

Part 3A Preliminary Assessment Sand Extraction

Lot 991 DP627179, Lot 1910 DP557701, Lot 1
DP1006307, Lot 3 DP115119, Lot 1 DP794575 and
Lot 201 DP39968, George Street, Fullerton Cove



Prepared For
**Buldev Development
(NSW) Pty Ltd**

23 August 2007



Orogen Pty Ltd
Suite 4 11 Manning Street
Tuncurry NSW 2428
tel 02 6555 3577
fax 02 6555 3599
email mnc@orogen.com.au
abn 44 108 784 658
www.orogen.com.au

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Part 3A Preliminary Assessment

Sand Extraction

Lot 991 DP 627179, Lot 1910 DP 557701, Lot 1 DP 1006307,
Lot 3 DP 115119, Lot 1 DP 794575 and Lot 201 DP 39968,
George Street, Fullerton Cove

Prepared For:

Buildex Development (NSW) Pty Ltd

23 August 2007

406063_REO_001



Environmental Planning, Assessment and Management

Orogen Pty Ltd
Suite 4 11 Manning Street
Tuncurry NSW 2428
tel 02 6555 3577
fax 02 655 3599
email mnc@orogen.com.au

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Orogen Pty Ltd and the authors responsible for the preparation and compilation of this report declare that we do not have, nor expect to have a beneficial interest in the study area of this project and will not benefit from any of the recommendations outlined in this report.

The preparation of this report has been in accordance with the project brief provided by the client and has relied upon the information, data and results provided or collected from the sources and under the conditions outlined in the report.

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Reviewed By:	<i>Tony Fish</i>
Position:	<i>Project Director</i>
Signed:	
Date:	23 August 2007

Prepared By:	<i>Dr Justin Meleo</i>
Position:	<i>Project Manager</i>
Signed:	
Date:	23 August 2007

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Study Team

Member Name

Tony Fish

Justin Meleo

Project Director
Project Manager

Orogen Pty Ltd
Orogen Pty Ltd

Table of Contents

Executive Summary

Introduction

1.1	Background	1
1.2	The Project in Brief.....	1
1.3	Scope of this Report	2

The Project

2.1	Outline	3
2.2	Zoning.....	3
2.3	Site Details	6
2.3.1	Local and Regional Context	6
2.3.2	Biogeography	6
2.4	Site Planning	7
2.5	Planning Provisions.....	7
2.5.1	Development Control Plans	7
2.5.2	State Planning.....	8
	State Environmental Planning Policies.....	9
	Relevant State Legislation and Regulations	10
2.5.3	Regional Planning.....	10

Key Issues

3.1	Planning Provisions.....	12
3.2	Ecology.....	12
3.3	Sand Resource Characteristics.....	12
3.4	Acid Sulfate Soils	13
3.5	Water Quality	13
3.6	Traffic.....	13
3.7	Air Quality, Noise and Visual.....	13
3.8	Cultural Heritage	13
3.9	Social and Economic Impacts	14

Conclusion

4.1	Conclusion	15
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Appendix A

Correspondence from NSW Department of Planning

Appendix B

Concept Plans of Proposed Development



Table of Contents *Continued*

Tables	
Table 2.1 - Relevance of NSW Coastal Policy Goals to the Proposed Development.....	8
 Figures	
Figure 1.1 –Locality Plan	Follows Page No. 1

Executive Summary

This Preliminary Assessment seeks to assist the Department in the preparation of the Director General's Requirements for an Environmental Assessment for a proposed sand extraction operation over Lot 991 DP627179, Lot 1910 DP 557701, Lot 1 DP 1006307, Lot 3 DP 11519, Lot 1 DP 794575, and Lot 201 DP 39968, George St, Fullerton Cove. The Director General, as delegate for the Minister, has confirmed that the project is a Part 3A Major Project in accordance with clause 1(1)(a) of SEPP (Major Projects) 2005 and that a Project Application may be lodged with the Director General.

The site is located approximately 11.5 km north of Newcastle on the windblown sand dunes and sand sheets of the Newcastle Bight. The proposal seeks consent to remove sand from the site to enable the client to use this material in a range of construction projects that require construction sand. It is not proposed to sell sand commercially that has been extracted from the site.

This Preliminary Assessment provides an outline of the project, site description, details of the statutory planning controls relevant to the project and a précis of the main issues to be addressed in the Environmental Assessment for the project. These issues include, but are not limited to, ecology, traffic, air/dust/noise emissions, archaeology and water quality.

In summary, the Director General's Requirements for the project are sought to enable the preparation of the Environmental Assessment for the Project Application.

Introduction

1.1 Background

Orogen Pty Ltd has been engaged by Buildev Development (NSW) Pty Ltd to prepare a Preliminary Assessment for sand extraction on land at George St, Fullerton Cove.

The Director General, as delegate of the Minister for Planning, has confirmed under clause 6(1) of *State Environmental Planning Policy (Major Projects) 2005*, that the project is development referred to in clause 1(1)(a) of Schedule 2 of the Major Projects SEPP and is therefore declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* applies, in accordance with the provisions of the *Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005*. A copy of correspondence from the Department confirming this is provided in **Appendix A**.

