



15<sup>TH</sup> JANUARY, 2025

# STATEMENT OF ENVIRONMENTAL EFFECTS

AQUACULTURE DEVELOPMENT


LOT 6 DP 841293

364 RENO ROAD, GUNDAGAI NSW 2722

INTEGRATED DEVELOPMENT

GRAY SURVEYORS

SURVEYING AND LAND DEVELOPMENT CONSULTANTS  
152 Wynyard Street, Tumut NSW 2720



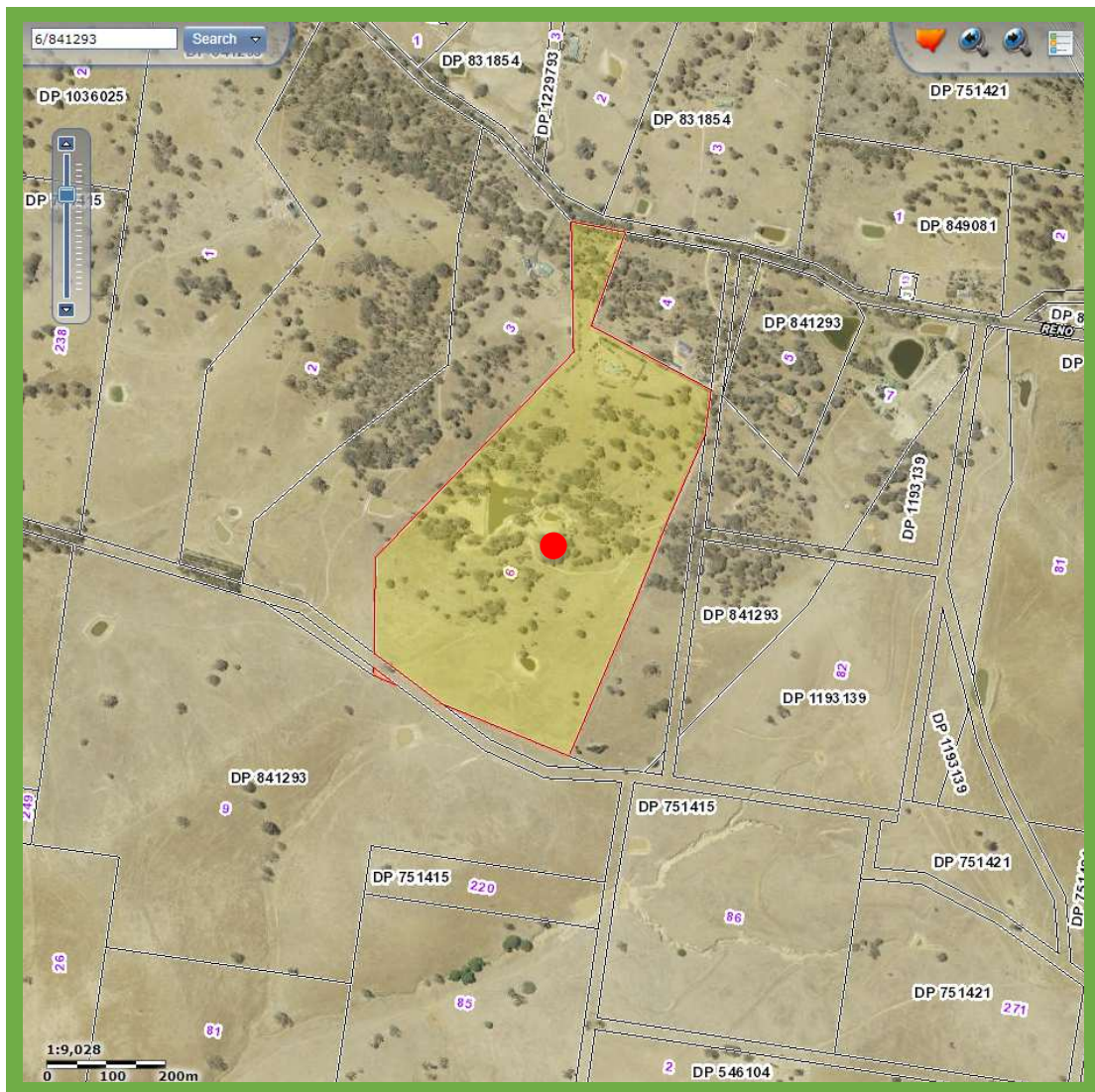
# Contents

1. INTRODUCTION.....	2
2. DEVELOPMENT SITE LOCALITY & DESCRIPTION .....	3
3. PROPOSED DEVELOPMENT .....	5
4. PLANNING PROVISIONS.....	11
5. OTHER RELEVANT SECTION 4.15 MATTERS FOR CONSIDERATION .....	26
6. OTHER LIKELY IMPACTS OF THE DEVELOPMENT .....	29
7. CONCLUSION .....	35
8. APPENDIXES.....	36 - 43
8.1 NSW STATE WATER CORRESPONDENCE	
8.2 NSW FISHERIES CORRESPONDENCE	
8.3 LOCAL ABORIGINAL LAND COUNCIL (LALC)	
8.4 ABORIGINAL HERITAGE INFORMATION MANAGEMENT SYSTEM (AHIMS) CORRESPONDENCE	
8.5 MCMAHON EARTH SCIENCE DAM BANK STABILITY REPORT (SEPTEMBER 2020)	
8.6 NSW FISHERIES PERMIT APPLICATION (SIGNED NOVEMBER 2022)	
8.7 FUTURE FISHERIES VETERINARY SERVICES BIOSECURITY AND HEALTH MANAGEMENT PLAN (FFVS BHMP V3 2024)	
8.8 AITKEN ROWE – GEOTECHNICAL INVESTIGATION S24-364 (DECEMBER 2024)	

## 1. Introduction

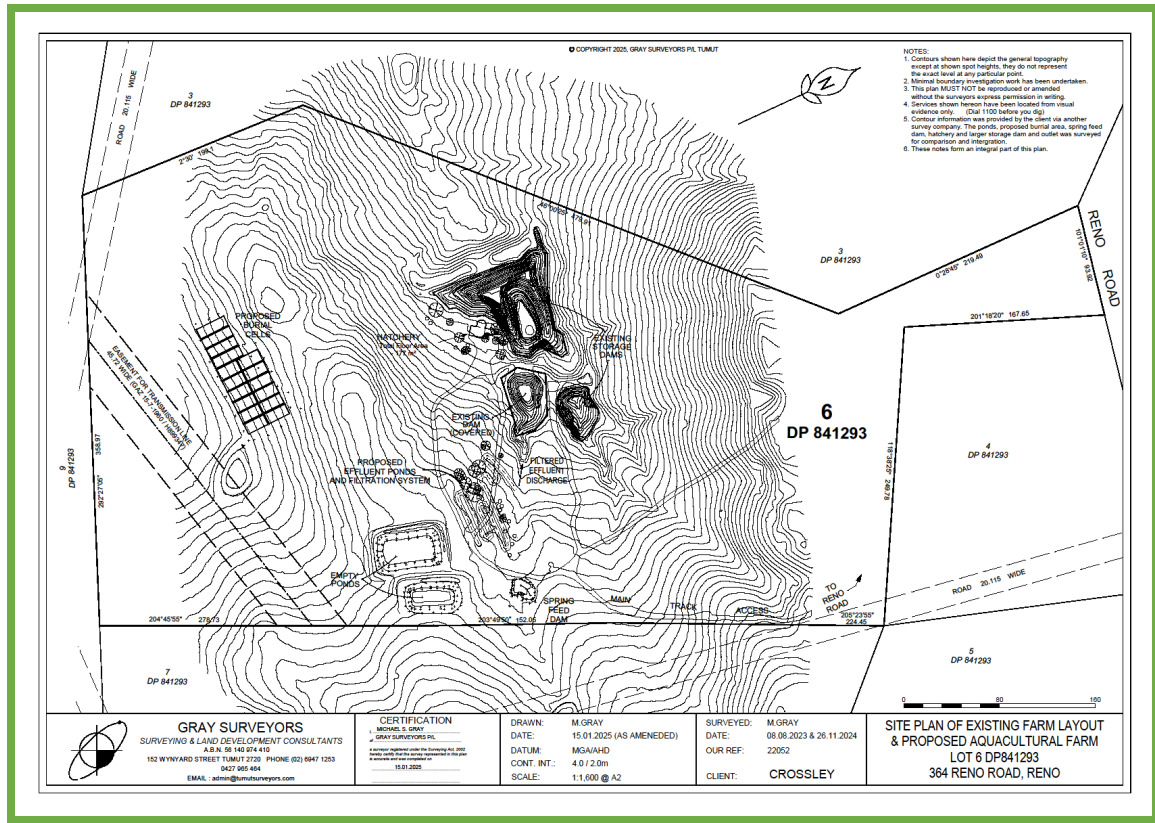
This Statement of Environmental Effects (SEE) has been prepared on behalf of Martin Crossley (the applicant) to form part of a Development Application (DA) for an Aquaculture Development at 364 Reno Road, Gundagai. The site is currently utilised for rural & residential purposes.

In accordance with Schedule 1 of the Environmental Planning and Assessment Regulation 2000, this Statement of Environmental Effects accompanies a development application for the proposed development and includes the matters referred to in Section 4.15 of the Environmental Planning & Assessment Act 1979 and the matters required to be considered by Council.



**Figure 1: Location Map of Lot 6 DP841293 (source-SIX Maps 2022)**





**Figure 3: Site Plan showing Contours and Farm Layout.**



### 3. Proposed Development

Our client proposes to obtain the necessary approvals from Council and other government authorities such as NSW Fisheries and NSW Water to establish an aquacultural farm upon the subject land utilising existing dams, ponds and shed.

This proposed aquaculture farm intends to provide additional income for the land owner, which shall be managed and worked only by the land owner as the farm does not have the volume capacity to sustain enough aquaculture product that would require employment of additional employees without expansion.

It is proposed to obtain an aquaculture permit, class C, D & H, from the NSW Fisheries. Our client has made such application with the NSW Fisheries whom are currently awaiting documentation from Council as concurrence as part of the development application process.

Please note that NO bore licence and NO aquaculture permit for a Class E licence is proposed to be sort for within this application.

This proposal seeks to use captured dam water for the raising of fingerlings which proposes to recirculate the water within a closed circuit that is not upon and/or within a designated water course (as designated upon topographical maps produced by survey services NSW, refer to figure 2 & 3).

It also seeks to top volumes up from the spring feed header dam, and the storage dams 1 & 2 that are on the designated water course, when water levels become low from evaporation and/or infiltration, and/or from prior draining.

A flow map of the site can be viewed in figure 5 which shows the possible flow of water supply to the recirculation system, and the necessary flow paths of all effluent water, to ensure that the proposed development does not affect the water quality within the storage dams located upon the designated water course, and during wet times, shall not affect downstream users from catchment discharges.

This recirculation system shall be closed to all drainage discharge for the ponds and the effluent pond, whereas the broodstock dam shall receive partial catchment drainage discharge. This can be reduced in times of wet by pumping up into the ponds if empty, and/or effluent ponds if water quality demands it, and if required, install a diversion drain above or below the outlet of the effluent ponds discharge to divert water into storage dam 2.

This proposal seeks to collect fertilised eggs from the broodstock dam for rearing within the hatchery until large enough to grow out within the larval rearing ponds 1 & 2 and sell these stocking and grow out for other aquaculture farms.

The proposed design of this aquaculture farm will not adversely affect the passage of flood waters on and off the property or shall have adverse impacts on other developments upon surrounding lands.

This aquacultural farmer during its operation shall seek the following potential benefits:

- *safeguard business profitability through maintaining access to existing markets; accessing new 'green' markets; and reducing the cost of production,*
- *gain the support of the local community and reduce the risk of conflict with neighbours,*
- *understand obligations to comply with environmental and planning legislation so that the risk of breaches can be eliminated and/or minimised, and*
- *have ongoing continual improvement that will help the business keep pace with developments in environmental legislation and community expectations.*

Structural Engineers Philip Xeros from Xeros Piccolo and Gerard Wilson have both been consulted for a quotation on this certification works for the hatchery shed. This cost is rather considerable both for its assessment and for any likely upgrades that shall be required. It is therefore proposed that the Council conditions the use of this shed as a hatchery subject to seeking structural engineering compliance certification in accordance with the BCA for a class 8 building, rather than obtaining this prior to any development assessment and determination.

It is sort to obtain all the necessary approvals from Council to use this shed in this manner prior to undertaking any further works on the shed for this assessment.

McMahon Earth Science (MES) undertook a bank stability assessment of the dam in 2020, known within this proposal as Storage Dam 1. The dam was built by a reputable and experience dam builder using a bulldozer. The dam is an earthen dam with a clay core that was keyed into the existing topography and built up in layers.

