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639 Torryburn Road Yarrawyck Statement of Environmental Effects



SDT Explorer screenshot of the site

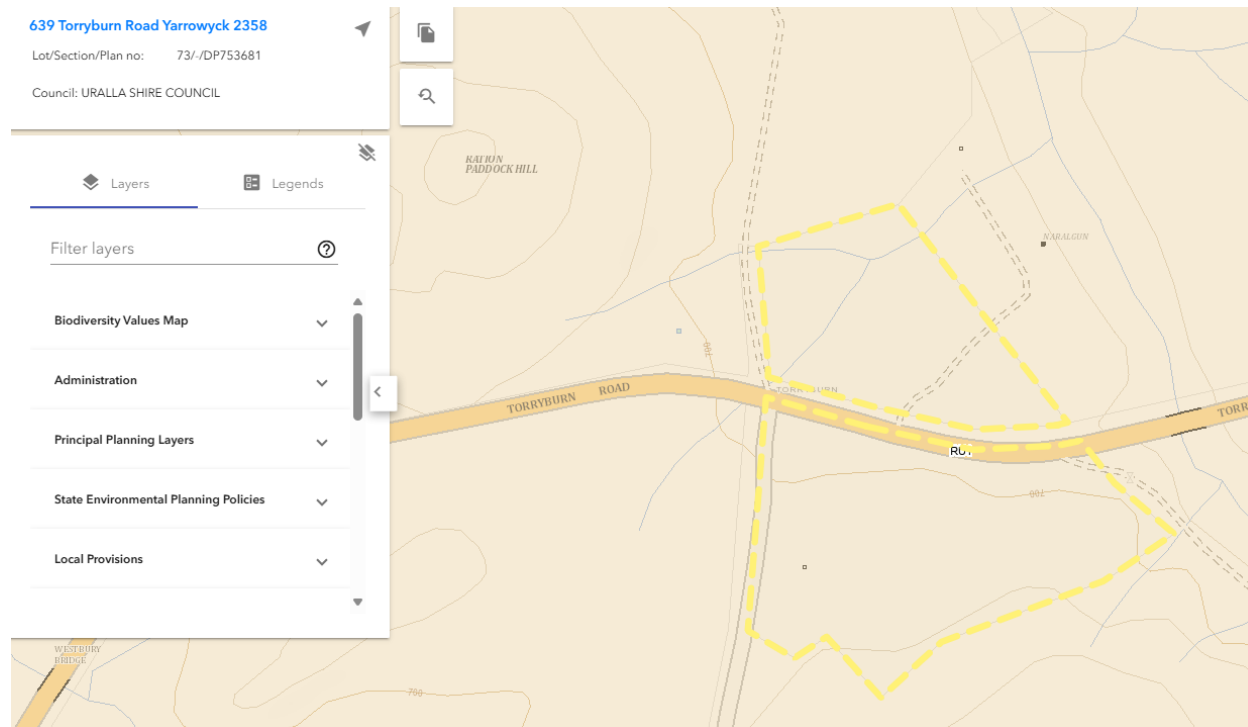


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Proposal

The development application is for establishment of a circa 1.6 hectare gravel quarry.

The subject land (Lot 73 DP 753681) is zoned RU1 Primary Production.



Source: NSW Planning Portal Spatial Viewer

Categorisation of development

The application is neither designated development or integrated development.



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Nature of works

It is proposed to:

- Demolish the existing shed on the development site (exempt works under the Codes SEPP), and
- Establish a 1.6 ha gravel quarry with stormwater detention pond. Estimated annual tonnage extracted will be circa 3,000.

Applicable Environmental Planning Instruments and Development Control Plan

Biodiversity Conservation Act 2016

State Environmental Planning Policy (Biodiversity and Conservation) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resources and Energy) 2021

Uralla Local Environmental Plan 2012, as amended

Uralla Development Control Plan 2011, as amended

Related approvals required

No further Local Government approvals required.

