



DEVELOPMENT ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

1. Application Details Summary:

Development Application No: DA2018/0027
Description of Development: Extractive Industry – Quarry
Applicant: Ausrock Quarries Pty Ltd
Landowner(s): TJ Unger
Landowners consent provided: ☒ Yes ☐ No

2. Property Description Summary:

Legal Description: Lot 32 DP 816454, "Limestone" 1105 Bogan Road, Goonumbla
Existing Improvements: Rural farmland, quarry, office and amenity buildings, overhead power lines, farm dams and fencing
Current land-use: RU1 Primary Production Zone

3. Executive Summary:

DA2018/0027 proposes the expansion of an existing extractive industry (quarry) on Lot 32 DP 816454, Bogan Road, Goonumbla. Ausrock Quarries Pty Ltd is the proponent for the quarry expansion, and have been operating the quarry since gaining approval in 2013. The existing quarry, known as the Goonumbla Quarry, is located approximately 12 kilometres north-west of Parkes in the Central West of NSW.

The proposed Goonumbla Quarry expansion is a private extractive industry with a proposed maximum extraction rate of 300,000 tonnes per annum (849,505m³). As such, the proposal is Designated Development and is to be tabled with the Western Regional Planning Panel in accordance with State Environmental Planning Policy (State and Regional Development) 2011, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation. The proposed quarry expansion is also Integrated Development, requiring the General Terms of Approval (GTA) from the NSW Environment Protection Authority (EPA) in relation to them granting a new Environment Protection License (EPL) for the expanded quarry operation.

The proposed development is consistent with the Parkes Local Environmental Plan 2012, the Parkes Shire Development Control Plan 2013 and all relevant State Environmental Planning Policies. The land, the subject of the development proposal, is zoned RU1 Primary Production.

All relevant State authorities who have an interest in the proposed quarry expansion were provided notice of the development in accordance with Clause 77 of the Environmental Planning and Assessment Regulation 2000. The NSW Roads and Maritime Service (RMS), NSW Office of Environment & Heritage (OEH) and NSW Rural Fire Service (RFS) provided a response to the proposed development, raising no objections and advising they generally support the proposal subject to conditions. The EPA also provided their GTA's in accordance with Clause 70 of the Environmental Planning and Assessment Regulation 2000.

The proposed development was publically exhibited and notified to neighbouring land owners from 16 March 2018 to 23 April 2018 in accordance with Division 5 Public Participation – Designated Development. One submission was received from the Boral Property Group. The issues raised by the Boral Property Group relate to the Goonumbla Quarry Expansion Environmental Impact Statement, dated March 2018 (EIS) not adequately addressing the Secretary of the Department of Planning's Environmental Assessment Requirements (SEARs) on the basis that the development proposal is not consistent throughout and the assessment of impacts for a number of key issues have not been undertaken in accordance with the required policies and guidelines, leading to inaccurate findings.





The assessment of the proposal concludes the development documentation has been completed to a standard that allows a thorough assessment of the proposed quarry expansion. It is assessed the proposal fits in the locality and there are no significant impacts on the site or on adjacent lands that cannot be properly addressed under conditions of consent. The proposed expansion of the quarry is consistent / complementary to the existing Goonumbra Quarry operations undertaken onsite. It is recommended that the development application be approved, subject to appropriate conditions.

The DA Form, Plans and the EIS are included in **Attachment 1**. Submissions received as a result of public exhibition (including government agency correspondence) are included in **Appendix 2**. A chart showing the DA Process is shown in Figure 4, which shows all information appended to this report.

4. Site and Locality Description:

The site of the proposed quarry expansion is located at an existing quarry operation, known as the Goonumbra Quarry. The site of the Goonumbra Quarry is located approximately 12 kilometres north of the Parkes Township, fronting Wyatts Lane. The site has an approximate area of approximately 242 hectares and is formally described as Lot 32 DP 816454 "Limestone", 1105 Bogan Road, Goonumbra. A map showing the subject site (yellow) and the existing quarry operations (blue dotted line) is shown in Figure 1 below:

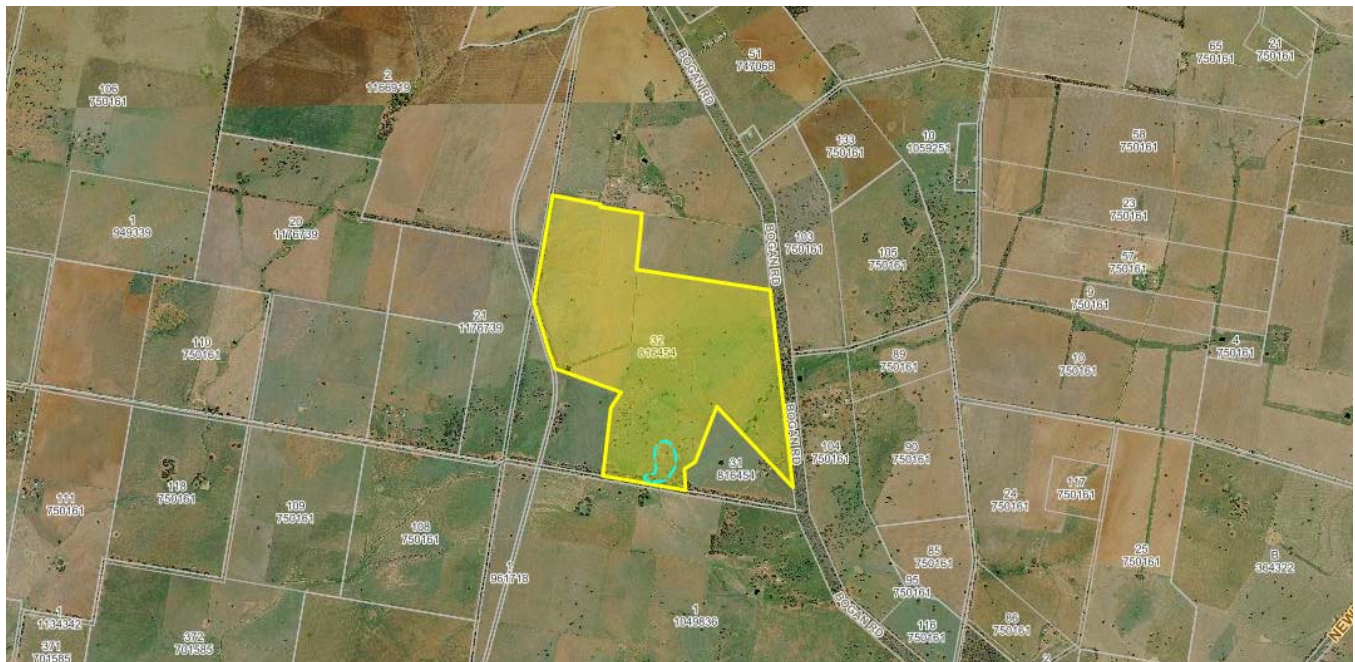


Figure 1: Site Location Map, Source: PSC IntraMaps

The site has been primarily used for agricultural and quarrying purposes in the past. The site is clear of any habitable structures (e.g. dwellings) and comprises a quarry office, amenities and storage buildings associated with the existing quarrying operations. The site rises from its boundaries towards on the southern side of the property. The remainder of the site slopes in a north-west / south-east direction either side of the hill. The existing quarry is located on the southern side of the hill and the northern side of Wyatts Lane. The land not comprising the quarry is predominately open grassy land, with isolated paddocks trees and rocky outcrops. This land features a number of contour banks and farm dams on the north-western and eastern side of the site. A drainage line runs through the eastern side of the property, draining from Bogan Road to Wyatts Lane, close to the eastern side of the quarry.

Wyatts Lane is an unsealed Shire Road that runs along the southern boundary of the site and provides the property access point for the Goonumbra Quarry. The Bogan Road adjoins the eastern boundary of the site, but is not used for access purposes. The Parkes to Narromine Railway line runs along the western property boundary of the site. The site is surrounded by agricultural land-uses. There are isolated farm residences located on the land to the east of the site (620m from the quarry), south east (1km from the quarry), north (1.8km from the quarry) and west (1.8km from the quarry).





Parkes Shire Council's Manager Planning Services and Development Planner undertook a site inspection of the Goonumbla Quarry on 10 May 2018. The purpose of the inspection was to view the site conditions, the locality and its environs. The following points were noted from the site inspection:

- The site of the Goonumbla Quarry is used for both quarrying and agricultural purposes (primarily livestock grazing and cropping).
- There are existing dams associated with the quarry and farming operations, fences, contour banks and tracks located on the property.
- The site is located on Wyatts Lane and the Bogan Road. Wyatts Lane is a gravel road, predominantly used by farmers in the area and the Goonumbla Quarry. Bogan Road is a bitumen sealed road and provides the main connection between Parkes and the NorthParkes Mines.
- Goonumbla Quarry obtains vehicular access from Wyatts Lane.
- Goonumbla Quarry is an open cut operation, located on the southern side of a hill, next to Wyatts Lane.
- The site is clear of built structures except for those associated with the existing quarry operations.
- The site of the quarry is largely cleared of native vegetation. No significant stands of vegetation are located on the site of the proposed quarry expansion. The area of the proposed quarry expansion is covered by grasses and exotic weeds, with contour banks and several isolated paddock trees and rocky outcrops.
- No evidence of Aboriginal Heritage was found on the site.
- No evidence of potential contaminants were observed / found on-site, other than a small waste dump.
- No reticulated water or sewerage services are currently connected to the site.

Photographs of the site (10 May 2018) are shown below:



View of Wyatts Lane looking west from the property access. Existing material stockpiles are located beyond the road verge vegetation on the right of the image.



View of the existing property access from Wyatts Lane. The existing property access is not square to Wyatts Lane.





Existing sediment ponds and material stockpiles along the southern boundary of the property.



Existing quarry pit.





View of northern end wall of the existing quarry pit. The expansion of the quarry will occur further to the north (right of picture).



View from the location of the quarry extension looking south.



View from the location of the quarry extension looking north. The quarry will not extend beyond the trees in the foreground.





View from the location of the quarry looking east. The closest dwelling to the quarry is visible in the middle of photo.



View from the location of the quarry expansion looking south-west. The quarry will not expand to the top of the ridge.

5. Background and Site Context Description:

Parkes Shire

The Parkes Shire is located in the Central West of NSW, approximately 365 kilometres west of Sydney. The shire has a strong and diverse regional economy with a gross regional product of close to \$1 Billion annually. Mining and agriculture are the key industries for the shire, providing significant value to the economy as well as being major employers. Manufacturing and transport also make strong contributions to the economy. Sports, events and celebrations such as the Parkes Elvis Festival, ABBA Festival, Tullamore Irish Festival, Astrofest and the Parkes Picnic Races are important to the economy and help to further develop social capital in the shire.

Parkes is the main centre in the shire and has a stable population of approximately 12,000 people. The location of Parkes is unique in that it is at the cross roads of the national rail network. The strategic importance of Parkes to national transport will be magnified over the next decade, as the new Inland Railway is developed between Melbourne and Brisbane, via Parkes. The development of the Inland Rail will have a range of significant impacts on supporting industries including construction companies and material suppliers. Once the Inland Railway is constructed, Parkes will become the major intersection of north-south and east-west freight train movements in Australia.





