

COUNCIL SUPPLEMENTARY ASSESSMENT REPORT NORTHERN REGIONAL PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSNTH-387 – DA2025-0114
PROPOSAL	Establish and operate a hard rock quarry (Strathmore Quarry) to extract up to 240,000 tonnes per annum and 1,600 tonnes per day for up to 30 years, with a maximum disturbance area of approximately 12 hectares
ADDRESS	Lot 1 DP 755321, Callendale, 51 Gowrie Road, Warral NSW 2340; and Lot 102 DP 1288693, 5498 Duri Road, WARRAL NSW 2340
APPLICANT	Scott Waters
OWNER	Oats Block Pty Ltd
PREPARED BY	Alice Elsley, Team Leader – Development Assessments (Major Projects), Tamworth Regional Council
DATE OF REPORT	29 September 2026

1. PURPOSE AND BACKGROUND

1.1 Purpose of Report

The purpose of this Report is to provide Council's supplementary assessment following the Northern Regional Planning Panel's (Panel) deferral of Development Application (DA) No. DA2025-0114.

1.2 Background

DA2025-0114 seeks consent to establish and operate a hard rock quarry, known as Strathmore Quarry at Lot 1 in DP 755321, Callendale, 51 Gowrie Road and Lot 102 in DP 1288693, 5498 Duri Road, WARRAL NSW 2340. The proposal is for the extraction of up to 240,000 tonnes per annum and 1,600 tonnes per day for a period of up to 30 years, with a maximum disturbance area of approximately 12 Hectares.

DA2025-0114 was lodged on 11 October 2024 and was publicly exhibited from 11 November 2024 to 9 December 2024. A total of 133 unique submissions were received, all by way of objection, with key issues including dust and air quality, noise, traffic and access, water use, amenity, property values and social impacts.

Council's original assessment report, dated 28 November 2025, assessed the DA against the relevant provisions of the *Environmental Planning and Assessment Act 1979*, environmental

planning instruments, agency advice, technical reports and public submissions. The report recommended approval, subject to draft conditions of consent, including conditions relating to air quality, noise, traffic, road upgrades, monitoring, reporting and operational management.

The DA was considered by the Panel at a public meeting held by teleconference on 10 December 2025. Following consideration of the assessment report, public submissions and material presented at the public meeting, the Panel resolved to defer determination of the DA.

The Panel deferred the DA to allow the Applicant to prepare a Human Health Risk Assessment (HHRA) for Respirable Crystalline Silica to evaluate the potential risks to human health associated with respirable crystalline silica in dust that may be emitted from the quarry and migrate onto adjacent residential properties, and to consider any additional risk management measures required. The Panel also directed Council to arrange an independent peer review of the HHRA, and exhibit both the HHRA and peer review for a minimum period of three weeks. Following the conclusion of the public exhibition period, Council was directed to prepare a supplementary assessment report responding to those documents and any submissions received during exhibition.

Following the Panel's Record of Deferral, the Applicant also provided an updated version of the Environmental Impact Statement (EIS) dated 3 March 2025 (sic.). The updated EIS incorporates a new section addressing future land use considerations, including commentary regarding Development Application DA2026-0215 for a boundary adjustment, and includes the HHRA as Appendix U. The amendments are addressed further in this supplementary assessment report where relevant.

This supplementary assessment report has therefore been prepared to address the matters raised in the Panel's Record of Deferral. This Report should be read in conjunction with Council's original assessment report and is limited to the additional matters arising from the Panel's deferral.

2. APPLICANT'S HUMAN HEALTH RISK ASSESSMENT

2.1 Overview

The Applicant submitted a HHRA prepared by Environmental Risk Sciences Pty Ltd (enRiskS) and dated 03 March 2026. The full HHRA is provided as **Attachment A** to this supplementary assessment report.

The HHRA assesses potential community health risks associated with respirable crystalline silica in dust that may be emitted from the proposed quarry. The assessment focuses on nearby residential properties, with the key community of interest identified as the Kingswood residential area, located approximately 550 metres to the north-east of the proposed quarry site.

2.2 Key findings

The HHRA adopts a community air guideline of 3 micrograms per cubic metre for annual average respirable crystalline silica in air as PM_{2.5}. The HHRA states that this guideline is protective of community health and applies to total exposure from all sources, including background concentrations and any incremental contribution from the Project.

