



Appendix 6 A

Contamination

Brandy Hill Expansion Project
Environmental Impact Statement

Hanson Construction Materials Pty Ltd



Stage 1 Environmental Site Assessment:
Brandy Hill Quarry,
979 Clarencetown Road, Seaham, NSW.

ENVIRONMENTAL



WATER



WASTEWATER



GEOTECHNICAL



CIVIL



PROJECT
MANAGEMENT



P1303888JR01V01
December 2014

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Contents

1 OVERVIEW.....	5
1.1 Introduction	5
1.2 Objectives	5
1.3 Project Scope	5
1.4 Abbreviations	6
2 SITE DESCRIPTION	8
2.1 Site Location and Existing Landuse	8
2.2 Hydrogeology	9
3 STAGE 1 INVESTIGATIONS.....	10
3.1 Historical Site Records Review	10
3.2 NSW OEH Records	10
3.3 WorkCover Search	10
3.4 Historical Aerial Photograph Analysis	10
3.5 Walkover Site Inspection	11
4 AREAS OF ENVIRONMENTAL CONCERN/CONTAMINANTS OF PRIMARY CONCERN.....	13
5 CONCLUSIONS AND RECOMMENDATIONS	15
5.1 Conclusions	15
5.2 Recommendations	16
6 LIMITATIONS STATEMENT	17
7 REFERENCES	18
8 ATTACHMENT A – SITE PLAN	19
9 ATTACHMENT B – GROUNDWATER BORE LOCATIONS.....	21
10 ATTACHMENT C – AEC LOCATIONS.....	23
11 ATTACHMENT D – HISTORICAL AERIAL PHOTOGRAPHS.....	26
12 ATTACHMENT E – WORKCOVER NSW CORRESPONDENCE	34
13 ATTACHMENT F – PORT STEPHENS COUNCIL DA/BA/CC RECORDS	36
14 ATTACHMENT G – ASBESTOS RISK ASSESSMENT, STEEL TANKS, BRANDY HILL QUARRY (WORKPLACE ENVIRONMENT CONSULTANTS, 2014).....	65

1 Overview

1.1 Introduction

Martens & Associates Pty Ltd has prepared this Stage 1 Environmental Site Assessment (ESA) for Hanson Construction Materials Pty Ltd ('the Client') to assess the proposed extension of their Brandy Hill Quarry at 979 Clarence Town Road, Seaham, NSW ('the site'). This investigation forms part of an application to the NSW Department of Planning and Environment (DoPE) for State Significant Development (SSD-5899). The investigation area is parts of Lot 101, DP 712886, Lot 1, DP 47313, Lots 19, 36, 56 and 236, DP 752487, and Lot 2, DP 823760 as shown on Figure 1, Attachment A.

1.2 Objectives

Investigation objectives include:

- Identification of historic and current potentially contaminating site activities.
- Evaluation of potential areas of environmental concern (AEC) and associated contaminants of primary concern (COPC).
- Provide comment on suitability of site for continued use and provide recommendations for intrusive soil investigations (if required).

1.3 Project Scope

Scope of works includes:

- Walkover inspection to review current land use, potential contaminating activities and neighbouring landuses.
- Review available Port Stephens Council (PSC) site development consents.
- Review of 7 historic aerial photographs to assess past site and surrounding land use patterns.
- Review NSW OEH (formerly NSW EPA) notices under the Contaminated Land Management Act (1997).
- Prepare an ESA report in general accordance with the relevant sections of NSW OEH (2011) and DEC (2006).

1.4 Abbreviations

ACM - Asbestos containing material

AEC – Area of environmental concern

ASC NEPM – Assessment of Site Contamination - National Environmental Protection Measure (1999 amended 2013).