Wyatts Lane Quarry

A hard rock quarry is known to have operated intermittently at the site of the Goonumbla Quarry for many years and was known as Wyatts Lane Quarry. This quarry was a relatively small operation that provided hard rock gravel material for road and railway infrastructure and adjoining farms. No approvals are recorded for the Wyatts Lane Quarry.

Goonumbla Quarry

The EIS states the quarry was disused prior to the proponent seeking approval in 2012-2013 to commence quarrying operations. Formal approval of the quarry was granted by Parkes Shire Council under Development Consent No. DA12097, dated 16 April 2013. The consent limited extraction to an area of approximately 1.8 hectares and at a maximum extraction rate of 21,700m³ per year, which equates to around 58,590 tonnes per year.

An Environment Protection License (EPL 20288) was issued by the NSW Environment Protection Authority, authorising the carrying out of the following scheduled activities at the premises:

- Crushing, grinding or separating: >30,000 – 100,000 tonnes processed.
- Extractive activities: >30,000 – 50,000 tonnes extracted, processed or stored

Quarry operations were started around the end of 2013 by Cudal Lime. The new quarry was named Goonumbla Quarry and continued to be operated by Cudal Lime, with the company operations changing its name to Ausrock Quarries Pty Ltd (ARQ) in recent years. Based on the estimated volume of material authorised for extraction under DA12097 and EPL 20288, the ARQ Goonumbla Quarry has a lifespan of approximately 19 years.

The approved Goonumbla Quarry contains the following areas:

- Open cut pit and bunding
- Loading / stockpile area
- Site compound
- Gravel access road and access tracks
- Parking area
- Sediment basin

Operational activities at the existing Goonumbla Quarry are summarised below:

- Drilling and blasting (3 campaigns per year)
- Open cut extraction in benches to create 3 sided enclosure
- Material processing, including stockpiling of extracted material in pit, crushing and screening
- Stockpiling of finished materials in open cut and waste rock material around edge of pit
- Loading of trucks by front-end loader
- Haulage by 32 tonne capacity truck-dog trailers via Wyatts Lane (to east only) and then onto Bogan Road

The existing / approved quarry layout is depicted in Figure 2 overleaf.





Figure 2: Existing / approved Goonumbla Quarry under DA12097, Source: Geolyse EIS, March 2018





Ausrock Quarries Goonumbla Quarry Expansion DA2018/0027 (current proposal)

Planned construction of the Inland Railway between Melbourne and Brisbane via Parkes has encouraged ARQ to increase the quarry capacity of the Goonumbla Quarry Expansion. To meet new demand for product, ARQ is seeking consent for a maximum extraction rate of 300,000 tonnes of material per year, resulting in a mining lifespan of 6-7 years or a lifespan of 10-15 years at a reduced extraction rate 150,000 tonnes per annum.

The EIS states the proposal involves extension of the existing open-cut pit. The proposed quarry expansion will disturb approximately 1.9 hectares (quarry area only). Activities involved in the expansion are described below:

- **Site clearing and stripping** - the site will be surveyed and marked out before the proposed quarry expansion commences to minimise clearing and stripping to the minimum area necessary. All stripped soils will be separated (topsoil and subsoils) and stockpiled in the proposed bunding area for future rehabilitation works.
- **Drilling and blasting** - approximately 6 blasts per year by a qualified contractor to generate fragmented rock suitable for processing. Each of these blast events would be proceeded by approximately one week of drilling activity to produce the necessary hole-depth and pattern required to obtain the desired quantity of fragment rock material. Fragment rock material created by the blast would be loaded by excavator into haul trucks for transport to the mobile crushing plant located within the pit for processing.
- **Extraction staging** - the pit would be worked in progressive stages to create pit benches with berms in accordance with the NSW Department of Environment and Climate Change (DECC) Managing Urban Stormwater: Soils and Construction Volume 2E Mines and Quarries. Dependent on the rate of extraction, the quarry is expected to have an operational life of approximately 6-7 years under the maximum annual extraction rate (300,000 tonnes per year) and up to 10-15 years under slower extraction rates (i.e. approximately 150,000 tonnes per year).
- **Bunding** - a 30 metre wide bund will be provided around the quarry extension to stockpile stripped overburden and to act as a safety bund wall. The bund will have a maximum height of 3 metres and will disturb 1.43 hectares.
- **Stockpiles** - extracted material will be stockpiled in the open-cut pit until that material is ready for processing. Primary crushing and screening (ballast production) will continue to be undertaken in the pit by mobile crushing equipment. The mobile crushers will continue to move into the pit as it progresses. Aggregate production (using semi-mobile crushing and screening plant) will be undertaken adjacent to the entrance of the pit. Processed material will be stockpiled in the loading/stockpile area at the southern extent of the quarry site. Waste rock material and overburden will be stockpiled in the bunded areas around the edges of the pit.
- **Processing** - hard rock processing will occur in two phases; primary crushing / screening (in the open-cut pit) and then aggregate plant processing (southern extent of quarry). Blasted rock will be crushed at the pit face by mobile crushing and screening plant and hauled by a dump truck to the aggregate plant for processing.
- **Loading and haulage** - processed material will be loaded by a front-end loader and hauled to the loading / stockpile area at the southern extent of quarry. Loading of the quarry product will continue to be undertaken at the loading / stockpile area by front-end loader onto truck-dog trailers (32 tonne capacity).

The proposal is to expand the active extraction area of the quarry, directly north of the existing disturbance area. The existing access from Wyatts Lane and then onto Bogan Road is to continue to be used. The expansion would:

- Increase extraction to a total extraction of 724,700m³ or 1,956,690 tonnes of material.
- Allow for an increase in processing from the currently approved 21,700m³ or 58,590 tonnes per annum to up to 300,000 tonnes per annum.
- Allow for a maximum of 150,000 tonnes of material to be transported via public roads (Wyatts Lane to Bogan Road and then onto the Newell Highway).
- Result in an additional disturbance area of approximately 5.2 hectares, including the 1.9 hectares for the quarry expansion, 1.43 hectares for bunded areas around the pit, 0.41 hectares for an access road around the pit expansion, and 1.45 hectares for an access road to a future potential rail siding.
- Include the installation of an access road connecting the quarry to a future potential rail siding.





- Include the installation of an aggregate plant within the existing quarry disturbance area.
- Increase the blasting events to approximately 6 per year.
- Increase daily heavy vehicle movements to an average 30 movements per day and maximum 60 movements per day.

A map showing the proposed quarry expansion (red) and the existing quarry operations (green dotted line) is shown in Figure 3:



Figure 3: Proposed Goonumbbla Quarry Expansion, Geolyse EIS, March 2018



**Planning Approval Framework:**

The proposed quarry expansion is regionally significant development for the purposes of the Environmental Planning and Assessment Act 1979 because it is a proposed extractive industry expansion which meets the requirements for Designated Development under the Environmental Planning and Assessment Regulation 2000. As such, this assessment report is to be tabled with the Western Regional Planning Panel in accordance with State Environmental Planning Policy (State and Regional Development) 2011, the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000.

As previously stated, the proposed quarry expansion is Designated Development as defined under Schedule 3 of the Environmental Planning and Assessment Regulation 2000, as it involves obtaining or processing for sale, or reuse, more than 30,000 cubic metres of extractive material per year. Accordingly, an Environmental Impact Statement (EIS) for the Goonumbla Quarry Expansion has been prepared by Geolyse, dated March 2018.

The development is Integrated Development in accordance with Clause 4.46 of the Environmental Planning and Assessment Act 1979, requiring an Environment Protection License (EPL) from the Environment Protection Authority (EPA) under the Protection of the Environment Operations Act 1997. While an approval under Section 138 of the Roads will be required with respect to any works proposed in Wyatts Lane, no integrated approvals are sought as part of the development application.

The DA was publicly exhibited / notified in accordance with Division 5 Public Participation - Designated Development of the EP&A Act 1979. One submission was received from the Boral Property Group (not including the responses received from EPA, RMS, OEH and RFS). No other government agencies were consulted / provided a submission on the DA.

No additional information was sought / provided from the Applicant in relation to the DA.

A summary of the process for DA2018/0027 is provided in Figure 4 below:



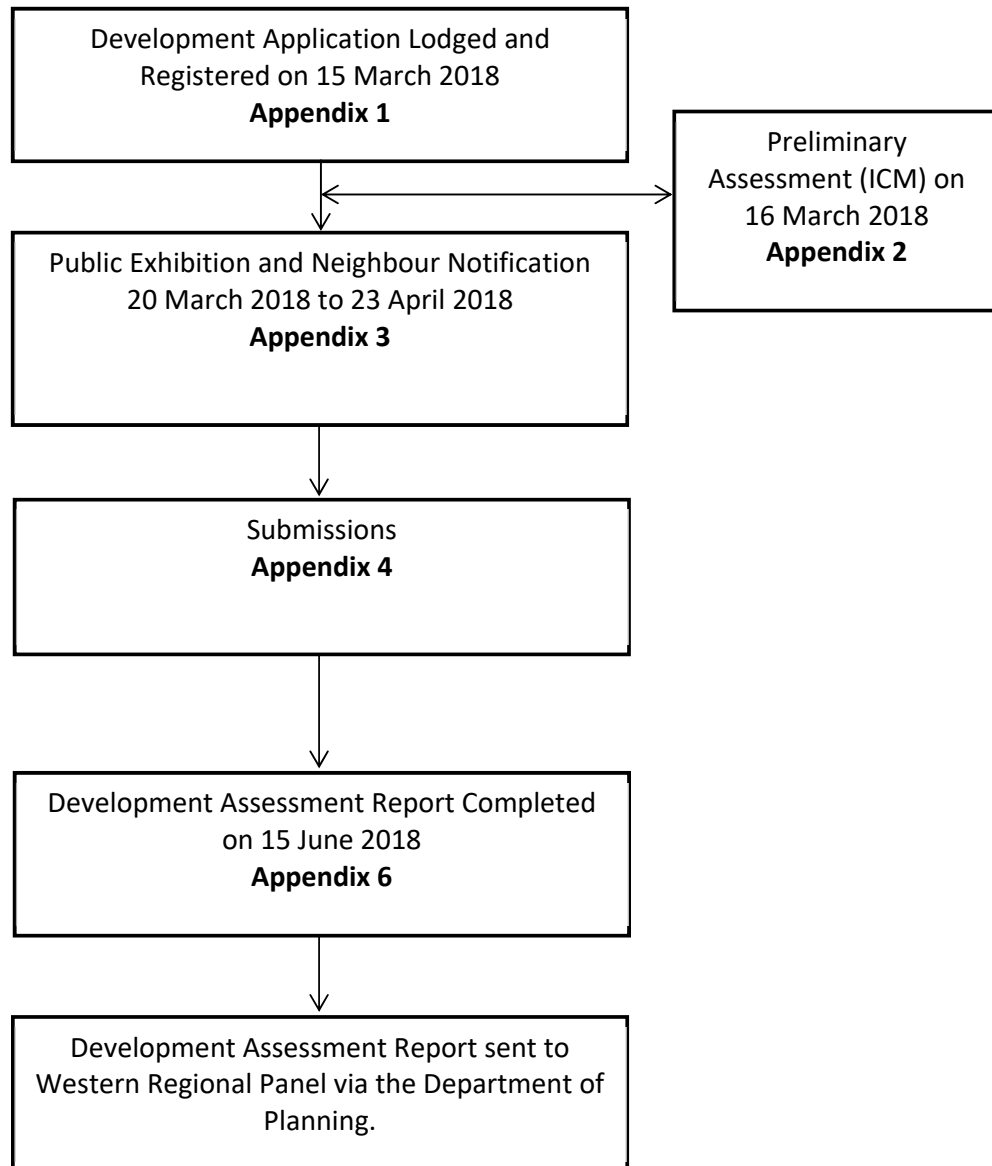


Figure 4: DA2018/0027 Process Chart



6. Environmental Planning Assessment:

S4.15(1)(a)(i) The provisions of any environmental planning instrument

Local Environmental Plans

The Parkes Local Environmental Plan 2012 applies to all land within the Parkes Local Government Area. The site of the proposed development is zoned RU1 Primary Production under the Parkes Local Environmental Plan 2012. The Land Use Table for the RU1 Primary Production Zone permits an extractive industry (quarry) with consent.