It is proposed as part of the consent and an ongoing 5-year plan to set up and monitor the dam walls stability by placing numerous marks on the top and sloped bank of the wall and survey control stations on either side for coordinate control for the purpose of determining whether the wall is moving or not, and if so by how much. It is proposed to install the marks prior to summer and await at least a three-month stabilising period and commence surveying each summer season for at least a 3 years period or until observations can determine that there is no movement with the marks. Only until this is completed can one determine whether there is any minor movement occurring in the wall.

Note from the report and visual inspection, and considering the age of the dam, there is no evidence of large movement or major signs of failure.

Seepage is evident in small amounts that provides the presence of wet vegetation, noted in the MES, but this is considered minor and any survey monitoring undertaken shall ensure that the wall is stable and does not pose a risk of failure. It is noted that every earthen dam, even if constructed correctly, has the ability for seepage to occur at different rates, as it depends of the material used and the experience of the builder.

Alike all farms, hours of operation are nominally 24 hours 7 days a week as constant monitoring is necessary to ensure good management and maintain healthy stock. Generally, however most works shall be undertaken between sunrise and sunset, except for pump checks and pest monitoring.

The movement of water shall be using water pumps, and the aeration of the water shall be using a diffuser. A 30HP Yamaha Mono Sun solar pump shall generally be used for most movement of water, whilst a 0.7kW SC Blower shall be used.

Aitken Rowe undertook a geotechnical investigation to assess the possible depth of the water table and the likelihood of acid sulfate presence within the soil. As the test results of that report indicate (refer to appendix 8.8), that there was no presence or signs of the water table present at the depths of the two boreholes drilled, and that the soil tested did not trigger results greater than the dependant criteria that determines to have high acid sulfate within the soil, and therefore a acid sulfate management plan is not required for the site.

This proposal seeks to obtain Councils approval for the aquaculture farm and all its infrastructure, including the hatchery, burial pits, chemical shed & effluent wetland ponds, and any dams if applicably required.

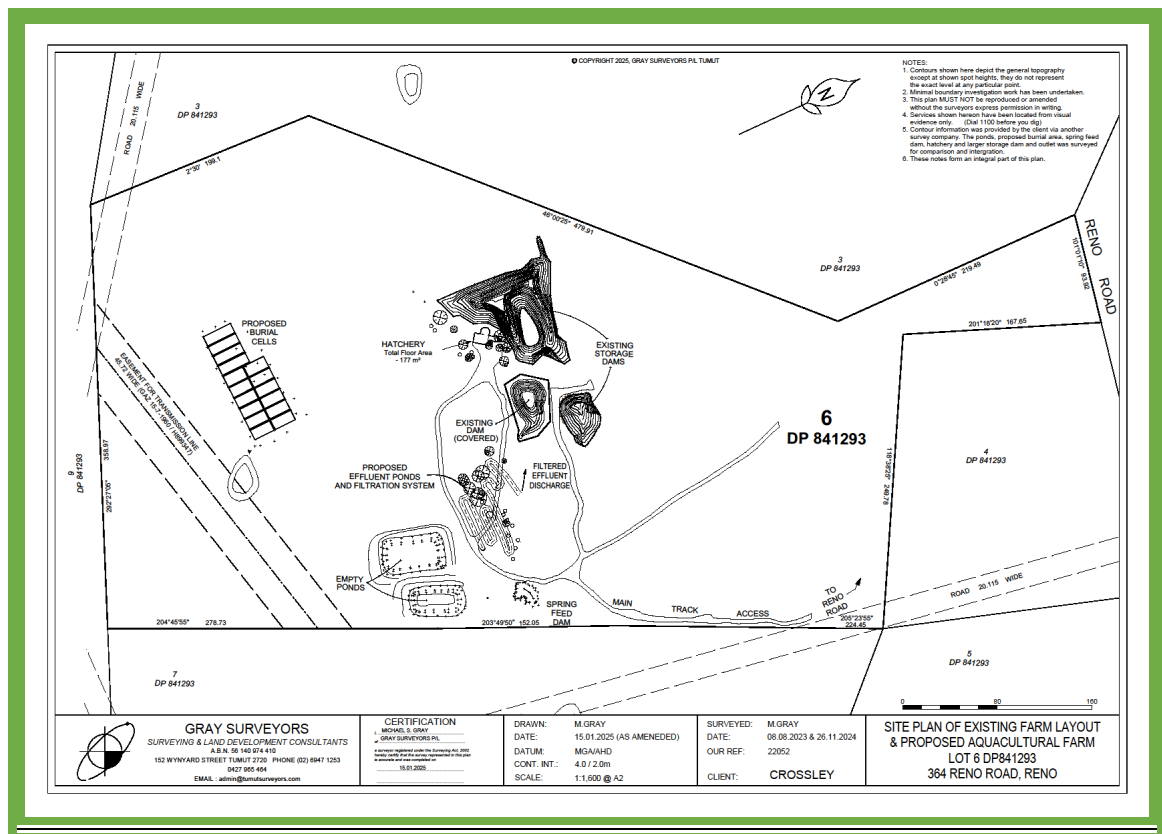


Figure 4: Site Plan showing Farm Layout. (dam & pond locations, burial cells, & effluent ponds)

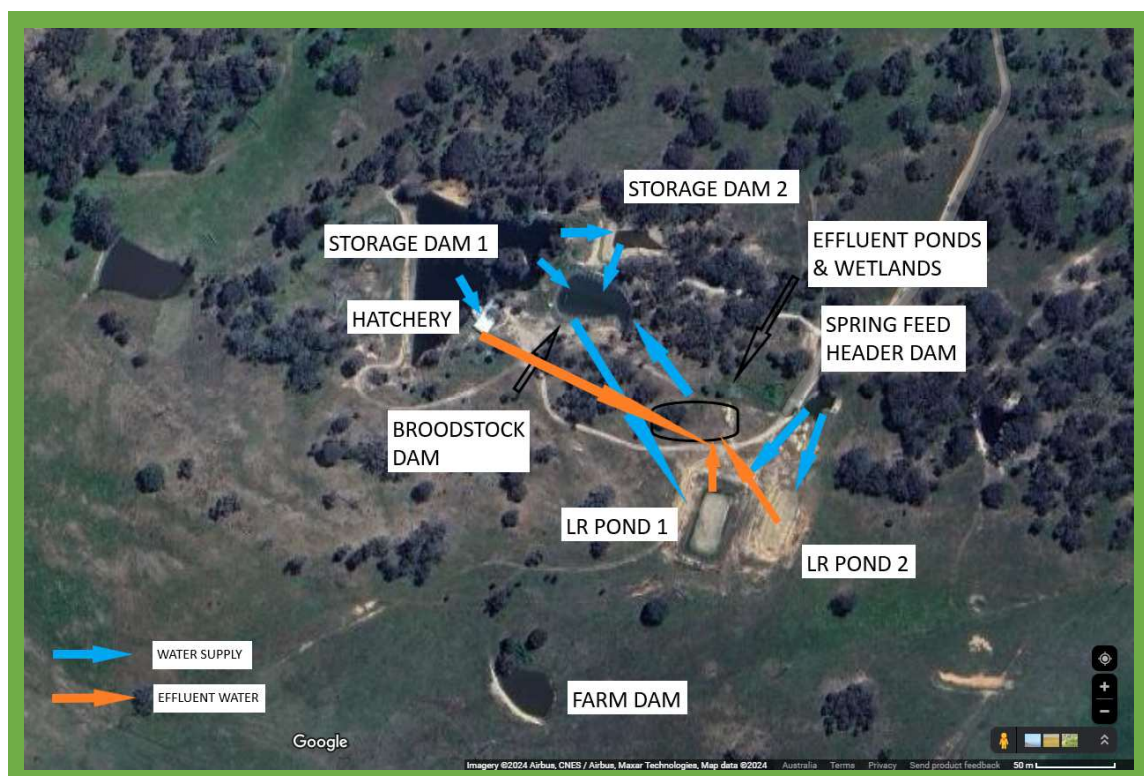
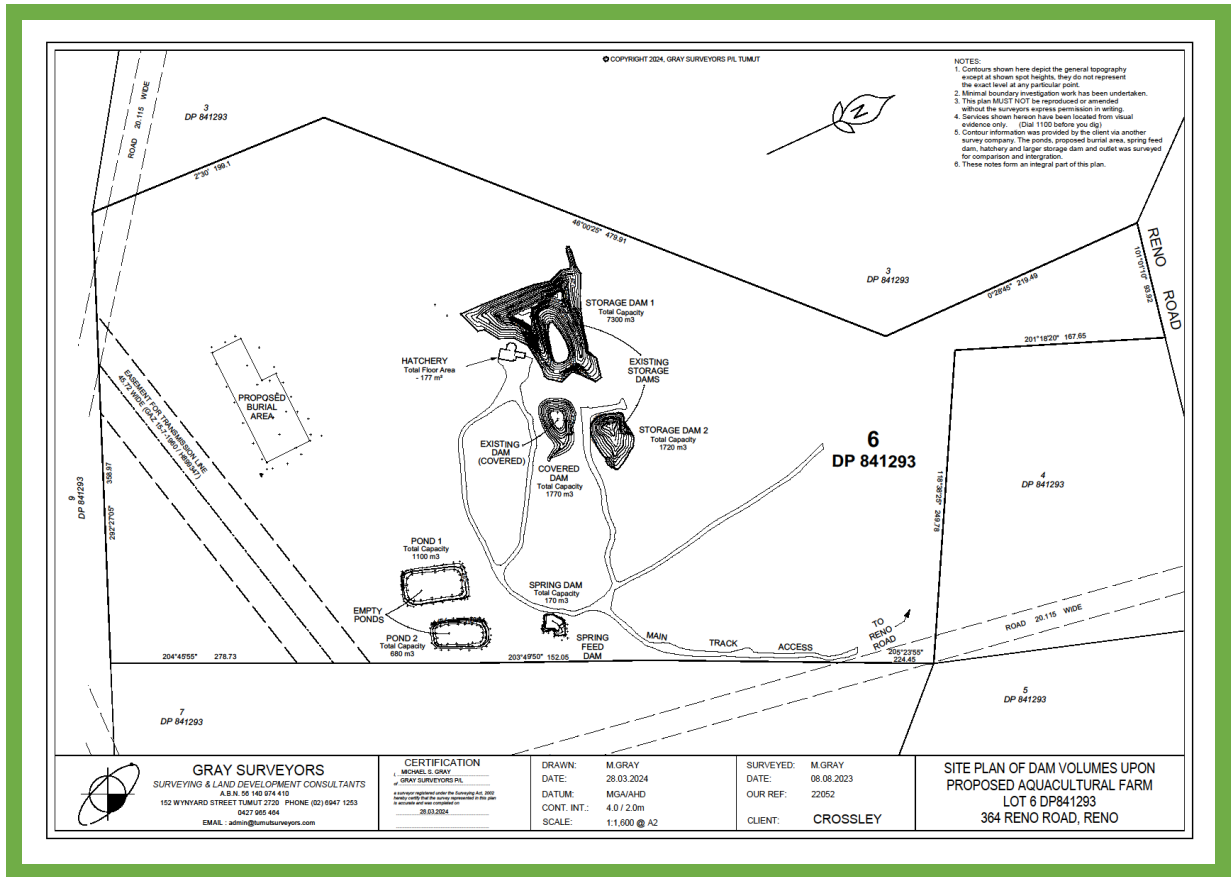


