

**COUNCIL ASSESSMENT REPORT**  
NORTHERN REGIONAL PLANNING PANEL

<b>PANEL REFERENCE &amp; DA NUMBER</b>	PPSNTH-419 – DA-30-2025
<b>PROPOSAL</b>	Expand footprint and increase production of existing quarry to 150,000m <sup>3</sup> (225,000 tonnes) per annum
<b>ADDRESS</b>	Lot 1 DP1302364 [143 Rose Hill Road, Arding NSW 2358]
<b>APPLICANT</b>	Ducats Earthmoving Pty Ltd c/-GeoLINK
<b>OWNER</b>	Mr Ross Williams
<b>DA LODGEMENT DATE</b>	24/04/2025
<b>APPLICATION TYPE</b>	Development Application (Designated/Integrated)
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	<p>Clause 7(1)(a) Schedule 6 of <i>State Environmental Planning Policy (Planning Systems) 2021</i>:            extractive industry facilities that meet the requirements for designated development under the <u>Environmental Planning and Assessment Regulation 2021</u>, Schedule 3, section 26</p> <p>Pursuant to Schedule 3 Section 26 of the Regulation, the proposed development is an extractive industry that obtains or processes for sale or reuse more than 30,000 cubic metres of extractive material per year</p>
<b>CIV</b>	\$1,346,697 inc. GST
<b>CLAUSE 4.6 REQUESTS</b>	N/A
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></li> <li>• <i>State Environmental Planning Policy (Industry and Employment) 2021</i></li> <li>• <i>State Environmental Planning Policy (Planning Systems) 2021</i></li> <li>• <i>State Environmental Planning Policy (Primary Production) 2021</i></li> <li>• <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li>• <i>State Environmental Planning Policy (Resources and Energy) 2021</i></li> <li>• <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></li> <li>• <i>Uralla Local Environmental Plan 2012</i></li> </ul>

<b>TOTAL &amp; UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS</b>	Nil
<b>DOCUMENTS SUBMITTED FOR CONSIDERATION</b>	<p>Environmental Impact Statement</p> <p>Secretary's Environmental Assessment Requirements June 2022 (Appendix A)</p> <p>Secretary's Environmental Assessment Requirements November 2024 (Appendix B)</p> <p>Concept Plans (Appendix C)</p> <p>Noise, Vibration and Blasting Assessment (Appendix D)</p> <p>Air Quality Assessment (Appendix E)</p> <p>Biodiversity Development Assessment Report (Appendix F)</p> <p>Aboriginal Cultural Heritage Assessment Report (Appendix G)</p> <p>Traffic Impact Assessment (Appendix H)</p> <p>Land Use Conflict Risk Assessment (Appendix I)</p> <p>Staging Plan</p>
<b>SPECIAL INFRASTRUCTURE CONTRIBUTIONS (S7.24)</b>	N/A
<b>RECOMMENDATION</b>	Approval
<b>DRAFT CONDITIONS TO APPLICANT</b>	NO
<b>SCHEDULED MEETING DATE</b>	14 April 2026
<b>PLAN VERSION</b>	20 February 2026 Version 3
<b>PREPARED BY</b>	Nicola Neil, Octagon Planning
<b>DATE OF REPORT</b>	27 March 2026

## EXECUTIVE SUMMARY

The following report provides an assessment of DA-30-2025 for the expansion of the quarry footprint at 143 Rose Hill Road, Arding NSW 2358 and an increase in annual extraction rates to 150,000m<sup>3</sup> (225,000 tonnes).

The subject site is formally identified as Lot 1 DP1302364 and has a total area of approximately 123,000m<sup>2</sup> (12.3 hectares). The existing quarry area is approximately 20,000m<sup>2</sup> (2 hectares) and the proposed quarry area is 81,000m<sup>2</sup> (8.1 hectares).

The site was the subject of a subdivision in March 2024 which excised the quarry site from the farming property known as Myamba at 107 Rose Hill Road.

Rose Hill Road forms the northern boundary of the site. Spring Creek runs adjacent to the western and southern boundaries of the site. Spring Creek feeds into Reedy Creek approximately 185 m to the north of Rose Hill Road, which then feeds into Rocky River approximately 3 km to the west.

The site falls from east to west, towards the creek. The highest point of the site is approximately 1,000m AHD in the north-eastern corner close to the entry point.

The site is largely cleared with the exception of a few scattered trees, some of which are dead.

The Site is located in the RU2 Rural Landscape zone under Clause 2.2 of Uralla Local Environmental Plan 2012 ('LEP 2012'). The proposed development is defined as extractive industry and is permissible with consent in the zone. The existing quarry has operated since the 1970s.

The DA was lodged on 24 April 2025 and Council engaged an external consultant to conduct the assessment on 23 June 2025. A request for additional information was issued on 8 September 2025. Additional information was submitted on 5 December 2025. A second RFI was issued on 27 January 2026, and a response was received on 20 February 2026.

The proposed quarry is classified as integrated development under section 4.46 of the Act as it requires approvals under other legislation, specifically an Environmental Protection Licence under the *Protection of the Environment Operations Act 1997*.

The proposal was notified to nearby residents and advertised in accordance with the Community Participation Plan from 14 June 2025 until 15 July 2025. No submissions were received.

The application is referred to the Northern Regional Planning Panel ('the Panel') as the development is '*regionally significant development*', pursuant to Section 2.19(1) and Clause (7)(1) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*. The proposal is development for an *extractive industry* that meets the requirements for designated development under the *Environmental Planning and Assessment Regulation 2021*. Pursuant to Schedule 3, Part 2, Section 26 of the Regulation, the proposed quarry operation will obtain or process for sale more than 30,000 cubic metres of extractive material per year.

There were very few issues raised during the assessment process which required resolution. Requests for additional information generally related to minor issues and clarifications. The impacts associated with the development are considered to have been adequately addressed through mitigation measures and/or will be managed through the draft recommended conditions of consent listed in Appendix A.

The proposed development has been assessed against the provisions of Section 4.15(1) of the Environmental Planning and Assessment Act 1979. It is considered that the proposal is consistent with the applicable State Environmental Planning Policies, Uralla Local Environmental Plan 2012, and Uralla Development Control Plan 2011 (amended 2021).

None of the listed matters under Section 61 of the Environmental Planning and Assessment Regulation 2021 apply to the proposed development.

The likely impacts of the development as prescribed under Section 4.15(1)(b) are discussed throughout this report.

The site is considered to be suitable for the development, being an existing quarry.

No submissions were received with regard to the proposal.

The proposed development is considered to be in the public interest as it has positive economic impacts, provides an important resource for the Uralla area, and minimises impacts through measures such as strict operating hours, compliance with relevant legislation and regulations, various management plans codes of conduct, complaints procedures, and progressive site rehabilitation.

It is recommended that the proposed development be approved, subject to the draft conditions of consent listed in Appendix A of this report.

## **1. THE SITE AND LOCALITY**

---

### **1.1 The Site**

The subject site is identified as Lot 1 DP1302364 and is also known as 143 Rose Hill Road, Arding NSW 2358. The site is located in the Uralla Shire Council Local Government Area. The site was the subject of a subdivision approved in November 2024 and registered in January 2025 which excised the quarry site from the farming property known as Myamba at 107 Rose Hill Road (Figures 1 and 2).

The total site area is approximately 123,000m<sup>2</sup> (12.3 hectares), the existing quarry area is approximately 20,000m<sup>2</sup> (2 hectares) and the proposed quarry area is 81,000m<sup>2</sup> (8.1 hectares). The site is largely cleared with the exception of a few scattered trees, some of which are dead.

Rose Hill Road forms the northern boundary of the site. Spring Creek runs adjacent to the western and southern boundaries of the site. Spring Creek feeds into Reedy Creek approximately 185 m to the north of Rose Hill Road, which then feeds into Rocky River approximately 3 km to the west.

The site falls from east to west, towards the creek. The highest point of the site is approximately 1,000m AHD in the north-eastern corner close to the entry point.

The north-eastern corner of the subject site is mapped as Bushfire Vegetation Category 1 and Bushfire Vegetation Buffer. The site is not mapped as subject to flooding, subsidence or acid sulfate soils.

A small part of the subject site is mapped as having biodiversity values along the western boundary where the biodiversity corridor mapped over Spring Creek overlaps the site boundary.

Entry and exit to the site is at the north-eastern corner of the property. An internal one-way road runs around the perimeter of the existing quarry operation. There is an additional gate at the north-western corner, adjacent to Spring Creek.

### **1.2 The Locality**

The subject site is in the rural locality of Arding, approximately 15km south-west of Armidale and 10km north of Uralla (Figure 4). Both Uralla and Armidale are approximately a 15-minute drive from the site. Arding is generally characterised by farming properties (Figure 5).

On 10 August 2023 the Northern Regional Planning Panel approved PPSNTH-193 DA-4-2023 to expand the size and increase production at Carlons Quarry, 1033 Kingstown Road Balala, approximately 10km west of Uralla and 14km south-west of the subject site.



