

Council Reference:
Your Reference:

16 December 2019

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Please address all communications
to the General Manager

ABN: 90 178 732 496

Energy & Resource Assessments
Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Anthony Barnes

Dear Sir / Madam

Tweed Shire Council SEAR's comments for the proposed Hanson Tweed Sand Quarry Expansion

I refer to the Department's invitation on 25 November 2019 to provide input into the preparation of SEAR's for the Hanson Tweed Sand Quarry Expansion.

Council's SEAR's comments remain the same as the pre-consultation advice provided to the proponent, which is noted below for your reference:

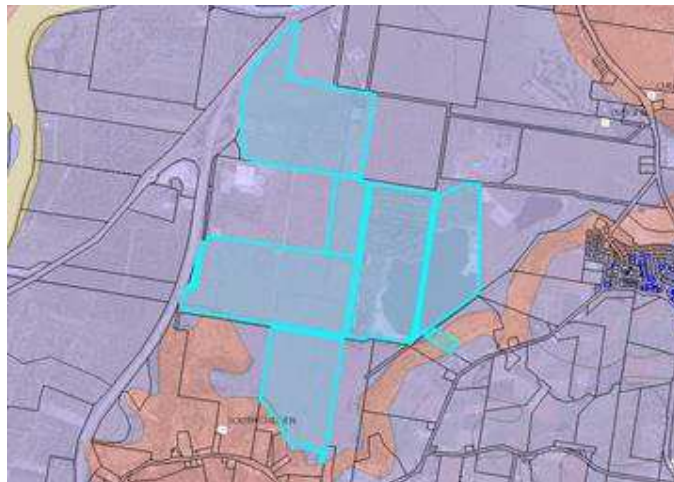
- Far North Coast Regional Strategy. Whilst the Strategy may identify *Regionally Significant Extractive Resources* in the Chinderah Road area, it is also noted that the Strategy provides for the protection of productive farmland from development pressures, with the subject area being mapped as *Regionally Significant Farmland*.
- North Coast Regional Plan 2036. Concern is raised with the suitability of the proposed development and the impact of sterilizing the land for future uses and loss of agricultural land.
- A significant portion of the site is recognised as Regionally Significant Farmland under the Northern Rivers Farmland Protection Project.



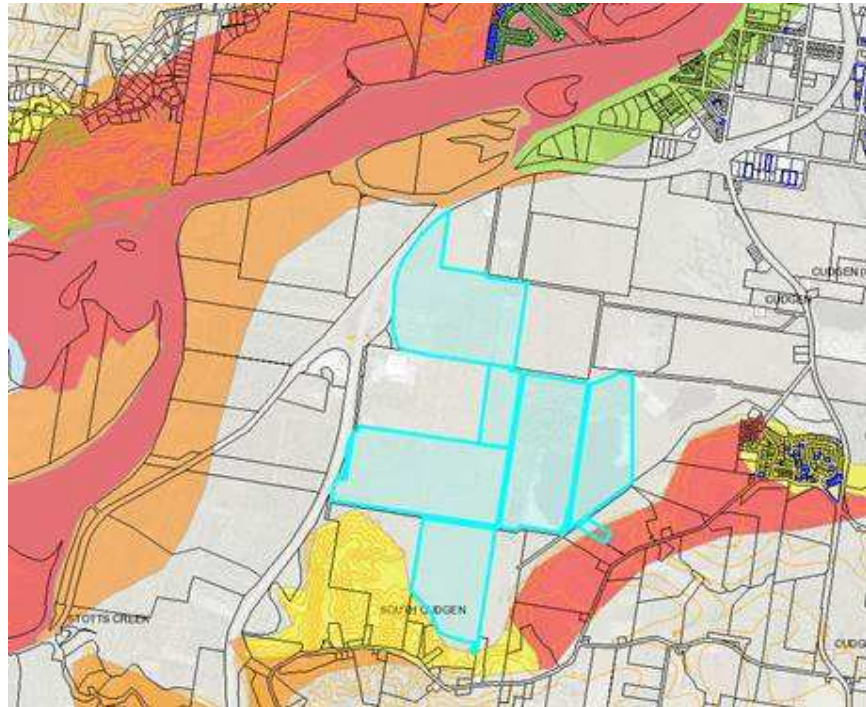
- The majority of the site is mapped as being Agricultural Land suitable for Grazing Land or land well suited to pasture improvement.