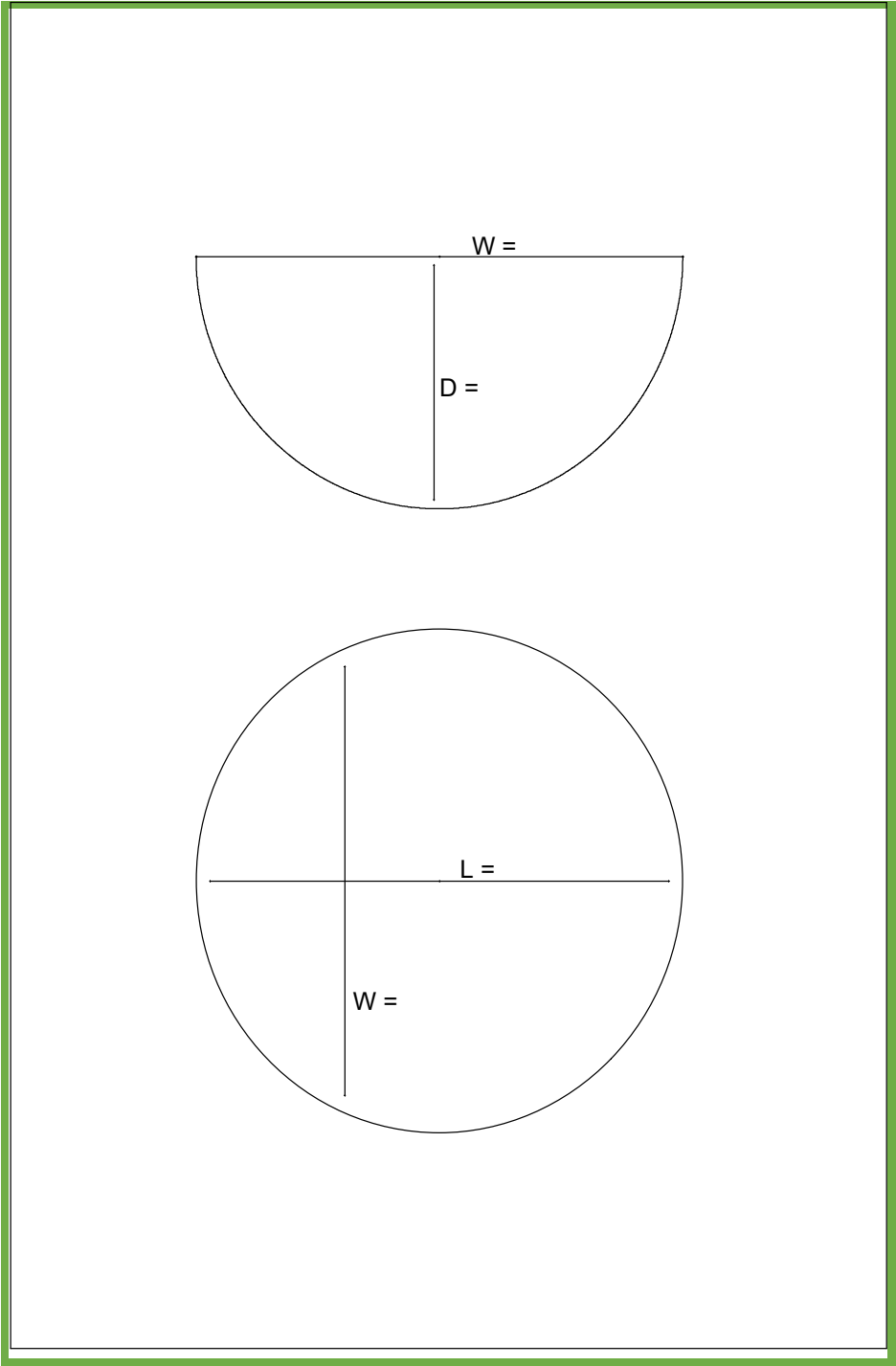
Figure 5: Location Map showing dam & pond locations & proposed water flows within aquaculture farm.





**Figure 6: Site Plan showing Volumes of Dams and Ponds.**

**Dam Profile & Volume Calculations**



***Figure 7 – Dam Profile Calculation Plan***



## 4. Planning Provisions

The aquaculture industry and NSW Government's regulatory agencies are very conscious to ensure development of the aquaculture industry in NSW proceeds in a manner that does not jeopardise its ecological sustainability. Industry and government continue to invest heavily in research, technology, and management practices to provide for the sustainable growth of this industry. Both recognise the environmental benefits arising from aquaculture, as well as the environmental conditions aquaculture needs to ensure the continuing high quality of its produce.

### **ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021**

The development is not Designated Development as defined by schedule 3 of the Regulations.

The subject land is not within an area of high watertable or of acid sulfate soils,

The total water storage surface area is less than 2 hectares,

The total water storage volume is less than 40 megalitres,

The development is not on a flood plain or releases effluent or sludge into a natural waterbody or wetland or into groundwater, and

The development does not involve the farming of species not indigenous to New South Wales,

The development is not within 500 metres of a natural waterbody or wetland, or on a floodplain, and

The development does not involve the establishment of new areas for lease under the fisheries Management Act 1994 with a total area of more than 10 hectares.

Future Fisheries Veterinary Service's Biosecurity and Health Management Plan (BHMP) within pages 29-45 within appendix 8.7 provides a risk assessment of the likely hazards and the likelihood of the occurrences of such hazards. Once proper mitigation is implemented, as per pages 38-39 also within appendix 8.7, the risk estimate for all hazards and outcomes onsite are deemed to be low-risk.

In reference to State Environmental Planning Policy (Primary Production) 2021, Part 2.5, Division 3, the development is classified as being a Class 1 development type, as the Project Profile Analysis that has been determined for the development is of a Level 1 low risk development, and therefore this development is not Designated Development.

According to Schedule 3, Part 2, Clause 5(7), as the development is an aquaculture development to which the SEPP (Primary Production) 2021 applies, then those items within Part 2 do not apply.



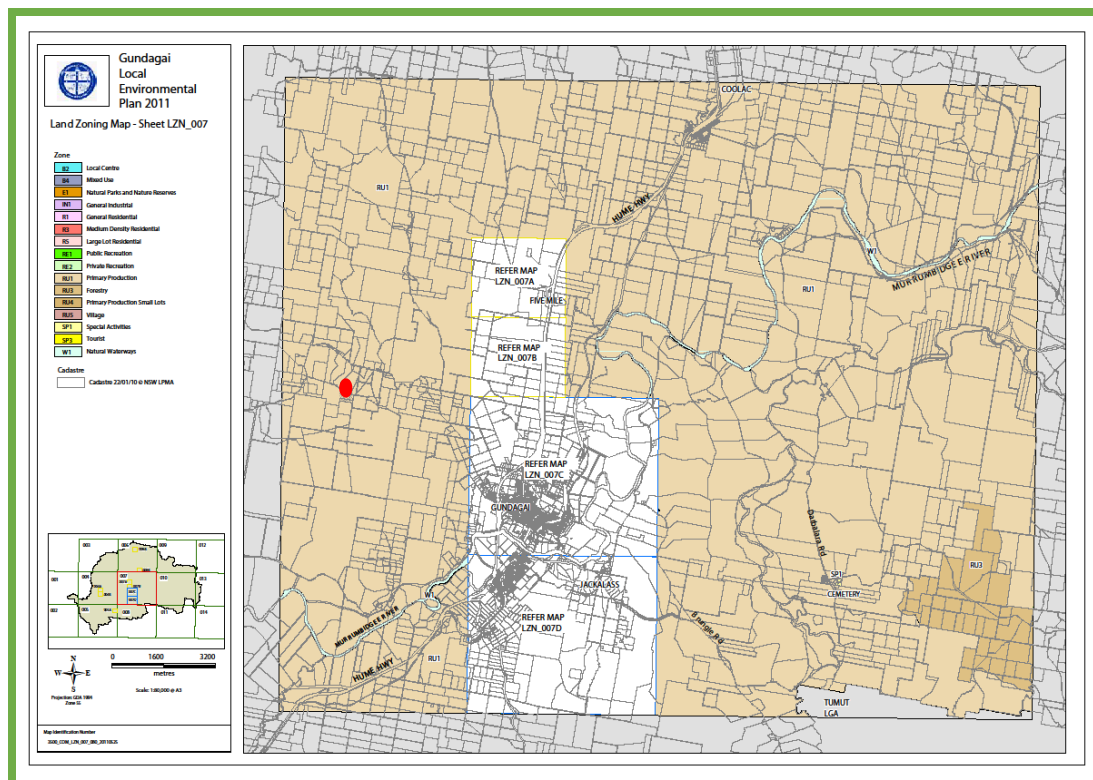


Figure 8: Zoning Map (<https://www.planningportal.nsw.gov.au/spatialviewer>)

## GUNDAGAI LOCAL ENVIRONMENTAL PLAN 2011

The subject site is zoned RU1 Primary Production under the provisions of the Gundagai Local Environmental Plan 2011 as illustrated in Figure 8.

Under the zoning provisions of the Gundagai LEP 2011, the proposed aquaculture development would fall under 'aquaculture'. We define the proposed development as being aquaculture as per Gundagai LEP 2011 dictionary as per the extract below;

**aquaculture** has the same meaning as in the [Fisheries Management Act 1994](#). It includes oyster aquaculture, pond-based aquaculture, and tank-based aquaculture.

The definition from the Fisheries Management Act 1994 states the following within Part 6 of the Act;

**aquaculture** means—

- (a) cultivating fish or marine vegetation for the purposes of harvesting the fish or marine vegetation or their progeny with a view to sale, or
- (b) keeping fish or marine vegetation in a confined area for a commercial purpose (such as a fish-out pond), but does not include—
- (c) keeping anything in a pet shop for sale or in an aquarium for exhibition (including an aquarium operated commercially), or
- (d) anything done for the purposes of maintaining a collection of fish or marine vegetation otherwise than for a commercial purpose, or
- (e) any other thing prescribed by the regulations.

**development plan** has the meaning given by section 143.

Additional definitions from the Fisheries Management (Aquaculture) Regulation 2017 are as follows;

**extensive aquaculture** means aquaculture undertaken without providing supplementary food for the fish or marine vegetation that are being cultivated.

**food** includes any form of nutrient.

**intensive aquaculture** means aquaculture undertaken by providing supplementary food for the fish or marine vegetation that are being cultivated (whether or not naturally occurring food is consumed or available for consumption by the fish or marine vegetation).

**the Act** means the Fisheries Management Act 1994.

The proposed Aquaculture Development is permitted in RU1 Primary Production zone, with consent, under Gundagai LEP 2011. An extract of the land use table for the RU1 zone is provided below.

### **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 encourage the efficient use and conservation of water resources.*
- *To protect significant scenic landscapes.*
- *To encourage development that does not adversely impact nearby agricultural activities.*
- *To protect, enhance and conserve the natural environment, including native vegetation, wetlands and wildlife habitat.*
- *To ensure development prevents or mitigates land degradation.*

#### **2 Permitted without consent**

*Extensive agriculture; Environmental protection works; Home occupations; Intensive plant agriculture.*

#### **3 Permitted with consent**

**Aquaculture**; *Dwelling houses; Extractive industries; Farm buildings; Function centres; Intensive livestock agriculture; Local distribution premises; Open cut mining; Roads; Roadside stalls; Any other development not specified in item 2 or 4*

#### **4 Prohibited**

*Amusement centres; Attached dwellings; Business premises; Cemeteries; Centre-based child care facilities; Community facilities; Dual occupancies; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Exhibition villages; Hardware and building supplies; Health services facilities; Home occupation (sex services); Industrial retail outlets; Industrial training facilities; Marinas; Mooring pens; Mortuaries; Multi dwelling housing; Office premises; Public administration buildings; Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Semi-detached dwellings; Seniors housing; Service stations; Sex services premises; Shop top housing; Specialised retail premises; Storage premises; Timber yards; Vehicle body repair workshops; Vehicle sales or hire premises; Wharf or boating facilities; Wholesale supplies*

As shown previously in Figure 8, adjoining land is also zone RU1 Primary Production. The objectives of the RU1 Primary Production zone are outlined within the table below.

**Table 1: Objectives of RU1 Primary Production**

Zone Objectives	Comments
To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.	This proposal creates sustainable primary production industry which enhances the use of the natural resource base that is available to the land, making use of the available water and grazing land for primary production.
To encourage diversity in primary industry enterprises and systems appropriate for the area.	The proposal creates a diversity in the primary production of the land which shall provide sustainability in times of economic hardship.
To minimise the fragmentation and alienation of resource lands.	This proposal does not seek to further fragmentate rural lands but seeks to utilise the resources of the land in the most efficient manner.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	This proposal has the potential to create conflict with adjacent land owners if noise and odour is not controlled in an affective manner. With the use of pump covers, shields and pump sheds, noise shall be kept to a minimum if required and all odours will be eliminated quickly by the use of a burial pit and lime if mortality of a bio-mass occurs. This potential is no greater than what currently exists with livestock deaths and the use of farm machinery, from both the subject land, and that of neighbouring lands.
To encourage the efficient use and conservation of water resources.	This proposal seeks to utilise the available water on the site and circulate its use by filtering the waste water through a wetland system that removes nitrogen, phosphorus and sediments, which shall conserve the ability to reuse the water through the aquaculture system and without contamination to downstream waterways.
To protect significant scenic landscapes.	This proposal does not seek to alter the landscape, but rather conserve its scenic qualities. The aquacultural ponds, dams, hatchery and burial pit are sited in a location that will have minimal impact on the scenic qualities of the landscape viewed from surrounding rural lands. The burial pit is the only major feature that will alter the scenic landscape, but as this shall be rather small at any given time, such will be minimal, and when a pit becomes exhausted, and new one shall be made available and the old one shall be returned to its natural state.
To encourage development that does not adversely impact nearby agricultural activities.	This proposal will have no effect on surrounding primary production activities on nearby neighbouring lands as the proposed activities will not interfere with any adjoining land use. Any water that is passed through the system in times of excessive rainfall events will not exceed nominal nutrient levels found in most creeks and river systems.
To protect, enhance and conserve the natural environment, including native vegetation, wetlands, and	This proposal seeks to work with the environment and not against it, conserving the remaining native vegetation and wildlife habitat that exists from over 100 years of livestock grazing, land clearing

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wildlife habitat.	and aged trees, whilst also providing additional habitat in the form of the effluent wetlands, dams, and ponds.
To ensure development prevents or mitigates land degradation.	This proposal seeks to improve the lands value rather than destroy or damage it, as the current and proposed land uses will become the land user's financial stability, and any degradation to the land will result in future economic loss.

