



APPLICATION CLASS 1

COURT DETAILS

Court Land and Environment Court of New South Wales
Class 1
Case number 14/10844

TITLE OF PROCEEDINGS

Applicant Quarry Solutions Pty Ltd
Respondent Nambucca Shire Council

FILING DETAILS

Filed for Quarry Solutions Pty Ltd
the Applicant
Legal representative Louise Camenzuli, Corrs Chambers Westgarth
Legal representative reference 9105025
Contact name and telephone Kirsty Davis, (02) 9210 6177
Contact email kirsty.davis@corrs.com.au

HEARING DETAILS

This application is listed at 9AM - 6 NOV 2014

225 Macquarie St Sydney
(WINDEYER CHAMBERS)

TYPE OF CLAIM

Planning law – modification application relating to development consent granted by Court (s 96(8) Environmental Planning and Assessment Act 1979).

eCOURT ACCESS

For eCourt purposes, please give access to the following accounts:

Name: Louise Camenzuli User ID: louise
Name: Kirsty Davis User ID: kirsty.d
Name: Daniel Webster User ID: DanielW

A copy of this document
must be served

by 16 OCT 2014
by.....

DETAILS OF APPLICATION

Date or other identification of the decision, or other matter appealed against, objected to, complained of or referred or remitted to the court	An application to modify development consent 2001/096 granted by the Court on 19 November 2002 in proceedings (1)0017 of 2002 and 10133 of 2002 being for extractive industry on Lots 1 and 2 in DP 1008612 and Closed Road, Lot 1 in DP 1010040, Valla Road, Valla (now known as Lots 100, 101 and 104 in DP 1118337).
Act or instrument under which the proceedings are brought	Section 96(8) of the <i>Environmental Planning and Assessment Act 1979</i> (NSW)

ORDERS SOUGHT

- 1 That conditions 12, 18, 19, 25B, 35, 41, 45, 46, 47, 48, 49, 50, 85 and 86 of Development Consent No. DA2001/096 be modified as outlined in paragraphs 23, 26, 29, 32, 35, 38, 41, 44, 47, 50, 53, 56, 59 and 62 respectively of the Valla Quarry Statement of Environmental Effects - Section 96(8) Amendment to DA2001/096, prepared by Groundwork Plus dated October 2014.
- 2 Such further or other orders as the Court sees fit.

SIGNATURE

Signature of legal representative

Capacity

Date of signature



Solicitor

9 October 2014

NOTICE TO RESPONDENT

If your solicitor, barrister, authorised agent or you do not attend the hearing, the court may give judgment or make orders against you in your absence. The judgment may be for the relief claimed in the application and for the applicant's costs of bringing these proceedings.

You must enter an appearance before you can appear before the court.

HOW TO RESPOND

Please read this application very carefully. If you have any trouble understanding it or require assistance on how to respond to the application you should get legal advice as soon as possible.

You can get further information about what you need to do to respond to the application from:

- The court registry.
- A legal practitioner.
- LawAccess NSW on 1300 888 529 or at www.lawaccess.nsw.gov.au.

Court forms are available on the LEC website at www.lawlink.nsw.gov.au/lec.

REGISTRY ADDRESS

Street address	Level 4, 225 Macquarie Street, Windeyer Chambers, SYDNEY NSW 2000
Postal address	GPO Box 3565, SYDNEY NSW 2001
Telephone	(02) 9113 8200

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FURTHER DETAILS ABOUT APPLICANT**Applicant**

Name	Quarry Solutions Pty Ltd		
Address	Level 140, Karingal Place	Griffith Street	
	Coolangatta	QLD	4225

Legal representative for Applicant

Name	Louise Camenzuli
Practising certificate number	42480
Firm	Corrs Chambers Westgarth
Contact solicitor	Kirsty Davis
Address	Level 17, 8 Chifley 8-12 Chifley Square Sydney NSW 2000
Telephone	(02) 9210 6177
Fax	(02) 9210 6611
Email	kirsty.davis@corrs.com.au

DETAILS ABOUT RESPONDENT**Respondent**

Name	Nambucca Shire Council		
Address	44 Princess Street		
	Macksville	NSW	2447

LIST OF DOCUMENTS IN SUPPORT OF THE APPLICATION

Tab	Description	Date
1	Conditions of development consent and general terms of approval attached to orders made by Land and Environment Court in matter numbers (1)0017 of 2002 and 10133 of 2002	19 November 2002
2	Notice of Determination of Development Application and File No. DA1995/56	20 February 1996
3	Notice of Determination of Modification of Development Consent, Development Application No 2001/096/02	2 October 2014
4	Statement of Environmental Effects - Section 96(8) Amendment to DA2001/096, prepared by Groundwork Plus, including	October 2014
	(a) Figure 1 – Site Location Plan	27 August 2012
	Figure 2 – Site and Surrounds	9 September 2013
	(b) Attachment 1: DA2001/096 as modified by Council	2 May 2014
	(c) Attachment 2: Notice of Variation of Environment Protection Licence No. 13136	3 June 2014
	(d) Attachment 3: Quarry Environmental Management Plan	22 May 2014
	(e) Attachment 4: Noise Compliance Assessment, July 2013	30 August 2013
	(f) Attachment 5: Road Traffic Noise Assessment	11 July 2014
	(g) Attachment 6: Noise Impact Assessment	7 October 2014
	(h) Attachment 7: Traffic Report	October 2014
	(i) Attachment 8: Blasting Impact Assessment	22 August 2014
	(j) Attachment 9: Environmental Impact Statement for Extension to Marriotts Quarry by Jelliffe Environmental Pty Ltd	August/September 2000
5	Landowners' consent (Kenneth Geoffrey Marriott and Susan Margaret Marriott) to section 96(8) modification application	8 October 2014