Clause 2.3(2) of Parkes Local Environmental Plan 2012 provides that the consent authority shall have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives of the RU1 Primary Production zone are:

The objectives of the RU1 Primary Production Zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage eco-tourism enterprises that minimise any adverse effect on primary industry production.
- To permit non-agricultural uses that support the primary production purposes of the zone.
- To permit small scale rural tourism uses associated with primary production and environmental conservation with minimal impact on primary production and the scenic amenity of the area.
- To encourage the provision of tourist accommodation in association with agricultural activities.
- To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

The proposed expansion of the Goonumbla Quarry is assessed to be consistent with the objectives of the zone, which permits extractive industries with consent. The proposal utilises land that is used / suitable for the extractive industry expansion. The quarry operation is well setback from nearby farming properties and associated dwellings. The proposed quarry expansion would not impact, alienate, fragment or conflict with agricultural land-uses in the locality. The quarry will continue to utilise Wyatts Lane for access purposes. The proposal provides employment opportunities and contributes positively to the local economy.

The following provisions of the Parkes Local Environmental Plan 2012 have been especially considered in the assessment of the proposal:

Clause 6.1 Earthworks

Before granting development consent for earthworks, the consent authority must take the following into consideration:

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The proposal is expected to involve the extraction of approximately 724,700m³ of material and a 30 metre wide by 3 metre high bund. The proposed expansion of the quarry is immediately north of the existing quarry pit. The quarry expansion area is located towards the top of the ridgeline of the quarry hill. No waterways or drainage lines will be disrupted as part of the proposed expansion works.

The management of drainage and soil movement and stability will be managed under an Environmental Management Plan.





Future use of the land will likely relate to the uses permitted in the RU1 Primary Production zone as it is unlikely the land will be re-zoned or re-developed for alternate land-uses in the future. The quarry pit is not proposed to be refilled as the development does not generate enough waste material. Subsequently, the site will be left with a void pit. Due to the large extraction and changes to the soil composition it is assessed the quarry pit will be unusable for any agricultural activities; however, the balance of the property not used for quarrying will not be adversely affected and can continue to be used for agricultural activities.

The site is predominantly cleared farmland. The southern section of the site has been used for quarrying activities for many years. Investigation of past use and a site inspection reveals no signs of contamination, except for a small existing waste dump which is proposed to be cleaned up. Excavated fill is expected to be of good quality and suitable for a variety of uses, such as bunding and to facilitate rehabilitation works. Any surplus excavated material will be stored on-site, with suitable stockpile areas being located near the southern boundary of the site.

The proposed quarry development is unlikely to affect the existing and likely amenity of adjoining properties. Adjoining properties are primarily used for agricultural purposes and are well setback / separated from the pit and processing areas. The potential for dust and soil erosion impacts will be managed under an Environmental Management Plan.

An Aboriginal and Historic Due Diligence Archaeological Assessment was prepared by Biosis for the proposed development. The assessment findings revealed there were no Aboriginal or sensitive landforms recorded at the site. The development is not located near any natural waterways or drinking water catchments.

It is considered that the proposed development has been designed to control and minimise any potential negative impacts on the environment, taking into account the location of existing quarry and site characteristics. It is assessed the proposed development and associated earthworks will not detrimentally impact drainage lines, soil stability, amenity of adjoining properties or any environmental sensitive areas.

Clause 6.2 Terrestrial Biodiversity

This clause applies to land identified as “Biodiversity” on the Parkes Terrestrial Biodiversity Map.

Part of the site is identified as ‘Biodiversity’, therefore this clause applies.

Clause 6.3(4) states as follows:

“Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) The development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) If that impact cannot be reasonably avoided by adopting feasible alternatives—the development is designed, sited and will be managed to minimise that impact, or*
- (c) If that impact cannot be minimised—the development will be managed to mitigate that impact.”*

Site inspection shows the land, the subject of the proposed quarry expansion, is typically cleared farming land similar to many rural farms in the Parkes Shire. The land has been used for agricultural purposes, then quarrying activities for many years.

The site of the quarry expansion is on top of a small hill that has been largely cleared of native vegetation. No significant stands of vegetation are located on the site and the land is covered by grasses and exotic weeds, with isolated paddock trees and contour banks.

The proposed quarry expansion has been designed to avoid trees and tree corridors wherever possible. The vast majority of the expanded quarry pit and bunded area will be located on top of the ridge that has been the subject of grazing and cropping activities over many seasons.

The EIS included a Biodiversity Assessment Report prepared by Biosis, dated 2 March 2018. The biodiversity assessment report includes the existing quarry, the proposed quarry expansion area, the pit access road and a future rail siding access road. Native vegetation located north of the quarry site was also included in the biodiversity assessment.

The EIS advises the proposal may result in the following impacts to ecological values:





- Removal of 3.6 hectares of PCT 267 White Box - White Cypress Pine - Western Grey Box shrub/grass/forb woodland.
- Removal of three hollow-bearing trees.
- Removal of three mature White Box and six mature Kurrajong trees that provide foraging habitat for a variety of highly mobile species including some threatened species.
- Increase in deposition of dust on native vegetation and flora and fauna habitat during construction and operation of the quarry expansion.
- Increase in noise and vibration impacts to fauna habitat surrounding the subject site.
- Increased prevalence of weeds or introduction of new weeds to retained native vegetation surrounding the subject site.

The EIS documents the assessment of the impacts of the proposal on Matters of National Environmental Significance (NES) against the heads of consideration outlined in Commonwealth of Australia (2013) to determine whether referral of the proposal to the Commonwealth Minister for the Environment is required. On the basis of criteria outlined in Commonwealth of Australia (2013) it is considered unlikely that a significant impact on a Matter of NES would result from the proposal.

Assessments of the likelihood of threatened biota occurring within the study area and their significance were completed for one ecological community: White Box, Yellow Box Blakely's Red Gum Woodland EEC. The EIS advises the assessments of significance indicate that a significant effect is not likely to result from the proposal and a Species Impact Statement is not required. As the proposal is unlikely to result in a significant effect to threatened biota, the EIS states consideration of the BioBanking Scheme is not warranted.

The EIS also advises the SEAR's were obtained prior to the commencement of the Biodiversity Conservation Act 2016 (BC Act). The development is not required to be assessed under the new BC Act requirements as it was submitted within 18 months of the commencement of the BC Act and meets the requirements of Biodiversity Conservation (Savings and Transitional) Regulation 2017.

The principal means of reducing impacts to ecological values within the subject site and broader study area will be to minimise removal of native vegetation through siting of the development on already disturbed land. It is assessed that the proposed quarry expansion has been designed to minimise the extent of native vegetation clearing as much as possible. The EIS advises a suite of management measures will be incorporated into the construction and operational phases of the proposal to mitigate impacts to ecological values. The EIS states that an Environmental Management Plan (EMP) will be developed to guide construction of the quarry expansion and include measures to mitigate dust, erosion and sedimentation and to ensure protection of EEC / CEEC vegetation and associated habitats beyond the subject site. The EMP will include on-site fauna management measures that will guide vegetation clearing activities and minimise the risk of injury or death to native fauna, in particular hollow dependent species during tree removal. As far as practicable, the removal of hollow-bearing trees and other native vegetation will be undertaken at a time and in a manner that will cause least impact to fauna species with potential to occur within the subject site.

The Office of Environment and Heritage have reviewed the EIS and Biosis report and provided their comments / recommendations on the proposal, which are included in the recommended conditions. As noted in the EIS, and consistent with OEH comments, impacts to White box yellow box Blakely's red gum woodland would be offset by compensatory planting of 3.6 hectares of locally native plants in the retained vegetation along the hill and ridge beyond the quarry footprint. The plantings would aim to enhance the floristic and structural characteristics of the woodland and increase resilience of those areas.

Having regard to the quarry design and the management strategies proposed for the quarry expansion, no significant impacts on the native flora and fauna are assessed.

Clause 6.7 Essential Services

The subject land is currently not connected to Council's reticulated water supply or sewer. The EIS states that on-site water supply and sewerage systems will be used to service quarry workers, amenities and work practices. No additional water supply or sewerage system systems are proposed, as it is anticipated the expanded onsite sediment basin will be able to facilitate quarrying operations. Mains power and telecommunications is available in the area. Existing vehicular access is available from Wyatts Lane.

State Environmental Planning Policies

The following State Environmental Planning Instruments (SEPPs) apply to the Parkes Local Government Area:





- SEPP 1 - Development Standards
- SEPP 4 - Development Without Consent & Miscellaneous Exempt & Complying Development
- SEPP 6 - Number of Storeys in a Building
- SEPP 21 - Caravan Parks
- SEPP 30 - Intensive Agriculture
- SEPP 32 - Urban Consolidation (Redevelopment of Urban Land)
- SEPP 33 - Hazardous and Offensive Development
- SEPP 36 - Manufactured Home Estates
- SEPP 44 - Koala Habitat Protection
- SEPP 50 - Canal Estate Development
- SEPP 55 - Remediation of Land
- SEPP 62 - Sustainable Aquaculture
- SEPP 64 - Advertising and Signage
- SEPP 65 - Design Quality of Residential Flat Development
- SEPP (Affordable Rental Housing) 2009
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Major Development) 2005
- SEPP (Mining, Petroleum Production and Extractive Industries) 2007
- SEPP (Rural Lands) 2008
- SEPP (State and Regional Development) 2011
- SEPP (Miscellaneous Consent Provisions) 2007
- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Educational Establishments and Child Care Facilities) 2017

The following SEPPs are specifically relevant to the assessment of the proposed development:

SEPP 33 – Hazardous and Offensive Development

A potentially hazardous or potential offensive industry, and a hazardous and offensive industry are those that without the implementation of appropriate measures to reduce or minimise impacts would (potentially) pose a significant risk to the locality, human health, life or property or the biophysical environment.