**Table 2: Gundagai LEP 2011 Clauses - relevance to the proposed development.**

<b>PART 2: Permitted or Prohibited Development</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
2.1	Land use zones	Zoned RU1 Primary Production	yes
2.2	Zoning of land to which Plan applies	Site is included in Council mapping	yes
2.3	Zone objectives and Land Use Table	This proposal is permissible with development consent	yes
<b>PART 3: Exempt and complying development</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
3.1	Exempt development	Some minor earthworks are permitted. Also, some dams and ponds are also exempt from development consent.	yes
3.2	Complying development	Not applicable	n/a
3.3	Environmentally sensitive areas excluded	Not applicable	n/a
<b>PART 4: Principal development standards</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
4.2A	Erection of dwelling houses on land in certain rural and residential zones	A dwelling house already exists upon the subject land and is not part of this proposal.	n/a
<b>PART 5: Miscellaneous provisions</b>			
	<b>Clause</b>	<b>Comments</b>	<b>Applicable</b>
5.1	Relevant acquisition authority	Not applicable	n/a
5.2	Classification and reclassification of public land	Not applicable	n/a
5.3	Development near zone boundaries	Not applicable	n/a
5.4	Controls relating to miscellaneous permissible uses	Not applicable	n/a



5.5	Controls relating to secondary dwellings on the land in a rural zone	Not applicable	n/a
5.6	Architectural roof features	Not applicable	n/a
5.7	Development below mean high water mark	The proposed development is located at an elevation of approximately 470-490m above MHW (AHD).	acceptable
5.8	Conversion of fire alarms	Not applicable	n/a
5.10	Heritage conservation	<p>The proposal is not subject to any heritage provisions as is not identified on any Council heritage mapping, and the subject land is not described to contain any heritage item.</p> <p>Contact was made with the Local Aboriginal Land Council (LALC) in July 2023 which resulted in a generic response with no follow up contact by the LALC.</p> <p>An AHIMS Web Services (AWS) was carried out in August 2023 whereby zero aboriginal heritage sites and places were present upon the subject land.</p> <p>Refer to Appendix 8.3 – LALC and AWS search results.</p>	yes
5.11	Bushfire hazard reduction	Bushfire hazard reduction works can be carried out without consent. It is proposed to utilise the legislation and carry out reduction activities to all assets upon the property in accordance with the Rural Fires Act 1997.	yes
5.12	Infrastructure development and use of existing buildings of the Crown	Not applicable	n/a
5.13	Eco-tourist facilities	Not applicable	n/a
5.17	Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	Not applicable	n/a
5.18	Intensive livestock agriculture	Not applicable	n/a
5.19	Pond-based, tank-based and oyster aquaculture	<p>The proposed development complies with all the requirements set out on Part 1 of Schedule 6 for the development.</p> <p>The land on which the development exists upon is RU1 and its purpose is for intensive aquaculture. The subject land to which this development is proposed upon is not upon land listed as exclusions zones, meaning the land is not within declared land that has biodiversity value, is not vacant Crown Land, is not designated wetlands, is not within an aquatic reserve, and not within a marine park.</p> <p>Each pond and dam proposed to be used within the proposed development has the capacity to be drained by gravity or pumped</p>	yes

		<p>to become completely drained if the need arises.</p> <p>The proposed aquaculture development has been proposed to be a closed unit that is not on a designated water course, and any water loss shall generally be by evaporation only, except in times of wet periods, where excess flows shall flow into the storage dams and in the event that all dams and ponds are full, as normal dam water overflow via the gully that travels west towards Back Station Creek.</p> <p>For pond-based aquaculture and tank-based aquaculture that is also intensive aquaculture—no discharge of freshwater used to intensively cultivate or keep fish to natural waterbodies or wetlands is permitted, except freshwater discharge from open flow through systems.</p> <p>All outlets from culture ponds, dams and tanks shall be screened to avoid the escape of any fish.</p> <p>All species raised within this aquaculture farm shall be consistent with the relevant fisheries licence (s) and the Biosecurity Health Management Plan (BHMP).</p> <p>For additional information, please refer to the BHMP within appendix 8.7.</p>	
5.20	Standards that cannot be used to refuse consent – playing and performing music	Not applicable	n/a
5.21	Flood planning	Not applicable as subject land is at the top of the catchment.	acceptable
<b>PART 6: Additional local provisions</b>			
	Clause	Comments	Applicable
6.1	Biodiversity Protection	<p>The land is affected by the Biodiversity Map within the Gundagai LEP, Figure 9, however the subject land upon the map appears to be inconsistent verses the vegetation coverage when comparing it the neighbouring lands within the locality. This can be observed when comparing the Figure 9 with Figure 1.</p> <p>The NSW Planning Portal is different as seen within Figure 10, which shows that the whole of the subject land is considered to be of low biodiversity value.</p> <p>The proposed development is only seeking minor vegetation changes with a small proportion of land proposed to be cleared, being within the APZ that is to be established around the hatchery shed and within the extents of the effluent wetland ponds.</p> <p>The vegetation proposed to be removed is estimated to be limited to 7 trees and 13 stumps that are within the construction area, with none of those considered to be classified as original and/or native vegetation. All the trees proposed to be removed are regrowth from existing stumps or new growth that is less than 10-20 years of age.</p>	n/a

		<p>The proposed construction area, being the APZ and the effluent wetland ponds, can be visually identified within Figure 13 marked for clearing.</p> <p>The proposed development is sited appropriately given the type of development and will be managed to avoid any adverse environmental impact. This development seeks to work with the natural environment and has made every effort to work with the natural environment to sustain its future benefit to the farm and surrounding locality.</p> <p>As this development is not considered to significantly affect threatened species or ecological communities, or their habitats, as the development is only seeking to remove stumps and regrowth vegetation that has little value to the environment.</p> <p>The area of land that is effected by the proposed development, being that area within the APZ, ponds 1 &amp; 2, and the effluent wetland ponds, is less than 1 Hectare. The actually overall disturbed area is calculated to be approximately 6,000m<sup>2</sup>, which is predominately grasslands which was and is heavily grazed by sheep. This is less than the allowable threshold area of 1 Hectare of land to be cleared under the Biodiversity Conservation Regulations 2017, with land having a minimum lot size of 40 Hectares.</p> <p>This small vegetation clearing is therefore permissible under the LEP and the Biodiversity Conservation Act 2016.</p>	
6.2	Land Protection	<p>The proposed development seeks approval for a development that works with the land and to best utilises the land even though the land is only partially affected by the land sensitivity map within the Gundagai LEP. See Figure 11</p> <p>The proposed development is sited appropriately given the type of development and will be managed to minimise any adverse environmental impacts.</p> <p>This development seeks to work with the natural environment, utilising the slopes and topography, and any change to such would affect future operations of the farm.</p>	yes
6.3	Water Protection	<p>The subject land is not within a water sensitivity land area as identified upon the water sensitivity map within the Gundagai LEP. See Figure 12.</p> <p>As this proposal seeks a closed unit water cycle, and to treat water through effluent wetland ponds which shall reduce nitrates and phosphorous', it is not envisaged that the water quality from the storage dams on overflow would affect the water quality found downstream, as stated within Appendix 8.7 FFVS BHMP pages 26 &amp; 27.</p> <p>The effluent wetland ponds shall be planted out with species such as Baumea Articulata (Jointed Twig Rush), Phragmires Australis (Common Reed), Carex Appressa (Tall Sedge), Carex Fascicularis (Tassel Sedge) or the like, which shall assist in the removal of nitrates, nitrites, and phosphorus within the water before being returned into the broodstock dam for recirculating.</p>	yes

6.5	Earthworks	<p>It is noted that all earthworks that have been previously carried out upon the property since 2008, have been carried out without the knowledge of needing development consent.</p> <p>As most farm owners were not restricted in the past on how they managed their land prior to 2008, most farmers are still not aware of the requirement for development consent for earthworks beyond what exists within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p> <p>This proposal seeks to rectify any past activities that the land owner has unknowing undertaken without consent and obtain such consent for these activities in being part of this development approval.</p> <p>Each dam has been professionally built by experienced personnel and the appropriate equipment. Each dam has been at full capacity without showing signs of failure.</p>	yes
6.6	Essential Services	<p>All essential services will be provided to the development as required.</p> <p>It is considered that all the listed essential services for this proposed development have been taken in consideration and are compliant for this development.</p> <p>adequate arrangements have been made to make them available when required—</p> <p>The adequate the supply of water can be achieved by the catchment of water through dams and pumping such water to where it is needed within the proposed closed system or left for later use within the storage dams.</p> <p>The property already has the supply of mains electricity to the existing dwelling upon the property. If needed at the proposed hatchery shed, underground mains line will be extended to avoid the removal of trees and potential habit.</p> <p>The proposed development proposes to treat the disposal and management of all effluent within the system by filtering the used and/or contaminated water through a wetland treatment system that shall assist in the removal of excessive nitrates and phosphates within the water.</p> <p>The proposed development shall direct all excess runoff within the catchment of the properties two storage dams and one farm dam. Where the catchment does not allow water catchment, the excess runoff shall discharge as a rural runoff into the neighbouring properties having a lower elevation.</p> <p>This is considered suitable for the development and it is considered a suitable farm practice for the disposal of all excess stormwater drainage and/or on-site conservation.</p> <p>The only vehicles that are likely to be considered suitable for the operations of the proposed development is those that have 4wd capacity and larger than 2,000 kg towing capacity.</p> <p>The current road access to the dwelling is considered suitable for 2wd</p>	yes

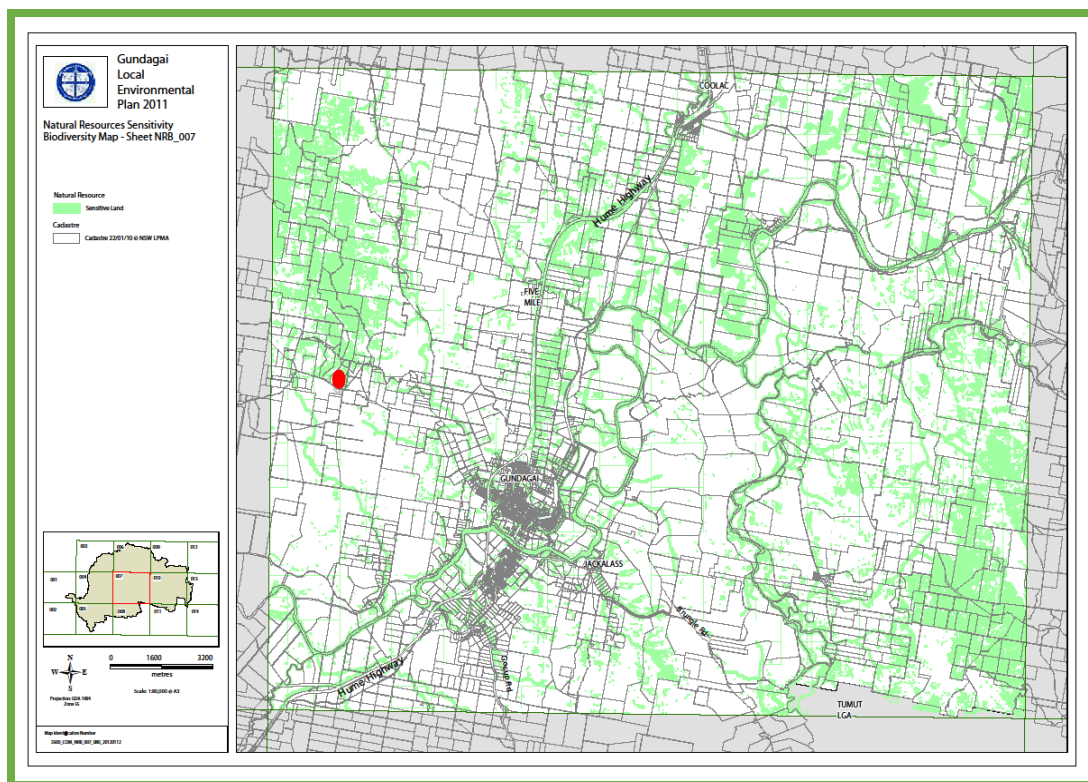


vehicles, and the access road to the proposed development site is considered 2wd vehicle drivable in dry conditions (and may require minor upgrading by applying additional gravel to make smooth for 2wd vehicles), but is currently suitable for all 4wd vehicles.

