

NSW Department of Planning, Industry and Environment
GPO Box 39
Sydney NSW 2001

APPLICATION NO: SSD-10432 (Our Ref 25-2020-1-1).

PROPOSAL: Stone Ridge Quarry Project.

PROPERTY: Compartment 409 and part Compartment 408 and of 410 Wallaroo State Forest No. 781, Nine Mie Road, Balickera, folio identifiers: **Lots 27, 36 and 65 DP753200, and Part Lot: 1 DP: 1183485, Lot: 1 DP: 724372, Lot: 121 DP: 1207164, Part Lot: 5340 DP: 120715.**

Attention: Colin Philips

Dear Colin,

Thank you for your correspondence dated 18 March 2020 requesting Council's comments regarding the request for Secretary's Environmental Assessment Requirements (SEARs) for the Stone Ridge Quarry Project Section, located at Italia Road, Balickera.

Council has reviewed the relevant document '*Scoping Report - Proposed Stone Ridge Quarry* dated February 2020, prepared by Australian Resource Development Group Pty Limited'.

It is understood the proposed development will seek approval for a new hard rock quarry, known as Stone Ridge Quarry. The subject site is located within the Wallaroo State Forest at Balickera.

The following issues have been identified and should be taken into consideration as part of the preparation of SEARs for the proposal:

Strategic Planning

Hunter Regional Plan 2036

The Hunter Regional Plan 2036 (HR Plan), released by the NSW Government in 2016, is the regional strategy apply to the subject site. The HR Plan sets clear parameters anticipating predicted demographic, economic, social and environmental impact in the following directions:

- *Direction 6 – Grow the economy of the Midcoast and Port Stephens*
- *Direction 11 – Manage the ongoing use of natural resources*

Draft Local Strategic Planning Statement

The Local Strategic Planning Statement has recent been exhibited and is expected to be endorsed by DPIE in July 2020. The proposal will need to address the consistency of the development with the LSPS.

The Port Stephens Economic Development and Tourism Strategy 2018- 2020

The Port Stephens Economic Development and Tourism Strategy is a comprehensive land use strategy that guides the future economic growth and development within the Port Stephens area. The proposal will need to address the consistency of the development with this land use strategy.

Ecological Values

Councils mapping identifies the site as being located within the Biodiversity Values Map. Any clearing would therefore require the preparation of a Biodiversity Development Assessment Report (BDAR) in accordance with the provisions of the Biodiversity Conservation Act 2016.

The BDAR must include the following:

- A detailed assessment of the potential indirect impacts (including noise and vibration impacts) on any threatened species, populations, endangered ecological communities or their habitats, as well as groundwater dependent ecosystems must be made.
- A detailed habitat and genetic connectivity assessment for Koala and Brush-tailed Phascogale to assess connectivity of the local population(s) north and south of the Balickera Canal to accurately assess potential impacts and to inform mitigation and offset strategies.
- A detailed cumulative impact assessment must be undertaken for the EIS and BDAR in accordance with the BAM, with particular consideration given to biodiversity, namely fauna habitat connectivity for threatened species including Brush-tailed Phascogale and the Koala.

All projects in the locality with potential for cumulative impacts must be assessed, including but not limited to: Kings Hill Urban Release Areas and its associated critical infrastructure, adjacent quarry expansions and the proposed M1 motorway extension.

- An assessment of the project against the Port Stephens Council Comprehensive Koala Plan of Management must be undertaken, including assessment against the performance criteria provided in Appendix 4 of the Comprehensive Koala Plan of Management.
- Consultation must be undertaken with Hunter Water for assessing impact to threatened microbats in relation to potential breeding habitat contained in the nearby Balickera Tunnel.
- Should potential impacts to any threatened EPBC Act listed biodiversity be likely consideration of the EPBC Act significant impact guidelines must be undertaken, and an EBPC Acct Referral undertaken should a significant impact be likely.

- Details of weed management during construction and operation in accordance with existing State, regional or local weed management plans or strategies.

The following management plans should be prepared in support of the application:

- A detailed statement of commitments for measures to be included in a Biodiversity Management plan including:
 - Compensatory hollows with a preference for augmented hollows
 - Site rehabilitation
 - Biodiversity Monitoring Plan
- A commitment for satisfying the Biodiversity Offsetting requirements identified in the BDAR must be provided.
- A detailed site stabilisation plan must be provided as part of the EIS, along with a conceptual rehabilitation strategy and a conceptual final landform.