Figure 1: Cadastral map of the subject site

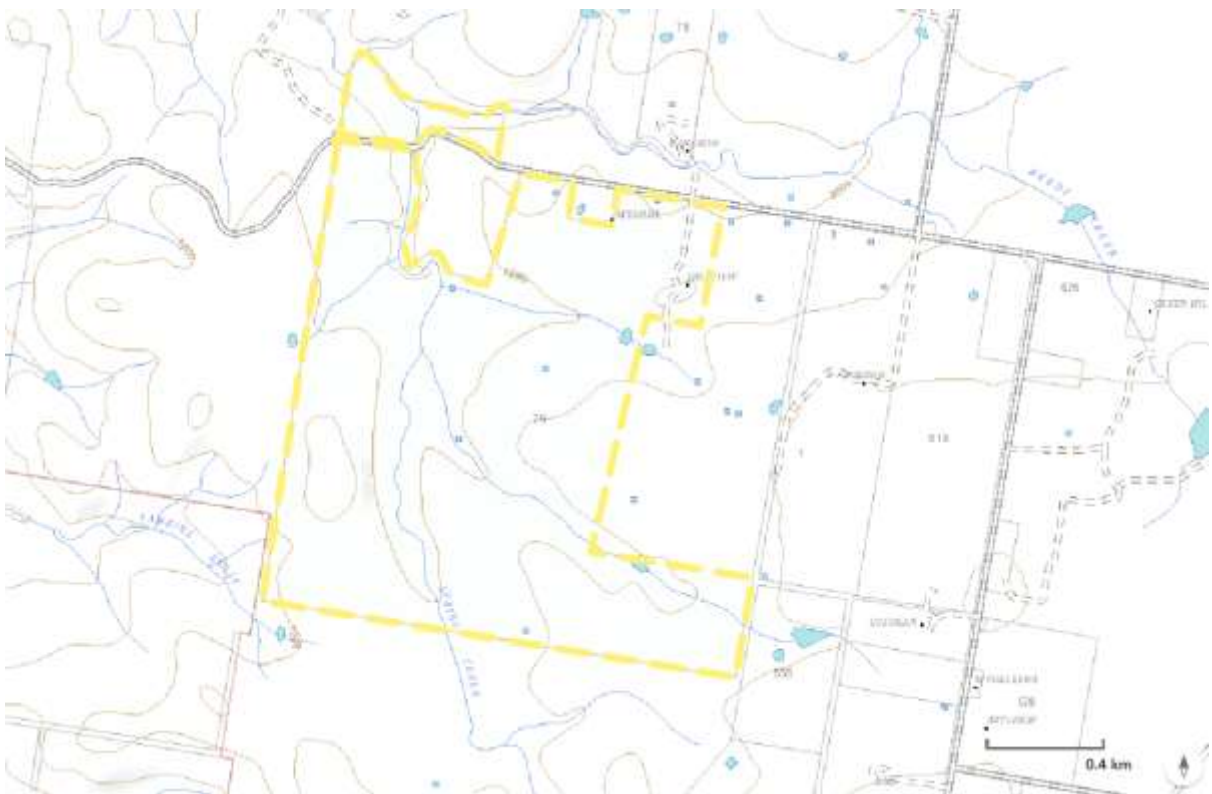
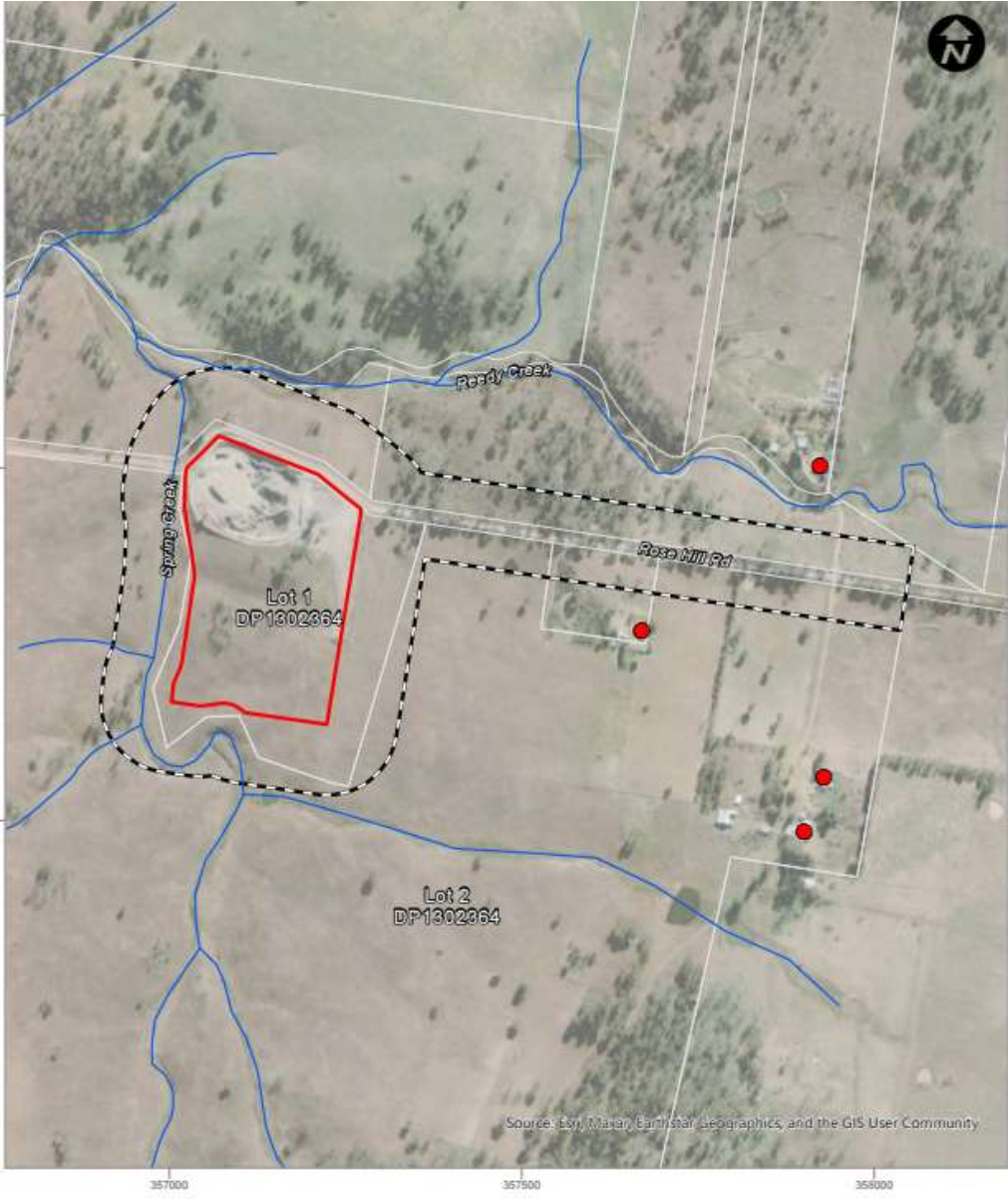


Figure 2: Cadastral map of the farming property Myamba which used to contain the quarry



- LEGEND**
- Development footprint
  - Investigation area
  - Watercourse
  - Sensitive receiver

Figure 3: Extract from site plan contained in the EIS



Figure 4: Locality plan



Figure 5: Aerial image of the site and surrounds

## 2. THE PROPOSAL AND BACKGROUND

---

### 2.1 The Proposal

The proposal seeks consent for expansion of the quarry footprint and an increase in extraction rates. The current footprint is approximately 20,000m<sup>2</sup> (2 hectares) and the proposed quarry area is 81,000m<sup>2</sup> (8.1 hectares). The current maximum extraction rate is 30,000m<sup>3</sup> (45,000 tonnes) per annum. The proposed extraction rate is 150,000m<sup>3</sup> (225,000 tonnes) per annum, with 260 operational days per annum.

A petrographic analysis carried out by Geochempet Services in 2018 found the material present in the existing Williams Quarry is suitable for use as a concrete aggregate. It is hornfelsed volcanoclastic sandstone which is non-porous, unweathered, hard, strong and finely crystalline. The material is predicted to be durable with the potential for mild or slow deleterious alkali-silica reactivity in concrete.

Williams Quarry has an estimated capability to supply up to 1,135,000 tonnes (676,000m<sup>3</sup>) of gravel and rock suitable for providing aggregates for concretes, asphalt and drainage blankets. It is proposed to extract this material across ten stages (Figure 6).

The quarry operator, Ducats Earthmoving, has a processing facility in Armidale. Some material will be transported directly to project sites, while some will be transported to this facility. The route from the quarry to the processing facility is approximately 15km. There are no timber bridges on the route. There is one concrete causeway on Arding Road and one concrete bridge at Saumarez Creek.

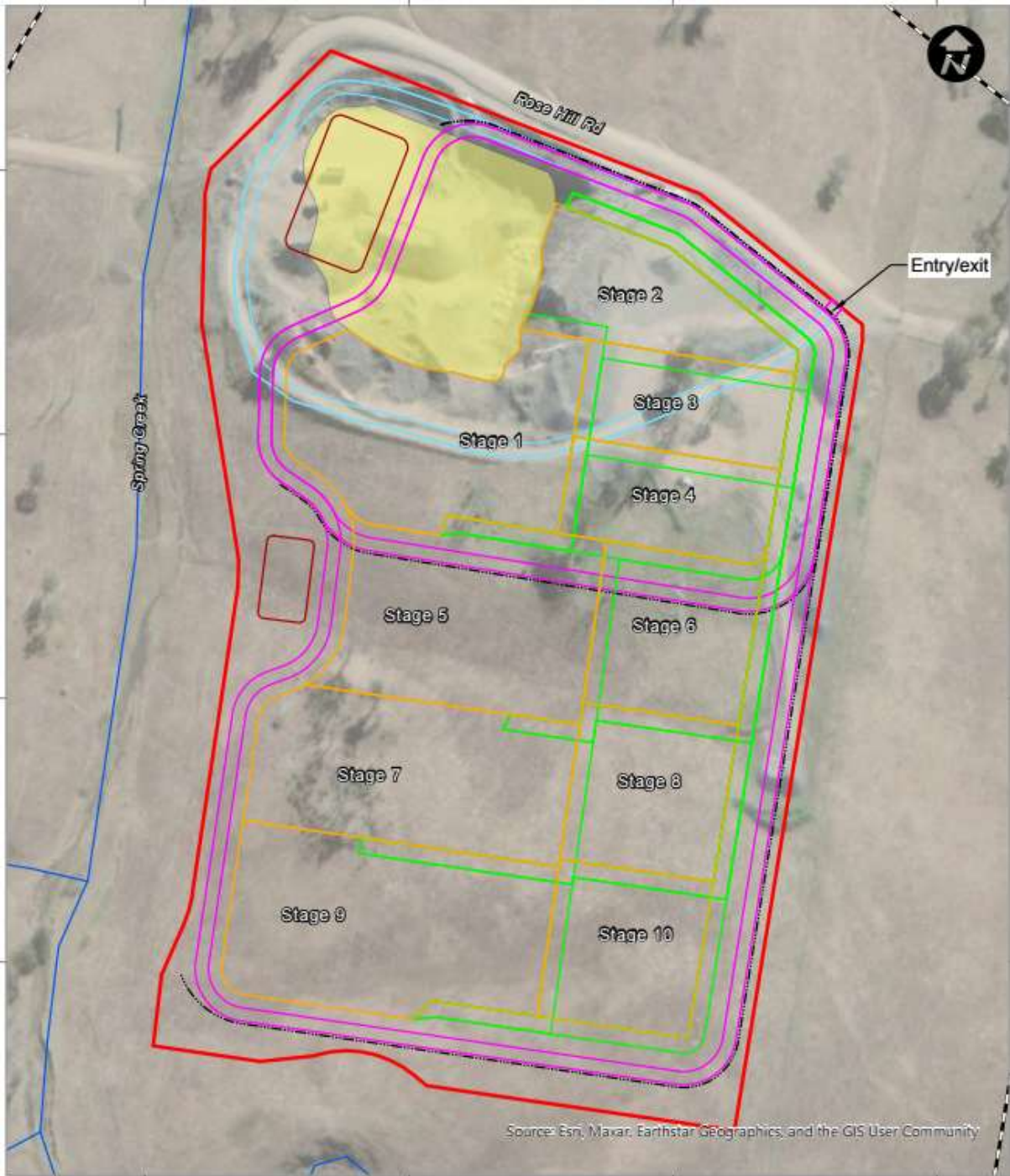
As detailed in Table 1, the development will generate an average of 20 and maximum of 60 truck movements per day. Four full time equivalent staff will generate an average of eight light vehicle movements per day.

The quarry extension activity will include installation of portable facilities including a site office, staff room and amenities. A generator will provide power to the site, while potable water supply is to be delivered to the site and stored in storage tanks adjacent to the staff facilities.

Effluent is to be collected in an on-site sewage collection sump and transported off site for treatment.

The quarry would require minor vegetation clearing including recent regrowth. A number of the trees proposed for removal died in droughts of recent years. Native vegetation cleared would be mulched and stockpiled on site to be reused in site stabilisation and rehabilitation. Non-native vegetation would be managed in accordance with the *Biosecurity Act 2015*.