Bushfire

No relevant to a gravel quarry.

Flooding

The land parcel is not identified as being flood prone.

Context and setting

The subject land is located in the rural suburb of Yarrowyck.

European Heritage

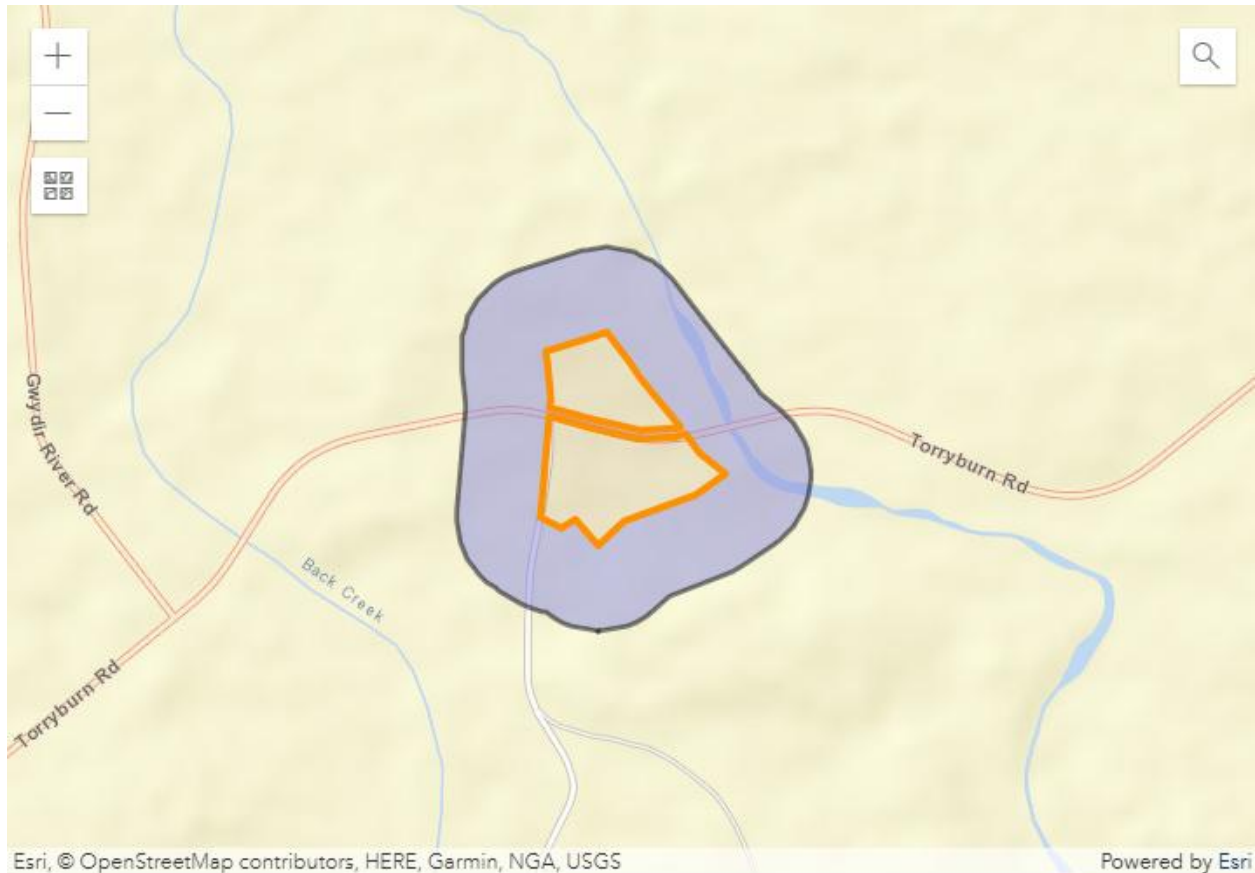
The site is not listed in the LEP as an item of local heritage significance or located in a heritage conservation area.