This Preliminary Assessment seeks to assist the Director General in the preparation of the Director General's Requirements for the preparation of the Environmental Assessment for the project.

A full project approval will be sought for the extractive industry on the site.

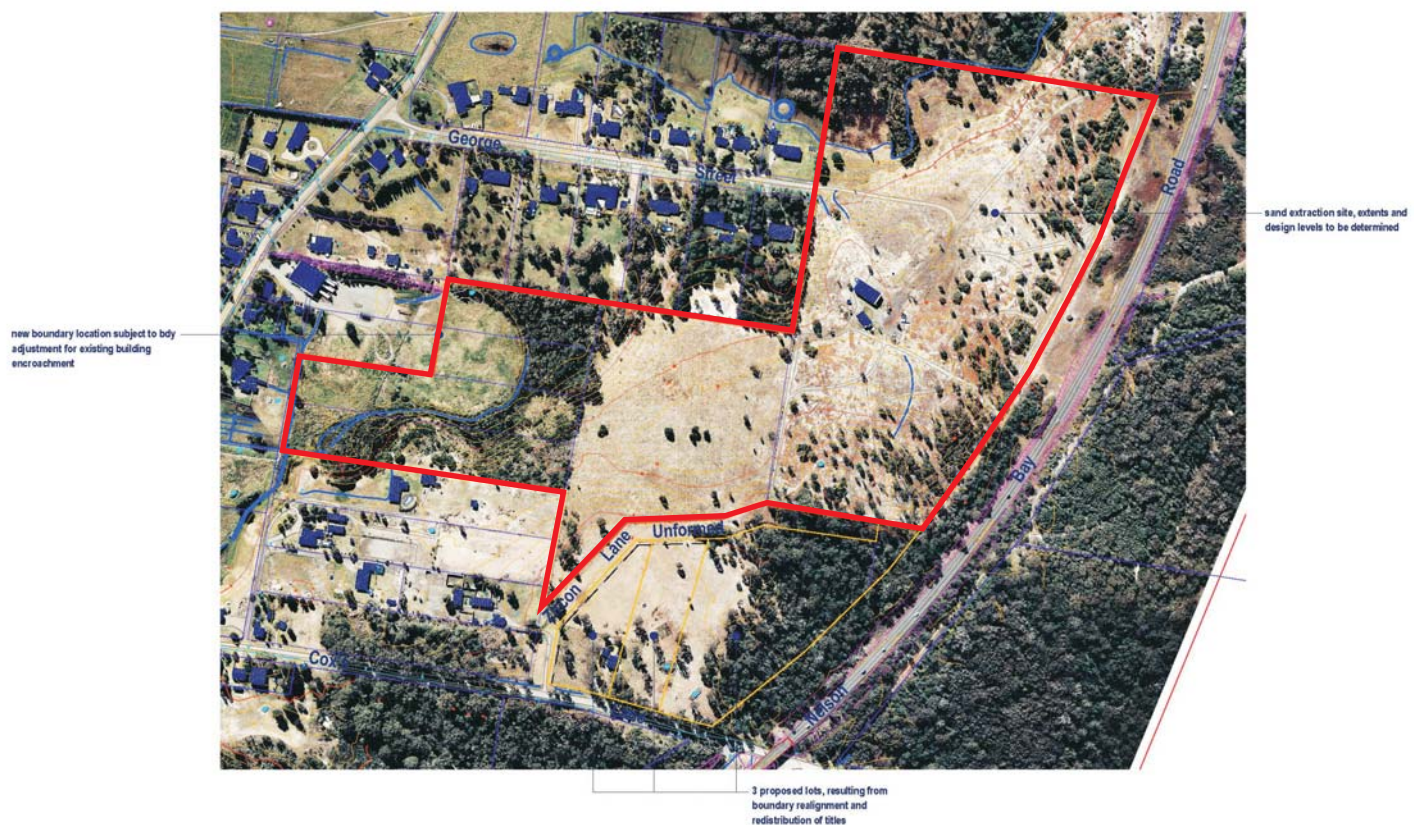
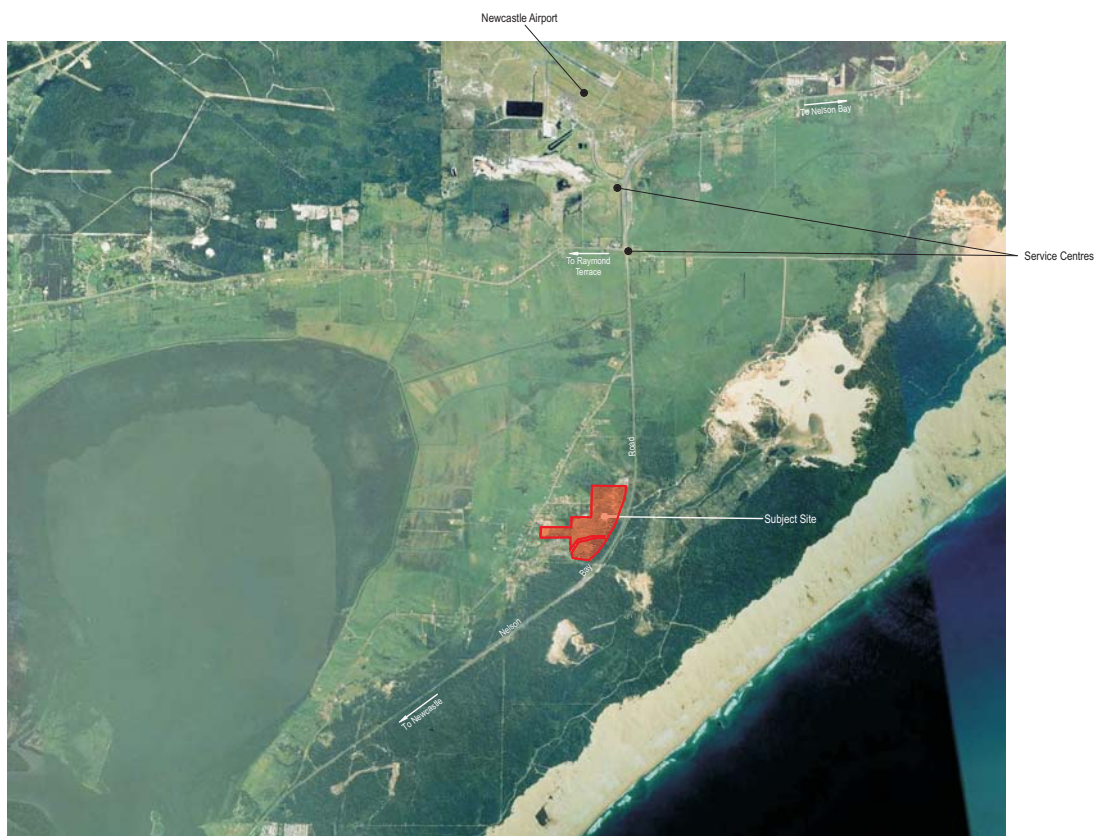
1.2 The Project in Brief