Following construction of each stage, an approximately 6m wide bench would be constructed around the perimeter with appropriate erosion and sediment control measures. Benching would be conventional with active bench thicknesses of 15-25 metres and heights of 10m. A 5m wide one-way haul road loop would be constructed around the active stages. Overburden materials extracted would be used to shape the floor of the quarry and construct the sediment basins and environmental controls.



357000

357100

**Table 3.2 Indicative Volumes of Extracted Material**

**LEGEND**

- ▭ Development footprint
- Investigation area
- Existing quarry footprint
- Quarry staging
- Proposed haul road
- Basin
- Topsoil stockpile bund
- Existing 5m one-way haul road loop
- Watercourse

Stage	Volume (m <sup>3</sup> )
1	74,053
2	72,666
3	67,841
4	64,182
5	61,215
6	68,065
7	66,501
8	66,421
9	72,556
10	62,899
<b>Total</b>	<b>676,399</b>

Figure 6: Extract from Site Plan and Indicative Staging

The resource is extracted by:

- Blasting the quarry face
- Ripping and removal of the material to the stockpile area
- Crushing and sorting of raw material
- Establishing stockpiles of gravel material ready for transport

**Table 1** contains a summary of key development data. Proposed operating hours are shown in **Table 2**. Fleet and machinery on the site are shown in **Table 3**.

**Table 1: Key Development Data**

<b>Control</b>	<b>Proposal</b>
Site Area	123,000m <sup>2</sup> (12.3 hectares)
Extraction Area	81,000m <sup>2</sup> (8.1 hectares)
Max Annual Extraction Rate	225,000 tonnes (150,000m <sup>3</sup> ) per annum
Average Annual Extraction Rate	99,900 tonnes (66,600m <sup>3</sup> )
Max Daily Extraction Rate	1,000 tonnes
Average Daily Extraction Rate	256 tonnes
Resource	Gravel and rock
Method of Extraction	Blasting and mechanical excavation
Max Daily Truck Movements (32 tonne truck and dog)	60 (30 loads in and out)
Average Daily Truck Movements (32 tonne truck and dog)	20 (10 loads in and out)
Hours of Operation	See Table 2 below
Staff	Crushing machinery operation: 4 FTE staff Transportation contractors: 3
Fleet and Machinery	See Table 3 below
Expected Life of Operation	Until material has been exhausted or is no longer required

**Table 2: Proposed Operating Hours**

<b>Activity</b>	<b>Days</b>	<b>Start</b>	<b>Finish</b>
Overburden stripping and site establishment	Monday to Saturday	6.00am	5.00pm
Truck loading hours	Monday to Saturday	6.00am	5.00pm
Truck Haulage	Monday to Friday Saturday	7.00am 7.00am	5.00pm 1.00pm
Processing	Monday to Saturday	7.00am	5.00pm
Blasting	Monday to Friday	10.00am	4.00pm

Per the EIS, inaudible work such as plant and machinery servicing, site maintenance and office work may be undertaken on Sundays or public holidays during normal business hours.

**Table 3: Site Equipment**

<b>Crushing Equipment</b>	<b>Mobile Equipment</b>	<b>Ancillary Equipment</b>
<ul style="list-style-type: none"> <li>• Jaw Crusher</li> <li>• Cone Crusher</li> <li>• Impact Crusher</li> <li>• Scalper</li> <li>• Triple Deck Screen</li> </ul>	<ul style="list-style-type: none"> <li>• Excavator(s)</li> <li>• Loader(s)</li> <li>• Dozer</li> <li>• Truck and Dog (32t load)</li> <li>• Dump truck</li> </ul>	<ul style="list-style-type: none"> <li>• Generators</li> <li>• Staff vehicles</li> <li>• Site facilities</li> </ul>

All drill and blast work would be completed by a suitably qualified professional explosives contractor, using an industry standard rock on ground contract. Consequently, there would be no need to store explosives on site. Typical explosives may include ANFO or emulsions (particularly for wet holes) initiated by primers and using non-electric delay detonation techniques. Blasting would be restricted to 10am to 4pm Monday to Friday and surrounding residents would be notified of upcoming blasts.

Crushing equipment on the site will include a jaw crusher, cone crusher, impact crusher, scalper and triple deck screen.

Mobile equipment will include one or more excavator(s), one or more loader(s), dozer, truck and dog (32t load), and a dump truck. Ancillary equipment will include generators, staff vehicles and site facilities.

There are two water catchments on the site. Catchment A is 4.28 hectares draining to a sediment basin in the north west of the site. Catchment B is 1.23 hectares draining to a sediment basin in the west of the site.

Per the EIS, prior to commencement of extraction, environmental controls will be established, haul roads will be developed, and minor topsoil stripping and stockpiling will be completed. After implementation of the required environmental controls, Stage 1 of extraction would commence with dozer and excavator work which would involve bench re-establishment.

Site facilities will be portable facilities including office, ablutions and crib/change room. A small, closed water system would be introduced to supply the amenities and ablutions facilities. Potable water would be delivered by water tanks and stored in portable on-site tanks. Effluent would be collected in an on-site sewage collection sump and transported off-site for treatment. Electricity is to be by generator. A limited amount of fuel would be stored on site to allow for operation of machinery and generator. All fuel storage is to be in a separate bunded area where no other flammable materials will be stored.

There will be two sediment basins for the project: Catchment A (4.28 hectares) will drain to a 1,500m<sup>3</sup> basin in the north-west corner of the site for the first four stages of the development and Catchment B (1.23 hectares) will drain to a 350m<sup>3</sup> basin in the west of the site which will be brought online with Stage 5.

Water needs of the development comprise dust suppression on unsealed haul roads (internally and on Rose Hill Road) and material stockpiles and irrigating revegetated areas. This water is primarily to be sourced from the two sediment basins on site. It is estimated that the basins would provide for at least 23 days of dust suppression at full capacity. Where required, non-potable water would be sourced externally and delivered by water tanks.

No parking is proposed as part of the project; the EIS states that existing parking arrangements are considered sufficient. The existing DA does not include any conditions of consent regarding parking. Informal parking arrangements on gravel areas are considered

satisfactory, given that the main location of site operations will change over time; however, a condition of consent is recommended requiring parking to be clearly signposted.

Site closure and rehabilitation is proposed which includes erosion control, quarrying and revegetation, details of final landform, planting regime, species and maintenance requirements. The final quarry form would be an amphitheatre shape, with the floor appearing flat but having a slight fall for drainage. The final landform is subject to change depending on variations in rock strength and quality which may affect final benching and batters.

## 2.2 Background

The development application was lodged on **24 April 2025**. A chronology of the development application since lodgement is outlined in **Table 2**.

**Table 3: Chronology of the DA**

<b>Date</b>	<b>Event</b>
<b>21 June 2022</b>	Planning Secretary's Environmental Assessment Requirements (SEARs) issued
<b>25 November 2024</b>	Amended Planning Secretary's Environmental Assessment Requirements (SEARs) issued
<b>14 June 2025</b>	Exhibition of the application (start)
<b>15 July 2025</b>	Exhibition of the application (end)
<b>27 May 2025</b>	DA referred to DPE Heritage NSW
<b>28 May 2025</b>	DA referred to EPA
<b>23 June 2025</b>	External consultant engaged for assessment
<b>18 June 2025</b>	EPA RFI received
<b>25 June 2025</b>	Heritage NSW RFI received
<b>30 July 2025</b>	DA referred to DPE Water
<b>13 August 2025</b>	DA referred to TfNSW
<b>14 August 2025</b>	DPE Heritage NSW GTAs issued
<b>26 August 2025</b>	TfNSW RFI received
<b>28 August 2025</b>	DPE Water General Terms of Approval issued
<b>5 December 2025</b>	Additional information uploaded to portal
<b>21 January 2026</b>	Second RFI issued
<b>20 February 2026</b>	Additional information uploaded to portal
<b>23 December 2025</b>	EPA GTAs issued
<b>24 March 2026</b>	TfNSW GTAs issued
<b>14 April 2026</b>	Panel meeting

## 2.3 Site History

Historic aerial imagery indicates that quarrying on the subject site had already commenced by 1978. The current quarrying operation was approved under Development Application No. 2697 on 2 November 1995. It is noted that State Environmental Planning Policy 37 – Continued Mines and Extractive Industries (SEPP 37) commenced on 18 June 1993 and included provisions requiring continued operation of existing extractive industries to become registered, which is likely what precipitated the lodgement of the DA.

The existing approval allows for a maximum extraction rate of 30,000m<sup>3</sup> (45,000 tonnes) per annum, with operating hours of 7.30am to 5.30pm on weekdays only. Conditions of consent related to rehabilitation, widening of the crests on Rosehill Road (as it was then known) to allow trucks to pass, soil conservation and compliance with CALM requirements.

The original DA was lodged by the Roads and Traffic Authority and the quarry was later operated by Uralla Shire Council. Ducats Earthmoving is the current operator of the quarry but the land remains in the same ownership as the farm property from which it was excised in 2024.

A search of Council's electronic records (dating from 2006 onwards) revealed no neighbour or community complaints regarding the quarry's operations or compliance actions issued by Council or the EPA.

## 3. STATUTORY CONSIDERATIONS

---

### 3.1 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) sets out the assessment framework for threatened species and threatened ecological communities (TECs).

Part 7 of the BC Act (Biodiversity Assessment and Approvals under EP&A Act) adds provisions to the planning approvals process via Clause 1.7 of the EP&A Act. Part 7 of the BC Act outlines the biodiversity assessment process the assessment of impacts on threatened species or ecological communities, or their habitats.

The project involves clearing up to 6.28 ha of native vegetation. As per the BC Act, entry into the Biodiversity Offset Scheme (BOS) is triggered due to the proposed development impacting native vegetation over the clearing threshold (1 ha native vegetation) for a minimum lot of 400 ha. Therefore, a Biodiversity Development Assessment Report (BDAR) is required to accompany the DA. This is discussed in further detail in section 3.4 below. The project generates an ecosystem credit obligation of 14. A condition of consent requiring these obligations to be met is included in Appendix A.

### 3.2 Environmental Planning and Assessment Act 1979 Section 4.14 – Bush Fire Prone Land

Section 4.14(1) of the Environmental Planning and Assessment Act 1979 states that:

*Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—*

*(a) is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or*

*(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The north-eastern corner of the subject site is mapped as Bushfire Vegetation Buffer with a small area of Vegetation Category 1. As the project is non-residential development, sections 8.3.6 and 8.3.10 of Planning for Bushfire Protection 2019 (PBP) apply. Section 8.3.6 relates to mining activities and states that consideration should be given to any hazards and risks associated with bush fire.

A small volume of fuel will be stored on site for machinery and the generator. Other materials such as oils are to be stored off site. Under the Department of Planning publication Hazardous and Offensive Development Application Guidelines: Applying SEPP 33, fuel is a Class 1 combustible liquid and is excluded from risk screening as having no significant hazard in storage, only becoming an issue if stored with other flammable liquids. Fuel will be stored in a bunded location away from Spring Creek. The development presents no other hazards with regard to bushfire risk.

Section 8.3.6 of PBP also states that a Bush Fire Emergency Management and Operations Plan should be prepared to cover any mining activities. A condition of consent requiring this plan to be provided is included in Appendix A.