AST – Above ground storage tank

BGL – Below ground level

BTEX – Benzene, toluene, ethyl benzene, xylene

COPC – Contaminants of primary concern

DEC – NSW Department of Environment and Conservation

DECC – Department of Environment and Climate Change

DoPE – Department of Planning and Environment

DP – Deposited plan

EPA – NSW Environmental Protection Authority

ESA – Environmental site assessment

HM – Heavy metals

IBC – Intermediate bulk container

LGA – Local government area

MA – Martens & Associates Pty Ltd

mAHD – Metres, Australian Height Datum

mBGL – Metres below ground level

NATA – National Association of Testing Authorities

NEPC – National Environmental Protection Council

OCP – Organochloride pesticides

OEH – NSW Office of Environment and Heritage

OPP – Organophosphate pesticides

PACM – Potential asbestos containing material

PAH – Polycyclic aromatic hydrocarbons

PSC – Port Stephens Council

TRH – Total recoverable hydrocarbons

2 Site Description

2.1 Site Location and Existing Landuse

Site information is summarised in Table 1. Site location and general surrounds are provided in Figure 1 (Attachment A).

Table 1: Site background information.

Investigation address	979 Clarence Town Road, Seaham, NSW
Site Lot and DP (Title Information)	Investigation area includes 7 lots: Lot 101, DP 712886 Lot 1, DP 47313 Lots 19, 36, 56 and 236, DP 752487 Lot 2, DP 823760
Site area	230 ha
Investigation area	53.6 ha
Local Government Area (LGA)	Port Stephens Council
Zoning	Part E3 – Environmental Management and part RU2 – Rural Landscape
Site description	<p>The site includes the Brandy Hill Quarry and significant surrounding lands owned by Hanson Construction Materials Pty Ltd. Current quarry operations are primarily located on Lot 101 DP 712886, Lot 1 DP 47313 and Lot 56 DP 752487 with the majority of the remainder of the site undeveloped bushland.</p> <p>The site is surrounded by undeveloped bushland and agricultural land, with the town of Seaham approximately 3.0 km east.</p> <p>Site elevation varies between approximately 170 mAHD in the north west (near Brandy Hill), to approximately 40 mDHD in the south east.</p>
Current and proposed land use	Quarrying, no change of use
Surrounding land uses	Undeveloped bushland and rural land
Geology and soil landscapes	<p>The Newcastle 1:100,000 Geological Sheet 9232 (Geological Survey of NSW, Department of Mines, 1975) identifies the site as being underlain by Dalwood Group, comprising sandstone, mudstone, siltstone, shale, tuff. Basalt flows and erratics.</p> <p>The Soil Landscapes of the Newcastle 1:100,000 Sheet identifies the site as having soils of the Hunter, Glenurie Hill, and Seaham soil landscapes, generally comprising deep, moderately well to imperfectly drained prairie soils and brown clays, moderately deep to moderately well-drained yellow soloths, and shallow to moderately deep, well to imperfectly drained yellow and brown soloths.</p>

Environmental receptors

The south west portion of the site drains generally toward an unnamed tributary of Barties Creek located in the south western portion of the site, while the remainder of the site drains toward Deadman's Creek and it's unnamed tributaries (on the north eastern, eastern and south eastern portions of the site) to the south east.

Human receptors

Existing and future site workers / builders.

2.2 Hydrogeology

Review of NSW Natural Resources Atlas indicated three groundwater bores (with available information) located on site (Table 2). Groundwater bore locations are shown in Figure 2 (Attachment B).

Table 2: Available hydrogeological information.

Groundwater Bore Identification	Lot and DP	Depth To Groundwater (mBGL)	Intended Use	Water Bearing Zone Substrate
GW201693	Lot 101, DP 712886	ND ¹	Monitoring bore	ND ¹
GW201694	Lot 56, DP 752487	0.6	Monitoring bore	Granite, fractured
GW201695	Lot 56, DP 752487	1.1	Monitoring bore	Granite, fractured

Notes

¹ ND – No data available.

From review of the information in Table 2, groundwater wells on site are used for monitoring and are greater than 0.6m below ground level.

3 Stage 1 Investigations

3.1 Historical Site Records Review

Development application and building plan records kept by Port Stephens Council were reviewed. The records indicate that development consent for the quarry and processing plant was granted in 1983 (Table 3).

Table 3: Site history information.