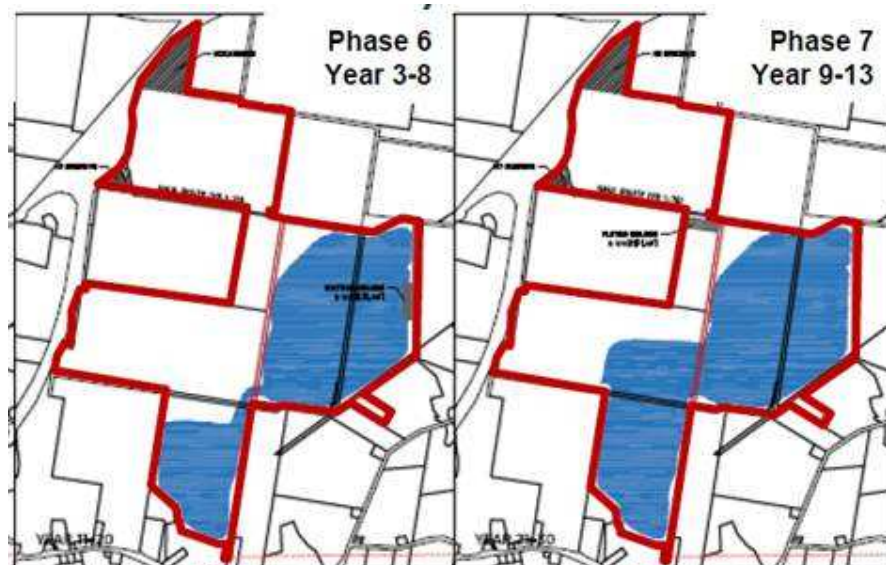
- A significant portion of the site is mapped as having a Land Capability suitable for Regular Cultivation.



- Visual amenity needs to be considered. A visual amenity analysis needs to be undertaken, not only from the nearby Cudgen ridge to the south east, but also from the elevated ridges to the north west. Consider cumulative impacts of the scale of the proposal along with the adjoining proposal on Gales land and proposed Chinderah quarry to the north of the subject site (SSD-8471).



- The proposal is not clear on what the ultimate end use of the site will be and how the proposal will be maintained in the long term.
- Noise / amenity impacts associated with the proposed 24/7 hours of operation for the dredging and haulage of sand need to be investigated.
- The proposed truck routes need to be clear for all stages of the proposal. The documentation provided to date appears to indicate access to the Motorway from the initial stages of the expansion, yet the site building / wash plant does not relocate to the northern boundary until Phase 7 (Year 9-13).