Section 8.3.10 of PBP relates to commercial and industrial development and states that such development should be consistent with the aims and objectives of PBP, which are to:

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

As there are no buildings associated with the proposed use, the applicability of the aims and objectives is limited. The site has appropriate operational access and egress for emergency services and staff; Rose Hill Road is a 4m wide single lane unsealed road, and the existing quarry access provides a single lane, all weather loop road which runs around the perimeter of the site and rejoins Rose Hill Road. Access is to be maintained in perpetuity, including an unobstructed vertical clearance of 4m. Fire suppression equipment is to be available in all plant and machinery to allow for a quick response to any ignition on the site.

Section 8.3.10 also states that a suitable package of bushfire protection measures (BPMs) should be proposed commensurate with the assessed level of risk to the development. As

stated above, a condition of consent will require a Bush Fire Emergency Management and Operations Plan.

The proposed development is considered acceptable with regard to bushfire.

### **3.3 Environmental Planning and Assessment Act 1979 Section 4.15 – Evaluation**

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
  - (i) *any environmental planning instrument, and*
  - (ii) *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 (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - (iii) *any development control plan, and*
  - (iiia) *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, and*
  - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (b) *that apply to the land to which the development application relates, the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal is considered to be (which are considered further in this report):

- Integrated Development (s4.46)
- Designated Development (s4.10)
- Requiring concurrence/referral (s4.13)

### **3.4 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations**

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

#### **(a) Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments**

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Primary Production) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Resources and Energy) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Uralla Local Environmental Plan 2012*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in **Table 3** and considered in more detail below.

**Table 4: Summary of Applicable Environmental Planning Instruments**

<b>EPI</b>	<b>Matters for Consideration</b>	<b>Comply (Y/N)</b>
State Environmental Planning Policy (Biodiversity & Conservation) 2021	Chapter 3: Koala Habitat Protection 2020	Yes
State Environmental Planning Policy (Planning Systems) 2021	Chapter 2: State and Regional Development Part 2.4 Regionally Significant Development	Yes
State Environmental Planning Policy (Primary Production) 2021	Chapter 2: Primary Production and Rural Development	Yes
State Environmental Planning Policy (Resilience & Hazards) 2021	Chapter 3: Hazardous and Offensive Development Chapter 4: Remediation of Land Section 4.6 – Contamination and remediation	Yes
State Environmental Planning Policy (Resources and Energy) 2021	Chapter 2: Mining, Petroleum Production and Extractive Industries	Yes
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure Section 2.121(4) Traffic-generating development	Yes
Uralla LEP 2012	Clause 2.3 – Permissibility and zone objectives Clause 6.1 – Earthworks	Yes
Proposed Instruments	No compliance issues identified.	Yes

Consideration of the relevant SEPPs is outlined below.

# State Environmental Planning Policy (Biodiversity and Conservation) 2021 ('Biodiversity SEPP')

## Chapter 3: Koala Habitat Protection 2020

The SEPP aims to protect and conserve biodiversity. Chapter 3 Koala Habitat Protection 2020 contains provisions relating to the protection of koala habitat in rural zones.

Before consent may be granted the consent authority must be satisfied as to whether or not the land is a potential or core koala habitat. The council may be satisfied as to whether or not land is a potential koala habitat only on information obtained by it, or by the applicant, from a person who is qualified and experienced in tree identification. The council may be satisfied as to whether or not land is a core koala habitat only on information obtained by it, or by the applicant, from a person who has appropriate qualifications and experience in biological science and fauna survey and management.

The Biodiversity Development Assessment Report accompanying the DA explains that the canopy on the site is dominated by *Eucalyptus caliginosa* (New England Stringybark), *Eucalyptus melliodora* (Yellow Box) and *Eucalyptus blakelyi* (Blakely's Red Gum). None of these species are listed in Schedule 1 tree species under Chapter 3. On this basis, potential koala habitat does not occur within the site, and no further assessment is required.

Checks of the NSW Government SEED Map for koala sightings and the Atlas of Living Australia confirm that there are no recorded koala sightings on the subject site. The closest koala sightings are 2km to the east on properties on the southern side of Arding Road between Hawthorne Drive and Jacksons Road. These sightings date from 2004, 2010 and 2024.



Figure 7: Atlas of Living Australia Koala Sightings Map

A combination of proponent-supplied information and independent research confirms that there are no koalas and no koala habitat on the subject site, and no further assessment with regard to koalas is required.

## **State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP')**

### Chapter 2: State and Regional Development

The proposal is *regionally significant development* pursuant to Section 2.19(1) of the Planning Systems SEPP as it meets the criteria in Clause 7.1(a) of Schedule 6. Specifically, the proposal is development for an extractive industry which meets the threshold for designated development under the Environmental Planning and Assessment Regulation 2021 Schedule 3 Section 26, by obtaining more than 30,000 cubic metres of extractive material per year.

Accordingly, the Northern Regional Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

## **State Environmental Planning Policy (Primary Production) 2021 ('Primary Production SEPP')**

Chapter 2 of the Primary Production SEPP requires Council to consider the impacts of development on primary production. The aims of Chapter 2 are:

- (a) to facilitate the orderly economic use and development of lands for primary production,*
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,*
- (e) to encourage sustainable agriculture, including sustainable aquaculture,*
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,*
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.*

The proposal is considered to be consistent with these aims as it does not prevent the orderly economic use and development of lands for primary production or affect state significant agricultural land. The previous subdivision which excised the quarry land from the surrounding farmland assisted in the clear delineation of land uses.

The proposal would not impact on any land currently utilised for agriculture and is considered capable of operating concurrently with surrounding rural activities such as grazing. The

proposal is not incompatible with the continued use of surrounding land for agriculture. The proposed development complies with the provisions of the SEPP.

## **State Environmental Planning Policy (Resilience and Hazards) 2021 ('Resilience SEPP')**

### Chapter 3: Hazardous and Offensive Development

The aims of this chapter include ensuring that in determining whether a development is a hazardous or offensive industry, any measures proposed to be employed to reduce the impact of the development are taken into account and ensuring that in the consideration of an application for a potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

Extractive industries are potentially hazardous industries and potentially offensive industries, based on the following definitions:

***potentially hazardous industry** means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality—*

- (a) to human health, life or property, or*
  - (b) to the biophysical environment,*
- and includes a hazardous industry and a hazardous storage establishment.*

***potentially offensive industry** means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.*

The SEPP also provides the following definitions:

***hazardous industry** means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality—*

- (a) to human health, life or property, or*
- (b) to the biophysical environment.*

***offensive industry** means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.*

The original EIS did not make a thorough assessment of the development pursuant to this SEPP. A request for additional information requested amendments in this regard, and the EIS was updated accordingly.

The EIS notes that no dangerous goods are stored on site as blasting will be carried out by a professional contractor who will visit the site as and when required. The EIS notes that a "limited volume" of fuel would be stored on site to allow for operation of machinery and the generator.

Accordingly, it is recommended that consent conditions be imposed on the DA requiring such materials to be stored, handled and transported in accordance with the relevant Australian Standards and the Dangerous Goods Code. Based on the information provided it is considered that the development is not a potentially hazardous industry requiring a preliminary hazard analysis to be provided to support the application.

The proposed operations will require an Environment Protection Licence (EPL) issued by the Environment Protection Authority (EPA) and as such the development is considered to be 'potentially offensive development'. However, it is recognised that if an EPL can be obtained for a development, the development is not considered to be an offensive industry. The EPA reviewed the application and requested additional information in order to make a full assessment. Additional information was provided and General Terms of Approval were issued on 23 December 2025. The quarry operations are not considered to be an offensive industry subject to compliance with the GTAs.

#### Chapter 4: Remediation of Land

The provisions of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 ('the Resilience and Hazards SEPP') have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and 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.

While the site has historically been used for quarrying activities, fuel and chemicals are stored appropriately and there are no registered contaminated land sites within or surrounding the quarry. Prior to use as a quarry, the site had a history of agricultural land use. Agricultural sites may contain buried rubbish including contaminants such as pesticides which could be encountered during excavation. The EIS states that no potential sources of contamination were detected at site visits. No contamination was observed at the site inspection.

It is considered that the site is suitable for the proposed use as a quarry.

#### **State Environmental Planning Policy (Resources and Energy) 2021 ('Resources SEPP')**

Chapter 2 of the SEPP applies to mining, petroleum production and extractive industries. It aims to ensure the proper management and development of mineral, petroleum and extractive materials resources. This policy aims to manage and sustainably develop these resources for the social and economic benefit of the community.

Clause 2.9 states that development for the purpose of extractive industry is permissible with development consent on land on which development for the purposes of agriculture or industry may be carried out (with or without development consent). Agriculture is permissible within the RU1 Primary Production zone under the Uralla Local Environmental Plan 2012, therefore the extractive industry is permissible. The site is not located on land identified in Schedule 1 which prohibits extractive industries.

Clause 2.9(4) allows for co-location of related industries as follows:

*(4) Co-location of industry If extractive industry is being carried out with development consent on any land, development for any of the following purposes may also be carried out with development consent on that land—*

*(a) the processing of extractive material,*

*(b) the processing of construction and demolition waste or of other material that is to be used as a substitute for extractive material,*

*(c) facilities for the processing or transport of extractive material,*

*(d) concrete works that produce only pre-mixed concrete or bitumen pre-mix or hot-mix.*

Consequently, the processing and transport facilities on the site are permissible in conjunction with the proposed extractive industry.

Clause 2.17 requires a consent authority to consider existing and approved uses of land in the vicinity of the development, whether the development is likely to have a significant impact on likely preferred uses in the vicinity, and any ways the development may be incompatible with any of those existing, approved or likely preferred uses.

The existing surrounding land uses are predominantly livestock grazing with rural dwellings.

A Land Use Conflict Risk Assessment (LUCRA) was submitted with the application. The LUCRA includes an assessment of surrounding uses, impacts on those uses, and mitigation measures to avoid or minimise conflict and incompatibility. The proposed mitigation measures bring all acceptable conflicts down to an acceptable level.

The quarry has existing minor impacts on visual amenity. Topography and existing vegetation buffers screen the quarry from view of residences to the east of the subject site. As one travels westbound along Rose Hill Road the quarry becomes visible as one comes around the curve at the north-western corner of the site. Continuing to travel westbound, approximately 250m west of the subject site are the entry gates to a property named Mount Butler; this property contains the only dwelling located to the west of the quarry, and the dwelling itself is located approximately 2.5km west of the quarry with significant vegetation buffers.

Viewshed analysis of the proposed quarry expansion using Google Earth (which presents a worse than realistic scenario as the minimum height of a marker to calculate a viewshed is 2m above ground level, while the quarry will be below ground level) shows that potential views of the quarry are limited to areas west of the site (Figure 8). There are no dwellings located within the mapped viewshed, and significant vegetation within the viewshed would further limit views for anyone on this land.

The main view of the quarry, then, is the 300m stretch of Rose Hill Road west of the site which services only one rural property.

The proposed expansion of the quarry will extend the quarry footprint to the south. This is not expected to have any significant impact on views from nearby residences. The expansion will further change the views from the aforementioned 300m stretch of Rose Hill Road but given that this is not a through road and only services one property this impact is not considered significant.