Record Source	Year	Record No.	Description
PSC DA/BA/CC records	1983	DA 1920	Extractive industry – a hard rock quarry and processing plant
PSC DA/BA/CC records	1984	DA 2608	Relocation of common boundary
PSC DA/BA/CC records	1985	DA 2607	Subdivision
PSC DA/BA/CC records	1986	BA 159/86	Office and amenities buildings

3.2 NSW OEH Records

No notices for the site or nearby surrounding areas under the Contaminated Land Management Act (1997) or the Environmentally Hazardous Chemicals Act (1985). No site within the suburb of Seaham was listed on the register.

3.3 WorkCover Search

A WorkCover records search for underground storage tank information did not locate any records related to the site.

3.4 Historical Aerial Photograph Analysis

Historical aerial photographs taken of the site during 1952, 1967, 1974, 1984, 1996, 2007 and current (2014) were reviewed to investigate historical site land use (Table 4). Copies of aerial photographs are provided in Attachment D.

Council granted consent to establish the quarry in 1983.

Table 4: Historic aerial photograph observations 1952 – current.

Year	Investigation Area Description	Surrounding Areas
1952	Extensive site clearing with some remaining undeveloped bushland.	Undeveloped bushland to north and rural land to south west, south, east and south east.
1967	Regrowth of some vegetation in the central and southern areas of the site, and along watercourse corridors.	Clarence Town Road visible to south east. Regrowth of vegetation to north east, south west and south.
1974	Continued regrowth in previously cleared area, otherwise little change from 1967 photo.	Little change from 1967 photo.
1984	Regrowth of vegetation across site. Dam constructed in south central area of site.	Regrowth of vegetation to east, south west and west.
1996	Quarry constructed in central area of site, including site offices in south western portion of developed area and dams constructed for quarry operations.	Rural residential property developed to east, and sheds for poultry farm to south east. Clearing for rural land use to south.
2007	Little change from 1996 photo.	Minor rural residential development to east and west, otherwise little change from 1996 photo.
Nearmap (2014)	Sedimentation ponds constructed in southern area of site, otherwise little change from 2007 photo.	Revegetation of land to south. Minor rural residential development to south west.

3.5 Walkover Site Inspection

Results of site walkover inspection from September 24, 2014 are summarised in Table 5.

Table 5: Summary of site walkover.

Location	Walkover Summary
Maintenance sheds and surrounds, south western area of site.	<p>Metal maintenance shed with metal roof near southern site boundary. Concrete floor in good condition, some staining. Used for maintenance and storage of vehicles and associated quarry equipment. Storage of containers of lubricants, oils, fuel, with most above ground storage tanks (AST) and containers of hydrocarbons (oils, fuels) on bunds.</p> <p>Drain on floor to oil/water separator system (located to west of maintenance sheds).</p> <p>Bunded storage area for waste oils and fuels adjacent to oil/water separator system (located along external western wall of maintenance shed).</p> <p>Two storage sheds north of maintenance shed with 1200L bunds (locked, no access available), understood to store oils and lubricants.</p> <p>Several shipping containers with miscellaneous content, including containers labelled "Megapoxy" (grout for crushing and mining equipment). Empty intermediate bulk containers (IBC) labelled Meropa 150 (gear lubricant) adjacent to shipping containers.</p> <p>Open storage areas to west and north of maintenance shed with aggregate surface. Storage of quarry operations equipment, metal, timber, and stockpiles of gravel, rocks, aggregate, soil and crushed rock.</p> <p>Vehicle with diesel tank and lubricants used for mobile refuelling and lubrication of site plant.</p>
Quarry operations area.	<p>Quarry equipment, including crusher in south western portion of quarry operations.</p> <p>Benched quarry void in operating quarry.</p> <p>Dams to north and west of quarry operations area.</p>
Sales yard	<p>Stockpiles of pre-coated aggregate (used for asphalt) south and south east of crusher.</p> <p>Two aggregate pre-coat tanks (bitumen emulsions) in tarpaulin-covered bunds to south and east of crusher.</p> <p>Former diesel AST (57kL), white, raised, with some exterior staining but no evidence of ground staining, at southern edge of sales yard.</p> <p>AST (old bitumen tank) rusting and in poor condition, with possible asbestos containing material (PACM) (exposed fibrous insulation) in south eastern corner of sales yard.</p> <p>Sedimentation ponds south of sales yard.</p> <p>Petrol/diesel pump west of sedimentation ponds, well maintained with no staining.</p>
Office and administration area	<p>AST used for diesel, double-skinned (not bunded) and in good condition, no evidence of ground staining. Located north west of sedimentation ponds.</p> <p>AST used as water reservoir with some external rust staining, north west of sedimentation ponds.</p> <p>Various office buildings and drivers' room.</p> <p>Car parking areas and associated infrastructure such as septic systems and rainwater tanks.</p>
Remainder of site.	Undeveloped bushland on the majority of the remainder of the site.