Aboriginal Heritage

A search on the Office of Environment and Heritage's Aboriginal Heritage Information System identified Aboriginal Heritage within the boundaries of the site. The applicant will therefore need to prepare an Aboriginal Cultural Heritage Assessment to identify the potential impact on Aboriginal heritage.

Bushfire Prone Land

The subject site is identified as bushfire prone and, as a result, the requirements of the latest version of Planning for Bushfire Protection should be considered in the preparation of the EIS.

Traffic, transport and access

It is considered that the proposal will have significant impacts on traffic along the local road network and the Pacific Highway.

The EIS will therefore need to be supported by a Traffic Impact Assessment that should include:

- The design and location of any proposed site access road
- The design of any proposed changes to the Pacific Highway/Italia Road intersection

Transport for NSW must be consulted in relation to safety and impacts on the Pacific Highway.

Developer Contributions

The area surrounding the subject site includes an existing quarry operated by Boral, which utilises Italia Road as a haulage route. Furthermore, a State Significant Development application (SSD-7332) is currently under assessment by the Department for a new quarry, which also proposes to utilise a small portion of Italia Road.

It should be noted that these quarries have either approved or recommended conditions requiring the payment of contributions towards the maintenance of Italia Road.

Council considers that the proposed development satisfies the requirements of Section 7.11 of the Environmental Planning and Assessment Act 1979 and a condition for monetary contributions towards the maintenance of the road, and in accordance with an approved contribution plan, would be reasonable.

Council has prepared a haulage contribution rate as part of the Port Stephens Local Infrastructure Contribution Plan. The plan, which applies to extractive industry, identifies the haulage contribution rate as \$0.084/t/km, unless otherwise varied through an agreed Traffic and Transport Economic Study.

Council advises that should the application be approved, it is expected that a condition requiring contributions towards road maintenance, set in accordance with the Port Stephens Local Infrastructure Contribution Plan, will be added to the consent.

The applicant and the Department should be aware that the contribution rate within the Port Stephens Local Infrastructure Contribution Plan is subject to change in line with CPI adjustments.

Acoustic Impacts

An Acoustic Report will need to be prepared in support of the application and must take into consideration nearby sensitive receivers located in close proximity to the subject land, including residences in East Seaham.

Air Quality

A detailed Air Quality Assessment will need to be provided as a part of any future EIS.

Water Quality

The proposed development will contain new impervious surfaces, which will result in additional future stormwater runoff. The EIS must include the preparation of a Water Management Plan to mitigate against the potential stormwater runoff impacts during construction and operation. The Plan must also include a detailed stormwater and surface water report will be required demonstrating water quality and pre to post developed surface flow controls.

Council's DCP Part B4 notes that for development within a drinking water catchment shall achieve NorBE or Council's Stripping Rates, whichever achieves the higher water quality outcome for the site.

The proposal will also be subject to a Controlled Activity Approval under the provisions of the Water Management Act 2000 and is located within the Hunter Water Drink Water Catchment.

Visual Amenity

The EIS should address any direct visual impacts including potential light from operations and vegetation removal.

Socio & Economic Impacts

As a part of any future EIS, the proposal should detail the potential social and economic impacts as a result of the proposal.

Other Acts and Environmental Planning Instruments

The following Acts and Environmental Planning Instruments apply the proposal:

- Roads Act 1993 (Road Act)
- Protection of the Environment Operations Act 1997
- State Environmental Planning Policy No 55 - Remediation of Land
- State Environmental Planning Policy No 33 Hazardous and Offensive development
- State Environmental Planning Policy No 44 – Koala Habitat
- State Environmental Planning Policy (Infrastructure) 2007

I trust that the above information will provide an appropriate basis to inform the issuing of the SEARs. Thank you for the opportunity to comment on the proposed development. Should you have any further enquires or if you wish to discuss the application, please contact me on (02) 4988 0280 or email Dylan.mitchell@portstephens.nsw.gov.au.

Yours sincerely,

Holly Hutchens

Senior Development Planner
Development Assessment and Compliance