The HHRA relies on the air dispersion modelling undertaken for the Air Quality Impact Assessment (AQIA), which predicted annual average incremental PM_{2.5} concentrations at sensitive receptors R1 to R10 of less than 0.1 micrograms per cubic metre. The HHRA adopts an expected background respirable crystalline silica concentration of 1.9 micrograms per cubic metre. On that basis, total predicted exposure remains below the adopted annual average community guideline.

The HHRA also considered the reported free silica content of one mudstone sample, being 43%, and adopted conservative assumptions including that 100% of the predicted incremental PM_{2.5} concentration from the Project could be respirable crystalline silica. The HHRA concludes that there are no health risk issues of concern in relation to long-term community exposure to respirable crystalline silica in air surrounding the project.

2.3 Recommended management measures

The HHRA identifies the use of the site access road as the main contributor to higher predicted incremental particulate matter concentrations. The HHRA notes that the AQIA recommends watering of the access road where visible dust is observed. The HHRA states that this measure would further reduce predicted PM_{2.5} concentrations and increase the margin of safety.

The HHRA does not recommend additional health-specific mitigation measures beyond the implementation of the dust management and air quality controls identified in the AQIA. The adequacy of the HHRA, including its assumptions, methodology and conclusions, is considered further in this report.

3. INDEPENDENT PEER REVIEW

3.1 Overview

In accordance with the Panel's Record of Deferral, Council engaged EnviroScience Solutions Pty Ltd to undertake an independent peer review of the HHRA. The peer review report is included as **Attachment B** to this supplementary assessment report.

3.2 Key findings

The peer review concluded that the HHRA is technically adequate and supports its conclusions regarding potential community exposure to respirable crystalline silica. The review recommended that consideration be given to obtaining additional geological and petrographic sampling across the extraction area to provide greater confidence in the reported silica content. However, this was identified as a best-practice measure and does not materially affect the overall conclusions of the HHRA.

4. PUBLIC EXHIBITION AND SUBMISSIONS

4.1 Public Exhibition

The Applicant's HHRA, the updated EIS dated 3 March 2026 and Council's independent peer review were publicly exhibited on the NSW Planning Portal and Council's website from 10 August 2026 to 31 August 2026. Prior to the commencement of the public exhibition period, notification letters were sent to landowners adjacent to the development and to Kingswood

residents west of Goonoo Goonoo Road, and the submitters from the original public exhibition period.

4.2 Submissions

A total of 54 submissions were received during the exhibition period. Of the 54 submissions received, 53 objected to the proposed development. The remaining submission did not expressly state a position on the proposal but requested that the Panel have regard to the concerns raised by the community.

The submissions generally raised concerns regarding:

- Potential health impacts associated with respirable crystalline silica (RCS), dust and air quality.
- The proximity of the proposed quarry to existing and future residential development.
- The adequacy of the HHRA, including concerns regarding baseline monitoring, meteorological data, cumulative impacts and the reliance on a single geological sample.
- Potential impacts on groundwater resources, water supply and the availability of water for dust suppression.
- Traffic, road safety and heavy vehicle movements associated with the proposed development.
- Amenity impacts, including noise, dust and visual impacts.
- Potential impacts on property values and community wellbeing.
- Concerns regarding cumulative impacts associated with existing quarry operations in the locality.
- Cultural heritage impacts.
- Procedural, governance and assessment process concerns.
- Strategic land use compatibility, particularly in the context of future residential development in the Southern Gateway precinct.

Following the close of the exhibition period, the Applicant provided a written response to the submissions received, including advice from Environmental Risk Sciences Pty Ltd in relation to matters raised concerning the HHRA. The Applicant's response has been considered by Council and is included as **Attachment C** to this Supplementary Assessment Report.

Council's assessment of the issues raised in the submissions is presented in **Table 1** below.

Table 1. Public submissions

Issue	No of submissions	Council Comments
Human health impacts associated with respirable crystalline silica (RCS)	54	The Applicant prepared a HHRA in response to the Panel's deferral. The HHRA concluded that predicted community exposure to respirable crystalline silica would remain below the adopted health-based assessment criterion and would not result in unacceptable human health impacts. Council's independent peer review concluded that the HHRA is technically adequate and supports its conclusions. Council has also recommended conditions requiring enhanced air quality reporting and verification of respirable crystalline silica following commencement of operations.

