,000 as its contribution to the upgrade of the road. The funds have been isolated and are available when required.
- It is considered reasonable that the remaining balance of the road costs, whatever they are, be divided equally between Johnstone's and Boral.
- The applicant, Johnstone's, have supplied Council with a letter agreeing to this approach, obviously subject to the detailed costings.
- A meeting was held with Boral and subsequent correspondence from Boral has clarified the issue of in kind contributions previously provided to Council and advised that any commitment on the funding of the upgrade would need to have the benefit of a detailed maintenance and upgrading costing. Boral

have offered to seek advice from their spray seal division and provide this information to Council.

Relevantly, Boral advise that *“calculated road maintenance costs generally rely on data provided by the relevant Council and assumes a cost allocation according to the proportion of usage of the pavement design Equivalent Standard Axles (ESA). The resultant contribution is generally calculated on a \$/tonne-km basis, and brings together routine annual maintenance as well as major maintenance costs based on a proportion of use.*

Council’s recommended split of costs will see Council’s contribution being the largest component and fixed. The remaining balance will be split equally, and also allow for say ‘in kind’ contributions of material and labour to that amount.

This approach is considered the most reasonable in moving forward with the subject application, and also in addressing the issue of Wavehill Road within the shortest period of time. An appropriate mechanism will be put in place (ie conditions of consent, Deed of Agreement) that will require this to be enacted as soon as is practicable. Mindful of the operational objectives of the applicant, this report recommends that this issue be resolved within an appropriate timeframe from the date of consent should the Panel approve the development.

7 PLANNING ASSESSMENT

7.1 Environmental Planning and Assessment Act 1979

The proposed development is integrated development pursuant to clause 91 given that an environmental protection licence is required under the Protection of the Environment Operations Act 1997 to authorise the carrying out of a scheduled activity. In this regard the EPA has issued its General Terms of Approval and these will be incorporated into any consent.

Additionally a water use approval under the Water Management Act 2000 is required in order to establish the bore sought in the application to supply water to the quarry. While the response from the Office of Water was outside of the statutory period to respond, it is appropriate that their conditions and comments be included in the assessment of this application.

Schedule 4A of the Act also triggers the Joint Regional Planning Panel being the consent authority for this designated development proposal.

7.2 Environmental Planning and Assessment Regulation 2000

The proposed development is designated development as it exceeds the 30,000 tonnes per year extraction rate cited in Schedule 3 of the Regulation. The Director-General’s requirements were obtained and an EIS produced accordingly.

7.3 Environmental Protection and Biodiversity Conservation Act 1999

The applicant has provided details showing that the proposal was referred to the Department of Sustainability, Environment, Water, Population and Communities for

assessment. The Department advised that the proposal does not constitute a 'controlled action' with no further assessment required.

7.4 National Parks and Wildlife Act 1974

A flora and fauna assessment and Aboriginal cultural heritage assessment accompanied the application supporting the proposal. No unacceptable impacts have arisen as a result.

7.5 Threatened Species Conservation Act 1995

A 'seven part test' was undertaken by the proponent and no unacceptable impacts arose as a result of that assessment.

7.6 Section 79C(1)(a)(i) – Any Environmental Planning Instrument

An assessment has been undertaken against Section 79(c) of the Environmental Planning and Assessment Act

7.6.1 State Environmental Planning Policy 33 – Hazardous and Offensive Development

There are no matters considered relevant to this SEPP in relation to the proposed development..

7.6.2 State Environmental Planning Policy 44 – Koala Habitat

The applicant has submitted the following information:

The area approved for extraction comprises mostly open grassland, adjoining slopes support a mixture of vegetation comprising mostly White Cypress (Callitris glaucophylla), Wilga (Geijera parviflora), Ironbark (Eucalyptus creba), Budda (Eromophila mitchellii) and scrubby acacia species. The existing vegetation is relatively young which suggests that the area has been heavily logged in the past.

The land contains none of the species of koala food trees listed in Schedule 2 of the SEPP and surveys of the area did not find any koalas, nor any scats or scratch marks that would suggest that koalas may migrate through the site. The land therefore does not comprise either core or potential koala habitat.

