

Ordinary Council Meeting

26 March 2024

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**SECTION 4.55 AMENDMENT
FILE REPORT FORM**

FILE NO:	DA2014/0098
APPLICATION:	MOD2023/0082
APPLICANT:	Outline Planning Consultants Pty Ltd
OWNER:	Matsid Pty Ltd
LEGAL DESCRIPTION:	Lot 62 DP 752807 Lot 63 DP 752807
PROPERTY ADDRESS:	242 Faheys & Bulgins Road HERNANI NSW 2453
PROPOSED MODIFICATION:	To relocate office buildings, amend office hours and install a weighbridge.

REQUESTED AMENDMENT:

Council is in receipt of a fifth Section 4.55(2) modification application (MOD2023/0082) to modify DA2014/0098 for Sheridans Hard Rock Quarry at Hernani. MOD2023/0083 was received on 16 August 2023 to relocate office buildings, amend office hours and install a weighbridge.

The installation of the weighbridge has been requested by the NSW Environmental Protection Authority (EPA). Council's records do not show that the fuel storage tanks, office and amenities buildings have development approval in the past, however the consideration of these buildings can be considered ancillary to the quarry operations and conditioned accordingly.

No other increases in output or increase activities at the quarry are proposed under the modification. In accordance with Section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), it is submitted that the modified development is considered to be substantially the same as the approved development and will have a satisfactory (and minor) environmental impact. The modification application was notified and advertised in accordance with our Community Participation Plan, as well as notifying persons who previously made a submission, and no submissions were received.

The original approval for the quarry was approved by the Northern Regional Planning Panel. This modification application is not required to be reported back to the Panel (as per the panel's operational procedures). This report is submitted to Council to consider, provides an assessment of the application and a recommendation for Council consideration.

Site Description

Sheridans Hard Rock Quarry at 242 Faheys & Bulgins Road Hernani, Lot 62 & 63 in DP752807 is zoned RU1 Primary Production under the *Clarence Valley Local Environmental Plan 2011* (the LEP). The approved quarry route is approximately 10.3km long over Faheys & Bulgin Road, Cornells Road and Bald Hills Road to the intersection of Bald Hills Road and Waterfall Way. Quarry traffic can then either go west towards Armidale or east to Dorrigo, Bellingen and to the Pacific Highway. The maintenance of the haul route is under a maintenance agreement through a Voluntary Planning Agreement approved by Council in 2018.