In accordance with SEPP 33, the hazardous materials to be held within the subject site are required to be identified and classified in accordance with the risk screening method contained within the Hazardous and Offensive Development Application Guidelines (DoP 2011). In accordance with Clause 8 consideration must be given to the current guidelines published by the Department of Planning to determine whether a development is a potentially offensive / hazardous industry or an offensive / hazardous industry.

The EIS advises the potentially hazardous goods that would be used / stored within the quarry site would include diesel and other hydrocarbons such as oils.

The Hazardous and Offensive Development Application Guidelines – Applying to SEPP 33 and the Australian Code for the Transportation of Dangerous Goods by Road and Rail identifies that engine oil, hydraulic oil, transmission oil and diesel fuel are not dangerous goods. Diesel fuel is identified as a combustible liquid; however is exempted where it is stored in a separate bund or storage area where there are no flammable materials stored.

The EIS advises that fuels (mainly diesel) will be stored separately in a bunded area.

The proposed development is not considered to involve hazardous goods, or comprise a potential hazardous or offensive industry. A preliminary hazard analysis is not required.

SEPP 44 - Koala Habitat Protection

SEPP 44 applies to the site given that it exceeds 1 hectare in size and is located within the Parkes Local Government Area to which the SEPP applies. Part 2 of the SEPP requires the consent authority to consider whether the land, the subject of the application, comprises potential or subsequently core koala habitat.





The EIS included a Biodiversity Assessment Report prepared by Biosis, dated 2 March 2018. The biodiversity assessment report includes the existing quarry, the proposed quarry expansion area, the pit access road and a future rail siding access road. Native vegetation located north of the quarry site was also included in the biodiversity assessment. Biosis reporting identified the site contained a Koala feed tree species (White Box Eucalypt) which comprised 15 per cent of the total number of trees in the upper / lower strata of the tree component.

As part of the flora and fauna assessment work, Biosis carried out a field inspection to identify any potential koala habitats, and to inspect these areas for signs of koalas. Investigations undertaken by Biosis included inspections of feed tree species for koala's, breeding females and koala scats. The investigations did not reveal any evidence of koala's and was the conclusion of Biosis that the land does not comprise a core koala habitat.

An inspection by Council officers on 10 May 2018 validated the work undertaken by Biosis. There was no evidence of koalas and there was a general conclusion that the site did not contain an adequate mix of feed trees to sustain koalas. Research of the previous environmental reports conducted in and around the Parkes area confirms an absence of recordings of Koalas in the region for many years. Based on the Biosis report it is considered unnecessary to proceed further with a SEPP 44 assessment.

SEPP (Infrastructure) 2007

Clause 45 of SEPP Infrastructure requires a Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- Immediately adjacent to an electricity substation.
- Within 5m of an overhead power line.
- Includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5m of an overhead electricity power line.
- Placement of power lines underground.

The proposal is not within or immediately adjacent to any of the above infrastructure. There are no special requirements that need to be considered in relation to electricity infrastructure.

Schedule 3 of SEPP (Infrastructure) 2007 requires any development with over 200 or more motor vehicles to be referred to the Roads and Maritime Services (RMS) for comment. At maximum production capacity it is anticipated the development will generate approximately 60 vehicles movements per day and therefore the proposal is not traffic generating development.

Clause 85 of SEPP (Infrastructure) 2007 requires the consent authority to consider whether any development proposal on land that is in or immediately adjacent to a rail corridor is:

- Likely to have an adverse effect on rail safety.
- Involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains.
- Involves the use of a crane in air space above any rail corridor.

The Parkes to Narromine Railway is located approximately 500 metres from the quarry site via Wyatts Lane. The EIS states existing access to the subject site is provided from Wyatts Lane via Bogan Road. This access route avoids crossing of the Parkes to Narromine Railway.

The EIS proposes the construction of an internal access road from the quarry to the eastern side of the Parkes to Narromine Railway, located on the western side of the site. The access road is proposed to be constructed to support a future potential rail siding which may be required to allow for the potential supply of quarry product to the ARTC. The EIS states the use of the internal access road to a future rail siding is not proposed via this DA and would be dealt with by future DA modification, and dependent on whether ARQ can secure contracts for the supply of rail ballast to ARTC.

It is assessed that the proposed development will not have any adverse impacts on rail safety / operations.

SEPP 55 - Remediation of Land

Clause 7 of SEPP 55 requires that a consent authority must consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable for the development in its contaminated state, or that appropriate arrangements have been made to remediate the site prior to the development being carried out.





Before determining whether an application for consent to carry out a development for a change of use the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines. It is assessed that the development does not constitute a change of use and a preliminary investigation report is not required.

The site is not identified on Council's Contaminated Sites Register. A visual inspection and review of the EIS and the contaminated land planning guidelines reveals a number of activities which could lead to potential contamination, including agricultural activities, extractive industries (existing quarry), oil and chemical storage and an existing waste storage area.

An assessment of existing and potential contamination is detailed in Section 15 of the EIS. There is an existing waste dump at the site that will be impacted by the proposal (see Figure 31 in EIS). The EIS states waste material in the waste dump will be classified and disposed of lawfully. An existing bunded storage area is provided on site for storage of oils and plant / equipment, which is adequate for continued storage purposes.

SEPP (Mining, Petroleum, Production and Extractive Industries) 2007

The primary aim of SEPP (Mining, Petroleum, Production and Extractive Industries) 2007 is to provide for the proper management and development of mineral, petroleum and extractive material resources throughout NSW.

Part 3 of SEPP Mining, Petroleum, Production and Extractive Industries 2007 outlines the matters for consideration with any DA for an extractive industry. The SEPP requires a consent authority to consider a number of matters prior to determining a DA for an extractive industry, as follows:

- Clause 12AB of the SEPP lists the non-discretionary development standards, that if the proposal meets, a consent authority cannot impose more onerous standards. The non-discretionary standards are assessed in the table below:

Standard	Comment	Compliance
Cumulative Noise Level	A quantitative noise and vibration impact assessment was carried out for the expanded quarry operations, and documented in the EIS. The EIS demonstrates compliance can be achieved with the recommended mitigation measures. EPA have issued their GTAs, which are integrated in the conditions.	Yes
Cumulative Air Quality	A quantitative air quality impact assessment was carried out for the expanded quarry operations, and documented in the EIS. The EIS demonstrates compliance can be achieved with the recommended mitigation measures. EPA have issued their GTAs, which are integrated in the conditions.	Yes
Airblast Overpressure	The noise and vibration impact assessment work identified a maximum instantaneous charge (MIC) of 100kg results in the predicted compliance with the criteria of 115 dB (Lin Peak) at all nearby receptors.	Yes
Ground Vibration	The noise and vibration impact assessment work identified the ground vibration level predicted at the nearest dwelling (based on the MIC) would be 2 mm/s.	Yes
Aquifer Interference	The EIS states the proposed complies with the Aquifer Interference Policy.	Yes

EPA have issued their GTAs for the proposed quarry expansion. Appropriate conditions will be incorporated into the consent / EPL to control noise, vibration, dust, groundwater and waterway issues to acceptable levels.

- Clause 12 of the SEPP requires consideration of the compatibility of proposed extractive industry with other land-uses, as follows:
 - the existing uses and approved uses of land in the vicinity of the development, and
 - whether or not the development is likely to have a significant impact on the uses that, in the opinion of the consent authority having regard to land-use trends, are likely to be the preferred uses of land in the vicinity of the development, and
 - any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and
 - evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a) (i) and (ii), and
 - evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

Having regard to the above, the proposed expanded quarry is located within a larger rural holding (Lot 32 DP 816454, "Limestone"). The vast majority of quarrying operations are to be well-contained within the property. Surrounding





land-uses are predominantly broad-acre farming enterprises and associated dwellings. The nearest dwelling is located approximately 600 metres to the east of the proposed quarry expansion. The EIS confirms the proposed quarry expansion can be operated without resulting in significant impacts on nearby land-uses, including nearby dwellings.

EPA have issued their GTAs for the proposed quarry expansion. Appropriate conditions will be incorporated into the consent to control noise, vibration, dust, groundwater and waterway issues to acceptable levels. Subject to conditions, there are no significant impacts assessed on nearby roads and railways. The proposed quarry expansion is considered to be compatible with surrounding land-uses.

- Clause 12A of the SEPP requires consideration of any applicable voluntary land acquisition and mitigation policy provisions. The proposed development is not subject to any voluntary land acquisition. No further consideration of this aspect of the SEPP is necessary.
- Clause 13 of the SEPP requires consideration of the compatibility of the proposed development with other mining, petroleum production or extractive industry development / resources in the vicinity. Before determining an application to which this clause applies, consideration of the following is required:
 - (i) the existing uses and approved uses of land in the vicinity of the development, and
 - (ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and
 - (iii) any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and
 - (a) evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a) (i) and (ii), and
 - (b) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

Having regard to the above, the proposal is an extension of an existing quarry operated by the proponent. The EIS advises a review of the MinView online database confirms there are several base / precious metal occurrences in the region, with the closest current resource located approximately 12.5 km north-west of the site (Northparkes Mine). There are no other mines, petroleum production facilities or extractive industries within close proximity to the Goonumbla Quarry. The area is not identified in any environmental planning instrument as a location of significant resources of minerals, petroleum or extractive materials. Section 15.6 of the EIS advises several exploration licenses are located over and around the Goonumbla Quarry. It is assessed the expanded quarry is a compatible land-use in the locality, as it does not impact on high value agricultural land or any known valuable resources.

- Clause 14 of the SEPP requires consideration as to whether the consent should be issued subject to conditions aimed at ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure the following:
 - (a) that impacts on significant water resources, including surface and groundwater resources, are avoided, or are minimised to the greatest extent practicable,
 - (b) that impacts on threatened species and biodiversity, are avoided, or are minimised to the greatest extent practicable,
 - (c) that greenhouse gas emissions are minimised to the greatest extent practicable.

Consideration of the greenhouse gas emissions (including downstream emissions) of the development, must also be given in accordance with applicable State or national policies, programs or guidelines concerning greenhouse gas emissions. A detailed assessment of potential greenhouse gas emissions is provided in Section 11 of the EIS. The EIS states the emissions from the expanded quarry are minimal in the overall context of national emissions. EPA have issued their GTAs for the proposed quarry expansion. Appropriate conditions will be incorporated into the consent to control air quality to acceptable levels.

- Clause 15 requires the consent authority to consider the efficiency or otherwise of the development in terms of resource recovery. The EIS states the proposal would generate minimal waste rock due to the quality of the rock available. Overburden and topsoil material will be re-used on site for bunding and rehabilitation purposes. Wastes generated from the site office, sheds and amenities can be suitably controlled as conditions.
- Clause 16 requires the consent authority to consider the efficiency or otherwise of the development in terms of transport. The EIS states internal transfer of materials between the extraction point and the processing areas would not be via a public road. Material leaving the site would be via Wyatts Lane and Bogan Road. Haulage hours are to





be restricted to avoid haulage in school bus times. A Drivers Code of Conduct is to be prepared and included as part of an EMP. The EIS also states the proposal provides an opportunity to reduce transport of quarry product via public roads by potentially supplying ballast to a future rail siding site for ARTC via internal access roads. Design and operation of a rail siding would be subject to a new DA / modified DA in the future (depending on nature and scale of any proposal).

