

APPENDIX A

**COMPLIANCE WITH THE REQUIREMENTS OF
DEVELOPMENT CONTROL PLAN 16-EXTRACTIVE INDUSTRIES**

*Appendix A***COMPLIANCE WITH THE REQUIREMENTS OF DEVELOPMENT
CONTROL PLAN 16-EXTRACTIVE INDUSTRIES**

Development Control Plan 16 – Extractive Industries has been designed to assist applicants in the preparation, assessment and determination of extractive industry proposals.

The objectives of the Development Control Plan are to:

- consider the social, economic and environmental issues in the assessment and management of extractive industries;
- implement the objectives of international and nationally recognized environmental standards;
- encourage community participation in all phases of extractive industry development;
- provide sound technical parameters to facilitate the orderly development of extractive resources within environmentally sensitive regions;
- conserve the biological and cultural diversity and quality of Baulkham Hills Shire; and
- implement the requirements of the *Environmental Planning and Assessment Act 1979* and other relevant environmental statutes.

The Development Control Plan also provides objectives, performance criteria and prescriptive measures for various environmental issues. Performance criteria and/or prescriptive measures relevant to the project are listed in **Table A1** together with comments regarding compliance with these measures.

Table A1 Relevant Performance Criteria and Other Requirements of Development Control Plan 16 - Extractive Industries

Element	Performance Criterion or Prescriptive Measure	Comments
Community Participation	<p>Community consultation should be undertaken in the preparation, assessment and management of extractive industries.</p> <p>Proponents are encouraged to promote a better understanding of the links with local cultural history and diversity; natural features and biodiversity; local economies and local views, values and aspirations.</p>	<p>Two meetings are held each year with the Liaison and Review Committee (now the Community Consultative Committee) relating to extraction operations at Maroota. The committee is made up of community members, Council, Environment Protection Authority and Department of Land and Water Conservation representatives and any others considered to be appropriate by Council. These meetings, which focus on activities on both the Hitchcock Road and Lot 198 sites also address issues raised in relation to current operations and those needing to be addressed as part of future development proposals.</p> <p>Articles on the company website include the reporting of monitoring results and a discussion of sand mining issues.</p>
Setbacks	<p>Extraction should be set back no less than:</p> <ul style="list-style-type: none"> • 10 metres from adjoining property boundaries; • 30 metres from a public road; • 40 metres from the top bank of a watercourse or otherwise to the requirements of the Department of Natural Resources; • 100 metres from a public or community facility; and • 100 metres from a residence not associated with extraction 	<p>The proposed development complies with these setback provisions with the exception of the setback from the Rural Fire Brigade facility on Lot 3 DP542117 which although a community facility is not considered to be sensitive to any impacts from sand extraction..</p>

Table A1 Relevant Performance Criteria and Other Requirements of Development Control Plan 16 – Extractive Industries (continued)

Element	Performance Criterion or Prescriptive Measure	Comments
Transport	<p>Internal access roads should be:</p> <ul style="list-style-type: none"> no less than 20 metres wide; have a setback of at least 10 metres from adjoining property boundaries; have a setback of at least 50 metres from environmentally sensitive areas, including habitats of threatened species; and have a setback of 100 metres from residences not associated with extraction. 	The project relies on the existing haul roads which comply with these requirements.
Water Resources	<p>A water management strategy should be prepared and submitted.</p> <p>Extraction should not occur within 2 metres of the wet weather high groundwater level or otherwise to the requirements of the Department of Natural Resources.</p>	<p>The surface water management strategy is contained in Section A6 of the Environmental Strategy and the Water Management Plan.</p> <p>Extraction will not occur within two metres of the wet weather high groundwater level. Groundwater levels and quality are reported in Chapter 5.</p>
Visual Amenity and Scenic Quality	<p>A landscape site analysis must be submitted that identifies and assesses the scenic qualities, landscape constraints and options for landscape protection of the extraction site.</p> <p>Visual pollution should be minimised through appropriate setbacks, perimeter screen planting and other measures.</p> <p>Extraction sites should be rehabilitated to a final landform compatible with the shape, grade, level, form, land use, landscape quality and biodiversity of the surrounding terrain.</p>	<p>Actions relating to the maintenance of visual amenity of the site are contained in Section A10 of the Environmental Strategy.</p> <p>The site is not visible from any location accessible to the public and specific measures to minimise the visual impact of the proposal are not required.</p> <p>A rehabilitation and revegetation strategy is in the process of implementation for the existing development and the principles of this strategy will be applied to the proposed development amended as appropriate.</p>