Therefore issues relating to koala habitat are not considered to be applicable.

7.6.3 Narrabri Shire Council Local Environmental Plan 1992

At the time of lodgement, LEP 1992 applied to the subject site. The LEP zoned the site 1(a)(General Rural). The objectives of the zone include:

- (a) *protecting, enhancing and conserving:*
 - (i) *agricultural land in a manner which sustains its efficient and effective agricultural production potential,*
 - (ii) *soil stability by controlling and locating development in accordance with soil capability,*
 - (iii) *forests of existing and potential commercial value for timber production,*

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- (iv) *valuable deposits of minerals, coal, petroleum and extractive materials by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits,*
 - (v) *trees and other vegetation in environmentally sensitive areas where the conservation of the vegetation is significant to scenic amenity or natural wildlife habitat or is likely to control land degradation,*
 - (vi) *water resources for use in the public interest,*
 - (vii) *areas of significance for nature conservation, including areas with rare plants, wetlands and significant habitats, and*
 - (viii) *places and buildings of archaeological or heritage significance, including the protection of Aboriginal relics and places,*
 - (b) *preventing the unjustified development of agricultural land for purposes other than agriculture,*
 - (c) *preventing residential development of prime crop and pasture land, except where it is ancillary to agriculture or another use permissible in the zone,*
 - (d) *facilitating farm adjustments,*
 - (e) *ensuring that any allotment created for an intensive agricultural pursuit is potentially capable of sustaining a range of such purposes or other agricultural purposes,*
 - (f) *minimising the cost to the community of:*
 - (i) *fragmented and isolated development of rural land, and*
 - (ii) *providing, extending and maintaining public amenities and services.*

The proposed development is consistent with the objectives of the zone in that:

- The site is already used as a quarry and generally, will not impact on nearby and adjoining agricultural land.
- The land use is a permissible one in the zone and as such, and by incorporating appropriate conditions of operation, is able to site within the landscape and alongside other permissible land uses in the zone.
- It is located relative to existing infrastructure and having site characteristics that are suitable for a development of this type. Moreover separation distances have been considered in this proposal to expand the operations.
- It will not create any significant negative impacts on the potential of timber production in the area.
- It will not impact on any potential exploration activities that may occur in the future.
- It will not result in any significant negative impact on vegetation on the site.
- There are no significant impacts likely to arise in respect of any type of known heritage.
- No intensive agricultural pursuit is part of the proposal.

The land use of *extractive industry* is defined in the Model Provisions which are called up in the LEP. Since this use is not prohibited, the structure of the land use table means the use is permissible with consent.

Clause 10 of the LEP requires Council to not consent to an application unless it has undertaken an assessment of the proposal against the following general considerations.

Consideration	Comment
1(a) <i>the present use of the land, the potential use of the land for the purposes of agriculture and the potential of that land for sustained agricultural production,</i>	The proposal is for an expansion of an existing use on the site. In this regard there will be no significant impacts on nearby and adjoining agricultural opportunities as the expansion will occur within the subject site. The proposal is acceptable in this regard.
1(b) <i>vegetation, timber production, land capability (including soil resources and soil stability) and water resources (including the quality and stability of water courses and ground water storage and riparian rights),</i>	The proposed development will not negatively impact on the potential agricultural production of nearby properties, nor will it have any unacceptable impacts on water resources. The proposal is considered acceptable in this regard.
1(c) <i>the future recovery of known or prospective areas of valuable deposits of minerals, coal, petroleum, sand, gravel or other extractive materials,</i>	In the wider locality, the proposed development will not create any impediment to the future discovery or recovery of any significant extractive materials.
1(d) <i>the protection of areas of significance for nature conservation or of high scenic or recreational value, and places and buildings of archaeological or heritage significance, including Aboriginal relics and places,</i>	Areas of ecological value have been considered in the submission to Council. The proposal and its configuration has been guided by these aspects of the locality.
1(e) <i>the cost of providing, extending and maintaining public amenities and services to the land, and</i>	The proponent will be required to upgrade the required infrastructure associated with the development.
1(f) <i>future expansion of settlements in the locality.</i>	There are no settlement expansions proposed in the vicinity of the site and locality.