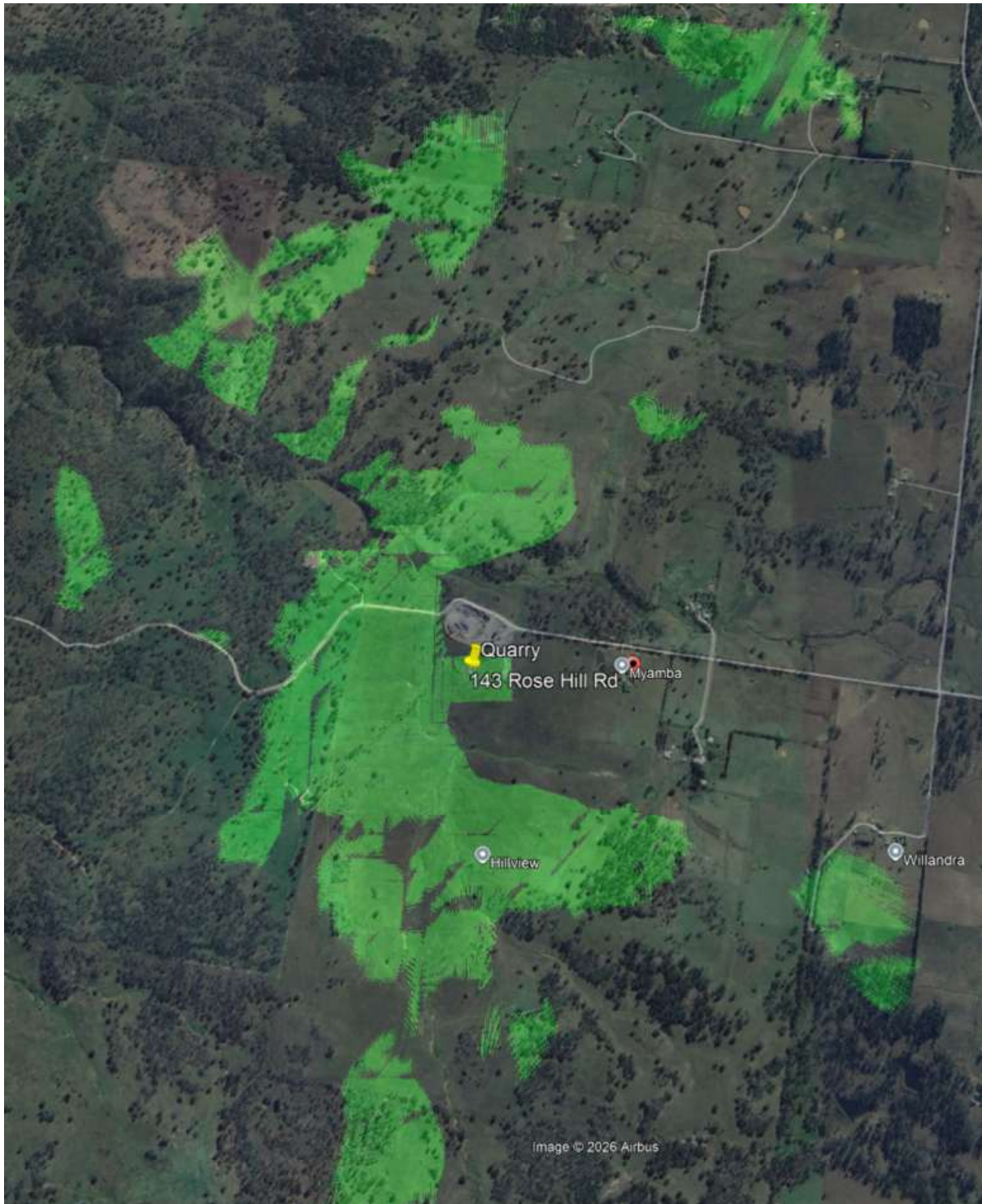


Figure 8: Google Earth Viewshed Analysis

There is some potential for impacts on surrounding land uses, particularly noise and dust. The EPA requested clarification with regard to maximum daily extraction rates, noting that the Air Quality Impact Assessment nominated a peak daily extraction of 1,000 tonnes. The applicant confirmed that this was the daily maximum.

Mitigation measures proposed by the applicant with regard to noise include a Noise and Vibration Management Plan, blasting carried out in accordance with the Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration 1990,

strict operating hours, a noise complaints procedure, no vehicles or equipment left idling, and appropriate exhaust systems.

Mitigation measures proposed by the applicant with regard to dust and air quality include compliance with POEO 1997, no work carried out during strong winds, daily weather forecast checks, machinery and vehicles not left idling, maintenance of the internal access road, covering loads, maintaining moisture levels on the internal road, appropriate maintenance of plant and vehicles, using efficient haulage routes, and rehabilitation as soon as possible to minimise exposed soils.

The consent authority is also required to evaluate and compare the respective public benefits of the development and the aforementioned land uses, and evaluate any measures proposed by the applicant to avoid or minimise any incompatibility.

With regard to public benefits, the quarry expansion is expected to supply rock and gravel for infrastructure projects around the region including renewable energy projects. There is significant public benefit in such projects.

Clause 2.20 provides heads of consideration to ensure impacts on water resources, threatened species and biodiversity, and greenhouse gas emissions are minimised and managed.

The EIS acknowledges potential impacts on surface water including sediment-laden runoff entering Spring Creek, stormwater contamination from processing areas and vehicle wash-down areas, and oils and fuel running off into Spring Creek. Potential impacts on groundwater include cumulative decline of the water table at water supply works in nearby properties, cumulative decline of pressure head at water supply works in nearby properties, and decline in groundwater quality in nearby properties. The EIS also acknowledges that the project will likely reduce infiltration and increase runoff but is not likely to significantly affect flood behaviour due to surface runoff being collected by water diversion structures and sediment basins.

The Biodiversity Development Assessment Report submitted with the DA concludes that the development will have no direct impacts on threatened ecological communities. There will be direct impacts on native vegetation – namely, Plant Community Type (PCT) 3352 Armidale Quartz Hills Stringybark Forest. The development will have impacts on predicted ecosystem credit species resulting from the impacts on the PCT. The consequence of the indirect impacts was assessed as low to negligible. There will be no serious and irreversible impacts arising from the development. The impacts on the PCT do not require biodiversity offsets as they recorded a low vegetation integrity score. However, there is an ecosystem credit obligation of 14. There are three options to meet these obligations: establishment of Biodiversity Stewardship Agreements, purchase of biodiversity credits, or payment into the Biodiversity Conservation Fund. A condition of consent is recommended requiring these obligations to be met.

The EIS proposes a range of mitigation measures to limit impacts on biodiversity such as speed limits, erosion and sediment controls, stabilisation of work areas, staged vegetation clearing, replacement of hollow-bearing trees with nest boxes, relocation of habitat features, and vegetation and weed management.

Greenhouse gas emissions will be limited to blasting rock and the emissions from diesel fuel consumption of plant, equipment and vehicles. Evidence suggests that blasting generates fewer emissions than mechanical quarry extraction. The proponent would minimise diesel fuel usage where practicable and improve emissions from onsite equipment through scheduled

equipment maintenance. Given the small scale of the operation, it is considered that the project would generate negligible greenhouse gases compared to large emitters.

The proposal is considered satisfactory with regard to impacts on water, biodiversity and emissions.

Clause 2.21 provides heads of consideration relating to resource recovery requiring the consent authority to consider the proposal's performance in terms of resource recovery. The expanded operations on site will continue to extract the resource in an orderly and efficient manner. Product and extraction methods would remain unchanged. Demand for the extracted product will naturally vary in response to large local projects such as renewable energy projects or road construction. As there are a limited number of approved gravel quarries in the Uralla LGA the Williams Quarry is considered to be essential in supplying these large projects and minimising the need to transport material from outside of the area.

The proposal is considered satisfactory with regard to resource recovery and efficiency.

Clause 2.22 provides specific heads of consideration relating to transport as well as requiring consultation with the roads authority and Transport for NSW (TfNSW). Gravel is to be transported from the site via truck and dog (32t loads), with an average of ten movements in and ten movements out per day. The material will either be transported directly to project sites or to the Ducats facility in Armidale. There will also be an average of eight light vehicle movements per day associated with the four full time staff on site. Council's engineers have deemed the proposed haulage to be acceptable and local roads as capable of accommodating increased vehicle numbers subject to recommended conditions of consent.

The application was referred to TfNSW who requested additional information with regard to mitigation measures at the New England Highway intersection. The revised TIA was deemed acceptable.

To ensure transport is undertaken in a manner that promotes safety and minimises impacts on the community, consent conditions are recommended for a Traffic Management Plan, including a Driver Code of Conduct to be implemented at the quarry along with complaint management procedures.

The proposal is considered satisfactory with regard to transport.

Clause 2.23 provides specific heads of consideration requiring the consent authority to consider the imposition of conditions relating to rehabilitation. The EIS details the proposed rehabilitation methodology. It is proposed to rehabilitate the site concurrently with the quarry extraction. Following completion of each stage, benches would be trimmed and backfilled to create an approximately 30% slope. A 500mm thick layer of overburden would be placed on the surface, followed by topsoil with a minimum thickness of 100mm. The area would then be seeded or planted with tubestock. Species associated with the nearby PCTs have been selected for revegetation. A rehabilitation monitoring program is to be prepared for the operational and post-closure phases of the project. It is expected that the site would be returned to use for pastureland or light grazing with steeper areas becoming denser with native vegetation. The final landform will be an amphitheatre shape, with the sediment basins retained to prevent high volumes of runoff.

The proposal is considered satisfactory with regard to rehabilitation.

## **State Environmental Planning Policy (Transport and Infrastructure) 2021**

The aim of the SEPP is to facilitate the effective delivery of infrastructure across NSW by identifying matters to be considered in the assessment of development adjacent to various types of infrastructure development. The SEPP also outlines consultation requirements with relevant public authorities for certain proposed works.

Clause 2.119 relates to development with direct frontage to a classified road. The subject site does not front a classified road.

Clause 2.122 requires referral to the Road and Maritime Services for traffic generating development specified in Schedule 3. While extractive Industries are not listed as traffic generating development under Schedule 3 of the SEPP, the application was referred to TfNSW pursuant to *State Environmental Planning Policy (Resources and Energy) 2021*. A revised TIA was deemed acceptable by TfNSW.

### Uralla Local Environmental Plan 2012

The relevant local environmental plan applying to the site is the *Uralla Local Environmental Plan 2012* ('the LEP'). The aims of the LEP are:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (a) to encourage the orderly management, development and conservation of resources by protecting, enhancing and conserving—
  - (i) land of significance for agricultural production, and
  - (ii) timber, minerals, soils, water and other natural resources, and
  - (iii) areas of high scenic or recreational value, and
  - (iv) native plants and animals including threatened species, populations and ecological communities, and their habitats, and
  - (v) places and buildings of heritage significance,
- (b) to provide a choice of living opportunities and types of settlements,
- (c) to facilitate development for a range of business enterprise and employment opportunities,
- (d) to ensure that development is sensitive to both the economic and social needs of the community, including the provision of community facilities and land for public purposes,
- (e) to ensure that development has regard to the principles of ecologically sustainable development and has regard to areas subject to environmental hazards and development constraints,
- (f) to provide for flexibility in applying certain development standards, where compliance with such standards may be unreasonable or unnecessary in the circumstances of a particular development, and there is sufficient justification for varying the standards on environmental planning grounds.