4 Areas of Environmental Concern/Contaminants of Primary Concern

Our assessment of site AECs and COPCs (Table 6) is made on the basis of available site history, aerial photograph interpretation and site walkovers. A map for each section showing locations of identified AECs is provided in Figures 3 and 4 (Attachment C).

Table 6: Areas of environmental concern and contaminants of primary concern.

Site Section	AEC ¹	Potential for Contamination	COPC	Contamination Likelihood
Maintenance area, along south western boundary of site.	A – Beneath and within maintenance and storage sheds.	Use of OCP/OPP and HM (pest control). Potentially contaminating chemicals from storage of oil / fuel or other chemicals.	HM, TRH, BTEX, PAH and OCP/OPP	Medium
	B – Drums, containers and IBC of unknown content within and around sheds. ²	Potentially contaminating fuels, oils or lubricants.	HM, TRH, BTEX and PAH	Low – medium
	C – Vehicle used for mobile refuelling and plant lubrication.	Potentially contaminating fuels or oils.	HM, TRH, BTEX and PAH	Medium
	D – Stored oils and fuel at separator system and within maintenance shed.	Potentially contaminating chemicals.	HM, TRH, BTEX and PAH	Low – medium
Sales yard.	E - Beneath crusher.	Lubricants.	TRH, BTEX and PAH	Low
	F – Stockpiles of pre-coated aggregate.	Potentially contaminating chemicals (bitumen emulsion).	TRH, BTEX and PAH	High
	G –AST, bundled, covered, containing pre-coating for aggregate (bitumen emulsion).	Potential bitumen emulsion leaks.	TRH, BTEX and PAH	Low
	H – AST, former diesel tank, unknown content.	Potential diesel leaks into the soil.	TRH	Very low
	I – Former bitumen tank with possible asbestos insulation.	Potential bitumen leaks into the soil. Likely fibrous asbestos insulation exposed.	TRH, BTEX and PAH Asbestos	Very low Very high

Site Section	AEC ¹	Potential for Contamination	COPC	Contamination Likelihood
	J – Under petrol/diesel pump west of sedimentation ponds.	Potentially contaminating fuels or oils.	HM, TRH, BTEX and PAH.	Very low
Office and administration area.	K – AST, diesel tank, double-skinned.	Potential leakage.	TRH, BTEX and PAH.	Very low
Quarry operations area, central area of site.	L – Entire quarry operations area.	Potentially fuel and lubricant leakage from plant and during refuelling/maintenance operations.	TRH, BTEX and PAH.	Low

Notes

¹ Locations identified on AEC maps in Attachment C.

² Drums and containers of unknown content were visible in several locations. The label on one of the intermediate bulk containers (IBC) indicated 'Meropa 150', a non-hazardous extreme pressure gear lubricant with the main ingredients being distillates (petroleum) and solvent dewaxed paraffinic (Caltex Australia Petroleum Pty Ltd, 2010). The label on one of the containers indicated 'Megapoxy', Parts A & B, environmentally hazardous substances which include the ingredients Bisphenol A (30-60%), epoxy resin, ether and propanol (Vivacity Engineering Pty Ltd, 2011).

