



# R.W. CORKERY & CO. PTY. LIMITED

Geological and Environmental Consultants

ABN: 31 002 033 712

**Brooklyn Office:**

1st Floor, 12 Dangar Road  
**BROOKLYN NSW 2083**

Phone: (02) 9985 8511  
Fax: (02) 6361 3622  
Email: brooklyn@rwcorkery.com

**Orange Office:**

62 Hill Street  
**ORANGE NSW 2800**

Phone: (02) 6362 5411  
Fax: (02) 6361 3622  
Email: orange@rwcorkery.com

**Brisbane Office:**

Suite 5, Building 3  
Pine Rivers Office Park  
205 Leitchs Road

**BRENDALE QLD 4500**  
Phone: (07) 3205 5400  
Email: brisbane@rwcorkery.com

## EMAIL TRANSMISSION

TO: Carl Dumpleton EMAIL: carl.dumpleton@planning.nsw.gov.au  
ORGANISATION: DP&E DATE: 16 February 2015  
COPY: AZL REFERENCE: 545

NO. OF PAGES (including attachments): 18

SUBJECT: Response to PAC Recommendations on Dubbo Zirconia Project

☐ Confidential ☐ Please Reply ☐ For Follow-up ☐ Urgent ☒ For your information

MESSAGE:

Carl,

Australian Zirconia Limited, the Applicant of the Dubbo Zirconia Project (SSD-5251), has reviewed the recommendations of the Planning Assessment Commission. **Table 1**, supported by **Technical Note: DZP – PAC Assessment Responses** prepared by JRHC Enterprises Pty Ltd and a modified version of EIS **Figure 2.21 – Indicative Final Land Use**), has been compiled by the Applicant to respond to recommendations.

In summary, the Applicant has few issues with the recommendations of the PAC and provides information that the Department of Planning & Environment (DPE) may consider relevant in drafting conditions of consent.

We would, however, like to draw to the attention of the DPE to two recommendations which, if implemented, have the potential to detrimentally impact on the Dubbo Zirconia Project.

### Recommendation 9

The recommendation suggests the Applicant pay section 94 contributions in relation to the pavement life of Boothenba Road.

The Applicant notes, it has entered into a Voluntary Planning Agreement (VPA) with Dubbo City Council. Section 7 of the VPA specifically excludes the application of Section 94 to the development.

The Applicant respectfully requests that the DPE reject this recommendation in drafting conditions of consent, replacing with reference to the agreed VPA.

---

IF THIS TRANSMISSION HAS BEEN SENT TO YOU BY MISTAKE:

The content of this Email message and any attachments may be privileged, in confidence or sensitive. Any unauthorised use is expressly prohibited. If you have received this Email in error please notify the sender and delete the Email. Email may be corrupted or interfered with. R.W. Corkery & Co. Pty. Limited cannot guarantee that the message you receive is the same as that which was sent. At the discretion of R.W. Corkery & Co. Pty. Limited we may send a paper copy for confirmation. In the event of any discrepancy between paper and electronic versions, the paper version is to take precedence.

16 February 2015

Page 2

**Recommendation 11**

This recommendation suggests restricting heavy vehicle movements to and from the DZP Site to the 'day period'.

The Applicant would firstly like to make the point that the recommendation lacks clarity, with no definition as to what the 'day period' is, nor definition as to which roads the restriction applies.

The lack of clarity regarding definition of the period and extent of the restrictions notwithstanding, the Applicant notes that no justification or reasoning behind this decision is provided. The Applicant has consistently presented the Dubbo Zirconia Project as requiring 24 hour road transport operation. The Applicant, through the preparation of an *Environmental Impact Statement (EIS), Response to Submissions (RTS)* and additional documentation in response to DPE and government agency requests, has demonstrated provision of high standard road upgrades, compliance with Road Noise Policy criteria, and a commitment to implementing operational and administrative controls to minimise the impacts of heavy vehicle operation on other road users and land owners adjoining the transport route. In response, neither the DPE nor PAC has indicated what aspect(s) of the assessment are considered to be inadequate or erroneous which would result in the rejection of the proposed 24 hour transport arrangements.

The Applicant is left to make assumptions as to the reasons for the recommended restriction on heavy vehicle movements. On the basis of these assumptions, **Table 1** provides further information on the implications of the recommended restrictions on:

- transport logistics;
- transport / project economics;
- potential heavy vehicle / light vehicle interactions;
- heavy vehicle movement scheduling; and
- local amenity.

The Applicant respectfully requests the DPE consider the significant operational, economic and amenity impacts of the recommended restriction on heavy vehicle movements when drafting conditions of consent.

On the basis of the information provided, the Applicant looks forward to the chance to review draft conditions of consent in the near future. Should you require any additional information prior to the release of draft conditions of consent, please do not hesitate to contact me.

Regards



Alex Irwin  
Senior Environmental Consultant

Att:

Table 1: Review of PAC Recommendations (7 pages)  
Technical Note: DZP – PAC Assessment Responses (8 pages)  
Figure 2.21 – Indicative Final Land Use (1 page)

---

IF THIS TRANSMISSION HAS BEEN SENT TO YOU BY MISTAKE:

The content of this Email message and any attachments may be privileged, in confidence or sensitive. Any unauthorised use is expressly prohibited. If you have received this Email in error please notify the sender and delete the Email. Email may be corrupted or interfered with. R.W. Corkery & Co. Pty. Limited cannot guarantee that the message you receive is the same as that which was sent. At the discretion of R.W. Corkery & Co. Pty. Limited we may send a paper copy for confirmation. In the event of any discrepancy between paper and electronic versions, the paper version is to take precedence.