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Aboriginal Heritage

A search of the Aboriginal Heritage Information Management System (AHIMS) Web Services yielded no items of significance. See extract below.



| | |
|--------|--------------|
| Lot | 73/-DP753681 |
| Buffer | 200 meters |

European Heritage

The site is not listed as an item of local heritage significance in Schedule 5 of the Uralla Local Environmental Plan.



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Vegetation

See extract from the Transitional Native Vegetation Regulatory Map below. There is no sensitive or vulnerable regulated land on the site.



Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 has three triggers that determine if a Biodiversity Assessment Report (BDAR) is required to be submitted with a Development Application. The three triggers applicable to the subject site are detailed below:

1. Area Clearance.
 - The proposed development will involve no clearing of native vegetation (see provided BMAT report). The BDAR threshold for the site is 1.0ha.
2. Biodiversity Values Map: The development envelope has no land identified on the Biodiversity Values Map. See image extract below.



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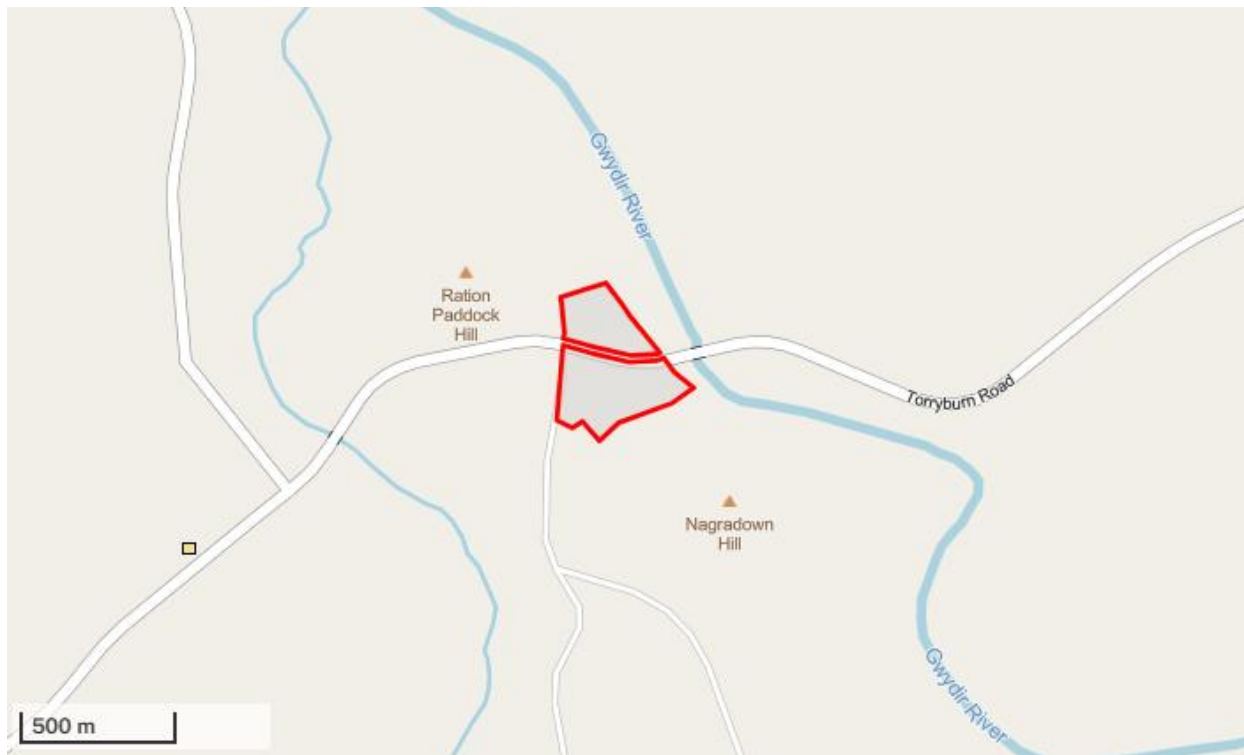
3. Test of Significance: As the proposed development site is completely cleared and heavily modified, the proposed development is highly unlikely to affect any threatened species or ecological communities.