5 Conclusions and Recommendations

5.1 Conclusions

The results of the site history and walkover inspection indicates that the investigation area has been used as a quarry and associated maintenance, sales and administration areas since about 1983. The remainder of the property has been undeveloped bushland or rural. The investigation area has the following potential contamination risks:

- Maintenance, storage shed and office construction and upkeep have the potential to have introduced contaminants to the site in the form of asbestos (as a construction material), pesticides (termite control) and heavy metals (paints and pest control).
- Drums, containers and IBC, both bunded and unbunded, were observed onsite, these may have leaked and introduced contaminants to the site.
- Several ASTs ranging from poor to good condition observed onsite of known and unknown content may have introduced contaminants to the soil.
- Potential asbestos containing material (PACM) was observed on exposed fibrous insulation on one disused AST. Results of an asbestos inspection and risk assessment indicated no asbestos was detected in the steel tank, or the shell insulation, gasket or turret sealant of the rail tanker (Workplace Environment Consultants, 2014).
- There is a high risk that stockpiles of pre-coated aggregate may have introduced localised contamination of hydrocarbons (bitumen emulsion) to the site.
- Fuels and oils used in the mobile refuelling and maintenance of plant and beneath the crusher may have introduced contaminants to the soil.

While risks of localised soil contamination are identified, most are considered of little consequence as they will be minor and will be removed as the quarrying progresses. Environmental (surface water) monitoring ensures no off site impacts from hydrocarbons.

5.2 Recommendations

Provided that the site use continues as a quarry, a Stage 2 ESA is not recommended at this time and no further testing is proposed. Should site use change, further testing would be required with a site investigation plan developed in accordance with NSW EPA (1995) and a risk based assessment. Such as assessment shall address each of the identified AECs and assess COPC identified for each AEC. Results of the site testing would be assessed against the ASC NEPM (1999, amended 2013).

6 Limitations Statement

The Stage 1 environmental site assessment was undertaken in line with current industry standards.

It is important, however, to note that no land contamination study can be considered to be a complete and exhaustive characterisation of a site nor can it be guaranteed that any assessment shall identify and characterise all areas of potential contamination or all past potentially contaminating land-uses. This is particularly the case where some site contamination due to continuing quarry use has been determined but no further assessment is recommended at this stage. Therefore, this report should not be read as a guarantee that no additional contamination shall be found on the site. Should material be exposed in future which appears to be contaminated or inconsistent with natural site soils, additional testing may be required to determine the implications for the site.

Martens & Associates Pty Ltd has undertaken this assessment for the purposes of the current development proposal. No reliance on this report should be made for any other investigation or proposal. Martens & Associates accepts no responsibility, and provides no guarantee regarding the characteristics of areas of the site not specifically studied in this investigation.