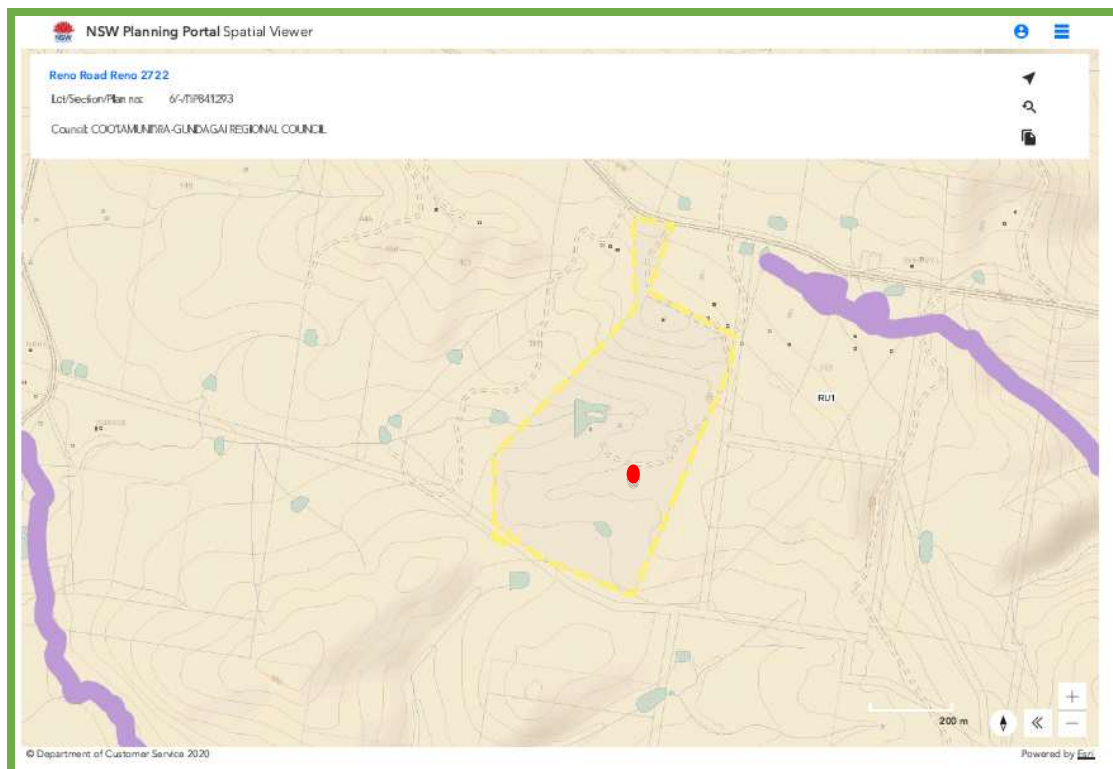
The later section of the road has some rut damage caused by excessive stormwater and would be required to be fixed and maintained on as ongoing maintenance item, alike all gravel roads.

It is suggested that the applicant of this proposal installs water diverters (rubber strips across the road) to divert any water runoff to grassed areas of the property to reduce and minimise any excessive erosion, catch any sediments, which will also reduce the maintenance required to the access road.

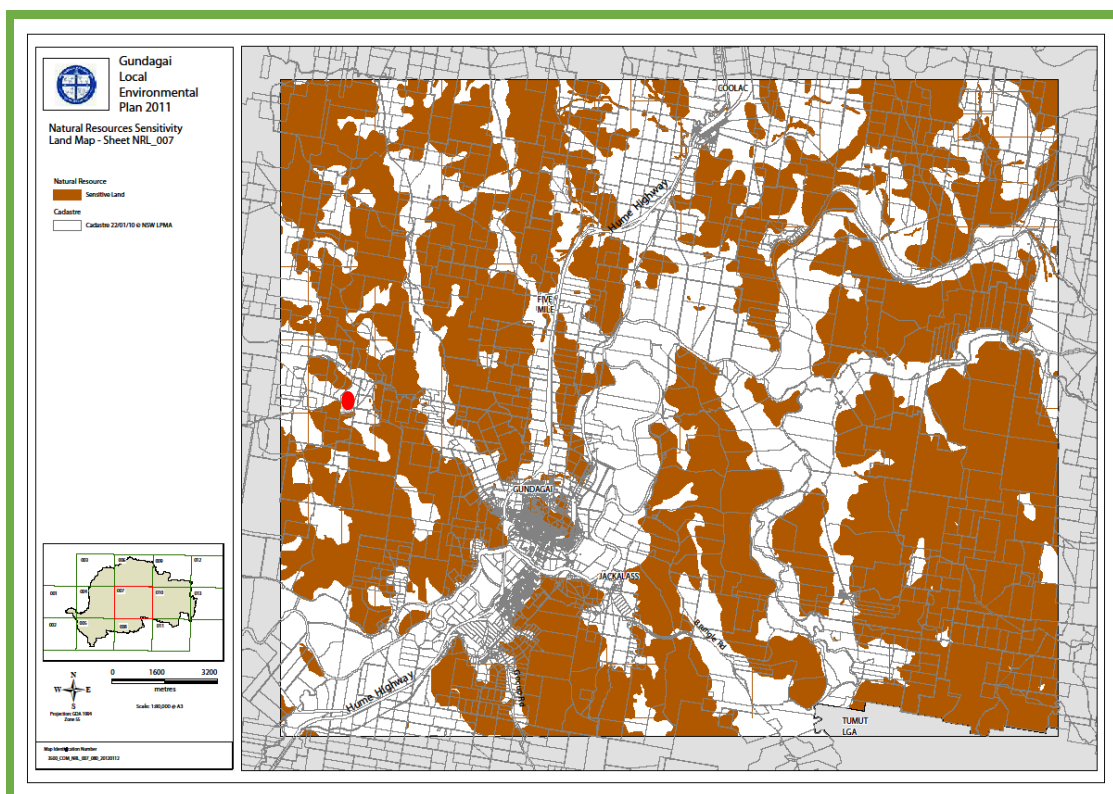
The driveway entry is an approved entry granting approval through the subdivision approval that created the development consent that created the subject land. The entry is considered to be in accordance with Council's requirements at the time of that approval, albeit it is not sealed from the boundary to the road's bitumen pavement, being a more recent requirement for new entry's today.



**Figure 9: Biodiversity Map (<https://www.planningportal.nsw.gov.au/spatialviewer>)**



**Figure 10: Biodiversity Map (NSW Planning Portal)**



**Figure 11: Natural Resources Sensitivity Land Map (<https://www.planningportal.nsw.gov.au/spatialviewer>)**

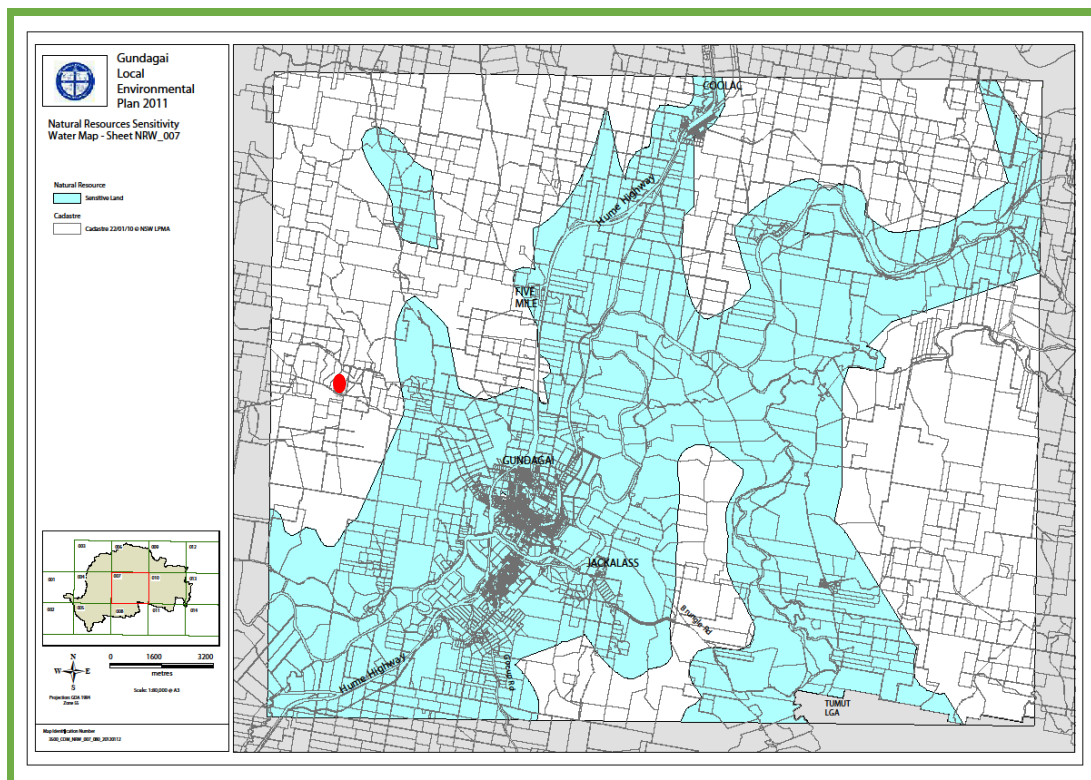


Figure 12: Natural Resources Sensitivity Water Map (<https://www.planningportal.nsw.gov.au/spatialviewer>)