The proposal is consistent with these aims as the proposal maintains the orderly use of the land for natural resource extraction, does not have significant impacts on native plants and animals (being located on land that is already largely cleared of native vegetation), facilitates

employment and enterprise, and incorporates management and mitigation measures to limit impacts.

### *Zoning and Permissibility (Part 2)*

The site is located within the RU2 Rural Landscape pursuant to Clause 2.2 of the LEP (Figure 9).



*Figure 9: Zoning Map*

According to the definitions in Clause 4 (contained in the Dictionary), the proposal satisfies the definition of extractive industry which is a permissible use with consent in the Land Use Table in Clause 2.3.

Pursuant to the Land Use Table in Clause 2.3, the zone objectives are:

- 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.

The proposal is considered to be consistent with these zone objectives for the following reasons:

- The proposed development is the expansion of an existing primary industry
- The proposed development incorporates a number of mitigation measures to limit impacts on the natural environment, neighbourhood amenity and Aboriginal heritage

- The proposed development diversifies primary industry in the locality as there are only a small number of gravel quarries operating in the LGA
- The quarry is self-contained on its own lot so does not fragment or alienate resource lands
- The proposed mitigation measures minimise conflict between the land use and neighbouring land uses
- The development is non-agricultural and compatible with the character of the zone

*General Controls and Development Standards (Part 2, 4, 5 and 6)*

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in **Table 4** below.

**Table 5: Consideration of the LEP Controls**

<b>Control</b>	<b>Requirement</b>	<b>Proposal</b>	<b>Comply</b>
Heritage (CI 5.10)	Consent required to disturb or excavate an Aboriginal place of heritage significance	A stone artefact will be partially impacted by the proposal. Mitigation is proposed in the form of community collection and archaeological salvage excavation under an Aboriginal Heritage Impact Permit. The application was referred to Heritage NSW who have issued GTAs.	Yes
Earthworks (CI 6.1)	the consent authority must consider: (a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality, (b) the effect of the proposed development on the likely future use or redevelopment of the land, (c) the quality of the fill or the soil to be excavated, or both, (d) the effect of the proposed development on the existing and likely amenity of adjoining properties, (e) the source of any fill material and the destination of any excavated material, (f) the likelihood of disturbing relics, (g) the proximity to and potential for adverse impacts on any	The expanded quarry is to be carried out in an environmentally sensitive manner and subject to the conditions and limits of the development consent issued by Council and the Environmental Protection Licence issued by the EPA. There are no expected impacts on watercourses, and sediment basins will control runoff. The land is to be returned to agricultural use after the quarry is closed. The quarry is already in operation and supplies quality gravel around the local area. The quarry is expected to have minimal impacts on adjoining properties. An item of Aboriginal heritage is to be relocated	Yes

	watercourse, drinking water catchment or environmentally sensitive area, (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.	and preserved to avoid direct impacts. Ongoing management and monitoring along with progressive rehabilitation works will mitigate the effects of the quarry expansion.	
Essential Services (Cl 6.4)	Consent authority is to be satisfied that water, electricity, sewage, stormwater drainage and vehicular access are, or can be, provided.	The quarry will install portable facilities (office, ablutions, crib room) with a small closed water supply. Effluent will be collected in an on-site sump and transported off-site for treatment. A generator will be used for electricity. Drainage will be to the sediment basins. The site has direct vehicular access to Rose Hill Road.	Yes

The proposal is considered to be generally consistent with the LEP.

**(b) Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments**

There are no proposed instruments that have been the subject of public consultation under the EP&A Act, and are relevant to the proposal.

**(c) Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan**

The following Development Control Plan is relevant to this application:

- *Uralla Development Control Plan 2011 (amended 2021)* ('the DCP')

There is only one applicable section of the DCP, as follows:

**4.5 Access to Rural Properties (General)**

The purpose of this section is to ensure safe, convenient and readily maintainable access to properties from a public road.

The quarry would continue to be accessed via the existing all weather gravel road (Rose Hill Road) and sealed road (Arding Road) to the intersection with the New England Highway. Trucks will either travel north to the Ducats facility in Armidale, north to projects in the Armidale area, or south to projects in the Uralla area. The Applicant proposes to upgrade the internal access road and segment of Rose Hill Road immediately adjacent the site to ensure long-term stability of the road pavement. Council is satisfied the access complies with the requirements under this chapter of the DCP.

There are no other sections of the Uralla DCP 2011 that are relevant or require discussion.

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

- **Uralla Shire Council S7.11 Development Contributions Plan 2021 – Heavy Haulage**

This Contributions Plan has been considered and included in the recommended draft consent conditions. The Plan enables Council to levy development contributions under Section 7.11 as the anticipated development will, or is likely to, generate additional heavy haulage vehicle movements. Money collected will fund pavement rehabilitation works within the nominated haulage route of the development (Rose Hill Road and Arding Road). Contributions are levied based on haulage weight of material and are collected by Council at the end of each financial year.

**(d) Section 4.15(1)(a)(iia) – Planning agreements under Section 7.4 of the EP&A Act**

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

**(e) Section 4.15(1)(a)(iv) - Provisions of Regulations**

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application. There are no matters relevant to the proposal.

### **3.5 Section 4.15(1)(b) - Likely Impacts of 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 must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

#### **Noise and Vibration**

A Noise Impact Assessment (NIA) prepared by SoundIN was submitted with the Development Application. The NIA assessed noise impacts on the three closest residential receivers, located 400m, 660m and 680m from the quarry. Two scenarios are assessed: the establishment and maintenance of the boundary haul road, and “worst case scenario” quarry operations, i.e. 1,000 tonnes per day. Noise monitoring was carried out on site; the current equipment and machinery will continue to be used under the expanded operations.

The noise sources associated with the operation of the proposed expanded quarry are:

- Dozer – stripping overburden and ripping material
- Excavator – ripping material and loading crushers
- Front end loader – loading products into trucks
- Grader – establishing and maintaining haul roads
- Trucks – hauling products within and off-site
- Mobile crushing and screening plant – producing aggregates, base course, sub base, etc

The Project Noise Trigger Levels for daytime are 40dBA. All three receivers were assessed as having levels below this, with noise levels ranging from 31dBA for Receiver 2 during quarry operations to 39dBA for receiver 1 during haul road construction.

The NIA also assessed road traffic noise. The assessment was based on worst case scenario quarry operations of 1,000t per day, or six trucks per hour. The Road Noise Policy sets a maximum of 55dBA and the predicted noise level was 53dBA, which complies.

Finally, the NIA assessed noise impacts from blasting. Blasting is to be restricted to between 10am and 4pm, Monday to Friday. The EPA uses the Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration prepared by the Australian and New Zealand Environment Council as a guideline for maximum noise levels. Maximum overpressure due to blasting should not exceed 115 dBL for more than 5% of blasts in any year and should not exceed 120 dBL for any blast. The maximum predicted overpressure is 114 dBL for Receiver 1, so the proposal complies. Predicted blast vibration levels are also compliant, with a maximum of 1.8 PPV compared to the criterion of 5.

Mitigation measures proposed in relation to noise and vibration include a Noise and Vibration Management Plan, blasting being carried out in accordance with Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration, strict operating hours, noise complaints procedures, no idling vehicles or plant, and the fitting of appropriate exhaust systems. The mitigation measures are considered to be adequate.

## Air Quality

An Air Quality Impact Assessment (AQIA) prepared by Todoroski Air Sciences was submitted with the Development Application. The AQIA was undertaken and prepared in accordance with the NSW EPA publication Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales. The AQIA includes a review of existing meteorological conditions and air quality, predicted modelling results and recommended management and mitigation measures.

January is the hottest month at the subject site, while July is the coldest. December is the wettest month, while April is the driest. Wind speeds are generally higher in the afternoon, and winds generally follow an east to west axis, with some seasonal variability.

Air quality is referred to in terms of particles suspended in air, known as Total Suspended Particulate (TSP) matter. Two sub-classes of TSP are also included in the air quality goals, namely PM10, particulate matter with equivalent aerodynamic diameters of 10µm or less, and PM2.5, particulate matter with equivalent aerodynamic diameters of 2.5µm or less.

Particulate matter in the upper size range is generally characterised as deposited dust, which can be a nuisance and adversely affect amenity.

The NSW EPA Air Quality Impact Assessment Criteria are as follows:

PM <sub>2.5</sub>	24 hours	–	25 µg/m <sup>3</sup>
	Annual	–	8 µg/m <sup>3</sup>
PM <sub>10</sub>	24 hours	–	50 µg/m <sup>3</sup>
	Annual	–	25 µg/m <sup>3</sup>
Total suspended particulates (TSP)	Annual	–	90 µg/m <sup>3</sup>
Deposited dust <sup>e</sup>	Annual	2 g/m <sup>2</sup> /month <sup>c</sup>	4 g/m <sup>2</sup> /month <sup>d</sup>

The main sources of air pollutants locally include agricultural emissions, domestic wood heaters and motor vehicle exhaust. The Armidale monitoring station was used to characterise background levels for the site. As this station is located in a more urban setting subject to higher levels of particulate matter, this is a conservative approach as the levels will be an overestimate for the site.

The current annual average TSP was  $37.6\mu\text{g}/\text{m}^3$ , the annual average  $\text{PM}_{10}$  was  $10.4\mu\text{g}/\text{m}^3$ , the annual average  $\text{PM}_{2.5}$  was  $7.2\mu\text{g}/\text{m}^3$  and the annual average deposited dust was  $1.7\text{g}/\text{m}^2/\text{month}$ .

The main dust generating activities associated with the project are loading and unloading of material, vehicles travelling on and off site, crushing and screening processes, and windblown dust from stockpiles.

The AQIA identified Stage 10 of the project to represent the potential worst-case impact scenario, with extraction and processing taking place in the southern part of the site with the greatest haulage distance. This stage also has the greatest potential for wind erosion and is closest to the assessed receptors.

The predicted incremental results show that the receptor locations would experience minimal incremental effects as a result of the operation of the project. The predicted cumulative results indicate that all of the assessed receptors are predicted to experience levels below the relevant criteria for each of the assessed dust metrics.

Mitigation measures proposed in relation to air quality include compliance with legislation and regulations, daily weather forecast checks, no works carried out in strong winds, machinery and vehicles turned off when not in use, maintenance of the internal access road, covering loads, maintaining moisture levels on the internal access road, Rose Hill Road, and stockpiles, vehicle and plant maintenance, efficient haulage routes, and progressive site rehabilitation. The mitigation measures are considered to be adequate.

## **Traffic and Transport**

A Traffic Impact Assessment (TIA) prepared by GeoLINK was submitted with the Development Application. The TIA includes a review of the existing road network, traffic flows, safety and any existing public transport routes, an assessment of proposed traffic generation and distribution, an assessment of proposed impacts on traffic efficiency and safety resulting from the project, consideration of impacts on public and active transport, and recommendations to minimise impacts.