- Clause 17 requires consideration of conditions aimed at ensuring the rehabilitation of land that will be affected by the development. A detailed of rehabilitation issues is provided in Section 3.2 of the EIS. The EIS states a rehabilitation plan will form part of the EMP. Appropriate conditions will be incorporated into the consent to ensure rehabilitation is undertaken in accordance with the EIS and EMP requirements.

It is assessed the proposed quarry expansion complies with the relevant provisions of SEPP (Mining, Petroleum, Production and Extractive Industries) 2007.

SEPP (Rural Lands) 2008

SEPP Rural Lands 2008 aims:

- To facilitate the orderly and economic use and development of rural lands for rural and related purposes.
- To identify the Rural Planning Principles and the Rural Subdivision Principles so as to assist in the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State.
- To implement measures designed to reduce land use conflicts.
- To identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations.
- To amend provisions of other environmental planning instruments relating to concessional lots in rural subdivisions.

Pursuant to the SEPP the proposal does not:

- Compromise the orderly and economic use and development of rural lands for rural and related purposes.
- Compromise the proper management, development and protection of rural lands for the purpose of promoting the social, economic and environmental welfare of the State.
- Increase land-use conflicts.
- Impact on State significant agricultural land.

It is assessed the proposed quarry expansion is consistent with the Rural Lands SEPP.

SEPP (State and Regional Development) 2011

The proposal meets the criterion for regional development under part 4 of State Environmental Planning Policy (State and Regional Development) 2011, in that the development is an extractive industry meeting the requirements of Designated Development under the Environmental Planning and Assessment Regulation 2000. Accordingly, the Western Regional Planning Panel will exercise the consent authority functions of Council for the proposed development.

S4.15(1)(a)(ii) The provisions of any proposed environmental planning instrument

There are no draft LEPs or draft SEPPs that apply to the subject land.

S4.15(1)(a)(iii) The provisions of any development control plan

Parkes Shire Council Development Control Plan 2013 applies to the land. There are no specific controls relating to the development of an extractive industry. The proposal has been assessed against the General Principles for Development as follows:

Section 1.2 General Principles for Development:

- **Consider the character of the neighbourhood** - Land adjoining the site is primarily used for activities associated with agriculture and includes isolated farm dwellings and associated buildings. Farming activities predominantly





include livestock grazing and cropping. The quarry is well-setback and partially screened from surrounding lands by the hill crest to the north and west and the vegetation along the Wyatts Lane Road corridor (south).

- **Maintain the quality of the streetscape** - The proposed development fronts Wyatts Lane, which is a local road servicing predominantly rural farms and the Goonumbla Quarry. The proposed development will not make significant changes to the streetscape, with the existing site access to remain the existing entry point. Roadside vegetation will be maintained. The quarry is well-setback and partially screened from surrounding lands by the hill crest to the north and west and the vegetation along the Wyatts Lane Road corridor. No significant impacts on streetscape issues are assessed.
- **Use the sites attributes to your advantage** - The proposed development has been sited to minimise impacts to adjoining lands and the environment. The development proposal will not adversely alter drainage lines.
- **Ensure appropriate building height, bulk and form** - No new buildings are proposed. The proposal involves the enlargement of an existing quarry operation. The design of the quarry pit is appropriate in terms of open cut bench heights, form and activity areas. An earth bund is proposed around the pit to control stormwater and help mitigate noise impacts. The earth bund is of an appropriate height and scale.
- **Protect heritage** - The site is not identified in the Parkes Local Environmental Plan 2012, Parkes Shire Council's heritage database or the State Heritage Register as containing items of heritage significance. An assessment undertaken by Biosis found no aboriginal heritage items. Given the findings of this heritage assessment work, it is assessed the site has low risk of containing items of archaeological significance.
- **Ensure landscape qualities are retained** - The development has been designed to minimise the removal of vegetation and alterations to drainage lines. The development has been designed to minimise the extent of earthworks and landscape disturbance.
- **Provide for good solar access** - The proposed development does not require solar access. The expansion of the quarry will not adversely impact on the solar access of adjoining lands.
- **Maximise views, however respect privacy** - The proposed development does not involve dwellings or other land-uses that require special design to maximise views / privacy. The development is appropriately setback from property boundaries and adjoining dwellings so as not to have any adverse impacts neighbouring views / privacy / amenity.

S4.15(1)(a)(iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreements relating to the site. The applicant has not requested Council to enter into any form of planning agreement.

S4.15(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Division 8 of Part 6 of the Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be taken into consideration by a consent authority in determining a development application. Consideration of these matters is included below:

- **Clause 92 - Government Coastal Policy** - Not applicable to the Parkes Shire Local Government Area.
- **Clause 92 - Building Demolition** - Not relevant to the proposal.
- **Clauses 93 & 94 – Fire Safety Upgrades** - No fire safety upgrades are required.
- **Clause 94A - Temporary Structures** - Not relevant to the proposal.
- **Clause 95 - Deferred Commencement** - Not relevant to the proposal.
- **Clause 96 - Ancillary aspects of development** - Not relevant to the proposal.





- **Clause 97 - Modification or surrender of development consent or existing use** - Not relevant to the proposal.
- **Clause 97A - Fulfilment of BASIX commitments** - The proposal is not a BASIX affected development.

S4.15(1)(b) the likely impact on the natural and built environment(s) and the likely social and/or economic impact on the locality

- **Context and Setting** - The subject land is located approximately 12 kilometres north of the Parkes Township, on Wyatts Lane. The site has an approximate area of 242.5 hectares. The site has primarily been used for agricultural purposes in the past, mainly cropping and livestock grazing. A quarry was established on the site, post WWII, with no details of approval available for this past use. Development Consent was granted in 2013 under DA12097 for the formal commencement of quarrying on the land. The land is clear of built structures, except for site offices associated with the existing quarrying operations. The site is characterised by a hill located towards the south of the property. Other than the quarry site, the land is predominately open grasslands with isolated paddock trees and farm dams. There is a drainage channel which runs from the north-east of the quarry through adjoining agricultural land to the east and then through the south-western corner of the development site. There is also a drainage line on the western side of the hill ridge running along the western boundary and rail corridor. The subject site is bound by agricultural land directly north, south-east and south-west, which is primarily used for dryland cropping and grazing. The Bogan Road runs to the east of the site and Wyatts Lane runs to the south of the site. The Parkes to Narromine Railway adjoins the western boundary. The extension of the quarry will be consistent with the existing land-use activities currently being carried on at the subject site and on surrounding lands. The expanded quarry operation is not expected to significantly alter the existing context and setting of the area.
- **Land Use Conflict** - The subject land is zoned RU1 Primary Production. The proposed expanded quarry is located within a larger rural holding (Lot 32 DP 816454, "Limestone"). The vast majority of quarrying operations are to be well-contained within the property. Surrounding land-uses are zoned RU1 Primary Production and predominantly broad-acre farming enterprises and associated dwellings. The nearest dwelling is located approximately 600 metres to the east of the proposed quarry expansion area. There are several other dwellings within 1 kilometre of the subject site. The EIS confirms the proposed quarry expansion can be operated without resulting in significant impacts on nearby land-uses, including nearby dwellings. No land-use conflicts are assessed, based on the EIS findings and current land-use activities being carried out on adjoining lands.
- **Access and Traffic** - The subject land (Lot 32 DP 816454, "Limestone") is located on the corner of Bogan Road and Wyatts Lane. Access to the quarry is located at the south-east corner of the site off Wyatts Lane. All traffic is proposed to enter and leave the site via Wyatts Lane (east) and then onto Bogan Road, which is the principal road providing access to the Northparkes Mines, located further north of the subject site. From Bogan Road, a direct route is available to the Newell Highway. The proposed development does not include any changes to the existing transportation routes which are currently from Wyatts Lane (east) to Bogan Road.

The proposed development was referred to the NSW Roads and Maritime Authority who provided the following recommendations which are to be incorporated as conditions of consent:

- Safe Intersection Sight Distance (SISD) in accordance with Part 4A of Austroads Guide to Road Design and relevant Roads and Maritime supplements is to be maintained at the intersection of the site access and Wyatts Lane.
- In accordance with clause 16(1) of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries (2007), the applicant is to prepare and implement a driver code of conduct for the task of transporting materials on public roads.

It is expected that traffic noise impacts associated with the quarry will not be significantly increased. Based on the NSW Road Noise Policy requirements it is assessed the development will generate approximately 41 dB at day and 31 dB at night to the nearest sensitive receptor which is below the 55 dB and 50 dB limitations.

- **Public Domain** - The proposed development will not compromise the availability and enjoyment of public recreational opportunities in the locality. No adverse impacts are assessed.
- **Utilities** - The existing site is not connected to the Parkes Shire Council reticulated water or sewerage systems. On-site systems that currently support quarry operations will continue to be used. The EIS shows the existing sediment basin will be expanded to facilitate the development. This water supply will also be used for dust suppression. No connections to reticulated services are required to support the proposed development. Electricity and telecommunication are available at the site.





- **Heritage** - A detailed assessment of the heritage matters has been conducted by Biosis. This assessment work did not find any items of Aboriginal or non-indigenous heritage. Site inspection by Council's staff did not identify any items of heritage.
- **Other land resources** - The site (Lot 32 DP 816454, "Limestone") is zoned RU1 Primary Production. The proposed development is consistent with the existing land-uses (quarry and livestock grazing) on the land. The proposal has been assessed against SEPP (Rural Lands) 2008 and SEPP (Mining, Petroleum, Production and Extractive Industries) 2007, with no significant detrimental effects on valuable land resources being identified. The proposed development will not affect any water supply catchments.
- **Bushfire** - The site is not identified on the bushfire prone land map. Conditions have been provided from NSW Rural Fire Service and incorporated in the recommendation.
- **Surface Water and Groundwater** - The site is not identified on the groundwater vulnerable land map under the Parkes Local Environmental Plan 2012. Based on the EIS it is considered unlikely that groundwater will be intersected. The EIS confirms the existing open-cut pit extends to a depth of approximately 33 metres below surface and has not intersected groundwater (Section 13.2.2 of the EIS). In the unlikely event of groundwater being intersected by the proposed quarry expansion, noting that the vertical extent of Stage 2 is limited to 10 m below the existing quarry base, the mitigation measures documented in Section 13.3 of the EIS are sufficient to avert potential associated environmental impacts to groundwater resources. EPA have issued their GTAs for the proposed quarry expansion, which are incorporated into the recommended conditions / EPL.

Stormwater will be collected and largely used on-site. A Stormwater Management Plan has been developed (Appendix H of EIS). EPA have issued their GTAs for the proposed quarry expansion. The mitigation measures documented in Section 13.3 of the EIS are sufficient to avert potential associated environmental impacts to surface water resources. EPA have issued their GTAs for the proposed quarry expansion, which are incorporated into the recommended conditions / EPL.