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State Environmental Planning Policy (Biodiversity and Conservation) 2021

A search of the SEED mapping Koala Species Sightings dataset showed no sightings within 1km of the site. See extract below.



A Koala Habitat Assessment Report has been provided with this application.



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State Environmental Planning Policy (Resilience and Hazards) 2021

Clause 4.5 of the Resilience and Hazards SEPP requires the consent authority to consider the following:

(a) it has considered whether the land is contaminated.

The subject land is not identified as contaminated land on the EPA list of contaminated sites. The likelihood of potential contamination is considered minimal due to its historical use and by virtue of the fact that there is no evidence of potentially contaminating activities as defined in the Contaminated Land Planning Guidelines.

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out. Not applicable.

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose. Not applicable.

2. Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subsection (4), 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.

A preliminary investigation of the site has been undertaken. Specifically there is no evidence of:

- Stock dips
- Waste storage and treatment
- Metal treatment
- Extractive industry
- Pesticide / chemicals manufacture and formulation, or
- Use of the site as a landfill

In this context, there is no reason to suggest the site poses a risk due to potential contaminants to human health, and there is no barrier to granting of consent to the application.



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State Environmental Planning Policy (Resources and Energy) 2021

Compatibility of proposed mine, petroleum production or extractive industry with other land uses

- *Before determining an application for consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must—*
- *(a) consider—*
- *(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 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*
- *(iii) any ways in which the development may be incompatible with any of those existing, approved or likely preferred uses, and*
- *(b) evaluate and compare the respective public benefits of the development and the land uses referred to in paragraph (a)(i) and (ii), and*
- *(c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a)(iii).*

It is reasonable to suggest that the proposed development satisfies the requirements of this clause.

Rehabilitation

- (1) Before granting consent for development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider whether or not the consent should be issued subject to conditions aimed at ensuring the rehabilitation of land that will be affected by the development.*
- (2) In particular, the consent authority must consider whether conditions of the consent should—*
 - (a) require the preparation of a plan that identifies the proposed end use and landform of the land once rehabilitated, or*
 - (b) require waste generated by the development or the rehabilitation to be dealt with appropriately, or*
 - (c) require any soil contaminated as a result of the development to be remediated in accordance with relevant guidelines (including guidelines under clause 3 of Schedule 6 to the Act and the Contaminated Land Management Act 1997), or*



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(d) require steps to be taken to ensure that the state of the land, while being rehabilitated and at the completion of the rehabilitation, does not jeopardize public safety.

Rehabilitation Plan

Objectives

- There are no adverse environmental effects outside the disturbed area;
- The state of the land is compatible with the surrounding land use;
- The landforms, soils, hydrology and flora require no greater maintenance than surrounding land;
- Where revegetation is required and native vegetation has been removed or damaged, the original species must be re-established; and
- The land is not a public safety risk.

Proposed Rehabilitation

The principal objective for the rehabilitation of is to return the site to a condition where the landform, soil, hydrology, flora and fauna are self-sustaining, and compatible with the surrounding land fabric.

Rehabilitation strategies will focus on the establishment of woodland and grassland vegetation communities using native species common to the region. Regrading of the void and stockpile areas will be undertaken to produce slopes with angles, lengths and shapes are compatible with the proposed land use and not prone to erosion.

The landowner and operator is committed to reshaping the void area to a free draining, stable, non-erosive and revegetated landform which generally mimics the surrounding landscape. Topsoil and if necessary, ameliorated subsoil will be spread over reshaped areas to form a suitable growing area and the entire disturbed area will be directly seeded with cover crops and native shrub and tree species.

Areas to be rehabilitated will be reshaped and then contour ripped to a nominal depth of 300mm. The best results will be obtained by ripping when the soil is moist and when undertaken immediately prior to sowing. The respread topsoil surface should be scarified prior to, or during seeding.