There are no other clauses in the LEP that are specific to the proposed development.

7.7 Section 79C(1)(A)(li) – Any Draft Environmental Planning Instruments

At the time of lodgement, the Narrabri LEP 2012 was awaiting gazettal with the gazettal being made on 21 December 2012. Under LEP 2012, the site is zoned *RU1 Primary Production* and the use is considered to be consistent with the provisions of the Plan.

7.8 Section 79C(1)(a)(iii) – Any Development Control Plan

7.8.1 Development Control Plan – Building Line

The proposed development is located a minimum 12m from any boundary fence and therefore complies with the minimum setback of 6m as required by the DCP.

7.8.2 Development Control Plan – Drainage

There are no structures proposed as part of this application that require a stormwater solution.

There is no trade waste to be generated as part of this proposed development.

7.8.3 Development Control Plan – Parking Code

The DCP does not include controls for land uses such as the one proposed. Notwithstanding, the site provides ample room for car parking and no concerns are raised in this regard.

7.9 Section 79C(1)(a)(iv) – The Regulations

There are no matters relating to the Regulations considered relevant at this stage.

7.10 Section 79C(1)(b) – The Likely Impacts of the Development

The applicant's documentation accompanying the application was detailed in its consideration of the potential environmental impacts arising from the proposed development.

A summary of the conclusions as well as any additional comment arising out of the assessment of the application is provided as follows.

7.10.1 Flora and Fauna

A flora and fauna assessment accompanied the application identifying a range of flora and fauna communities on the site. The subject site has been previously developed as a quarry and has been extensively cleared and grazed. No significant impacts are anticipated as a result of the proposal.

7.10.2 Noise and Vibration

VIPAC Engineers and Scientists Ltd (VIPAC) was engaged to carry out the acoustic modelling and assessment for the Wavehill quarry operations to determine the impact of expanded operations on nearby sensitive receivers.. This investigation was undertaken from 18th to 25th October 2011. The assessment determined that:

“with the addition of a 5 metre noise bund between the quarry equipment and nearby receivers, all quarry operations will be within the determined noise criteria for the proposed extended operations.”

VIPAC reviewed the latest blast data for the site and concluded that under the current conditions and methodologies the impact of both vibration and overpressure on nearby receivers is within the limiting criteria.

VIPAC provided an assessment traffic noise generated by the quarry in accordance with the EPA's Intermittent Noise Guideline. The assessment determined that the noise generated by 20 trucks entering and leaving the quarry per day (AADT 40 movements) is within the 55dBA $L_{eq1\text{hour}}$ Limit for those premises located further than 15 metres from the road. No residences are located within 15 metres of the haul route.

The EPA has reviewed the applicants' submission and has included appropriate conditions of operation within the GTA's.

7.10.3 Utilities

Existing utilities will likely be required to be upgraded. Such requirements are usually addressed at Construction Certificate stage and so appropriate conditions of consent are recommended.

7.10.4 Water Requirements and Usage

Dust suppression would be the primary on-site water use, with annual average usage estimated to be approximately 25ML. Dust suppression is proposed on access roads, hardstands and stockpile areas during crushing. The applicant advises

All water used for dust suppression would be non-potable water sourced from the sediment dams, harvestable rights dams or a bore. The total annual output for the water balance is therefore estimated to be 26.38 ML. Should additional water be required for dust suppression during a dry period this water could be obtained from a bore proposed to be located on the subject land that would primarily supply water for staff amenities.

Based on the information provided by the applicant, there is a deficit of water in all but a 90th percentile rainfall year. The applicant proposes that this can be made up by using a combination of the property's harvestable rights water entitlement of 8ML and a bore.

7.10.5 Wastewater Disposal

The application proposes a range of sedimentation basins and dams that would appropriately address the issue of runoff and stormwater runoff..

7.10.6 Vehicle Movements

The proponent submits that the traffic impacts on the haul road are of a minor nature due to the low level of traffic movements. It is agreed that the road network has the capacity to accommodate the proposed development.