7

References

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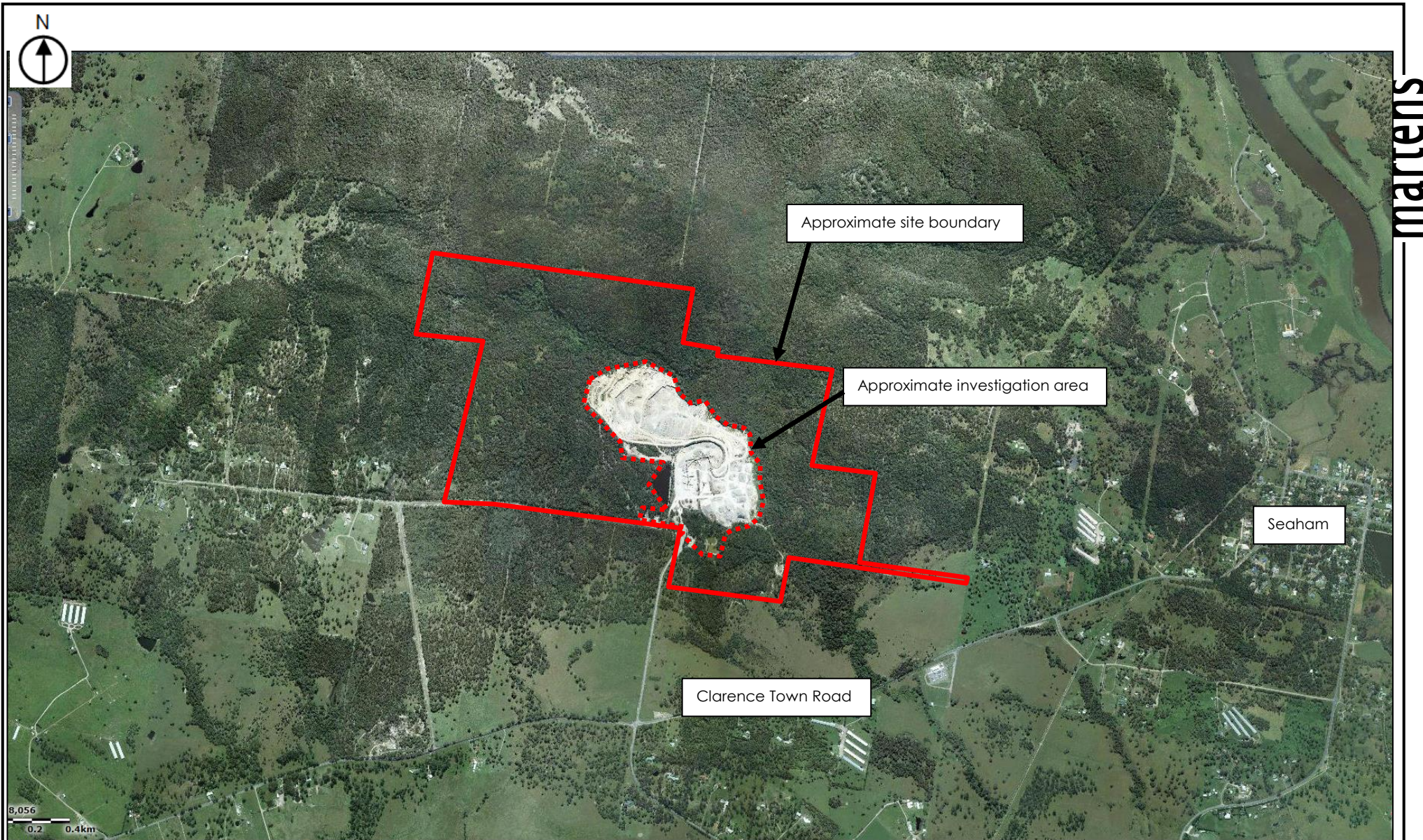
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Vivacity Engineering Pty Ltd (2011) *Material Safety Data Sheet, Megapoxy Parts A & B*.