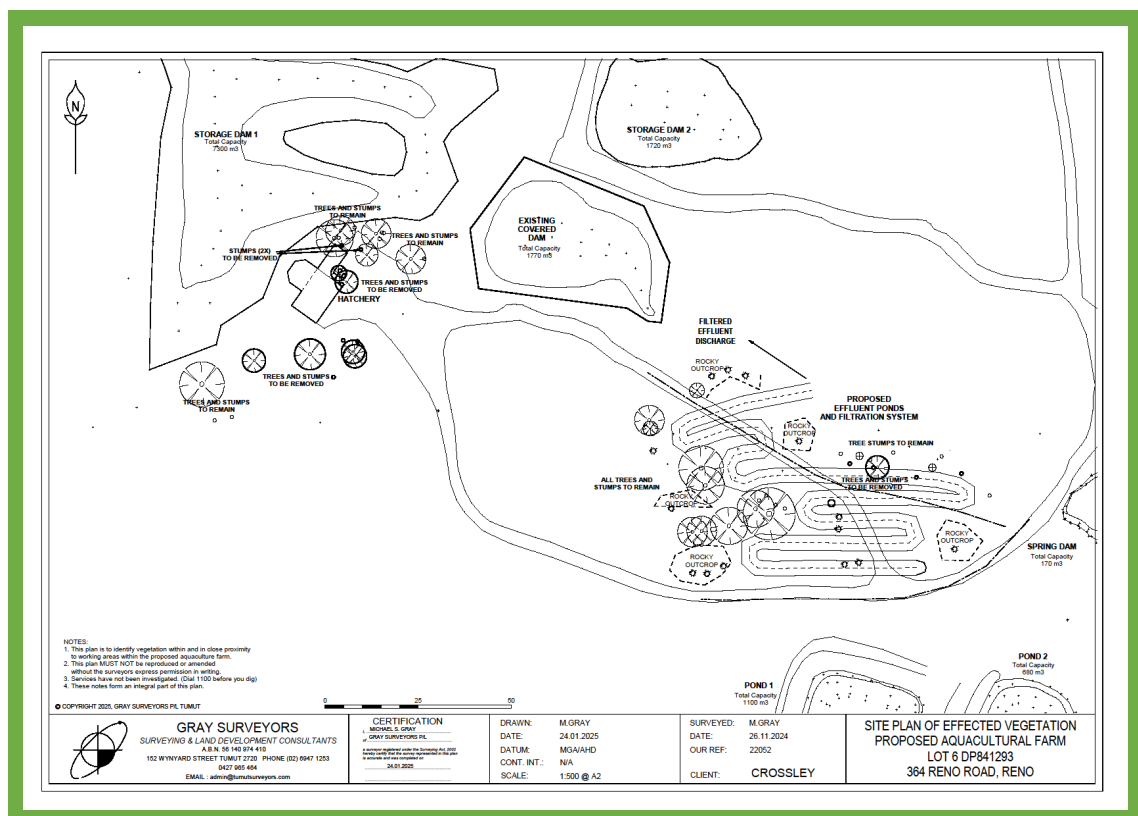


Figure 13: Plan of Effected Vegetation upon Proposed Aquacultural Farm

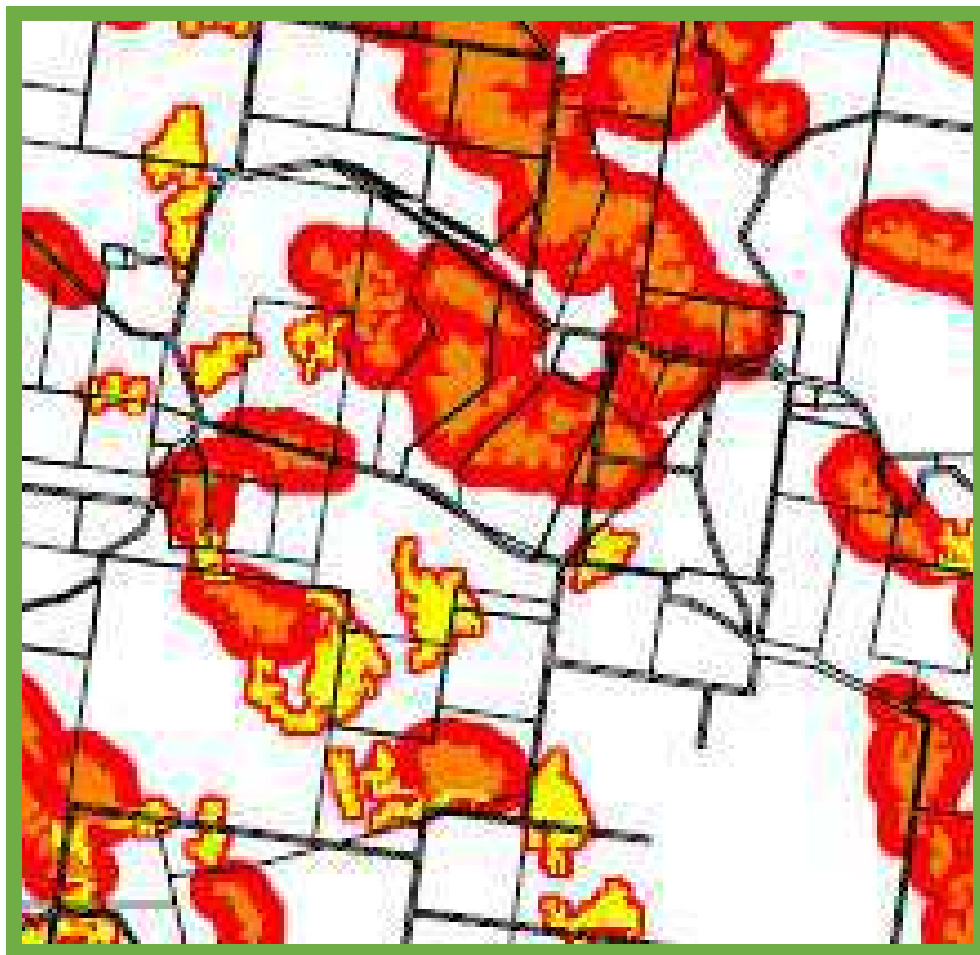
As with any land use, this proposal has the potential for land use conflict if not properly managed. Providing that operation noise does not breach legislation and all aquacultural effluent is managed and treated correctly onsite, this development will not result in any land use conflict that directly is related to this proposal.

The site is categorised as being bushfire prone land according to Cootamundra Gundagai Regional Council records, and is not prone to flooding, in accordance with Figure 14, Bushfire Prone Land Map.

The aim of Planning for Bushfire Protection 2019 is to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment.

This proposed development is for an aquaculture development, which seeks to utilise existing dams, constructed ponds, and utilise a class 8 building as a hatchery building to protect the proposed contents from pests, the environment, and any potential fire threat.

In accordance with PBP 2019, any class 8 structure is a non-habitable building/structure and as the hatchery is located more than 6m away from any dwelling, there is no bush fire protection requirements. (refer to section 8.3.1 within PBP 2019)



**Figure 14: Bushfire Prone Land Map (<https://www.planningportal.nsw.gov.au/spatialviewer>)**



This development is considered to be commercial, as is in the case with every farm that produces a product of sale, and therefore can be assessed in accordance with section 8.3.10 of PBP 2019 on how such PBM's are to be applied to this type of development. As there is no proposed habitable development proposed within this application, then the aims and objectives of the PBP 2019 should be applied to this development relevant to the provisions of chapter 7 of the PBP 2019.

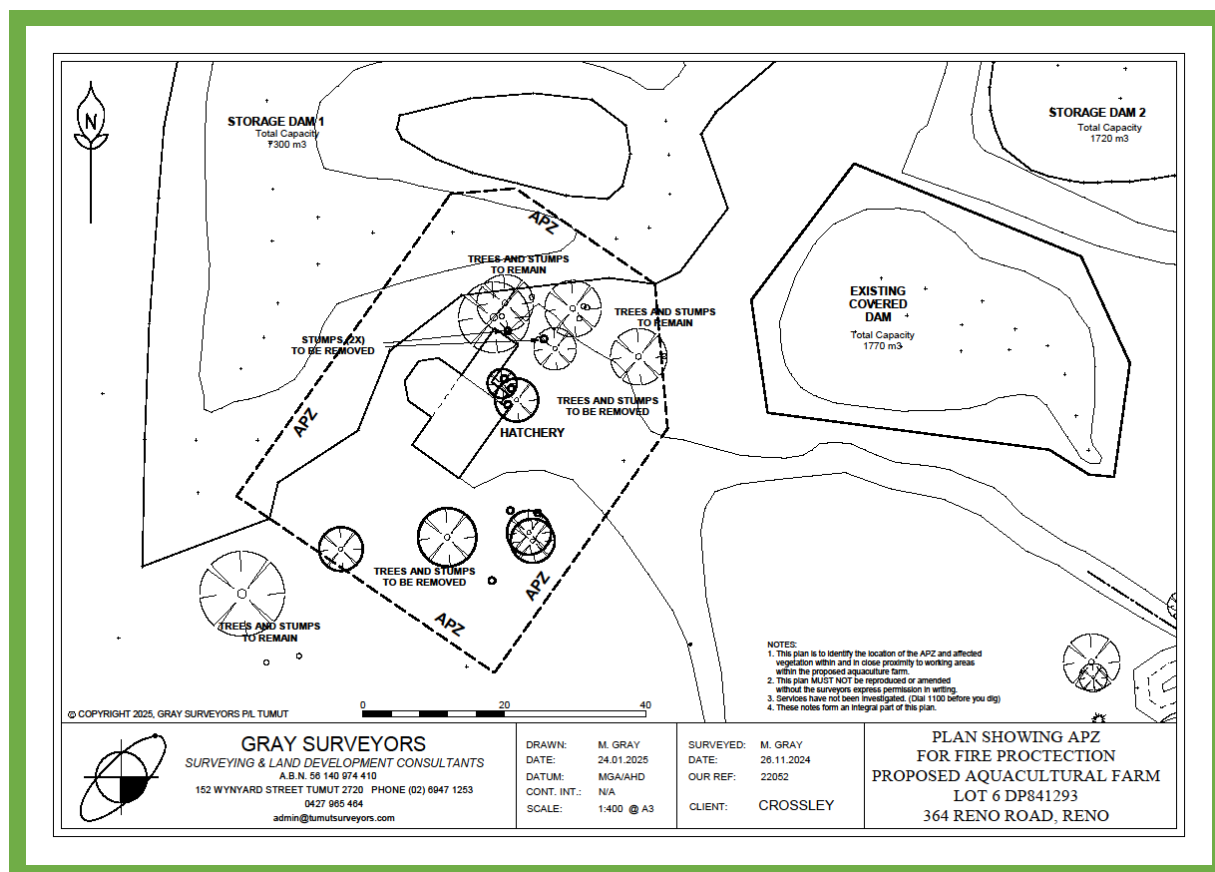
*The objectives of the PBP 2019 are to:*

- 1. afford buildings and their occupants protection from exposure to a bush fire;*
- 2. provide for a defendable space to be located around buildings;*
- 3. provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;*
- 4. ensure that appropriate operational access and egress for emergency service personnel and occupants is available;*
- 5. provide for ongoing management and maintenance of BPMs, and*
- 6. ensure that utility services are adequate to meet the needs of firefighters.*

These objectives can all be achieved;

- by establishing and maintaining a 20m APZ around the hatchery shed (see Figure 15),
- by ensuring that the ingress and egress to the hatchery, dams and ponds is trafficable in all weather conditions suitable for 2wd vehicles,
- that all vegetation clearances are achieved and maintained from the trafficable roads,
- that the current access roads do not exceed the maximum gradients,
- that there is a suitable emergency evacuation area in the event of being forced to remain upon the property (located at the hatchery adjacent to the dams within the APZ), and
- that a suitable static water supply exists in the form of the dams and ponds, comprising of up to approximately 9 ML of potential storage volume, and up to a further 3.5 ML of potential aquacultural farm water.

As this development can meet all the aims and objectives of the PBP 2019 and does not propose a building that is habitable, it is then considered that this development is regarded as compliant to the specifications and requirements of PBP 2019 in accordance with clause 4.14 (1)(a) of the EP&A Act, and is unnecessary to be referred to the NSW RFS.



**Figure 15: Plan showing extents of APZ required for Hatchery**

## 5. Other Relevant Section 4.15 Matters For Consideration

Section 4.15 of the Environmental Planning and Assessment Act 1979 states ‘that in determining a development application, a consent authority is to take into consideration’ other relevant matters. These matters are addressed in the table below.

**Table 3: Other relevant matters**

Relevant Matters	Comments
The provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority.	There are no known proposed instruments applicable to the development.
The provisions of any development control plan.	Not applicable as the area covered by the old Gundagai LGA does not have a DCP that affects the subject land.
The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4.	There are no known planning agreements applicable to the proposed development.
The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.	<i>Addressed in 4, ‘Likely impacts of the Development’</i>
The suitability of the site for the development.	Based on the physical evidence and evidence provided in this document, the site is considered suitable for the proposal. It is considered this proposal is consistent with the objectives of the zone and the character of the immediate area.
Any submissions made in accordance with this Act or the regulations.	The Cootamundra DCP 2013 does address consultation with neighbouring land owners and the process that could be followed. If Council feel that this development could affect a neighbouring land owner, then consultation and notification should be carried out, however, as vehicle movements will be kept to a minimum, and if the noise and odour can be mitigated by way of operations and conditions of approval, then consultation and notification would be considered unnecessary.
The public interest.	The public interest is supported with this proposal as the development is in accordance with the publicly endorsed planning policies and guidelines. This proposal will allow compatible development on the site with the desired character and amenity of the area to be maintained.

The provisions of any environmental planning instrument;	
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<p>As per 6.1 within Table 2, vegetation will be at a minimal. The site is not recognized koala habitat. This development is very unlikely to affect endangered and threatened species, and habitat critical to endangered and threatened species as determined by Part 7 of the Biodiversity Conservation Act 2016.</p> <p>Any site works that are required shall only affect stumps, regrowth tree and grasslands areas, and all disturbed areas shall be rejuvenated back to those grasslands where possible.</p>
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<p>All minor earthworks that have been carried out upon the property are considered to be compliant to this policy. Those earthworks carried out without consent were carried out on the advice provided by Council at the time of erecting.</p> <p>Note that the applicant approached Council as to whether or not he required development consent to install the dam known as Storage Dam 1 upon the property and they were provided with a verbal response that no development application was necessary. This would have been provided in the summer of 2009/2010 prior to its commencement in early 2010, where such was completed in December 2011.</p> <p>The other dams and ponds, known as Storage Dam 2, Covered Dam, Pond 1 and Pond 2 were likely to be built on the same basis, but all at later intervals in time.</p> <p>It is noted that the ponds and effluent ponds &amp; wetland does not require development consent under the current clause 2.12 within SEPP (Primary Production) 2021.</p> <p>The existing shed structure that is proposed to be used for the development's hatchery and was installed based on not needing development consent from Council.</p> <p>(refer also to comments below adjacent to SEPP (Sustainable Buildings) 2022.)</p>
State Environmental Planning Policy (Housing 2021)	Not applicable as no housing is being proposed within this development.
State Environmental Planning Policy (Industry & Employment) 2021	n/a
State Environmental Planning Policy (Planning Systems) 2021	n/a
State Environmental Planning Policy (Precincts—Regional) 2021	Not applicable as the subject land is not located within any of the regional precincts currently listed within this EPI.