The proposed development is for an extractive industry over the following land at George St, Fullerton Cove (hereafter referred to as the site):

- Lot 991 DP627179;
- Lot 1910 DP 557701;
- Lot 1 DP 1006307;
- Lot 3 DP 11519;
- Lot 1 DP 794575; and
- Lot 201 DP 39968.

A site locality plan is provided in **Figure 1.1**. Preliminary concept plans for the proposed development are provided in **Appendix B**.

The primary objective of the development will be the extraction of 750 000 m³ of sand from the site. A secondary objective is to provide for visual and acoustic privacy of the surrounding rural residential areas and to undertake the extraction such that the impact on the environment is minimised. These objectives will be facilitated by:



LEGEND



 Subject Site

Figure 1.1 - Locality Plan

- Compliance with the provisions of the relevant legislation and policies that relate to the proposed development, particularly: SEPP 71; SEPP 11; SEPP 33; SEPP 44; SEPP 55; the NSW Coastal Policy; *Environmental Planning and Assessment Act 1979*; *National Parks and Wildlife Act 1974*; *Protection of the Environmental Operations Act 1997*; *Water Management Act 2000*; *Coastal Protection Act 1979*; *Threatened Species Conservation Act 1995*; *Crown Lands Act 1989*; *Environment Protection and Biodiversity Conservation Act 1999*; *Commonwealth Native Title Act 1993*; Port Stephens Local Environmental Plan 2000; and Hunter Regional Environmental Plan 1989;
- The protection of areas of environmental significance, including the protection of water quality; and
- Improvement of acoustic and visual privacy for the surrounding rural residential areas through re-contouring of the site.

1.3 Scope of this Report

This report has been prepared to support the application to the Minister for Planning requesting the provision of Director General's requirements for an Environmental Assessment under Part 3A of the *EP&A Act*.. The report is structured as follows:

- *Chapter 2* describes the project and overviews the environment in which it is located;
- *Chapter 3* outlines the planning provisions and key issues that apply to development of the site; and
- *Chapter 4* concludes the report

The Project

2.1 Outline

It is proposed to operate an extractive industry over the following lots at George St, Fullerton Cove:

- Lot 991 DP627179;
- Lot 1910 DP 557701;
- Lot 1 DP 1006307;
- Lot 3 DP 11519;
- Lot 1 DP 794575; and
- Lot 201 DP 39968.

The proponent has identified the site as having a sand resource that would be suitable for use in a range of construction projects managed by the proponent. The development of an extractive industry on site would provide resource security for the proponent.

The proposal is to extract approximately 750 000 m³ of sand from the site. Plans showing the existing and final proposed landform of the site are provided in **Appendix B**. It is proposed to extract sand to a graded level of 3 m AHD across the site, with visual and acoustic barriers being constructed by re-contouring the site along the Nelson Bay Road frontage (eastern boundary), and along the site boundary where it adjoins existing residential areas (**Appendix B**). These barriers would provide acoustic and visual privacy for residents in the adjoining lots and provide a screen to Nelson Bay Road.