Table A1 Relevant Performance Criteria and Other Requirements of Development Control Plan 16 – Extractive Industries (continued)

Element	Performance Criterion or Prescriptive Measure	Comments
Flora and Fauna	<p>A flora and fauna assessment should be undertaken including eight part tests and a Species Impact Statement where required.</p> <p>Extraction operations should provide a buffer zone of at least 50 metres from the critical habitat of threatened species, populations and ecological communities.</p>	Measures to protect native vegetation, including threatened species are contained in Section A7 of the Environmental Strategy and the Landscape Management Strategy.
Heritage and Archaeological Resources	<p>An archaeological study should be submitted which includes an assessment of the scientific, educational, landscape and cultural values of all Aboriginal and non-Aboriginal sites.</p> <p>Extraction should not occur within 40 metres of rock engravings, axe grinding grooves, open scatters of artefacts, stone arrangements, waterhole/well and/or scarred trees, archaeological sites protected under the <i>National Parks and Wildlife Act 1974</i> and listed in the Aboriginal Sites Register and any other requirements of the National Parks and Wildlife Service.</p>	<p>Measures to protect items of heritage value during site operations are contained in Section A9 of the Environmental Strategy.</p> <p>No Aboriginal archaeological sites or areas of potential archaeological deposit were identified.</p>
Soil Conservation	A sediment and erosion control plan should be submitted.	Measures to minimise opportunities for soil erosion and sedimentation are contained in the Water Management Plan.
Acoustic Management	An acoustic impact assessment report must be submitted which identifies and assesses the range of noise levels within the locality and the impacts likely to be generated by the proposal.	<p>Measures to minimise the impacts of noise and vibration during operations are contained in Section 5.3 of the EMP Volume One.</p> <p>The results of noise monitoring are reported in Chapter 4.</p>

Table A1 Relevant Performance Criteria and Other Requirements of Development Control Plan 16 – Extractive Industries (continued)

Element	Performance Criterion or Prescriptive Measure	Comments
Air Quality Management	An air quality assessment report should be submitted.	Measures to minimise the impacts of air emissions are contained in Section A3 of the Environmental Strategy and the Air Quality Monitoring Program. The results of air quality monitoring are reported in Chapter 3 .
Extraction Program	An extraction program should be submitted.	The proposed extraction plan is located in Section 2.4 of the relevant EIS and Chapter 3 of the Preferred Project Report..
Rehabilitation	A rehabilitation strategy should be submitted.	The rehabilitation and revegetation strategy is contained in the Landscape Management Plan.
Social and Economic Assessment	An economic appraisal report and social impact assessment should be submitted.	A socio-economic profile of the area is provided in Section 4.15 of the relevant EIS together with a discussion of the costs and benefits of the proposal.
Ecologically Sustainable Development	An ecologically sustainable development summary report should be submitted.	The manner in which the proposal would comply with the principles of ecologically sustainable development is described in Section 4.16 of the relevant EIS.
Post-Extraction Land Use	The extraction site should be rehabilitated to a useable and stable final landform that can support a variety of agricultural or other permissible land uses. A farm management plan should be submitted for agricultural post-extraction land uses.	The rehabilitation and revegetation strategy for the site of the proposal and details of final land uses are provided in the Landscape Management Plan.

Table A1 Relevant Performance Criteria and Other Requirements of Development Control Plan 16 – Extractive Industries (continued)

Element	Performance Criterion or Prescriptive Measure	Comments
Maroota	<p>Extractive industry set backs specific to the Maroota area are:</p> <ul style="list-style-type: none"> • 40 metres from Maroota State Forest; • 50 metres from known critical habitats of the Yellow Bellied Glider, <i>Kunzea rupestris</i> and <i>Tetratheca glandulosa</i>, other threatened species, populations and ecological communities; and • 250 metres from Maroota Public School. 	The project complies with these setback requirements.
Section 94 Contributions	Section 94 contributions may be required.	Section 94 contributions will be made as required.
Environmental Management Systems	An annual environmental management plan should be submitted to indicate the overall performance and management of the operation, to include an acoustic management plan, a rehabilitation management plan, a water management plan and a social impact management plan.	An environmental management system is in place for the existing development on the site. This requires annual reporting of the overall performance and management of the operation. This will be continued following review and updating to take account of any changes.