Reliance on a single geological sample	19	The independent peer review recommended that consideration be given to additional geological and petrographic sampling across the extraction area to further substantiate the reported silica content. However, the review concluded that this recommendation represents a best-practice measure and does not materially affect the conclusions of the HHRA.
Meteorological data and air quality modelling	23	The independent peer review considered the meteorological dataset and concluded that the use of data from the Tamworth Airport Bureau of Meteorology station was appropriate for the regional-scale modelling undertaken and identified no deficiencies in its application. The recommended conditions also require annual reporting of air quality and meteorological monitoring results and an assessment of whether those results remain generally consistent with the assumptions adopted in the AQIA and HHRA.
Baseline monitoring and cumulative impacts	21	These matters were considered in the HHRA, AQIA and EIS. Council's independent peer review concluded that the methodology adopted by the HHRA was appropriate and supported its conclusions regarding community exposure to respirable crystalline silica. Council has also recommended a respirable crystalline silica verification to compare actual operational conditions with the assumptions adopted in the HHRA.
Reliance on predictive modelling and lack of operational data	18	Council acknowledges that the HHRA and AQIA are based on predictive modelling and assumptions regarding dust generation, meteorological conditions and mitigation measures. While Council accepts the conclusions of the HHRA and independent peer review, additional conditions have been recommended requiring enhanced annual reporting and a one-off respirable crystalline silica verification to assess whether actual operational conditions are generally consistent with the HHRA assumptions.
Water supply and dust suppression	28	Water management, groundwater impacts and dust suppression measures were comprehensively assessed as part of the original development assessment and are not altered by the HHRA or peer review findings. These matters were previously addressed in Council's assessment report and relevant conditions of consent.
Proximity to residential development and	24	Land use compatibility was assessed in Council's original assessment report. The HHRA and peer review do not identify any additional information that alters Council's previous assessment of this matter.

future growth areas		
Property values, amenity and community wellbeing	35	These matters were considered in Council's original assessment report and were not the subject of the Panel's deferral. The additional information exhibited does not alter Council's previous assessment.
Traffic and road safety	26	Traffic impacts were assessed as part of the original development assessment and are outside the scope of the additional information requested by the Panel in relation to respirable crystalline silica. Council's position remains unchanged.
Integrated development and agency referral requirements	9	Several submissions raised concerns regarding whether the DA should have been referred to WaterNSW as an integrated development, including by reference to advice prepared by Outline Planning Consultants Pty Ltd. The DA was not lodged as integrated development requiring approvals under the <i>Water Management Act 2000</i>, nor were any such approvals identified in the EIS. The DA was assessed on that basis. Having considered the matters raised in submissions, Council's assessment remains unchanged. The DA was also referred to Transport for NSW, which provided advice that was considered in Council's original assessment report.
Procedural, governance and assessment process	7	Several submissions raised procedural and governance matters, including concerns regarding the assessment process, ownership and corporate structure, probity, and the Applicant's relationship with adjoining quarry operations. These matters do not relate directly to the HHRA or independent peer review exhibited following the Panel's deferral and do not identify any new information that would alter Council's assessment of the DA.
Cultural heritage impacts	4	Cultural heritage was assessed as part of Council's original assessment report. The additional information exhibited following the Panel's deferral does not alter Council's previous assessment of this matter.

Note: Many of the submissions raised more than one issue. As a result, the submission numbers reported in Table 1 are not cumulative and exceed the total number of submissions received. The figures represent the frequency with which each issue was raised across the submissions received during the exhibition period.

5. SUPPLEMENTARY ASSESSMENT AND RECOMMENDATIONS

5.1 Amended EIS

Following the Panel's Record of Deferral, the Applicant submitted an amended EIS dated 3 March 2025 (sic.) (see **Attachment E**). The amendments:

- incorporated a new Section 2.4 addressing future land use considerations, including commentary regarding DA2026-0215 for a boundary adjustment; and
- included the HHRA as Appendix U.

Council has reviewed the amended EIS and considers that the amendments do not alter the nature or scale of the proposed development, nor do they materially change the environmental impact assessment previously undertaken. The future land use commentary provides additional context regarding surrounding land use and the Applicant's stated commitments in relation to any future residential rezoning. The inclusion of the HHRA as Appendix U formalises information that has been separately assessed by Council as part of this supplementary report.

Accordingly, the amended EIS does not warrant a change to Council's previous assessment conclusions, however the matters raised in the HHRA, peer review and public submissions are considered further below.

5.2 HHRA, Peer Review and Public Submissions

Council has reviewed the HHRA, the independent peer review, the submissions received during the exhibition period and the Applicant's response to those submissions.