Extraction of sand from the site would not alter the existing rural potential of the site. Following completion of the project, the site could still be used for rural purposes, with the lower elevations and flat topography of the site suitable for small scale agricultural enterprises (eg. grazing) or rural living. Following completion of the extraction operations, it is proposed to submit an application for a rural residential subdivision on the site.

2.2 Zoning

The relevant planning instrument applying to the land is Port Stephens Local Environmental Plan 2000 (LEP 2000). The site is zoned No. 1(a) Rural Agriculture "A" and is located within the NSW Coastal Zone. The proposed development is appropriate in this rural location and is permissible under the existing zone. The provisions of the zone are reproduced below.

Zone No 1 (a)—Rural Agriculture “A” Zone

(1) Description of the zone

The Rural Agriculture “A” Zone identifies land which is of agricultural value and land which has not been set aside for rural residential development.

(2) Objectives of the zone

The objective of the Rural Agriculture “A” Zone is to maintain the rural character of the area and to promote the efficient and sustainable utilisation of rural land and resources by:

(a) regulating the development of rural land for purposes other than agriculture by ensuring that development is compatible with rural land uses and does not adversely affect the environment or the amenity of the locality, and

(b) ensuring development will not have a detrimental effect on established agricultural operations or rural activities in the locality, and

(c) preventing the fragmentation of grazing or prime agricultural lands, protecting the agricultural potential of rural land not identified for alternative land use, and minimising the cost to the community of:

(i) fragmented and isolated development of rural land, and

(ii) providing, extending and maintaining public amenities and services, and

(d) protecting or conserving (or both protecting and conserving):

(i) soil stability by controlling development in accordance with land capability, and

(ii) trees and other vegetation in environmentally sensitive localities where the conservation of the vegetation is likely to reduce land degradation or biodiversity, and

(iii) water resources, water quality and wetland areas, and their catchments and buffer areas, and

(iv) land affected by acid sulphate soils by controlling development of that land likely to affect drainage or lower the water table or cause soil disturbance, and

(v) valuable deposits of minerals and extractive materials by restricting development that would compromise the efficient extraction of those deposits, and

(e) reducing the incidence of loss of life and damage to property and the environment in localities subject to flooding and to enable uses and developments consistent with floodplain management practices.

(3) Development allowed without development consent

Development for the purpose of:

- *agriculture,*
- *flood mitigation works authorised by the Hunter Valley Flood Mitigation Act 1956.*
- *Exempt development.*

(4) Development allowed only with development consent

Subdivision permitted by clause 12.

Any other development not included in Item 3 or 5.

(5) Development which is prohibited

Development for the purpose of:

- *boarding-houses,*
- *brothels,*
- *bulky goods salesrooms or showrooms,*
- *bus stations,*
- *commercial premises,*
- *depots,*
- *hazardous industries,*
- *hazardous storage establishments,*
- *industries,*
- *liquid fuel depots,*
- *material recycling facilities,*
- *medical centres,*
- *mortuaries,*
- *motor showrooms,*
- *offensive industries,*
- *offensive storage establishments,*

- *places of assembly,*
- *restricted premises,*
- *road transport terminals,*
- *service stations,*
- *shops,*
- *urban housing,*
- *warehouses.*
- *Subdivision other than subdivision permitted by clause 12.*

The operation of an extractive industry is not a prohibited development under the zone.

2.3 Site Details

2.3.1 Local and Regional Context

The site is located in Fullerton Cove, approximately 11.5 km north east of the Newcastle CBD. The site has been used for low intensity grazing activities, however, the poor nutrient status of the sandy soils has restricted its potential for high value agricultural enterprises. To the west of the site is rural residential development while to the east are the extensive dune system of the Newcastle Bight, which also supports several extractive industry operations.

2.3.2 Biogeography

Landform

The site is aeolian in origin, being located on the Holocene-age sandsheets and transgressive dunes of the Tomago Coastal Plain. Soils on the site are identified as being associated with the Hawks Nest soil landscape group, characterised by deep (> 3 m), well-drained Podzols and Siliceous Sands on the dunes, and poorly drained Humus Podzols on the sandsheets (> 2 m) (Matthei, 1995).

A dune ridge running NE/SW dominates the site topography, with elevation up to 13 – 14m AHD on the crest. Elevation decreases on all sides of the crest to 1 – 2 m AHD in the southwest and northern portions of the site.

Ecology

The majority of the site has been cleared previously, with groundcover dominated by introduced pasture grasses. Vegetation on the site is restricted primarily to the eastern boundary, with a small area of Swamp Sclerophyll Forest in the north west corner of the site, cleared pasture with scattered, isolated trees to the south and a mix of coastal heath and dry sclerophyll forest adjacent to the eastern boundary in the south east of the site.

2.4 Site Planning

The site is subject to an approved six (6) lot boundary adjustment.

The planning process for the project was commenced through a collaborative workshop process involving:

- Buildev Development (NSW) Pty Ltd (the developer and project manager);
- Orogen Pty Ltd (town planning, and environmental); and
- Pulver Cooper Blackley (site survey).

The workshop proved highly successful by enabling complete understanding of the many issues relating to the site and potential development, while facilitating an environment of creativity and innovation.