The application also suggests that the low traffic density and good sight distances result in a low traffic accident probability. Whilst the level of movements are relatively low in the context of the network capability, it is recommended that the alignment and sight distances along the road in the vicinity of the two existing quarries be reviewed through a road safety audit to ensure that the conditions in these locations are acceptable.

7.10.7 Waste Management

A detailed Waste Management Plan shall be required to be provided to Council prior to the issue of a Construction Certificate although it is acknowledged in the accompanying reports that the collection of waste would be undertaken via a commercial waste collection contractor.

7.10.8 Dust Management

Dust suppression is proposed as part of this application on the subject site and the water requirements of same have been discussed earlier in this report. The impacts of dust however are considered more significant in the context of Wavehill Road. In this regard, the required upgrade to the road has been discussed earlier in the report and is considered necessary in the expansion of the two quarries.

7.10.9 Acoustics

Matters relating to acoustics have been discussed in this report after consideration of the proponent's submission. The recommendations made in the VIPAC report for an acoustic bund are supported and will ensure that the facility will operate within the relevant guidelines.

7.10.10 Visual Amenity

There will be some obvious visual impact on the landscape when viewed from the public domain as a result of this proposal. However, it is noted that the site is already a quarry resulting in an existing level of visual impact. Given the type of rock that is available in this location to two established quarries, the level of impact is not considered to outweigh the benefits of the proposal.

7.10.11 Social and Economic Impacts

Increased job opportunities and economic development is expected as a result of the proposed expansion.

7.11 Section 79C(1)(c) – The Suitability of the Site for the Development

The proposed development has been considered against the relevant planning instruments and environmental requirements. Environmental aspects of the proposal have been considered and appropriate mitigation measures are proposed to be established. The requirements for this type of operation have also been considered in the context of the subject site and it is acknowledged that the site satisfies these.

Accordingly it is submitted that the site is suitable for a development of this nature.

7.12 Section 79C(1)(d) – Any Submissions made in relation to the Development

7.12.1 External Referrals

The application was referred to the EPA for concurrence. Concurrence has been granted and their formal response is provided as an annexure to the proposed conditions of consent.

The application was also referred to the NSW Office of Water. Comments have been received with no objection being raised.

7.12.2 Internal Comments

The following comments were received in response to the proposed development:

Department	Comment
<i>Development Engineer</i>	<i>No objection subject to conditions.</i>

7.12.3 Community Consultation

The application was publicly exhibited between 17 September 2012 and 22 October 2012 and notified to adjoining and nearby property owners and residents.

As a result of the consultation process, Council received nine (9) written submissions.

Planning related issues raised in the submissions include:

- Dust
- Road width and condition
- Number of vehicles
- Road safety
- Lack of maintenance

The above issues have been considered throughout the assessment and the formulation of the recommended conditions of consent.

7.13 Section 79C(1)(e) – The Public Interest

Whilst not the primary driver of this assessment, the economic and broader community benefits of this development proposal are clear, with a number of economic multipliers expected throughout the region. Narrabri has emerged as a 'precinct' of significant resources sector investment and this development builds on that and provides a necessary support function to the economic baseline of the region.

The potential impacts of the development have been identified and appropriate mitigation measures have been proposed, or are included recommended conditions of consent.

It is therefore concluded that the approval of the application will not diminish the public interest.

8 CONCLUSION

The proposed development has been assessed against the relevant heads of consideration contained in Section 79C of the *Environmental Planning and Assessment Act 1979*.

The proposed development is permissible with Consent under the relevant planning instrument and is considered to have substantial merit and is unlikely to result in a significant adverse impact upon adjoining lands.

The assessment has demonstrated both that the site is suitable to accommodate this development and that its approval is not in conflict with the public interest.

The application is therefore satisfactory and the proposal is recommended for approval, subject to the imposition of the recommended conditions.

9 RECOMMENDATION

That:

1. Development Application 60/2013 for the expansion of an existing quarry at Lot 77 DP 754937 and Lot 89 DP 821255, Wavehill Road, Narrabri, be approved, subject to the attached conditions.
2. That those making a submission be advised of this decision