- **Soils** - Earthworks will be required to construct pit and bunded areas. The EIS provides a comprehensive suite of commitments and mitigation strategies to control soil issues and impacts. EPA have issued their GTAs for the proposed quarry expansion, which are incorporated into the recommended conditions / EPL.
- **Air & Microclimate** - The proposal has potential to generate dust from earthmoving, material processing and haulage operations. The EIS advises an air quality assessment has been undertaken to assess the potential operational impacts of the proposed quarry expansion on nearby sensitive receptors in accordance with Approved Methods for Modelling and Assessment of Pollutants in NSW (EPA 2016), including predictive dispersion modelling. The results of the air modelling indicate compliance with all air quality objectives, and the risk of adverse impacts from the quarry expansion is considered to be low. EPA have issued their GTAs for the proposed quarry expansion, which are incorporated into the recommended conditions / EPL.
- **Noise and Vibration** - The proposal has potential to generate noise and vibration from blasting, earthmoving, material processing and truck haulage operations. The EIS includes a detailed noise and vibration impact assessment undertaken by the Assured Monitoring Group (AMG). This assessment work was undertaken in accordance with the EPA Noise Policy for Industry 2017, NSW Road Noise Policy 2011, NSW Interim Construction Noise Guideline 2009 and the NSW Assessing Vibration: a technical guide 2016. The work involved predictive noise modelling to assess the potential impacts of noise emissions from overburden stripping, drilling, blasting, haulage trucks and the new aggregate plant. The results of the predictive modelling shows that compliance with the noise and vibration limits can be achieved with mitigation (acoustic barriers and limiting works). EPA have issued their GTAs for the proposed quarry expansion, which are incorporated into the recommended conditions / EPL.
- **Flora and Fauna** - The EIS included a Biodiversity Assessment Report prepared by Biosis, dated March 2018. The biodiversity assessment report included a study of the existing quarry, the proposed quarry expansion area, the pit access road and a future rail siding access road. Native vegetation located north of the quarry site was also included in the biodiversity assessment.

The biodiversity assessment work shows the vegetation and fauna habitat throughout the majority of the subject site has been modified by past disturbances which included mining, cropping and grazing. Notwithstanding, the site supports a range of ecological values including areas of remnant native vegetation, scattered how-bearing trees and rocky outcrops. The ecological values are described in Table 7.1 of the EIS. The EIS advises the proposal may result in the following impacts to ecological values:





- Removal of 3.6 hectares of PCT 267 White Box - White Cypress Pine - Western Grey Box shrub/grass/forb woodland.
- Removal of three hollow-bearing trees.
- Removal of three mature White Box and six mature Kurrajong trees that provide foraging habitat for a variety of highly mobile species including some threatened species.
- Increase in deposition of dust on native vegetation and flora and fauna habitat during construction and operation of the quarry expansion.
- Increase in noise and vibration impacts to fauna habitat surrounding the subject site.
- Increased prevalence of weeds or introduction of new weeds to retained native vegetation surrounding the subject site.

The EIS documents the assessment of the impacts of the proposal on Matters of NES, against heads of consideration outlined in Commonwealth of Australia (2013), to determine whether referral of the proposal to the Commonwealth Minister for the Environment is required. On the basis of criteria outlined in Commonwealth of Australia (2013) it is considered unlikely that a significant impact on a Matter of NES would result from the proposal.

Assessments of the likelihood of threatened biota occurring within the study area and their significance were completed for one ecological community: White Box, Yellow Box Blakely's Red Gum Woodland EEC. The EIS advises the assessments of significance indicate that a significant effect is not likely to result from the proposal and a Species Impact Statement is not required. As the proposal is unlikely to result in a significant effect to threatened biota, the EIS states consideration of the BioBanking Scheme is not warranted.

The EIS also advises the SEAR's were obtained prior to the commencement of the Biodiversity Conservation Act 2016 (BC Act). The development is not required to be assessed under the new BC Act requirements as it was submitted within 18 months of the commencement of the BC Act and meets the requirements of Biodiversity Conservation (Savings and Transitional) Regulation 2017.

The principal means of reducing impacts to ecological values within the subject site and broader study area will be to minimise removal of native vegetation through siting of the development on already disturbed land. It is assessed that the proposed quarry expansion has been designed to minimise the extent of native vegetation clearing as much as possible. The EIS advises a suite of management measures will be incorporated into the proposal to mitigate impacts to ecological values. An Environmental Management Plan (EMP) is to be prepared to guide construction of the quarry expansion. The EMP includes measures to mitigate dust, erosion and sedimentation and to ensure protection of vegetation and associated habitats beyond the subject site. The EMP will include on-site fauna management measures that will guide vegetation clearing activities and minimise the risk of injury or death to native fauna, in particular hollow dependent species during tree removal.

Having regard to the quarry design and the management strategies proposed for the quarry expansion, no significant impacts on the native flora and fauna are assessed.

The Office of Environment and Heritage have reviewed the EIS and Biosis report and provided their comments / recommendations on the proposal, which are included in the recommended conditions. As noted in the EIS, and consistent with OEH comments, impacts to White box yellow box Blakely's red gum woodland would be offset by compensatory planting of 3.6 hectares of locally native plants in the retained vegetation along the hill and ridge beyond the quarry footprint. The plantings would aim to enhance the floristic and structural characteristics of the woodland and increase resilience of those areas.

Having regard to the quarry design and the management strategies proposed for the quarry expansion, no significant impacts on the native flora and fauna are assessed.





- **Waste** - An assessment of waste generation and potential impacts documented in Section 18 of the EIS. The EIS states the proposal would generate minimal waste rock due to the quality of the rock available. Overburden and topsoil material will be re-used on site for bunding and rehabilitation purposes. Wastes generated from the site office, sheds and amenities can be suitably controlled.
- **Natural Hazards** - The site is not flood prone or bushfire prone. No adverse impacts are assessed. Conditions have been provided from NSW Rural Fire Service, and incorporated in the recommendation.
- **Technological Hazards** - Investigation of past use and visual inspection of the property reveals that there may be contamination associated with the storage of oils and chemicals and operation of machinery, and from an existing waste dump on the site. Geolyse response letter dated 4 May 2018 states *'Waste material would be disposed of lawfully before quarry expansions works commence. Appropriate waste classification guidelines would be used. Acid base accounting tests are not considered to be necessary. Petrographic analysis did not identify any sulphides in the rock composition. Acid rock drainage is caused by formation of acid when sulphide-bearing rocks are exposed to oxidising conditions. The volume of overburden stripping volume is provided clearly in Drawing 215453_02C_C004 (Stage 1 Quarry Layout). The volume of waste in the waste dump is not known but it is evident from Figure 31 in the EIS that it occupies a small surface area (approximately 15 x 10 m). Section 18.1.2 states that "no significant volumes of general waste would be produced".'*
- **Safety Security and Crime Prevention** - The proposal does not pose a safety security or crime prevention risk.
- **Social Impact in the Locality** - The proposed development will support the ongoing development of infrastructure in Parkes and the Central West and therefore the proposal will provide a positive social and economic benefit to the area. The development will create an anticipated four new jobs to the local community.
- **Economic Impact in the Locality** - The proposed development will have a positive impact on the local economy throughout the operation of the quarry, through employment opportunities and the supply of high quality quarry products to the region. It is anticipated the development will generate four additional worker positions. The proposed development has the potential to provide a valuable resource to facilitate large infrastructure projects in the Parkes Shire and will therefore support the development of the local economy.
- **Site Design and Internal Design** - The proposal is generally consistent with the Parkes Local Environmental Plan 2012 and the Parkes Development Control Plan 2013. The design has taken into consideration the existing site features of the land and drainage patterns. The development proposal has been designed to minimise impacts on the environment, road and rail infrastructure, as well as nearby isolated dwellings.
- **Cumulative Impacts** - The proposal is consistent with the Parkes Local Environmental Plan 2012 and Development Control Plan 2013. The site has been zoned for primary production purposes. Adequate control measures are in place to mitigate and manage noise, dust, traffic, stormwater, erosion, and the like. It is assessed that the cumulative impacts of the proposed development are minimal and manageable.

7. Site Suitability Assessment:

The site is zoned RU1 Primary Production on which an extractive industry quarry is permissible with consent. The proposal involves the expansion of an existing quarry. The proposed expanded use is considered suitable for the site given the land features an existing quarry, features appropriate setbacks from neighbouring dwellings, requires minimal vegetation clearance and has suitable transport networks through the local road network and adjoining rail infrastructure. It is assessed that the site has the capacity to support the proposal without creating adverse impacts on the site and adjoining land.

8. Public Submissions Review and Assessment:

The development was notified to adjoining land owners and publicly advertised from 16 March 2018 to 23 April 2018 in accordance with the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2000. During the notification / exhibition period five submissions were received, including a response from RMS, RFS, EPA, OEH and Boral Resources (NSW) Pty Ltd. Copies of all submissions are included in Attachment 3.





On 24 April 2018 Council wrote to Ausrock Quarries Pty Ltd and provided an opportunity for the applicant to respond to any of the issues raised in submissions. On 4 May 2018 a response to submissions was received from Geolyse. A copy of the Geolyse response letter is included in Attachment 7.

The comments received from government authorities have been incorporated into the recommendation, including conditions of consent, and have not been detailed in this Section.

The submission received from Boral Resources (NSW) Pty Ltd is summarised below, followed by an assessment response:

Boral Resources (NSW) Pty Ltd
North Ryde NSW 2113

Boral Submission: The EIS presents a number of inconsistencies and uncertainties, particularly in relation to the existing development approval (Development Consent No. DA12097), current site operations, proposal justification, and consultation with ARTC. The following points are noted:

- **Boral:** The EIS refers to approved operations under DA12097. The plans and supporting documentation from the original consent should be referenced / reviewed in the EIS.

Assessment Response: A copy of Development Consent No. DA12097, the Geolyse Statement of Environmental Effects, December 2012 and approved plans are included in Attachment 6. This documentation clearly shows the quarrying activities approved under DA12097.

- **Boral:** The EIS should document the details of the current EPL and state a variation is required to the current EPL.

Assessment Response: Page 1 of the EIS states *'The development also represents the continuation of a scheduled activity in accordance with clause 19, Schedule 1 of the Protection of the Environment Operations Act 1997.'* The EPA response to SEARs dated 17 June 2016 lists the information it requires to issue its general terms of approval (GTAs for Integrated Development relating to an EPL). The DA Form clearly marked Integrated Development. The EPA have provided a letter dated 26 April 2018 listing their General Terms of Approval. The EPA advises *'The applicant will need to make a separate application to EPA to obtain this licence.'* It is clear that a new EPL is required to be issued by EPA for the proposed Goonumbla Quarry expansion.

- **Boral:** The EIS should be updated to consider the requirement for seeking a controlled activity approval under the Water Management Act 2000, based on the proximity of internal access roads to waterways. There is no detail in the EIS that the existing road has been installed in accordance with a Controlled Activity Approval under the Water Management (General) Regulation 2001. It is also considered the controlled activity provisions of the Water Management Act 2000 apply to the development in respect of extraction activities within 40 metres of waterfront land. This should be considered as part of the EIS.