As indicated in **Section 2.2**, the site is zoned Rural 1(a) Rural Agriculture “A” Zone pursuant to the Port Stephens Local Environmental Plan 2000 (LEP 2000). A sand quarry on the site is permissible in the zone with consent.

2.5 Planning Provisions

2.5.1 Development Control Plans

Port Stephens DCP 2007

Port Stephens DCP 2007 provides a suite of principles and controls for development that apply to all land zoned under the Port Stephens Local Environment Plan 2000 (LEP). It applies to development applications, applications to modify development consents under section 96 of the Environmental Planning and Assessment (EPA) Act, 1979 and application for review of determination under section 82A of the Act.

Part B of DCP 2007 specifies the principles and controls for each type of development (such as residential, commercial or industrial development) and for a range of development issues (such as parking and environmental management). The proposed development will reference and demonstrate compliance with the principles and controls outlined in this section of the DCP.

2.5.2 State Planning

NSW Coastal Policy

As the site is located in the NSW Coastal Zone, the goals of this policy and their relevance to the site must be considered.

There are nine goals that give expression to the vision of the NSW Coastal Policy (1997). The relevance of each goal to the proposed development is addressed in **Table 2.1**.

Table 2.1 - Relevance of NSW Coastal Policy Goals to the Proposed Development

Goal	Relevance
Goal 1 - Protecting, rehabilitating and improving the natural environment of the coastal zone.	Natural environment of the coastal zone not affected by the proposed development. Proposed extraction site is largely cleared.
Goal 2 - Recognizing and accommodating the natural processes of the coastal zone.	Natural processes of the coastal zone not affected by the proposal.
Goal 3 - Protecting and enhancing the aesthetic qualities of the coastal zone.	The proposal will not impact adversely upon the aesthetic qualities of the coastal zone in the area.
Goal 4 - Protecting and conserving the cultural heritage of the coastal zone.	Indigenous and European cultural heritage in the area will not be adversely affected by the proposal.
Goal 5 - Providing for ecologically sustainable use of resources.	The use of sand material is reflective of the market demand for sand products in the area and the relative scarcity of sand resource available. The proposed development will be undertaken in a manner that minimises impacts on the ecological attributes of the site.
Goal 6 - Providing for ecologically sustainable human settlement in the coastal zone.	Not relevant. The proposal is not related to the provision of housing stock or land.
Goal 7 - Providing for appropriate public access and use.	Not relevant. The site is privately owned and does not have access to any natural environments of the coastal zone.
Goal 8 - Providing information to enable effective management of the coastal zone.	Data collected from the project (ecological, physical, chemical) can be accessed and will be utilised in the monitoring of environmental impacts of the project.
Goal 9 - Providing for integrated planning and management of the coastal zone.	The project will require input from a range of statutory stakeholders that will ensure an integrated approach is taken to the management of the project.

State Environmental Planning Policies

The following provides an outline of the State Environmental Planning Policies (SEPP) applicable to the proposed development, and provides comments on matters required for consideration under these policies.

SEPP Major Projects 2005

The project is identified as an extractive industry in accordance with clauses 1(1)(a) of Schedule 2 of SEPP Major Projects 2005.

SEPP No. 71 Coastal Protection

The NSW Coastal Policy (NSW Government, 1997) sets the direction for coastal zone management, planning and conservation in NSW. This policy is also supported by the introduction of *State Environmental Planning Policy No 71-Coastal Protection (SEPP 71)*. The site is located within the coastal zone and accordingly SEPP 71 is applicable to the proposed development.

The processing of extractive materials including sand, is listed as an 'extractive industry' and is therefore defined as State significant development' in accordance with clause 1(1)(a) of Schedule 2 of SEPP Major Projects 2005. Consequently, Part 2 of SEPP 71 – Matters for Consideration' should be taken into account by the Consent Authority when determining the application.

SEPP No. 44 Koala Habitat Protection

The site is situated within the Port Stephens LGA, which is listed on Schedule 1 of SEPP 44, therefore a Koala assessment must be undertaken in accordance with this policy. A Koala assessment in accordance with SEPP will be included in the terrestrial fauna assessment for the proposed stockpile site.

SEPP No. 11 Traffic Generating Developments

The aims and objectives of this policy are to ensure that the Traffic Authority (RTA) is made aware of and is given an opportunity to make representations in respect of developments listed under Schedule 1 of this policy. 'Extractive Industry' is listed as a development under Schedule 1 of the policy.

SEPP No. 33 Hazardous and Offensive Development

The aims and objectives of this policy are to ensure that when determining hazardous or offensive developments or potentially hazardous or offensive developments, the consent authority imposes conditions to minimise any potentially adverse impact. Operation of an extractive industry on the site would be considered a "potentially offensive industry" in accordance with Clause 3 of the policy. Consequently Part 3 – Clause 13 "Matters for consideration by consent authorities" should be taken into account by the Consent Authority when determining the application.