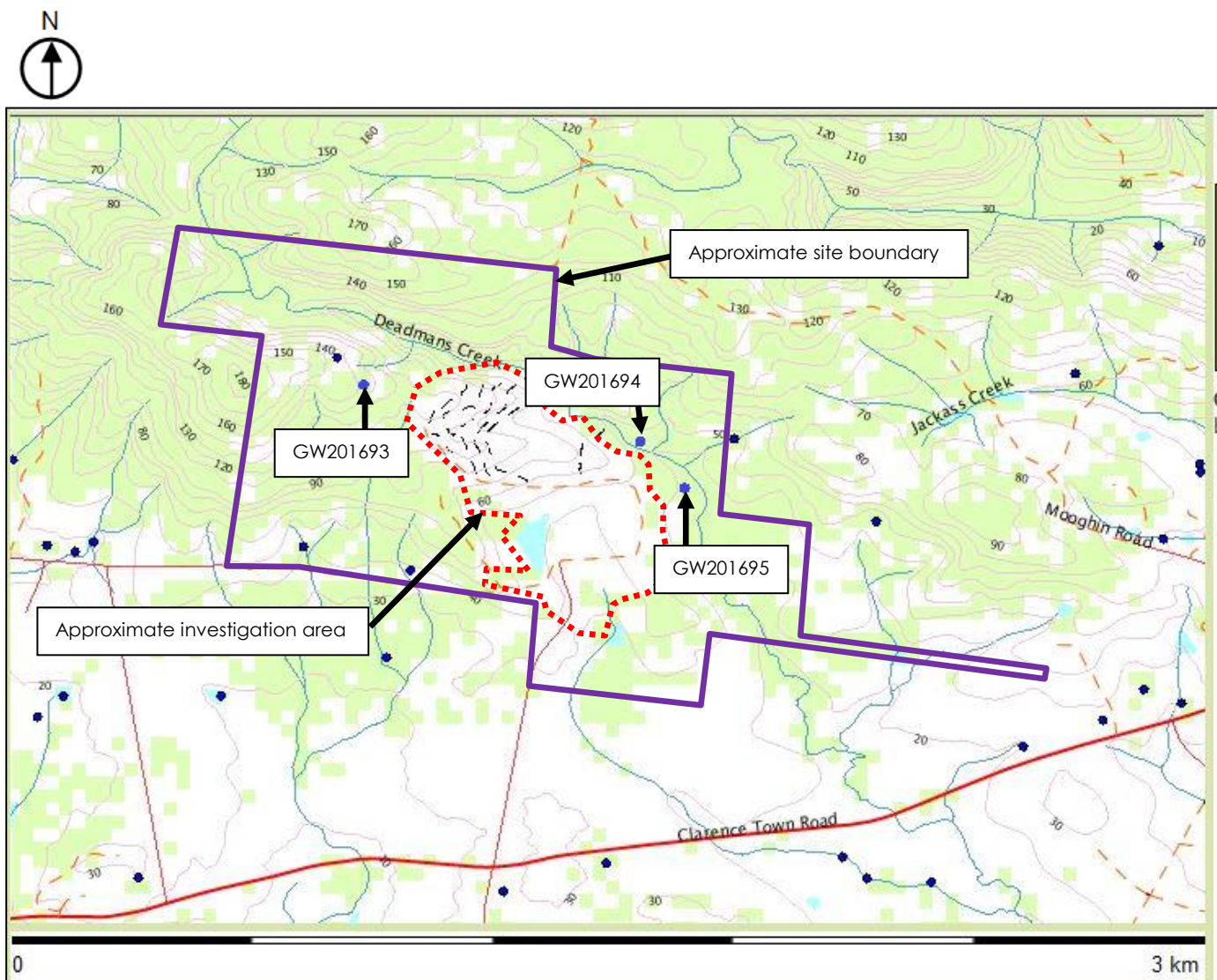
Workplace Environment Consultants (2014) *Asbestos Risk Assessment, Steel Tanks, Brandy Hill Quarry*.

8 Attachment A – Site Plan



Martens & Associates Pty Ltd ABN 85 070 240 890		Environment Water Wastewater Geotechnical Civil Management	
Drawn:	CS	Site Location and Investigation Area Brandy Hill Quarry, 979 Clarence Town Road, Seaham, NSW Source: Nearmap, 2014	Drawing No:
Approved:	AN		Figure 1
Date:	25/11/2014		
Scale:	Not to Scale		Job No: P1303888JR01V01

