

22 January 2021

NSW Department of Planning, Industry & Environment

APPLICATION NO: SSD-9490

PROPOSAL: Stockton Sand Quarry Dredging Project

PROPERTY: Cox Lane, Fullerton Cove, Lot: 1 and Lot: 2 DP: 1006399 and Lot 3: 664552

Thank you for the opportunity to provide comment on the response to submissions (RTS) for the Stockton Sand Quarry Dredging Project. Council has completed a review of the RTS and provides the following comments:

Local Infrastructure Contributions

Council's original submission raised concern over the existing exemption to development contribution payments noting that the exemption should cease and payment for maintenance of Council's roads be levied in line with other similar extractive industries. However, the applicant's response requests an exemption to paying local infrastructure contributions due to the limited use of the local public road network.

The applicant recognises that a portion of the local road network is used, albeit a relatively small portion being 200m of Cocks Lane. Nonetheless Council are responsible for this portion of the road network and therefore funds maintenance when required. DPIE and the applicant should be aware that general maintenance (for example pothole filling, localised reseals/re-sheeting etc.) is undertaken outside of Council's Capital Works Program (CWP), which is reserved for significant road rehabilitation projects which requires long term planning and budgeting considerations. Therefore, if maintenance is required on the road it will still be undertaken despite not being listed in the CWP.

Due to the movement of laden heavy vehicles, it is considered that the development would have an impact on the condition and performance of the road. Therefore, the application of the haulage levy to any consent is critical in ensuring Council has sufficient funds to undertake maintenance work on that portion as and when it is required. Without this, the development would have detrimental financial impacts for Council and reduce the performance of the road network.

Under the Local Infrastructure Contribution Plan, Council has prepared a standard haulage levy of \$0.084/t/km and it is recommended that this rate be applied to any consent to satisfy the maintenance demand from the development. Council is willing to accept a variation to this rate where it is justified by a Traffic and Transport Economic Study, however it is understood that this has not been prepared.

Ecology

The RTS relating to the ecological concerns raised within Council's original submission has been reviewed. Council has no additional comments on the proposal however, would like to note that the BAM-C Credit report in Annex 8 of the BDAR is not "Finalised" and should be requested to be finalised prior to project approval.

Council also proposes the following draft conditions for the project:

- A Groundwater Monitoring Program and Groundwater Management Plan must be prepared prior to the commencement of works and implemented for the duration of works to monitor the project's direct and indirect impacts on groundwater levels and Groundwater Dependent Ecosystems in the locality. The Management Plan must identify key management or mitigation measures and monitoring triggers for when management actions and management actions must be implemented.
- A Quarry Rehabilitation and Landscape Management Plan must be prepared prior to the commencement of works and implemented for the duration of works. The rehabilitation plan must be prepared in consultation with Council and include details for any mitigation and management measures identified in the EIS or its specialist reports, rehabilitation completion criteria, and an ongoing Rehabilitation Monitoring Program to inform adaptive rehabilitation management actions.
- Biodiversity Offset Credits for the Koala will be preferentially sourced from within the Port Stephens Local Government Area to assist Council retain habitat for the local Koala population in accordance with the objectives of the Port Stephens Council's Comprehensive Koala Plan of Management.

I trust that the above information will provide an appropriate basis to inform the assessment of the application. Thank you for the opportunity to comment on the RTS. Should you have any further enquires or if you wish to discuss the application, please contact me on (02) 4988 0263 or email courtney.sargent@portstephens.nsw.gov.au.

Yours Sincerely



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