SEPP No. 55 Remediation of Land

The objective of this policy is to encourage a consistent State-wide approach to the remediation of contaminated land. Clause 6 of the policy is applicable to the consideration of contamination and remediation in relation to proposed developments. The consent authority is required to consider whether there is the possibility that the land may be contaminated due to past land uses, and if so, whether the land is suitable for its proposed use in its current or remediated state.

The site proposed for the sand extraction has historically been, and is currently used, for agricultural purposes, which is listed as a potentially contaminating activity, as identified in State Environmental Planning Policy No. 55. Therefore a preliminary contamination assessment will be undertaken in accordance with the policy.

Relevant State Legislation and Regulations

The provisions of relevant legislation listed in **Section 1.2** will be addressed in the Environmental Assessment. This will include, but not necessarily be limited to the following: *Environmental Planning and Assessment Act 1979*; *National Parks and Wildlife Act 1974*; *Protection of the Environmental Operations Act 1997*; *Water Management Act 2000*; *Coastal Protection Act 1979*; *Threatened Species Conservation Act 1995*; *Crown Lands Act 1989*; *Environment Protection and Biodiversity Conservation Act 1999*; *Commonwealth Native Title Act 1993*.

2.5.3 Regional Planning

Hunter Regional Environmental Plan 1989

The aims and objectives of Hunter Regional Environmental Plan 1989 are:

- To promote the balanced development of the region, the improvement of its urban and rural environments and the orderly and economic development and optimum use of its land and other resources, consistent with conservation of natural and man made features and so as to meet the needs and aspirations of the community;
- To co-ordinate activities related to development in the region so there is optimum social and economic benefit to the community; and
- To continue a regional planning process that will serve as a framework for identifying priorities for further investigations to be carried out by the department and other agencies.

The proposed development is consistent with the provisions of the Hunter REP 1989, in particular the objectives outlined in Part 6 Division 1 Clause 39, such that:

- Adverse impacts on the environment and population will be minimised;
- The transportation of the extractive materials will have minimal impact on the community; and
- The development proposal will address the potential problem of rendering the extractive resources contained within the site unavailable.

Key Issues

3.1 Planning Provisions

The site is zoned 1(a)—Rural Agriculture “A” Zone under the provisions of Port Stephens Local Environmental Plan 2000 (LEP 2000).

The proposed development is permissible in the zone with consent (**Section 2.2**)

The objectives of the 1(a)—Rural Agriculture “A” Zone relate to maintaining rural operations on prime agricultural lands, preventing the fragmentation of agricultural land holdings and protecting the agricultural potential of rural land that has not been identified for alternative uses.

The land is not prime agricultural land, being classified as Class 4 – 5 agricultural land, due to the relatively poor nutrient status of the underlying sandy soils. There are no significant agricultural enterprises on the site and the proposed development will not be fragmenting a prime agricultural lands holding. The proposed development is therefore consistent with the objectives of the zone.

The project has been developed taking into account the local planning provisions while also aiming to achieve the most sustainable land use outcome. A sustainability-led planning process was followed to develop the land use outcomes for which approval will be sought.

3.2 Ecology

The majority of the site has been cleared previously, with groundcover dominated by introduced pasture grasses. Vegetation on the site is restricted primarily to the eastern boundary, with a mix of Swamp Sclerophyll Forest EEC in the north west corner of the site, cleared pasture with scattered, isolated trees to the south and a mix of coastal heath and dry sclerophyll forest in the south east.

The impact of the proposed development on the ecology of the site will be assessed in accordance with the relevant statutory planning provisions of the *EP&A Act*, the *Threatened Species Conservation Act 1995*, SEPP 44, and the draft DEC guidelines for Threatened Biodiversity Survey and Assessment.

3.3 Sand Resource Characteristics

Detailed geotechnical assessment of the sand resource at the site will be presented in the Environmental Assessment, to provide context to the potential uses of the sand resource from the site. Notwithstanding, preliminary desktop and field investigations indicate that a variety of sand types are present within the site which would be useful in various construction operations.

3.4 Acid Sulfate Soils

While the site is highly unlikely to have any issues with respect to acid sulfate soils, the lower elevations in the north and northwest of the site could contain areas of potential acid sulfate soils at depths of 1 – 2 m below natural ground surface. These areas, however, will not form part of the proposed extraction operations on the site. Notwithstanding, an assessment of acid sulfate soils potential will be presented in the Environmental Assessment.

3.5 Water Quality

The proposed maximum extraction depth of 3 m AHD will be well above ground water levels at the site. There are no defined drainage features on the site. It is possible that localised perched aquifers occur in the upper elevations of the main dune ridge that traverses the site. If present, these would be removed as part of the extraction operation. Assessment of issues surrounding water on the site would be addressed in the Environmental Assessment.

3.6 Traffic

The site has access to two haulage routes – direct access to George St and access to Cox's Lane, via Zircon Lane, which traverses the site. George St joins Fullerton Cove Road, which then joins Nelson Bay Road adjacent to the eastern boundary of the site. Cox's Lane has direct access to Nelson Bay Road approximately 180 m to the east of the intersection with Zircon Lane. The impact of truck movements into and out of the site will be addressed through a detailed traffic analysis. Any alterations required to road intersections will need to meet the requirements of Council's design criteria, as well as those of the NSW Roads and Traffic Authority (RTA).