Assessment Response: Geolyse response dated 4 May 2018 advises *'No change to the existing approved road is proposed and therefore, notwithstanding, the provisions of the Water Management Regulation with respect to controlled activities, no specific approval under the WM Regs are required in relation to the development proposed via this EIS. The existing development is greater than 40 metres from mapped waterfront land. The proposed expansion results in the area of impact associated with the proposed development being offset by a greater distance.'*

- **Boral:** The EIS should have considered the quarry located four kilometres from the Goonumbla Quarry at Lot 10 DP 1134854, Bogan Road, Goonumbla as part of the assessment against SEPP (Mining, Petroleum, Production and Extractive Industries) 2007. In accordance with the Mining SEPP 2007 the EIS should consider the quarry located 4 kilometres south of the subject site and any cumulative impacts. The assessment of compatibility with other lands uses required by the SEARS and Mining SEPP 2007 is not sufficient.

Assessment Response: An existing quarry is located on Lot 10 DP 1134854 owned by Limston Pty Limited. This quarry has operated for many years. Operations at the quarry appear to have been intermittent over many years. No records of development consent having been granted for the quarry operation have been found. It is understood the quarry operates under a mining lease. It is unclear whether the quarry is operational at present. If any quarrying activities are currently being carried out, they are small-scale and intermittent. No cumulative impacts are assessed





on nearby land-use as a result of the Goonumbla Quarry expansion or the quarrying activities on Lot 10 DP 1134854. Both quarries are well-distanced from each other as well as from nearby sensitive receivers (dwellings).

- **Boral:** The EIS provides inadequate assessment of groundwater and surface water impacts, as required under the SEPP (Mining, Petroleum, Production and Extractive Industries) 2007.

Assessment Response: Geolyse response dated 4 May 2018 advises 'site specific data is available on the grounds that the existing open-cut pit extends to a depth of approximately 33 m below surface and has not intersected groundwater (Section 13.2.2 of the EIS). Geolyse considers hydraulic data sourced from site observations of the existing open-cut pit to be significantly more comprehensive than inference of the hydraulic profile from point data collected from a monitoring bore network. In the [unlikely] event of groundwater being intersected by the proposed quarry expansion, noting that the vertical extent of Stage 2 is limited to 10 m below the existing quarry base, the mitigation measures documented in Section 13.3 of the EIS (dot point 2) are sufficient to avert potential associated environmental impacts to groundwater resources.'

The assessment of groundwater and surface water impacts in the EIS and the Geolyse response above is considered to be adequate to allow a proper determination of the application. EPA have provided their GTAs in relation to the development proposal. It is assessed that the mitigation measures proposed in the EIS and the recommended conditions of consent will provide a robust and comprehensive system of management of groundwater and surface water impacts.

- **Boral:** The EIS provides inadequate assessment of Clause 6.2 of the Parkes Local Environmental Plan 2012 dealing with biodiversity.

Assessment Response: Geolyse response dated 4 May 2018 advises 'Terrestrial biodiversity is addressed in Section 5.8.3.1 of the EIS. The LEP requires consideration of potential impacts to terrestrial biodiversity and identification of appropriate mitigation measures; this is adequately addressed by the Flora and Fauna Assessment completed by Biosis, provided in Appendix C of the EIS and accepted by OEH via their grant of General Terms of Approval. As noted in the EIS, and consistent with OEH comments, impacts to White box yellow box Blakely's red gum woodland would be offset by compensatory planting of 3.6 ha of locally native plants in the retained vegetation along the hill and ridge beyond the quarry footprint. The plantings would aim to enhance the floristic and structural characteristics of the woodland and increase resilience of those areas.'

The assessment of biodiversity impacts in the EIS and the Geolyse response above is considered to be adequate to allow a proper determination of the application. It should be clarified that OEH have not issued GTAs, and have rather provided a suite of comments / recommendations for review / determination by the consent authority. Notwithstanding, OEH have reviewed the EIS and provided their comments / recommendations on the proposal, which are included in the recommended conditions. Further assessment of Clause 6.2 of the Parkes Local Environmental Plan 2012 is provided in Section 7 of this report, which concludes the impacts on biodiversity issues has been well-covered in the EIS and Biosis reporting.

- **Boral:** The EIS provides inadequate assessment of groundwater impacts. Additional assessment work should be undertaken with respect to groundwater, including site-specific data, establishment of on-site groundwater monitoring wells, water quality and hydraulic conductivity testing, review of water balance and conceptual modelling, sampling and possibly as water management plan and mitigation licensing.

Assessment Response: Geolyse response dated 4 May 2018 'maintains that site specific data is available on the grounds that the existing open-cut pit extends to a depth of approximately 33 m below surface and has not intersected groundwater (Section 13.2.2 of the EIS). Geolyse considers hydraulic data sourced from site observations of the existing open-cut pit to be significantly more comprehensive than inference of the hydraulic profile from point data collected from a monitoring bore network. In the [unlikely] event of groundwater being intersected by the proposed quarry expansion, noting that the vertical extent of Stage 2 is limited to 10 m below the existing quarry base, the mitigation measures documented in Section 13.3 of the EIS (dot point 2) are sufficient to avert potential associated environmental impacts to groundwater resources.'

The assessment of groundwater impacts in the EIS and the Geolyse response above is adequate to allow a proper determination of the application. EPA have provided their GTAs in relation to the development proposal. It is assessed that the mitigation measures proposed in the EIS and the recommended conditions of consent will provide a robust and comprehensive system of managing of groundwater impacts.





- **Boral:** The EIS presents inadequate water balance data, particularly in relation to drainage to the sediment basin, drainage to the existing watercourse in Wyatts Lane and sediment controls during high rainfall events.

Assessment Response: The EIS provides sufficient consideration of water quality issues. A Soil and Water Management Plan, dated March 2018 is included in Appendix H of the EIS. This Plan details the existing and proposed new measures to be employed at the expanded quarrying operations to properly manage surface water issues. Section 3.4.3 of this Plan includes water balance results. The assessment of surface water impacts in the EIS is adequate to allow a proper determination of the application. EPA have provided their GTAs in relation to the development proposal. It is assessed that the mitigation measures proposed in the EIS and the recommended conditions of consent will provide a robust and comprehensive system of management of surface water impacts.

- **Boral:** The EIS assesses noise impacts against the NSW Noise Policy for Industry 2017 and not the Industrial Noise Policy, as technically required under the SEARs. No cumulative noise assessment has been provided of existing quarries Goonumbla and Glenara Road (approximately 4 km south of the Goonumbla Quarry) and the Glenara Rail Siding (approximately 3.8 km north of the Goonumbla Quarry).

Assessment Response: The EIS provides sufficient consideration of noise and vibration impacts. A Noise and Vibration Impact Assessment has been prepared by Assured Monitoring Group, dated March 2018. This assessment clearly shows the predicted impacts of the expanded quarry on nearby land-use, and provides a robust system of mitigation strategies to ensure the development complies with relevant criteria. It is appropriate and beneficial that the noise assessment work has been undertaken in accordance with the NSW Noise Policy for Industry 2017; being the latest publication in relation to noise assessment procedures / criteria. EPA have provided their GTAs in relation to the development proposal. It is assessed that the mitigation measures proposed in the EIS and the recommended conditions of consent / EPL will provide a robust and comprehensive system of managing noise from the expanded quarrying and haulage operations.

- **Boral:** The EIS involved inadequate survey time / sampling from Biosis on biodiversity matters. It is not clear if the site constitutes core Koala habitat and it is not clear why a significant impact assessment wasn't completed for Koalas under the EPBC Act.

Assessment Response: The EIS provides sufficient consideration of biodiversity matters. A Flora and Fauna Assessment was conducted by Biosis, dated March 2018. Biodiversity issues are adequately addressed by this report. OEH have reviewed the EIS and provided their comments / recommendations on the proposal, which are included in the recommended conditions. As noted in the EIS, and consistent with OEH comments, impacts to White box yellow box Blakely's red gum woodland would be offset by compensatory planting of 3.6 hectares of locally native plants in the retained vegetation along the hill and ridge beyond the quarry footprint. The plantings would aim to enhance the floristic and structural characteristics of the woodland and increase resilience of those areas.

All evidence compiled in the Biosis report concludes the development site does not constitute core Koala habitat. Assessment of SEPP 44 - Koala Habitat Protection is included in Section 7 of this report, and concludes the site does not comprise a core koala habitat. Research of the previous environmental reports conducted in and around the Parkes area confirms an absence of recordings of Koalas in the region for many years.

- **Boral:** The EIS does not clearly define / quantify the impacts and any conservation measures to be implemented for remnants of the Box Gum Woodland CEEC. It is not clear whether the position taken by Geolyse not to obtain a referral under the EPBC Act is justified. There is no reference to the provision of biodiversity offsets. Offsets are required for removal of 3.6 hectares of the White Box EEC.

Assessment Response: A Flora and Fauna Assessment was conducted by Biosis, dated March 2018. The issues associated with remnants of the Box Gum Woodland CEEC are adequately addressed by this report. OEH have reviewed the EIS and the Biosis report and provided their comments / recommendations on the proposal, which are included in the recommended conditions. As noted in the EIS, and consistent with OEH comments, impacts to box gum woodland would be offset by compensatory planting of 3.6 hectares of locally native plants in the retained vegetation along the hill and ridge beyond the quarry footprint. The plantings would aim to enhance the floristic and structural characteristics of the woodland and increase resilience of those areas. A condition will be included in the recommendation requiring establishment of the offsets at the start of the quarry expansion works.





- **Boral:** There are a number of issues where the assessment has failed to adequately assess traffic impacts of the proposed development. The traffic assessment does not comply with RMS SEARs requirements. There is no comparison between existing / current approved operations and proposed traffic generation. There is no consideration of the local road network and its capacity to accommodate additional traffic movements. There is no origin destination surveys and identification of transport routes. There is no identified staff parking area.

Assessment Response: The EIS provides an adequate explanation of access and traffic issues. RMS have provided their response / requirements for the proposal. Council engineering staff have also carried out an assessment of local traffic issues. Conditions are included in the recommendation addressing traffic issues not covered in the EIS documentation.

- **Boral:** The EIS does not provide any commitments on the timing for classification / disposal of the waste dump. The EIS does not adequately address the EPA SEARS requirements in relation to acid generation from waste rock. The statement in the EIS that risk of acid generation is very low is not supported by any sampling / test results. The EIS does not quantify the amounts / volumes of waste streams.

Assessment Response: Geolyse response dated 4 May 2018 states *'Timing of classification / removal of material from the waste dump is clearly addressed in Section 15.8.5 of the EIS. Waste material would be disposed of lawfully before quarry expansions works commence. Appropriate waste classification guidelines would be used. Acid base accounting tests are not considered to be necessary. Petrographic analysis did not identify any sulphides in the rock composition. Acid rock drainage is caused by formation of acid when sulphide-bearing rocks are exposed to oxidising conditions. The volume of overburden stripping volume is provided clearly in Drawing 215453_02C_C004 (Stage 1 Quarry Layout). The volume of waste in the waste dump is not known but it is evident from Figure 31 in the EIS that it occupies a small surface area (approximately 15 x 10 m). Section 18.1.2 states that "no significant volumes of general waste would be produced".'*

- **Boral:** The EIS does not clearly explain previous geological studies that show the Goonumbla Quarry in a geological unit with low potential for naturally occurring asbestos.