Existing traffic volumes on Rose Hill Road are estimated at 40 vehicles per day (vpd), with up to 40% heavy vehicles depending on quarry operations. Arding Road sees between 150 vpd (western end) and 250 vpd (eastern end) with 23-55% heavy vehicles. 70% of vehicles turn left towards Armidale, with 30% turning right towards Uralla. Likely traffic volumes for the New England Highway are around 7,000 vpd, with heavy vehicles making up 10%.

The TfNSW Centre for Road Safety Interactive Crash Statistics identifies several crash sites along the proposed haulage route. For many of these crash types, the likelihood of the risk increasing for these crash types as a result of the development-generated traffic is low. However, there is one crash location at the intersection of Arding Road and the New England Highway that that could be exacerbated by development generated traffic. A crash at this location resulted in serious injury, but it is unclear from which leg of the crossroad intersection the vehicle was turning.

There are no public transport routes passing the site, but school buses were observed using Arding Road during the traffic count. Public transport coaches use the New England Highway between Uralla and Armidale.

Close to the site, there are minimal pedestrian or cyclist generators or infrastructure so conflicts are unlikely. It is acknowledged that there are many pedestrian/cyclist generators along the haulage route, particularly near the intersection of Miller Street, Uralla Road and Kentucky Street in Armidale, where two schools are located adjacent to the industrial estate. These potential conflicts already exist and are unlikely to be exacerbated by the proposed development.

Operations will generally involve an inbound and outbound trip for all trucks carrying material. These trips will likely be evenly distributed throughout the day (7am to 6pm) with slightly higher movement numbers in the morning peak. The modelling provides a conservative estimate of peak traffic generation of 68 vpd, and a 10-year design traffic estimate of 82 vpd. The peak hour trip has been assumed to be 10 vehicles per hour, comprising 60% heavy vehicles.

Rose Hill Road and Arding Road are consistent with Austroads Guide to Road Design Part 3: Geometric Design (2021) and it is not considered necessary to upgrade Rose Hill Road as a result of the project. Arding Road provides a 7m sealed road and is in good condition and does not require an upgrade.

Existing geometry and sight distance for the intersection of the site's internal road and Rose Hill Road are considered satisfactory. The intersection of Rose Hill Road and Arding Road is a continuation of a single physical road, though it is noted that Mt Butler Road intersects at this location. There is no linemarking or signage at this location. The intersection of Arding Road and the New England Highway is adequate for all movements. Modelling indicates that the intersection is expected to operate at Level of Service A for the year 2032 with no decrease in service as a result of the development. The additional traffic does not exceed maximum volumes recommended for the given road types. Sight distance at the highway intersection is more than sufficient.

The existing site access is to be upgraded. No change is proposed to the existing informal parking arrangements; this is considered to be adequate.

The project will not generate any public transport demand and will not impact on existing public transport networks.

Mitigation measures with regard to traffic include a Traffic Management Plan, driver induction, monthly compliance audits, site access design, consultation with Uralla and Armidale Councils with regard to road signage, and consultation with Transport for NSW with regard to signage at the intersection of the New England Highway and Arding Road. The mitigation measures are considered to be adequate.

## **Water**

The subject site is located directly east of Spring Creek, in the upper reaches of the Gwydir River Catchment. The adjacent Spring Creek is a second order stream with a catchment area of approximately 7km<sup>2</sup>.

Runoff from the project area generally flows in a western direction towards the creek on a moderate to steep slope. Spring Creek converges with Reedy Creek approximately 225m downstream of the site.

Relevant legislation includes the POEO Act, Water Management Act 2000, and Water Act 1912.

The EIS addresses the Water Sharing Plan for the NSW Murray Darling Basin Fractured Rock Groundwater Sources Order 2020, noting that it is not anticipated that more than 3ML of groundwater will be taken by the project. Large volumes of unallocated water exist. While the project does not require a water access licence, any groundwater extraction is unlikely to significantly impact the sustainability of the aquifer.

The EIS also addresses the Water Sharing Plan for the Gwydir Unregulated River Water Sources 2012. It is not anticipated that any water would be accessed from the Rocky River source.

No groundwater bores have been constructed to establish the depth, pressure or quality of water bearing zones in the vicinity of the project. Groundwater quality is variable due to the broad range of geological forms in the area. Water bearing zones within the area on the Sandon Association geological profile are typically found at an elevation of 1,030mAHD.

Potential impacts on surface water as a result of the project include sediment-laden runoff entering Spring Creek from overburden emplacements, waste-rock dumps, stockpiles and other disturbed areas, stormwater contamination from processing areas and vehicle wash-down areas, and oils and fuel running off into the creek.

Noting that the project is not in proximity to any high priority groundwater dependent ecosystem or culturally significant site, potential groundwater impacts include cumulative decline of the water table, cumulative decline of pressure head, and decline in water quality at water supply works in nearby properties.

The site is not identified as flood prone and the project is not likely to significantly affect flood behaviour. Modelling demonstrates that it is unlikely that flooding would impact the project during a 1% AEP event with a predicted 1.51% increase in rainfall.

The construction and ongoing management of sediment basins will prevent discharge of dirty water from the site and prevent erosion and siltation issues.

The proponent has carried out a site water balance, which does not include potable water and effluent, which will be transported on and off site. The sediment basins would capture all rainfall runoff associated with the five-day 90th percentile rainfall event (37.4 mm). During an extreme rainfall event in which the design capacity of the sediment basins was exceeded, water would passively discharge into Spring Creek. Some water would evaporate from the basins, and water collected in the basins may be used for dust suppression and irrigation of rehabilitated areas. The basins at maximum capacity would allow for 23 days of dust suppression in a worst case scenario (e.g. all stages open and no rehabilitation). Alternative dust suppression measures would be considered in times of extreme drought.

The EIS proposes that water samples will be collected from Spring Creek immediately upstream and downstream of the site and analysed to establish a baseline condition for a range of water quality parameters. A baseline condition for groundwater conditions would also be established. This would include sampling existing bores in the area and any existing monitoring bores.

During the operational phase of the project, clean water from offsite would be diverted around the quarry using clean water diversion drains. Stormwater runoff from the quarry will be diverted to the two sediment basins using dirty water diversion drains. Water from the basins will be used for dust suppression and irrigation and any excess discharged into Spring Creek.

It is anticipated that any excess would be minimal. Water quality would be assessed prior to discharge and records would be kept.

Mitigation measures with regard to water include a Soil and Water Management Plan, erosion and sediment controls, regular checks and maintenance, progressive stabilisation of work areas, stockpiles placed at least 40m from Spring Creek and 5m from hazard areas, a spill containment kit available at all times, no waste or wastewater discharged directly or indirectly, visual monitoring of water quality during construction, notification of any incidents to Council and the EPA, and compliance with the EPL for the life of the project. The mitigation measures are considered to be adequate.

### **Aboriginal Cultural Heritage**

An Aboriginal Cultural Heritage Assessment Report prepared by Heritage Management & Planning in accordance with relevant legislation was submitted with the Development Application.

The subject site is located upstream of the confluence of Spring and Reedy Creeks, which feed into the Rocky River. The area around the river has potential for archaeological sites associated with semi-permanent campsites. The site is part of a broader cultural landscape connecting the ceremonial sites of Mount Yarrowyck and Oorala and was likely used by groups who occupied permanent or semi-permanent campsites around Thomas Lagoon and Saumarez to the north. As the site is near the interface of older sedimentary Sandon Beds it has potential to contain silcrete, which is commonly used for stone tool production.

No recorded Aboriginal heritage sites were identified on the Aboriginal Heritage Information Management System (AHIMS) database, though there were 72 in the wider area. An archaeological survey was carried out with representatives from Iwata Aboriginal Corporation. An artefact scatter was identified at the site (Williams Quarry Arding Artefact Scatter 01). This is a low-moderate density flake scatter typical of travelling or hunting sites on the New England Tablelands. Following analysis, the artefacts were reburied in a test pit with a metal object to assist in locating the items later. The artefacts were found on the ridge crest; this is an expected outcome given that slopes have a low potential for archaeological sites when located near to ridge crests.

Consultation was carried out with representatives from a range of Aboriginal organisations and based on this consultation it was determined that archaeological test excavations were appropriate. No objections to the development were received during this consultation.

The proposed development will result in harm to Aboriginal heritage: specifically, it is proposed to relocate the artefact scatter. This is categorised as direct harm to a partial degree, with a consequence of partial loss of value.

The ACHAR concluded that an Aboriginal Heritage Impact Permit (AHIP) will be required for any future activities that involve disturbance of topsoil on the site. A condition of consent is included in Appendix A to ensure this occurs, along with conditions regarding unexpected finds of relics and Aboriginal objects.

Mitigation measures proposed with regard to Aboriginal cultural heritage include cultural awareness training, a topsoil relocation procedure and repatriation area, obtaining an AHIP, quarantining of existing topsoil stockpiles, additional archaeological salvage of existing topsoil stockpiles, and repatriation of any artefacts collected into the permanent topsoil site so they are retained on country.

## **Biodiversity**

A Biodiversity Development Assessment Report (BDAR) prepared by GeoLINK in accordance with the Biodiversity Assessment Method (BAM) was submitted with the Development Application.

The site is in a hilly rural landscape with small patches of dry sclerophyll forest in and around it. The western and southern boundaries are defined by Spring Creek, which is mapped as having biodiversity values. Two native plant community types (PCT) in derived and moderate condition were recorded on the site:

- PCT 3352 - Armidale Quartz Hills Stringybark Forest
- PCT 3359 - New England Hills Stringybark-Box Woodland

One Threatened Ecological Community (TEC) was recorded within the investigation area: White Box – Yellow Box – Blakely’s Red Gum Grassy Woodland and Derived Native Grassland. This TEC is listed as Critically Endangered under the BC Act and EPBC Act. However, this is associated with PCT 3359 which occurs outside the project footprint and consequently no impacts are expected. There is no koala habitat within the subject site.

In accordance with the BAM, threatened species have been assessed as follows:

- Predicted species (ecosystem credit species) – 24 threatened fauna species
- Candidate species (species credit species) – 3 threatened flora species and 5 threatened fauna species; however none were identified during targeted surveys

The project will have a direct impact on 6.28ha of native vegetation, comprising:

- 5.72 ha of PCT 3352 ‘derived’ condition.
- 0.56 ha of PCT 3352 ‘moderate’ condition.

The development will have impacts on predicted ecosystem credit species resulting from the impacts on the PCT. The consequence of the indirect impacts was assessed as low to negligible. There will be no serious and irreversible impacts arising from the development. The impacts on the PCT do not require biodiversity offsets as they recorded a low vegetation integrity score. However, there is an ecosystem credit obligation of 14. There are three options to meet these obligations: establishment of Biodiversity Stewardship Agreements, purchase of biodiversity credits, or payment into the Biodiversity Conservation Fund. Conditions of consent are recommended requiring these obligations to be met.

The EIS proposes a range of mitigation measures to limit impacts on biodiversity such as speed limits, erosion and sediment controls, stabilisation of work areas, staged vegetation clearing, replacement of hollow-bearing trees with nest boxes, relocation of habitat features, and vegetation and weed management. The mitigation measures are considered to be adequate.