3.7 Air Quality, Noise and Visual

Noise impacts from operation of the dredge and the operation of the stockpile site will be assessed in the Environmental Assessment. At the closest point, the nearest dwelling would be located approximately 30 m from the boundary of the site on an adjoining property to the west.

Air quality impacts arising from the extraction operation would also be assessed, as would any visual impacts arising from the extraction operations and final landform.

3.8 Cultural Heritage

It is unlikely that there would be any Indigenous archaeology issues arising from the extraction operation. Excavation will trigger the need for indigenous archaeological assessment. These issues would be addressed in the Environmental Assessment, as would the potential for any European cultural heritage issues.

3.9 Social and Economic Impacts

The potential for the project to impact upon the local economy and social fabric of the Fullerton Cove area will be addressed in the Environmental Assessment. The project is likely to have positive social and economic impact, through investment in the extraction operations on the site and the creation of several full time and casual employment opportunities.

Conclusion

4.1 Conclusion

This report has been prepared in support of an application for an extractive industry on the site. In summary the proposed development complies with all relevant planning policies and there are no known issues of community concern.

The primary objective of the project is to activate a presently under-utilised resource and contribute to the economic growth of the region through sourcing construction sand locally for a variety of residential and industrial construction projects in the region.

These objectives are proposed to be facilitated by the extraction of approximately 750 000 m³ of sand from the site. The economics of the operation are such that the winning of this extractive material for use in a range of projects managed by the proponent will provide a cost saving compared to the purchase of sand material from other nearby sources, for which there is an existing high demand and supply restriction. Further, there is the opportunity for the site to be used for other purposes following the completion of the project, including a return to rural uses, or a rural residential development, consistent with the surrounding development in Fullerton Cove.

The project is consistent with principles of Ecologically Sustainable Development, in that it will:

- Increase the productivity of an existing under-utilised resource, with minimal environmental impact;
- Promote sustainable resource use; and
- Contribute positively to the local and regional economy.

The project is designed to have minimal environmental impact and have a positive benefit to the local and regional economy. It is submitted that the information provided in this report is sufficient for the issuing of Director General's Requirements for the project.

References

Matthei, L.E. (1995). *Soil Landscapes of the Newcastle 1:100 000 Sheet* Report, Department of Land and Water Conservation, Sydney. 320 p.

Appendix A

CORRESPONDENCE FROM NSW DEPARTMENT OF PLANNING



NSW GOVERNMENT
Department of Planning

Major Development Assessment

Phone: (02) 9228 6494

Fax: (02) 9228 6466

Email: rebecca.ward@planning.nsw.gov.au

Level 4 Western Gallery

23-33 Bridge Street

GPO Box 39

SYDNEY NSW 2001

Our ref: S07/00526

Your ref: 406063_LEO_006

Mr Tony Fish
Business Manager/Project Director
Orogen Pty Ltd
PO Box 280
TUNCURRY NSW 2428

Orogen Pty Ltd
Date Received:

10 MAY 2007

Proj #: 406063 Int:

Dear Mr Fish

Proposed Extractive Industry - Fullerton Cove, NSW

I refer to your letter of 12 February 2007 about the proposal by Buildev Properties Pty Ltd to develop an extractive industry on the following lots at Fullerton Cove in the Port Stephens local government area:

- Lot 991 DP 627179;
- Lot 1910 DP 557701;
- Lot 1 DP 1006307;
- Lot 3 DP 11519;
- Lot 1 DP 794575; and
- Lot 201 DP 39968.

I wish to advise you that the Director-General, as delegate of the Minister for Planning, has formed an opinion under clause 6(1) of *State Environmental Planning Policy (Major Projects) 2005*, that the proposal is development referred to in clause 1(1)(a) of Schedule 2 of the Major Projects SEPP, and is therefore declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* applies.

To progress the proposal, the proponent would need to prepare and submit a Preliminary Environmental Assessment (PEA) on the project to the Department. The PEA report should include:

- background information on the project and the site;
- a detailed description of the project;
- details of permissibility and relevant statutory controls; and
- a general overview of the environmental issues potentially associated with the project (including identification and preliminary consideration of the key issues).

The PEA for the project will form the basis on which the Department consults with other public authorities and prepares its Director-General's requirements for the preparation of the Environmental Assessment of the project. It is recommended that the proponent discuss with the Department the timing for lodgement of the PEA and project application for the project.

Should you have any questions on the above, please call Rebecca Ward on (02) 9228 6495 or Michael Young on (02) 9228 6437.