State Environmental Planning Policy (Primary Production) 2021	<p>This policy is relevant considering that the proposed development is for an Intensive Aquaculture.</p> <p>This development is permissible under this EPI (and also the Gundagai LEP) as the land zoning is RU1, but only if consent is granted.</p> <p>For additional information, refer to 5.19 within Table 2.</p>
State Environmental Planning Policy (Resilience & hazards) 2021	<p>This policy is not considered relevant as this development proposes to implement procedures into the operations of this development that shall seek to eliminate or at very least reduce the likely threat to the environment to a low level and that the hazards presented are quickly and easily managed, to ensure that land degradation does not occur.</p>
State Environmental Planning Policy (Resources & Energy) 2021	<p>This policy is not considered to be relevant as this policy general relates to extractive resources and minerals. As this development is not seeking to extract any resources and energy from the substrate, this is therefore considered irrelevant.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	<p>This is considered to be applicable to the use of the existing structure upon the subject land adjacent to Storage Dam 1.</p> <p>The proposed hatchery shed was built on past undertakings, similar to that of a farm shed (as defined by SEPP (exempt and complying development codes) 2008 and what land owners did carry out on RU land prior to this SEPP taking affect.</p> <p>To reduce waste and minimise the recycling of building materials in our environment, it is proposed to utilise the use of this shed as the hatchery, which shall prevent this shed from becoming waste and/or an unused building.</p>
State Environmental Planning Policy (Transport & Infrastructure) 2021	n/a

This proposed development is permissible and satisfies the requirements and standards of the relevant EPI's as outlined in sections 4 & 5. This proposal facilitates the orderly economic use and development of land in the development of an Aquaculture farm to best utilise the rural land.

## 6. Other Likely Impacts of The Development

The other likely impacts of the development are considered below within Table 5.

**Table 4: Likely impacts of the development**

Primary matter	Comments	Impact
CONTEXT AND SETTING	<p>The development is consistent with the expectations for development in the area.</p> <p>The development is not anticipated to have any adverse impact on the setting and surrounding properties, and is considered to be consistent with the character of the area, as rural farm dams are typical of a rural landscape.</p> <p>This proposal will have minimal to no impact on the scenic qualities of the landscape viewed from surrounding rural lands.</p> <p>The proposed Aquaculture Farm is considered to have minimal visual impact on the site. Site works will consist of holding dams, utilising an existing shed, and existing dams.</p>	acceptable
STREETSCAPE	<p>The development will not detrimentally affect the existing streetscape as the development is within a differing catchment area.</p>	acceptable
TRAFFIC, ACCESS, AND PARKING	<p>The subject land gains access from Reno Road. Access already exists to both the existing dwelling and the proposed development area. These internal access driveway and tracks may need to be upgraded to ensure safe ingress and egress to occur for all 2wd vehicles entering the property to Council standards.</p> <p>The current vehicle movements per day (VMPD) is approximated to be 10 for the existing dwelling, which is a generalised standard average for a standard household. As this is within a rural area, the vehicle movements have been estimated to be more likely be 6 VMPD.</p> <p>It is considered that the proposed additional vehicle movements onto the property would be estimated to be up to 2 per day (being one vehicle entering and then leaving the property) There would be internal vehicular movements from the dwelling to the farm but these are considered to be minimal and uncalculatable, as this would depend on farming practices.</p> <p>Access shall be tightly restricted to minimise biosecurity risks. The public shall be encouraged not to enter the aquacultural farm area (south of the dwelling). A locked gate is present at the entrance to the property preventing all unauthorised entry if required.</p> <p>All visitors to the farm shall be accompanied by farm staff, shall not enter, or make contact to any of the waterways, ponds, and hatchery, to prevent any biosecurity risks. All visitors shall complete a Visitor Biosecurity Declaration, and if any potential threats shall be refused entry. A Visitor Log shall also be completed by all visitors and shall comply with all Farm Entry Conditions.</p>	acceptable

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	It is therefore considered that this proposal will generate minimal additional traffic movements on and off the subject land, and within the property.	
PUBLIC DOMAIN	The development will have a minimal impact on the public domain.	acceptable
UTILITIES	<p>There will be an increase in electricity usage to run the farms aeration systems that are proposed in this development. The increase is not considered to require an upgrade of the existing electrical reticulation as it would be deemed sufficient for the demand proposed.</p> <p>The additional costs for electricity usage may require the applicant to seek alternate means by an off grid stand-alone solar and/or wind and/or water power systems to assist in the operation costs, such is considered exempt development and would only be acted upon when funding for such systems become available after the farm is established and costs need to be minimised.</p>	acceptable
OTHER LAND RESOURCES	The development will have no impact on other land resources.	acceptable
WATER QUALITY AND STORMWATER	<p>The proposed farm will look to retain and circulate the water captured from rainfall events.</p> <p>As the catchment is very small and the subject land is located at the top of the catchment, this will have a minimal effect on water flows within the catchment downstream, as part of the land will still create excess water runoff, and see the dams discharge when full capacity is reached.</p> <p>This proposal does not seek to change the current flow of water that may escape the property from overland flow and discharge runoff from any dams.</p> <p>During drier times, all excess runoff within the property's dams' catchments shall be captured and contained within the dams for later use if required.</p> <p>What exists and what is being proposed is not considered to adversely impact the conservation of water resources or the water cycle to the catchment system downstream. (refer to pages 26 &amp; 27 within Appendix 8.7)</p>	acceptable
SOILS, SOIL EROSION	<p>The development will have an impact on soils due to possible civil works being required to complete the proposed development and any maintenance that will be required from time to time, and nominal operation activities.</p> <p>Control measures in relation to erosion and contamination will be in place during all types of works to ensure minimal impact affects the environment, soil stability and water quality maintained.</p> <p>No contamination or degradation is apparent at this site, albeit some minor erosion on the access road down to the site of the Aquaculture Farm Area, and on dam spillways.</p>	acceptable
AIR AND MICROCLIMATE	The development is not anticipated to have any adverse impacts on air quality or microclimate. Civil works may produce dust but control measures will be put in place.	acceptable

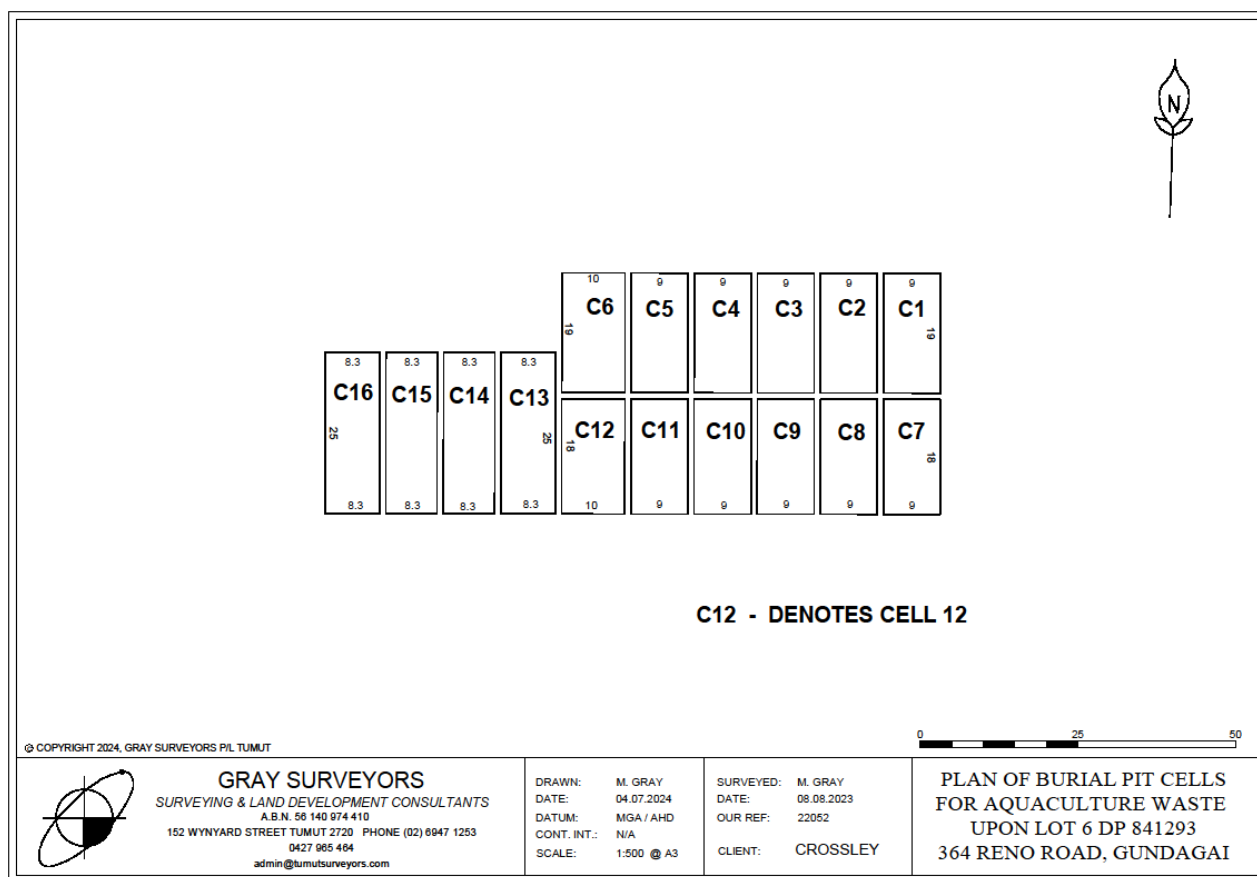
FLORA AND FAUNA	<p>The development is not anticipated to have any adverse impacts on flora or fauna.</p> <p>It is not considered that the proposal has any implications for the protection and management of critical habitats and threatened species.</p> <p>The site has been substantially modified over the past 100 years to be livestock grazing land.</p>	acceptable
WASTE	<p>All fish waste shall be disposed of within a burial pit, which shall be located upon the southern side of the ridge at the rear of the property.</p> <p>The location of the burial pits and their cells shall seek to minimise the impact on any groundwater and provide a system that allows for the disposal of all aquacultural waste shall the need arise.</p> <p>See Figure 16 &amp; 17 for the proposed location of the burial pit area and the cell numbers that will be required when fish waste is needed to be disposed of.</p> <p>Each independent pit within each cell shall contain only four pits, with each pit having the dimensions of approximately 45% of the cell's width and length. As the natural ground is up to 16% slope, this will allow for each pit to be approximately between 1 &amp; 2.5m in depth.</p> <p>The burial pit area shall have a diversion drain to restrict any inflows into the cells. All pits shall have their drainage directed to one corner of the pit for evaporation and/or infiltration, which shall be minimal.</p> <p>If required to reduce moisture within each pit in times of excessive rain events, a tarp may be installed over each working pit to minimise any additional moisture from entering the pit.</p> <p>Operations shall only see one pit in use at any given time and occasionally there may be two pits open concurrently at a time when the one in use is nearing full capacity and/or the expected waste exceeds the limitations of only one pit.</p> <p>Aquacultural waste shall be placed within the pit when required and covered with lime to minimise smell and assist in decomposition. The waste within the pit shall be covered by hail netting or shade clothe to prevent vermin and feral pests from pilfering.</p> <p>In some instances, and environmental conditions require, a thin layer of soil shall be placed upon the waste within the pit to further aid prevention and/or minimise odour.</p> <p>Whilst a pit is open and in use, there shall be a temporary fence around each cell to ensure grazing stock and persons are kept out of the pits in use. The fence shall have a warning sign alerting persons of the danger.</p> <p>It is not envisaged that the burial pit location shall impose a visual impact on adjoining lands as it is located on the south side of a small saddle, counseled from sight from most adjoining lands.</p>	Acceptable