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Compliance with the Uralla Local Environmental Plan 2012 (LEP)

Zone RU1 Primary Production

1 Objectives of zone

- *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 permit development of non-agricultural land uses that are compatible with the character of the zone.*

2 Permitted without consent

Environmental protection works; Extensive agriculture; Flood mitigation works; Forestry; Home-based child care; Home occupations; Home occupations (sex services); Roads; Water supply systems

3 Permitted with consent

*Agritourism; Airstrips; Animal boarding or training establishments; Aquaculture; Boat launching ramps; Boat sheds; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Electricity generating works; Emergency services facilities; Environmental facilities; **Extractive industries**; Farm buildings; Helipads; Home businesses; Home industries; Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture; Jetties; Landscaping material supplies; Local distribution premises; Mortuaries; Open cut mining; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (outdoor); Research stations; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Service stations; Sewerage systems; Signage; Tourist and visitor accommodation; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities*

4 Prohibited

Advertising structures; Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3.

As the establishment of extractive industries are permitted with consent, the proposal is compliant with the LEP.



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Compliance with the Uralla Development Control Plan 2011 (DCP)

Chapter 4 - Rural Development –

- *Biodiversity issues are addressed appropriately in development so that natural environment values are maintained or enhanced as a result of the development.*
- *All requirements of relevant environmental legislation have been met.*
- *The development provides safe, convenient and readily maintainable access from a public road.*

In the above context the proposal is generally consistent with the provisions of the DCP.

Operational data

| | |
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| Scale | Expected maximum material won from quarry 3,000 TPA |
| Timeframe from start to finish of resource extracting | 25 years from date of development consent |
| Hours of operation and days per week | 7 am to 4 pm Monday to Sunday |
| Extraction method | Mechanical |
| Site processing details | A mobile crusher will be transported to site along Torryburn Road from the neighbouring property's plant storage area (Camelot, being 1516 Torryburn Road). |
| Staff numbers | Owner as sole plant operator. |
| Plant on site and servicing/refuelling arrangements | No permanent plant on site for security purposes. All servicing, storage and refuelling to be undertaken from the neighbouring property's plant storage area (Camelot, being 1516 Torryburn Road). |
| Disposal of waste arrangements | The nature of the operations on site do not generate waste. |



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| <p>Traffic movements and types, including staff/site operators, haul trucks in and out, truck and dog or larger</p> | <p>Plant to be transported along Torryburn Road from Camelot to the site by the owner when needed. Plant used will be:</p> <ul style="list-style-type: none"> • Digger • Bulldozer • Mobile crusher • Heavy rigid truck • Water truck <p>On occasion some gravel will be sold to Council for road construction and this will be transported from site using Council truck and dog.</p> |
| <p>Distribution, i.e., where is the gravel going, which roads will be used and relationship to 7.11 contributions.</p> | <p>The majority of gravel is intended to be used for on-farm works. For the purposes of developer contributions, only Torryburn Road will be used. A log will be kept and provided to Council on a quarterly basis so that invoices for 7.11 contributions can be generated.</p> |
| <p>Access</p> | <p>All access to the site will be from Torryburn Road. Woodlands Road (private) and splays intersecting with Torryburn Road graded as required.</p> |
| <p>Environmental Controls</p> | <p>A large stormwater / sedimentation pond is to be constructed to the north east of the development footprint. Water for dust suppression will either pumped from this pond or trucked to site from Camelot. Sediment from the pond will be periodically removed, seeded and used to progressively rehabilitate the site.</p> |
| <p>Site management of stormwater</p> | <p>Any excess stormwater / potential overflow will be irrigated to bushland to the south east of the site.</p> |
| <p>Driver Code of Conduct strategy</p> | <p>To be provided as a separate document.</p> |

Conclusion

The proposed quarry is consistent with the provisions of the relevant Environmental Planning Instruments, and approval of the application can reasonably be suggested to be justified given the specific attributes of the site.