Assessment Response: Geolyse response dated 4 May 2018 states *'Context for the petrographic analysis is provided in the petrographic report in Appendix G of the EIS; it was undertaken to determine suitability of the basalt for use as ballast and marine armour rock. The petrographic analysis is dated 10 July 2013 and development consent no. DA 12097 was granted on 16 July 2013, and therefore the analysis was undertaken before consent was granted. The petrographic analysis identifies the 'approximate average composition' of the ballast material. The primary and secondary mineral components identified do not include any minerals that form naturally occurring asbestos.'*

- **Boral:** The EIS provides inadequate assessment of visual impacts.

Assessment Response: The EIS provides an adequate assessment of visual impacts in Section 12. Further assessment of visual impacts is documented in Section 7 of this report. The proposal involves expansion of an existing quarry. Farms and dwellings are well spread out / separated from quarry operations. The quarry is not visually prominent from public roads and railways. The development is not considered to create significant impacts on visual amenity and privacy. No submissions were received during exhibition / neighbour notification raising concerns about visual impacts.

- **Boral:** The EIS provides only a cursory consideration of social and economic impacts. No cost benefit analysis or regional economic assessment has been undertaken.

Assessment Response: Geolyse response dated 4 May 2018 states *'Clause 7 of Schedule 2 of the EP&A Regulations specifies that an EIS must include justification for the carrying out of the proposed development and this may include a cost benefit analysis. However, this is not the only way to provide this justification. It is the position of the applicant that the justification for the carrying out of the development is clearly articulated and a Cost Benefit Analysis is not required to understand that a source of construction material, located close to its end use location, would have a benefit for the community (through reduced costs and reduced disruption to the community from a reduction in traffic movements and emissions).'*

Further assessment of social and economic impacts is included in Section 7 of this report, and concludes the development will have positive social and economic impacts.





- **Boral:** The EIS is inconsistent on recording consultation undertaken with ARTC.

Assessment Response: Geolyse response dated 4 May 2018 states ‘There is no inconsistency with regards to ARTC consultation. The Executive Summary details the consultation between the proponent and ARTC, while Section 4.3 details the consultation effort between Geolyse and ARTC.’

- **Boral:** The EIS is unclear in explaining how vegetation and topsoil are proposed to be stripped.

Assessment Response: Geolyse response dated 4 May 2018 states ‘Section 3.2 provides detail on rehabilitation. Specific rehabilitation details and plans would be provided in a Rehabilitation Plan.’

9. Public Interest Assessment:

The proposed freight transport facility is permitted in the RU1 Primary Production Zone. There are no specific policy statements from either Federal or State Government that are relevant to this proposal, nor any planning studies or strategies. There is no management plan, planning guideline or advisory document that is applicable to the development. There are no covenants, easements, or agreements that affect the proposal.

10. Contributions Assessment:

The development proposal is subject to the Parkes Shire Council Section 94 and Section 94A Contributions Plan 2016. A condition has been included in the recommendation requiring payment of the relevant monetary contributions.

11. Assessment Conclusion / Recommendation

Consent be granted subject to condition(s) detailed below:

Approved Plans and Documentation

- The development shall be carried out in accordance with:
 - The development application DA2018/0027 submitted to Parkes Shire Council on 15 March 2018.
 - The approved stamped Environmental Impact Statement, prepared by GEOLYSE, dated 14 March 2018.
 - The Geolyse letter dated 4 May 2018.

except as varied by the conditions listed herein or as marked in red on the plans. A current and approved copy of the approved stamped by Parkes Shire Council is to be maintained on site for constructional and reference purposes.

General Terms of Approval - Environment Protection Authority

- Except as expressly provided by these General Terms of Approval (GTAs) or by any conditions of consent granted by Parkes Shire Council or the conditions of an in-force environment protection licence issued by the Environment Protection Authority, works and activities must be carried out in accordance with the proposal contained in:
 - The development application DA2018/0027 submitted to Parkes Shire Council on 15 March 2018.
 - The Environmental Impact Statement Goonumbla Quarry Expansion *dated March 2018* relating to the development.
- Should any conflict exist between the abovementioned documents, the most recent document or revision supersedes the conflict, except where superseded by any conditions of approval issued by Council or the conditions of an in-force environment protection licence issued by the Environment Protection Authority.

Management Plans

- The following management plans must be prepared prior to commencement of any surface disturbance and implemented during operation:





- (a) Environmental management plan – adequately dealing with all mitigation measures documented in the Environmental Impact Statement Goonumbla Quarry Expansion *dated March 2018*;
- (b) Surface water and sediment management plan - this plan must be prepared in accordance with the requirements for such plans outlined in the document "*Managing Urban Stormwater: Soils and Construction (Landcom), 2004*" and "*Managing Urban Stormwater: Soils and Construction - volume 2E - Mines and Quarries (DECC, 2008)*";
- (c) Blast management plan - should include but not necessarily be limited to monitoring methods including for flyrock, notification procedures for neighbours prior to the detonation of each blast and measures to protect underground utilities and residences.

Hours of Operation

- 5.
 - (a) Loading activities must only be undertaken between 7am and 6pm Monday to Friday, 7am and 3pm Saturdays and at no time on Sundays or public holidays;
 - (b) Extraction and processing work must only be undertaken between 7am and 5pm Monday to Friday, 7am and 3pm Saturdays, and at no time on Sundays or public holidays.
 - (c) Blasting must only be undertaken between 9am and 5pm Monday to Friday and at no time on Saturdays, Sundays or public holidays, except with written approval by the EPA.
- 6. Activities at the premises must be carried out in a manner that will minimise the emission of dust from the premises.
- 7. Noise generated at the premises must not exceed the noise limits at the locations contained in the in-force environment protection licence.
- 8. The proponent must apply for and hold an in-force environment protection licence issued by the Environment Protection Authority prior to the proponent carrying out any scheduled activities under the Protection of the Environment Operations Act 1997 as proposed.

Prior to Commencement

- 9. Prior to commencement, a Biodiversity Offset Management Plan shall be prepared by an Accredited Assessor under the Biodiversity Conservation Act 2016 that adequately offsets the impacts of clearing 3.6 hectares of White Box Yellow Box Blakley's Red Gum EEC (PCT 267). Management activities included in the management plan should result in an improvement of the offset area over time. The proponent must provide for the long term protection and management of the offset area through expanding that portion of the development site leased from the landowner, and managing this area in accordance with the Biodiversity Offset Management Plan.
- 10. In accordance with clause 16(1) of State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007, the applicant is to prepare and implement a driver code of conduct for the task of transporting materials on public roads.

During Works

- 11. The development is to proceed with caution. If any Aboriginal objects are found, works should stop and the NSW Office of Environment and Heritage contacted. In the event that an Aboriginal relic is uncovered, work must cease immediately and the NSW Office of Environment and Heritage must be contacted.
- 12. All loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out within the confines of the property. No loading, unloading and storage of goods, equipment, tools and building materials, or the carrying out of building operations related to the development proposal shall be carried out on the nature strip, footpath or public roadway system.
- 13. Safe Intersection Sight Distance (SISD) in accordance with Part 4A of Austroads Guide to Road Design and relevant Roads and Maritime supplements is to be maintained at the intersection of the site access and Wyatts Lane.
- 14. All internal access roads shall comply with the following requirements of section 4.1.3 (2) of Planning for Bush Fire Protection 2006 including as follows:
 - A minimum carriageway width of 4 metres;
 - A minimum vertical clearance of 4 metres to any overhanging obstruction, including tree branches;
 - A turning circle with a minimum 12 metre outer radius;





- Curves have a minimum inner radius of 6 metres and are minimal in number to allow for rapid access and egress;
 - The minimum distance between the inner and outer curves is 6 metres;
 - The crossfall does not to exceed 10 degrees; and,
 - Maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.
15. Any damage caused to footpaths, roadways, utility installations and the like by reason of construction / quarry operations shall be made good and repaired to a standard equivalent to that existing prior to commencement of construction. The full cost of restoration / repairs of property or services damaged during the works shall be met by the Applicant.

Completion of Works and Operational Conditions

16. One month following the first 12 months of expanded quarry operations, the monetary contribution set out in the following table is to be paid to Parkes Shire Council pursuant to Section 94 of the Environmental Planning and Assessment Act 1979. The contribution is current as at the date of this consent and is levied in accordance with the Parkes Shire Section 94 Contributions Plan 2016, in force from 5 August 2016, which may be viewed during office hours at Council's Customer Service Centre, 2 Cecile Street, Parkes, or on Council's website www.parkes.nsw.gov.au. The contribution payable will be calculated in accordance with the contributions plan current at the time of payment, and will be adjusted at the time of payment in accordance with the Consumer Price Index (CPI) (All Groups Index for Sydney) published by the Australian Bureau of Statistic (ABS). Contribution amounts will be adjusted by Council each quarter. The contribution rate payable may be adjusted in the event that actual maximum tonnages transported from the site by road are less than the maximum tonnages stated in the EIS. To determine contribution payments required, the Applicant shall provide an annual report to Parkes Shire Council, prepared by a suitably qualified person that details actual tonnages transported by road. This report should be provided within one month of the anniversary of the commencement of expanded quarry operations. The contribution rate will be adjusted based on actual figures and as per the formula included in the Parkes Shire Section 94 Contributions Plan 2016.

Contribution Type	Per annum rate
Road maintenance	\$12,527.00
Plan management and administration	1% of the above figure
Total	\$12,652.27

17. The proposed bunding shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
18. A 20,000 litre water supply shall be provided on the site in accordance with 'Planning for Bush Fire Protection 2006' and the following:
- Aboveground tanks shall be constructed of non-combustible material. A 65mm metal storz fitting and ball or gate valve shall be installed in any tank.
 - The gate or ball valve, pipes and tank penetration shall be adequate for full 50mm inner diameter water flow through the Storz fitting and shall be metal rather than plastic.
 - A standard Static Water Supply (SWS) marker shall be obtained from the District NSW Rural Fire Service as part of the Static Water Supply Program once the tank water supply has been installed. The marker once issued is to be:
 - (a) fixed in a suitable location so as to be highly visible;
 - (b) positioned adjacent to most appropriate access for the static water supply;
 - (c) fixed facing the roadway on a gatepost, fence or dedicated post, at the right hand side of the entranceway to the Static Water Supply;
 - (d) fixed no less than 600mm from the ground surface to the base of the sign and not higher than 1200mm from the ground surface to the base of the sign; and,
 - (e) fixed with suitable screws or nails.
19. Within 18 months of commencement of quarry expansion works, evidence of compliance with Condition No. 9 shall be provided to Parkes Shire Council.
20. Any external lights shall be operated and maintained in accordance with the Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting so as not to cause a nuisance or adverse impact on the surrounding area or to motorists on nearby roads.



**Prescribed Conditions**

21. The work must be carried out in accordance with the requirements of the Building Code of Australia.
22. A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
23. Where development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the certificate must at the person's own expense:
 - (a) protect and support the adjoining premises from possible damage from the excavation, and
 - (b) where necessary, underpin the adjoining premises to prevent any such damage.