- The subject site is mapped as having a known area of Aboriginal cultural heritage significance. Appropriate due diligence will need to address Council's Aboriginal Cultural Heritage Management Plan in this regard.
- The development site has no existing right of access to the Pacific Highway – Tweed Valley Way interchange. The public road reserve (Altona Road) terminates part way across the frontage of Lot 2 DP 1192506. In order to achieve road access the proponents will need to negotiate the appropriate licenses (for the life of the sand quarry) or easements with the adjoining property owner(s) and Roads and Maritime Services. The access road would need to be sealed to address ongoing management of dust, erosion and sediment export onto the Highway.
- A traffic impact analysis will be required to ensure that the road access for the site (subject to negotiations above) is capable of catering for the forecast truck movements, up to b-double configuration. This assessment will need to include adequacy of the existing intersection with the highway off ramp, and the new roundabout intersection on Tweed Valley Way and merge which would be utilised for each north bound load.
- Any application would need to address geotechnical properties of the quarry site, including consideration of long term stability of the excavation batters, to ensure that they are designed and constructed to prevent slumping and instability on adjoining land in perpetuity.
- Analysis will be required to determine the required amount of car parking and to assist Council in determining the applicable parking provision under the relevant DCP.
- A stormwater management plan is required, detailing site drainage, stormwater quality management measures, proposed stormwater outlets and erosion and sedimentation control measures for the life of the development.
- A flood impact assessment would be required with any application. This assessment must consider the various configurations of the sand quarry over its stages, and consider all bunding structures (noting in particular the major culvert structure under the Pacific Highway), processing areas, and fill associated with the development. The development must be assessed on an individual and cumulative development basis, consistent with the Tweed Valley Flood Study and Tweed Valley Floodplain Risk Management Study and Plan. Council's flood model is available for the use of consultants, subject to signing a license agreement and payment of a \$1000 fee (at time of writing).
- The demolition of existing structures on-site will need development consent.
- The Development would need to comply with the Building Code of Australia.
- Compliance with the Disability Discrimination Act would be required.
- Access for disabled would need to comply with AS1428.
- Any application would need to address effluent disposal having regard to the Local Government (Approvals) Amendment (Sewerage Management)

Regulation, 1988 and the Protection of the Environment Operations Act 1997 (NSW).

- Provision would need to be made on site for storage and collection of waste. Details for collection would need to be determined in conjunction with the waste service provider.
- To support any future expansion proposal, the application would need to be supported by the following technical reports prepared by suitably qualified and experienced consultants.
 - Air Quality Assessment
 - Surface water and Groundwater Assessment
 - Traffic Noise Assessment
 - Construction and Operational Noise Assessment
 - Acid Sulfate Soil Assessment
 - Contaminated Land Assessment
 - Environmental Management Plan:
 - Air
 - Construction Noise
 - Operational Noise
 - Surface Water
 - Groundwater
 - Acid Sulfate Soils
- Removal of vegetation
 - Whilst the development footprint is largely dominated by pasture/cropping, drainage lines support native vegetation likely to be representative of candidate EEC Swamp Oak Floodplain Forest. The impact of removal of any EEC and/or threatened species habitat would require comprehensive evaluation under the provisions of EP&A Act.
 - Furthermore, vegetation onsite may qualify as Preferred Koala Habitat and support isolated Preferred Koala Food Trees as defined under the *Tweed Coast Comprehensive Koala Plan of Management 2015* (TCKPoM). The site occurs within the Southern Tweed Coast Koala Management Area and as such the TCKPoM applies. All relevant provisions would be required to be addressed.
- Buffers from significant habitat values
 - Proposed buffers the subject of riparian restoration may be insufficient. Managed buffers from EEC's should at a minimum extend 30m beyond the edge of the community. Other remnant vegetation types not regarded as EEC's should be afforded minimum 20m managed buffers.
 - A recent survey of Lot 706 DP 1000580 to the south of the site identified a unit of EEC Lowland Rainforest on Floodplain. This unit of vegetation occurs at the interface with the proposed development footprint. Consideration of any impact on this community and appropriate management measures to avoid impact should be duly considered.

- Long term use of dredge ponds
 - The long term land use of the dredge ponds and surrounding buffers is unknown as yet. Further details of progressive remediation, post quarry closure use, management arrangements should be provided

- Acid sulfate soil management
 - The site is identified as comprising Class 2 and Class 3 acid sulfate soils. Extraction is likely to intercept acid sulfate soils. The receiving waterway is the Tweed River. The excavation of actual and potential acid sulfate soils and management should be addressed in a site based acid sulfate soil investigation and management plan.

- Impact on groundwater
 - The proposal has the potential to result in detrimental impact on water quality discharged from the site, groundwater conditions and onsite dredge pond water management issues. Appropriate groundwater investigations should be undertaken, appropriate water quality parameters imposed and water and soil plans of management and monitoring should be developed.

Please contact me if you wish to discuss any of the matters raised above.

Yours faithfully

Colleen Forbes

Acting Manager Development Assessment & Compliance