The HHRA concluded that predicted community exposure to respirable crystalline silica associated with the proposed quarry would remain below the adopted health-based assessment criterion and would not result in unacceptable human health impacts. The independent peer review found the HHRA to be technically adequate and supported its conclusions. Council accepts the conclusions of the HHRA and independent peer review and is satisfied that the assessment demonstrates that unacceptable community health impacts are unlikely.

Several submitters questioned the reliability of the geological sampling and air quality modelling relied upon by the Applicant, and expressed concern that the results may not accurately represent actual site conditions. Council notes these concerns and acknowledges that there is a level of community distrust regarding the predicted impacts of the proposal.

Council also notes that environmental impact assessment under the NSW planning framework is necessarily undertaken prior to development occurring and therefore routinely relies on accepted scientific methodologies, predictive modelling and reasonable assumptions to assess likely future impacts. This approach is used across a range of environmental disciplines, including air quality, noise, traffic and odour assessments.

In this instance, the HHRA has been independently reviewed on Council's behalf by suitably qualified specialist and the AQIA was reviewed by the NSW Environment Protection Authority (EPA), prior to issuing their General Terms of Approvals. While the AQIA and HHRA are based on predicted operating conditions rather than measured operational data, neither Council's

peer reviewer nor Council has identified evidence to indicate that the methodologies adopted are inappropriate or that the assessment conclusions are unsound.

Notwithstanding this, Council recognises that actual operational conditions may vary from those predicted. The recommended conditions of consent require ongoing environmental management, compliance monitoring and periodic review of operational performance. Additional verification relating to respirable crystalline silica has also been recommended to provide greater transparency and confidence regarding actual operational outcomes once the quarry is operating.

5.3 Recommendations

Accordingly, Council has recommended amendments to the draft conditions (see **Attachment D**) of the consent requiring:

- inclusion of the latest EIS and Human Health Risk Assessment: Respirable Crystalline Silica from the Proposed Strathmore Quarry as an approved document under Condition No. 1;
- the Air Quality Management Plan prepared pursuant to the NSW Environment Protection Authority General Terms of Approval to demonstrate how the mitigation measures relied upon in the AQIA and HHRA will be implemented and maintained;
- enhanced annual reporting regarding air quality monitoring, meteorological monitoring and the effectiveness of dust mitigation measures; and
- a one-off respirable crystalline silica verification within 12 months of commencement of quarry operations to validate the assumptions adopted in the HHRA using operational data once the quarry becomes operational.

Council considers these additional conditions to be precautionary measures that supplement, rather than alter, the conclusions of the HHRA and independent peer review. They do not arise from any identified deficiency in those assessments but provide a mechanism to validate the assumptions adopted in the HHRA using actual operational data and to inform any future consideration of air quality management measures if required. Council further notes that workplace exposure to respirable crystalline silica is regulated under work health and safety legislation and the NSW Resources Regulator, while air quality impacts associated with quarry operations remain subject to the requirements of the NSW EPA, including the General Terms of Approval and any Environment Protection Licence issued for the development.

Subject to the amended conditions of consent, Council does not consider that the submissions, the Applicant's response or the findings of the independent peer review identify any matter that would warrant a departure from the recommendation contained within Council's original assessment report. Accordingly, Council maintains its original recommendation that DA2025-0114 be approved subject to the amended conditions of consent.

6. CONCLUSION

The Panel deferred the determination of DA2025-0114 to allow the preparation, independent review and public exhibition of a HHRA addressing potential community exposure to respirable crystalline silica.

Council has completed its review of the HHRA, the independent peer review, the submissions received during the exhibition period and the Applicant's response to those submissions. Having regard to this material, Council is satisfied that the matters identified in the Panel's Record of Deferral have been adequately addressed.

Council's supplementary assessment has resulted in amendments to the recommended conditions of consent to incorporate the HHRA into the approved documentation, strengthen air quality management and reporting requirements, and provide for verification of the HHRA assumptions using operational monitoring data. Council considers these amendments to be appropriate precautionary measures having regard to the matters raised in submissions and the predictive nature of the assessment.

Accordingly, Council maintains its original recommendation that DA2025-0114 be approved subject to the amended recommended conditions of consent contain in **Attachment D**. The final determination of the DA remains a matter for the Northern Regional Planning Panel.

ATTACHMENTS

The following attachments are provided:

- **Attachment A:** Human Health Risk Assessment Report by EnRisk
- **Attachment B:** Peer Review Report by EnviroScience Solutions
- **Attachment C:** Applicant's Response to Submissions
- **Attachment D:** Draft Recommended Conditions of Consent (amended)
- **Attachment E:** Amended EIS