

JOINT REGIONAL PLANNING PANEL (Northern Region)

JRPP No	JRPP Reference Number 2014NTH010
DA Number	DA 2014/27
Local Government Area	Kyogle Council
Proposed Development	Extractive Industry (sand and sandstone quarry) with a maximum extraction of 22,500 tonnes per year for a maximum of 30 years.
Street Address	Lots 155, 156 and 361 DP 755732 Sextonville Road, Dobies Bight
Applicant/Owner	Stephen Fletcher & Associates Pty Ltd
Number of Submissions	Three
Regional Development Criteria (Schedule 4A of the Act)	Schedule 4A Clause 8 Particular designated development Development for the purpose of: a) Extractive industries, which meet the requirements for designated development under clause 19 of Schedule 3 to the <i>Environmental Planning and Assessment Regulation 2000</i>.
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • As per original assessment report
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Amended draft conditions of consent
Recommendation	Approval subject to conditions
Report by	Lachlan Black Senior Town Planner

SUBJECT: ADDENDUM REPORT ON DEVELOPMENT APPLICATION NO. 2014-27 (DESIGNATED DEVELOPMENT) FOR AN EXTRACTIVE INDUSTRY (SAND AND SANDSTONE QUARRY) ON LOTS 155, 156 & 361 DP 755732, SEXTONVILLE ROAD, DOBIES BIGHT

FILE NUMBER: 2014-27

RECOMMENDATION:

That Development Application No. 2014-27 (Designated Development) for an extractive industry (sand and sandstone quarry) on Lots 155, 156 and 361 DP 755732 Sextonville Road, Dobies Bight, be determined pursuant to S.80 of the Environmental Planning and Assessment Act 1979 by the granting of consent subject to conditions shown in Attachment 1 to this report.

Report by Senior Town Planner, Planning and Environment

Reason for report	<p>In accordance with Schedule 4A of the <i>Environmental Planning and Assessment Act 1979</i>, the Northern Joint Regional Planning Panel is the determining authority for the application.</p> <p>The application was originally referred to the Northern Joint Regional Planning Panel for determination at its meeting of 6 May 2015. At that meeting the Panel decided to defer determination of the application to permit Council and the applicant to negotiate alternative conditions concerning the upgrade of roads utilised by haulage vehicles associated with the development, with a view to reducing the up-front financial cost of carrying out the development whilst still achieving safe road conditions.</p> <p>Council and the applicant subsequently commenced negotiations. Agreement was reached on all matters and the amended conditions of consent included in Attachment 1 of this report are the outcome of those negotiations.</p> <p>This addendum report presents to the Northern Joint Regional Planning Panel a discussion of the negotiations and a recommendation for determination of the application as per the Panel decision of 6 May 2015.</p>
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Discussion	<p>Council and the applicant held negotiations concerning the following:</p> <p>a) <u>Upgrade of intersections</u> The upgrade of intersections was considered critical for road safety therefore the requirement to upgrade prior to the commencement of quarrying operations has been retained. The applicant agreed to this.</p> <p>b) <u>Upgrade of Sextonville Road</u> The requirement to upgrade Sextonville Road to a 6 metre sealed pavement has been retained however, the quarry operator has 5 years in which to carry out this upgrade, subject to the road maintaining an acceptable standard during this time. The condition includes a proviso whereby should the condition of this section of Sextonville Road fall below a minimum standard, and this is attributable to quarry traffic and cannot be remedied through scheduled Council road maintenance, the quarry operator will be required to commence the upgrade works within 4 months. The requirement to upgrade Sextonville Road 150 metres south of the intersection of the new site access road has been reduced to 25 metres. The applicant has agreed to these amendments.</p> <p>c) <u>Upgrade of McDonalds Bridge Road/Summerland Way intersection</u> The applicant has accepted Condition 39 that requires upgrade of this intersection.</p> <p>d) <u>New site access road</u> Council has agreed to only require the construction and sealing of approximately 250 metres of this road, from Sextonville Road to the point where an adjoining property accesses the road. The remainder of the road to the site entry point can be constructed to an internal site access standard. The applicant has agreed to this amendment.</p> <p>e) <u>Section 94 heavy haulage developer contributions</u> The applicant has accepted conditions 47 and 48 that require payment of s94 contributions to Kyogle Council and Richmond Valley Council.</p> <p>The changes made to condition 40 as a result of these negotiations are shown in Track Changes in the Conditions of development consent at Attachment 1.</p>
Conclusion	<p>Council and the applicant have negotiated amended conditions of consent relating to road upgrades which are included at Attachment 1 of this report. Council considers that the amended conditions will ensure safe road conditions are maintained during the operation of the development whilst reducing the initial cost of establishing the development. Council's recommendation for determination of the application is outlined in the Recommendation section at the beginning of this report.</p>

AUTHOR:
Lachlan Black- Senior Town Planner

DATE:
17 July 2015

ATTACHMENTS

1	Recommended conditions of consent with changes shown in Track Changes
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