## **Visual Amenity**

Visual amenity is discussed in Section 3.1(a) above under the Resources SEPP section. To recap, views of the quarry are restricted due to topography, vegetation and the low number of dwellings in the area. The main view of the quarry is the 300m stretch of Rose Hill Road west of the site, which services only one rural property.

The proposed expansion of the quarry will extend the quarry footprint to the south. This is not expected to have any significant impact on views from nearby residences. The expansion will further change the views from the aforementioned 300m stretch of Rose Hill Road but given that the quarry already exists, this is not a through road and only services one property this impact is not considered significant.

## Rehabilitation

The project aims as much as possible to carry out rehabilitation works concurrent with rock extraction. Integrating operations and rehabilitation will allow for drainage, soil management, earthmoving and landscaping to be managed on an ongoing basis.

The objectives of the rehabilitation plan are to:

- Make the exhausted site safe and stable for future use
- Prevent the introduction and spread of noxious weeds and pests
- Reintroduce biodiversity
- Stabilise the landform using native species
- Protect visual amenity and limit visual impacts.
- Minimise erosion
- Return the land to its original capability and productive capacity
- Minimise long term site maintenance costs
- Monitor and manage rehabilitated areas until they are self-sustaining

Following the end of extractive activities at each stage of the quarry, benches would be trimmed and backfilled to create a final slope of approximately 30%. A 500mm thick layer of overburden will be placed on the surface, followed by a minimum 100mm thick layer of topsoil. The ground will then be seeded or planted with tubestock, sourced locally where possible. Straw or organic mulch will be used where necessary. If any erosion occurs, the area will be re-topsoiled and sown with cover grass.

Topsoil management is to be in accordance with Managing Urban Stormwater: Soils and Construction (Landcom, 2004).

The vegetation on site has comprises the following derived and moderate condition PCTs:

- PCT 3352 - Armidale Quartz Hills Stringybark Forest
- PCT 3359 - New England Hills Stringybark-Box Woodland

Planting will therefore focus on the following species:

- *Eucalyptus caliginosa* (New England Stringybark)
- *Lissanthe strigosa* (Peach Heath)
- *Pimelea linifolia* (Slender Rice Flower)
- *Eucalyptus melliodora* (Yellow Box)
- *Eucalyptus blakelyi* (Blakely's Red Gum)
- *Pultenaea microphylla* (Spreading Bush-pea)
- *Rubus parvifolius* (Native Raspberry)

Seeds from the following groundcover species will be incorporated into the hydromulch sprayed along the berm and quarry base:

- *Sporobolus creber* (Slender Rat's Tail Grass)
- *Eragrostis leptostachya* (Paddock Lovegrass)

- *Themeda triandra* (Kangaroo Grass)
- *Eragrostis alveiformis* (Granite Lovegrass)
- *Chrysocephalum apiculatum* (Yellow Buttons)

Ongoing rehabilitation management, carried out either by the proponent or a contractor, will include watering and fertilising, weed control, re-ripping and re-sowing bare areas. Regular inspections will be carried out to determine required works. As erosion and sedimentation can occur until vegetation is established, erosion and sediment control measures will be operated and maintained until the site is stabilised.

A rehabilitation monitoring program will be prepared for the operation and post-closure phases of the quarry. Monitoring will be carried out by suitably qualified professionals and undertaken until the site is self-sustaining.

Following the closure of the quarry it is expected that the land will return to pasture production and light grazing. On completion of works, all temporary infrastructure introduced to the site would be decommissioned and removed, along with plant and equipment.

The final landform will be a grassed gently sloping free-draining platform, blending with the current landform and consisting of a series of benches and batters that would extend east-west and form an amphitheatre shape. The floor would have a slight fall for drainage. The sediment basins would remain to prevent run-off from discharging down the slope in high volumes and velocities. The basin may become a flora and fauna habitat, and will eventually fill with sediment and reform as part of the landscape.

### **Land Use Conflict**

A Land Use Conflict Risk Assessment was submitted with the application following a request for information. The LUCRA includes an assessment of surrounding uses, impacts on those uses, and mitigation measures to avoid or minimise conflict and incompatibility.

The LUCRA uses a risk ranking matrix to assess identified potential land use conflicts, based on DPI's 2021 factsheet Land Use Conflict Risk Assessment Guide. This involves assessing and ranking the risk arising from each hazard before mitigation measures are implemented, developing controls and mitigation measures, and reassessing each risk with the control in place. The assessment matrix reviews the probability (rare to almost certain) and consequence (negligible to severe) of impacts to arrive at a numerical value of 1-25 (1 being the least impact). A risk ranking of 1-10 is considered acceptable, while a risk ranking of 11-25 is considered unacceptable and requires management or mitigation measures.

The LUCRA identifies potential conflicts with regard to operational noise, noise and vibration associated with blasting, road noise, air quality, traffic, visual amenity, water quality and quantity, agricultural land capability and biosecurity. The proposed mitigation measures, referred to throughout this report, bring the risk rankings down to an acceptable level, with the highest ranking being 8 for water quality and quantity and the lowest being 2 for agricultural land capability. The majority of potential conflicts result in a risk ranking of 5 following mitigation measures.

In summary, it is considered that impacts with regard to noise and vibration, air quality, traffic and transport, water, Aboriginal cultural heritage, biodiversity, visual amenity, land use conflict and site rehabilitation will be adequately managed and mitigated.

### **3.6 Section 4.15(1)(c) - Suitability of the site**

The site has a history of quarrying operations which began before development or environmental approvals were required. The site has operated for several decades and does not have a history of complaints or enforcement actions. The lack of impacts on the locality is also demonstrated by the receipt of no submissions.

The site is relatively unconstrained; the quarry footprint is already cleared and established. The site is not identified as flood prone. The site is mapped as bushfire prone; however, the proposal is not considered to increase bushfire risk and adequate provision is made for access for evacuation and firefighting.

The site has suitable road access and is near the New England Highway, which provides a safe and suitable connection to the wider region. Transportation impacts are to be managed through a Driver Code of Conduct included in the Operational Environmental Management Plan. Collection of monetary contributions by Council will mitigate impacts on local roads.

Environmental assessments for noise, vibration and air quality demonstrate the expected impacts of the development on nearby residences are acceptable subject to appropriate management measures for the operational phase of the quarry. The premises will be subject to an EPL. The EPA have indicated their satisfaction with amenity impacts by issuing GTAs.

Consequently, the subject site is considered to be suitable in its current state for the purposes of the proposed development and given the history of quarrying at this location. The proposed development will not change the existing land uses on the site.

### **3.7 Section 4.15(1)(d) - Public Submissions**

Submissions are considered in Section 5 of this report. It is noted that no submissions were received.

### **3.8 Section 4.15(1)(e) - Public interest**

The proposed expansion and continued operation of the quarry will provide employment and an important resource to the Uralla LGA. The quarry supplies aggregate materials essential to the local civil and building construction industries. The security of supply of these resources benefits the wider community by supporting growth and construction including road and renewable energy infrastructure projects within Uralla Shire Council and surrounding LGAs.

The proposal was notified to four government agencies – the EPA, TfNSW, Heritage NSW and DPIE Water – and the issues raised have been resolved.

No submissions were received.

The proposed mitigation measures set out in the EIS and discussed in Section 3.2 above are considered to bring impacts to an acceptable level. Operational limits and ongoing measures to protect the environment and local amenity are included in the draft conditions of consent. The conditions provide that impacts can be managed in order for the development to proceed and public interest issues are balanced.

The proposed development is consistent with the requirements of relevant SEPPs, the LEP and the DCP. It is considered to promote the orderly and economic use and development of the land, which contains a valuable resource. On balance, the proposal is considered to be consistent with the public interest.

## 4. REFERRALS AND SUBMISSIONS

### 4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 5.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

**Table 6: Concurrence and Referrals to agencies**

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
<b>Concurrence Requirements (s4.13 of EP&amp;A Act)</b>			
N/A	N/A	N/A	N/A
<b>Referral/Consultation Agencies</b>			
Transport for NSW (TfNSW)	State Environmental Planning Policy (Transport and Infrastructure) 2021 Section 2.121 – traffic generating development; and State Environmental Planning Policy (Resources and Energy) 2021 Section 2.22 Transport	TfNSW requested an amended TIA with additional mitigation measures at the intersection of the New England Highway. This was provided and deemed satisfactory.	Y
<b>Integrated Development (S 4.46 of the EP&amp;A Act)</b>			
NSW Environment Protection Authority (EPA)	Environment Protection Licence under the Protection of the Environment Operations Act 1997 Sections 43(b) and 48	Additional information requested by agency with regard to Noise Impact Assessment and Air Quality Impact Assessment. This was provided and deemed satisfactory.	Y
Heritage NSW	Aboriginal Heritage Impact Permit (AHIP) under the National Parks and Wildlife Act 1974 Section 90	Additional information requested by agency with regard to Aboriginal Cultural Heritage Assessment Report. Amended report submitted and GTAs issued.	Y
Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Water Group	Controlled Activity Approval under Section 91(2) of the Water Management Act 2000 (WM Act)	GTAs issued.	Y

## 4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined **Table 6**.

**Table 7: Consideration of Council Referrals**

<b>Officer</b>	<b>Comments</b>	<b>Resolved</b>
Engineering	The proposal has been referred to Council's Group Manager Infrastructure Services for comment on road impacts. The Manager raised no objections to the proposal subject to recommended conditions of consent.	Yes

## 4.3 Community Consultation

The proposal was notified to nearby residents and advertised in accordance with the DCP from 14 June 2025 until 15 July 2025. No submissions were received.

## 5. KEY ISSUES

There were very few issues raised during the assessment process which required resolution. Requests for additional information generally related to minor issues and were as follows:

- Council identified a range of minor discrepancies and required clarifications throughout the EIS and requested a Land Use Conflict Risk Assessment as per the SEARs. These were provided and considered satisfactory.
- The NSW EPA requested an amended Noise Impact Assessment and clarification with regard to peak annual and daily activity in the Air Quality Impact Assessment. These were provided and GTAs were issued.
- Heritage NSW requested a revised Aboriginal Cultural Heritage Assessment Report with a number of amendments. This was provided and GTAs were issued.
- Transport for NSW requested an amended TIA including a turning warrants assessment and suggested the addition of warning signs.

The impacts associated with the development are considered to have been adequately addressed through mitigation measures and/or will be managed through the draft recommended conditions of consent listed in Appendix A.

## 6. CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

The proposed development is the continued operation of an existing quarry which has operated for at least fifty years with no significant impacts or history of complaints from the community. The proposal is considered to be consistent with all applicable SEPPs, the LEP and the DCP. Potential impacts have been considered in the EIS and appropriate mitigation measures are proposed.

It is considered that the key issues as outlined in Section 5 have been resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions at **Appendix A**.

## **7. RECOMMENDATION**

That the Development Application PPSNTH-419 – DA-30-2025 for expanding and increasing production at the existing quarry at 143 Rose Hill Road, Arding (Lot 1 DP1302364) be APPROVED pursuant to Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* subject to the draft conditions of consent attached to this report at Appendix A.

The following appendices are provided:

- Appendix A: Draft Conditions of Consent