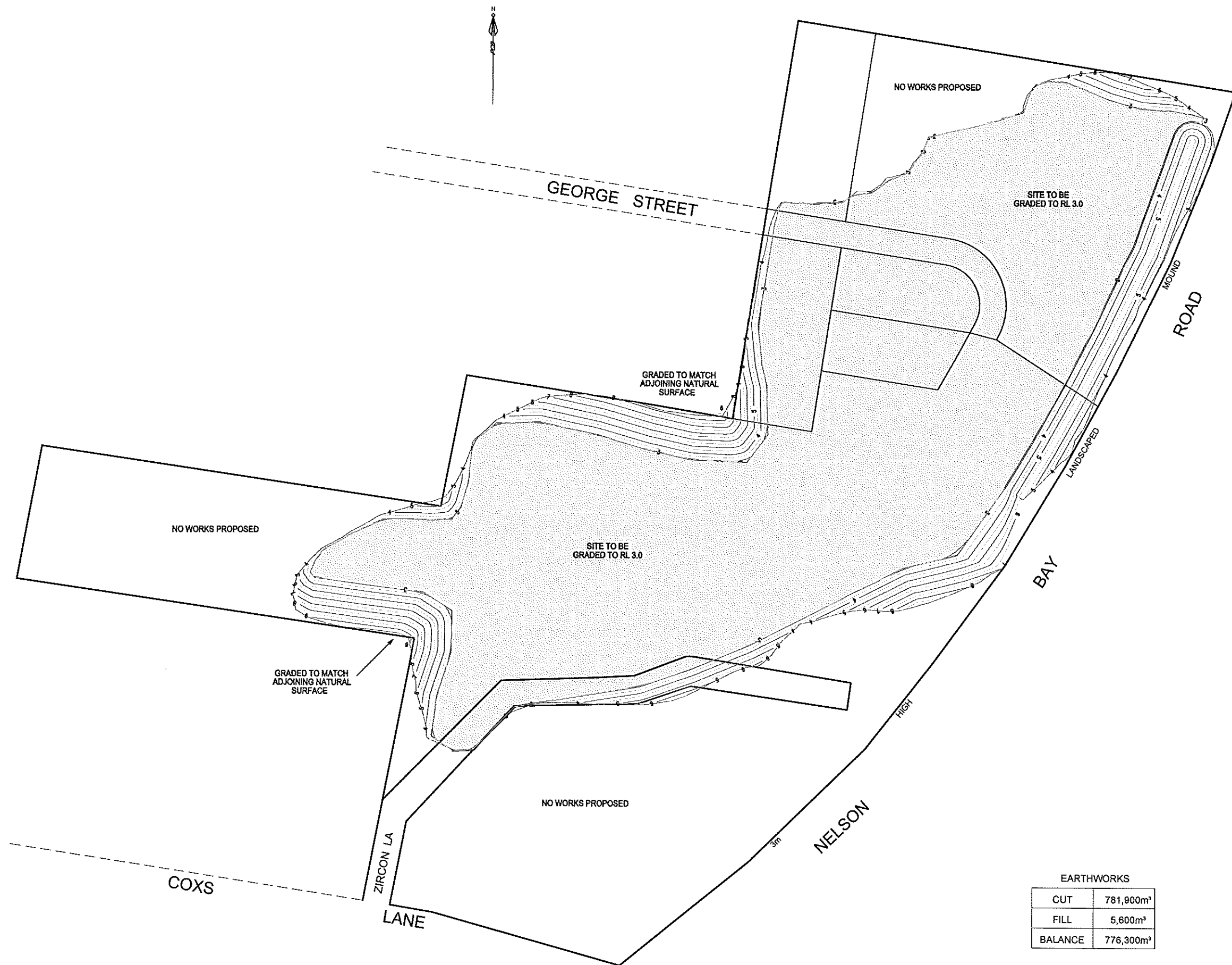
Yours sincerely

Howard Reed
Acting Manager
Mining & Extractive Industries

4.5.07

Appendix B

CONCEPT PLANS OF PROPOSED DEVELOPMENT



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Horizontal Scale 1:1500 (A1)
Horizontal Scale 1:3000 (A3)

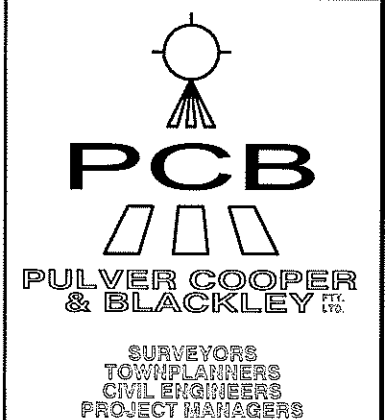
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SURVEYED: N/A
DESIGNED: KN
DRAWN: KN
CHECKED: DE
DATUM: Australian Height Datum
CONTOUR INTERVAL: 0.5m

AMMENDED REGRADE AREA & ROAD ALIGNMENT	23/08/2007
REMOVE LOT LAYOUT	19/02/2007
INITIAL ISSUE	14/02/2007
REVISIONS	DATE

CLIENT:

Buldev Properties
Pty Ltd.
Suite 1, Level 3
Sparke Helmore Building
28 Honeysuckle Drive
NEWCASTLE 2300

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P.O. Box 729
NEWCASTLE 2300
Ph (02) 4929 3882
Fax (02) 4926 2214

98 LAWES STREET
EAST MAITLAND 2323
Ph (02) 4934 3026
Fax (02) 4934 3027

SAND EXTRACTION
GRADING PLAN

FULLERTON COVE

EARTHWORKS	
CUT	781,900m³
FILL	5,600m³
BALANCE	776,300m³