NOISE AND VIBRATION	<p>The development may produce noise if/when civil works are commenced. Control measures will be put in place to reduce when required.</p> <p>The noise level for most pumps is between 85 and 95dB at 1m, however for submersible pumps, their noise level is considerably lower.</p> <p>The noise level for the aerator is estimated to be 80-85dB at 1m. The aerator is located next to the water tanks at the rear of the dwelling for easy connection to the electrical power supply and so the occupant may easily check that the aeration pump is still in operation without needing to attend the ponds and hatchery directly. It is noted that the noise from the aerator can only be faintly heard from inside the dwelling when all is quiet, and is currently uncovered.</p> <p>A 0.7kW SC Blower shall be used for aeration, and a Mono Sun Submersible solar pump shall be used for all water movements, with the use of a 30HP Yamaha Diesel Pump shall be used as a backup and in emergencies.</p> <p>Note that the noise for all pumps will not cause for dispute against neighbours, considering the size of the property, location of other dwellings and the likely location of use of these pumps.</p>	acceptable
NATURAL HAZARDS	This proposal will not create any additional natural hazard risks other than those already subject to the land being partly bushfire prone.	acceptable
TECHNOLOGICAL HAZARDS	<p>The development has the hazard from chemicals that are used on the property for the existing farm, the proposed development, and their storage. The BHMP discusses the requirement of permits for the use of certain chemicals and provides links to useful information such as storage.</p> <p>It is proposed that the storage any chemical is within their original container within an empty 44 gallon drum as an emergency bung if the original container was to leak. These chemical storage drums shall be located within the northern part of the hatchery against the northern wall. This shall be a temporary storage area until a designated chemical shed is built wholly to provide a safe and secure location for all chemicals used on the property.</p> <p>The sheds shall have three metal sheeted walls and a roof with an open mesh gated door opening as the fourth wall. The shed shall be approximately 3m x 3m in size and be not higher than 3m in height, and shall have the capacity to secure twelve 44 gallon drums if required. The shed shall have a concrete floor that is sunken (or bunged sides) so that if the drums do leak, there is additional 100mm of air space for containment.</p> <p>The development is unlikely to create any other technological hazards.</p>	acceptable
SAFETY, SECURITY AND CRIME PREVENTION	No adverse safety and security impacts are anticipated as a result of the development.	Acceptable
SOCIO-ECONOMIC IMPACT IN THE	Minimal, short term economic benefits are expected as a result of expenditure and employment of local contractors for any works required.	Acceptable

LOCALITY	<p>The proposal will have increased social effect and economic benefit to the land owner as they seek to establish self-employment from the small land holding that exists. This shall have an economic benefit that will have a flow on affect to the local area.</p> <p>As the farm grows and establishes itself as a small business, this would create a solid foundation for further growth and would then see a larger social impact in the form of employment and other opportunities and supporting businesses.</p>	
OVERLOOKING & OVERSHADOWING	Not relevant for this proposal.	Not Applicable
LANDSCAPING	Established trees and native vegetation are located on the site.	Acceptable
CONSTRUCTION	Not relevant for this proposal, no dwellings proposed.	Not Applicable
PRIVATE OPEN SPACE	All proposed lots have the ability for private open space.	Acceptable
CUMULATIVE IMPACTS	The cumulative impact of the development is considered low.	Acceptable
DISABLED ACCESS	Not relevant for this proposal.	Not Applicable
SIGNAGE	It is proposed to erect an operation sign at the front gate of the property help with deliveries. The sign shall be limited to being 2.5m2 in area and shall wholly be located within the subject land.	Acceptable
SETBACKS & BUILDING ENVELOPES	All setbacks to development items are compliant. Refer to site plan of subject land.	Acceptable
SEWERAGE	This development shall not increase the volume of sewage that is already required to be treated via the onsite septic tank that is connected to the existing dwelling located on the subject land.	Acceptable



**Figure 16 – Location of Proposed Burial Pits (Source – SIX Maps 2024)**



**Figure 17 – Plan of Burial Pit Cells (order of cells to be used)**

## 7. Conclusion

The proposal has been described and discussed in various sections of this report, and has been considered in respect of the relevant planning provisions applicable to the proposed development. The proposal is considered to be permissible for the following reasons:

- The proposal is permissible under the provisions of the Gundagai Local Environmental Plan 2011 and meets the objectives of the applicable zone,
- The proposal is permissible under all other applicable legislation and meets the aims and objectives of Act, Regulations, EPI's and any other applicable document,
- The proposal will not have any adverse environmental impacts, natural or man-made, provided that the aquacultural farm is properly managed, and
- The proposal will not have any adverse impacts on the neighbourhood.

As demonstrated throughout this report, the development is permissible with consent and conditions, subject to a merit assessment.

### **Disclaimer**

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Gray Surveyors, Surveying & Land Development Consultants



## Appendix 8.1 NSW State Water Correspondence

### Mick Gray

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**From:** WaterRegSouth <WaterRegSouth@waternsw.com.au>  
**Sent:** Friday, 31 March 2023 11:56 AM  
**To:** Mick Gray  
**Subject:** FW: CS0517832 - Crossley, M - Water NSW notification for Aquaculture permit application  
**Attachments:** image009.png; image007.png; image006.png; image006.png; image003.png; image002.jpg; image008.png

Hi Mick,

WaterNSW advise you to discuss this with Council during your Development Application. For the benefit of the client in relation to time and significant cost, it is of benefit to submit the Development Application as an Integrated Development. Under this process the Council refers the development to WaterNSW to determine any licensing and approval requirements and provide any General Terms of Approval if required.

Regards,



WaterNSW  
PO Box 398, Parramatta, NSW 2124  
1300 662 077

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**From:** IT Service Desk <[waternsw@service-now.com](mailto:waternsw@service-now.com)>  
**Sent:** Monday, 27 March 2023 11:28 AM  
**To:** Licensing <[licensing@waternsw.com.au](mailto:licensing@waternsw.com.au)>  
**Subject:** CS0517832 - Crossley, M - Water NSW notification for Aquaculture permit application

## Appendix 8.2 NSW Fisheries Correspondence

RE: Aquaculture permit application documents - Crossley

Ryan Jefferson <ryan.jefferson@dpinsw.gov.au>

Thu 2023-06-08 22:56

To: Mick Gray <mick@turnutsurveyors.com>

Cc: 'tritontrout@outlook.com' <tritontrout@outlook.com>; Martin Crossley <oldgoldfisheries@outlook.com>

Hi Mick,

Sorry I missed your call. Things have been extremely busy in our unit, helping out with disease emergency response work on the prawn farms up north. So my apologies for the delay in getting back to you re this.

I have had a look through everything, and from what I can see I think everything is now covered.

The application and brief will pass through other sets of hands during the approval process, so they may pick up on any little things that I haven't. But I think it is now mostly covered.

I am out of the office now, but I will draft up a letter that you can send to Council to accompany your DA.

But in the interim, if you haven't already, I would lodge everything with Council, then once I send this through next week, you can then just forward it on.

Any questions just let me know.

Regards,

Ryan Jefferson

Policy Officer Aquaculture

Fisheries and Aquaculture Management | Department of Regional NSW

P 02 4916 3824 | E [ryan.jefferson@dol.nsw.gov.au](mailto:ryan.jefferson@dol.nsw.gov.au) | W [www.dol.nsw.gov.au](http://www.dol.nsw.gov.au)

Port Stephens Fisheries Institute, Taylors Beach Rd, Taylors Beach 2316



Department of Primary Industries  
Department of Regional NSW

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We stand on Country that always was and always will be Aboriginal land. We acknowledge the Traditional Custodians of the land and waters, and we show our respect for Elders past, present and emerging. We are committed to providing places in which Aboriginal people are included socially, culturally and economically through thoughtful and collaborative approaches to our work.

---

From: Mick Gray <mick@turnutsurveyors.com>

Sent: Monday, 8 May 2023 1:48 PM

To: Ryan Jefferson <ryan.jefferson@dpinsw.gov.au>

Cc: 'tritontrout@outlook.com' <tritontrout@outlook.com>; Martin Crossley <oldgoldfisheries@outlook.com>

Subject: RE: Aquaculture permit application documents - Crossley

Hi Ryan,

Please find attached the requested documentation, as per the attached email(s), being the completed Permit Application and a Dam Water Volume Calculation document that shows the volumes and surface areas available, required for the permit.

## Appendix 8.3 Local Aboriginal Land Council (LALC)

**Mick Gray**

---

**From:** Coral Bulger <btalc@bigpond.net.au>  
**Sent:** Monday, 31 July 2023 2:39 PM  
**To:** Mick Gray  
**Subject:** RE: [NSWALC Website] LALC Contact Form from Mick Gray

Good morning Mick

Thank you for the information relating to your DA for 364 Reno Road Gundagai.

Before any response is given to your request, an Aboriginal Cultural Heritage assessments needs to take place.

I will contact Shane Herrington, at Department of Environment to organise the assessment and then contact you further.

Thank you and kind regards

Coral Bulger  
CEO  
BTLALC  
55 Merivale Street  
TUMUT NSW 2720

(02) 69474518

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**From:** notifications@mg.ngny.com.au <notifications@mg.ngny.com.au>  
**Sent:** Friday, July 28, 2023 9:00 AM  
**To:** btalc@bigpond.net.au  
**Subject:** [NSWALC Website] LALC Contact Form from Mick Gray

To Whom It May Concern,

I am preparing a development application for an aquaculture farm at 364 Reno Road, Gundagai and the local Council has requested that we consult the LALC to ascertain that there is no aboriginal heritage and/or significance at the property for its assessment.

The property is fee simple Torrens Title, owned by Murray and Mary Crossley, and is leased to Martin Crossley (their son).

The property has been farmed since occupation as a sheep farm for the past 150 years and has been the subject of a Subdivision within the 90's.

I require from the LALC a response that the LALC does not oppose this development and that there is little to no aboriginal heritage and cultural significance that relates to the subject land.

Yours Sincerely

Mick Gray  
Registered Land Surveyor  
Gray Surveyors

Mick Gray  
[mick@tumutsurveyors.com](mailto:mick@tumutsurveyors.com)  
0427965464

This message has been sent through the [NSWALC Website](#).

<hr />

Form submitted from this page: [https://alc.org.au/land\\_council/brungle-tumut/](https://alc.org.au/land_council/brungle-tumut/)

## Appendix 8.4

### Aboriginal Heritage Information Management System (AHIMS) Correspondence



#### AHIMS Web Services (AWS) Search Result

Your Ref/PO Number : crossley

Client Service ID : 805181

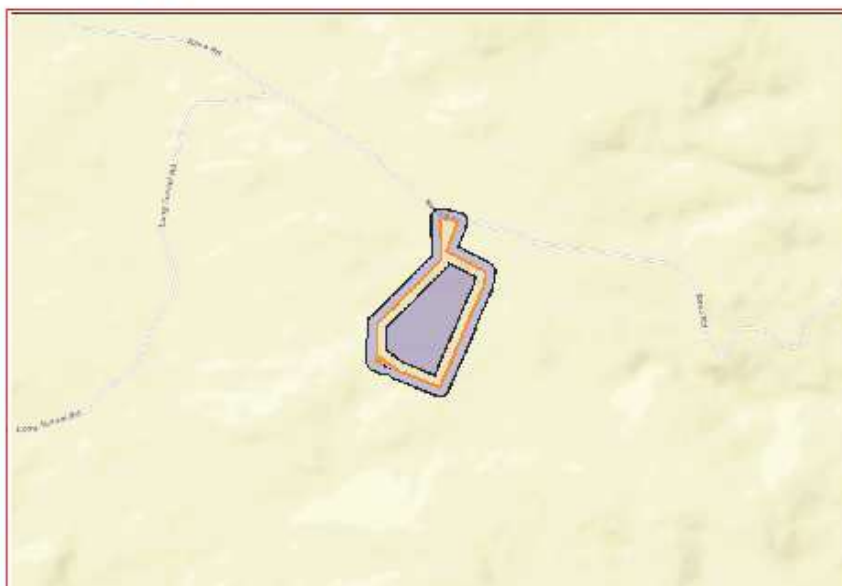
Date: 01 August 2023

Michael Gray  
152 Wynyard Street  
Tumut 2720  
Attention: Michael Gray  
Email: admin@tumutsurveyors.com

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot: 6, DP:DP841293, Section: - with a Buffer of 50 meters, conducted by Michael Gray on 01 August 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

**If your search shows Aboriginal sites or places what should you do?**

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](https://www.legislation.nsw.gov.au/gazette) (<https://www.legislation.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

**Important information about your AHIMS search**

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

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Locked Bag 5020 Parramatta NSW 2124  
Tel: (02) 9585 6345

ABN 34 945 244 274  
Email: [ahims@environment.nsw.gov.au](mailto:ahims@environment.nsw.gov.au)  
Web: [www.heritage.nsw.gov.au](http://www.heritage.nsw.gov.au)



## **Appendix 8.5**

### **McMahon Earth Science Dam Bank Stability Report (September 2020)**

(REFER TO SEPARATE DOCUMENT FOR CLARITY)

## **Appendix 8.6**

### **NSW Fisheries Permit Application (Signed November 2022)**

(REFER TO SEPARATE DOCUMENT FOR CLARITY)

## **Appendix 8.7**

### **Future Fisheries Veterinary Services – Crossley Native Fish and Yabby Biosecurity and Health Management Plan (FFVS – BHMP v3 2024)**

(REFER TO SEPARATE DOCUMENT FOR CLARITY)

## **Appendix 8.8**

### **Aitken Rowe – Geotechnical Investigation S24-364 (December 2024)**

(REFER TO SEPARATE DOCUMENT FOR CLARITY)