PRELIMINARY DRAFT
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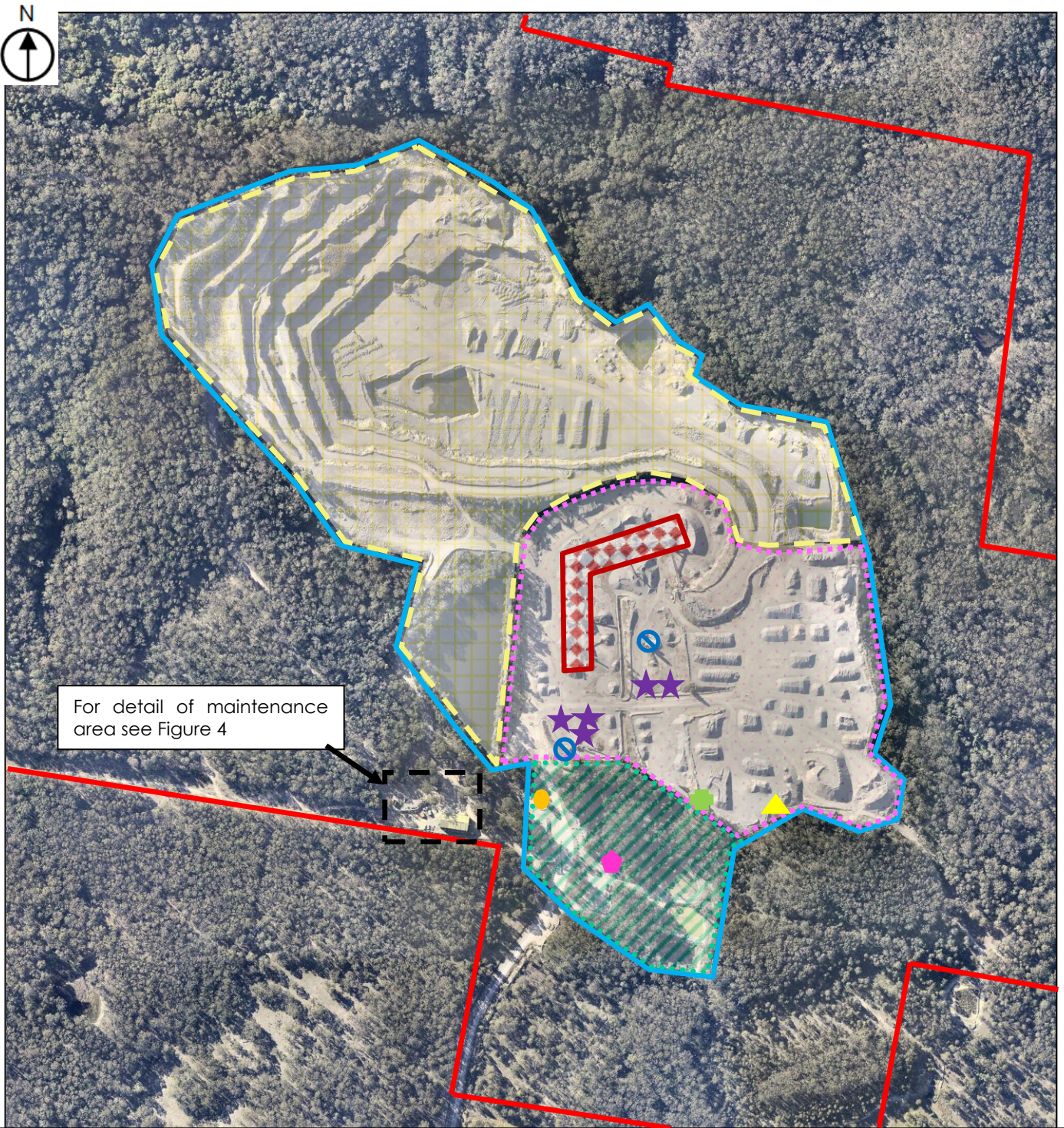
Key

- Hanson property
- Groundwater bores

Martens & Associates Pty Ltd ABN 85 070 240 890		Environment Water Wastewater Geotechnical Civil Management	
Drawn:	CS	Groundwater Bore Locations Brandy Hill Quarry, 979 Clarence Town Road, Seaham, NSW Source: NSW Natural Resource Atlas, 2014	Drawing No:
Approved:	AN		FIGURE 2
Date:	25.11.2014		Job No: P1303888JR01V01
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10 Attachment C – AEC Locations

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Key	
---	Approximate site boundary
 	Operating quarry area
 	Office and administration area
★	AEC F - Stockpiles of pre-coated aggregate)
+	AEC H – AST, former diesel tank
⬠	AEC J - Under petrol/diesel pump
 	Site investigation area
 	Sales yard area
 	AEC E - Beneath crusher
⊘	AEC G - AST containing pre-coating for aggregate (bitumen emulsion)
▲	AEC I – AST, former bitumen tank, PACM
●	AEC K – AST, diesel tank, double-skinned

Martens & Associates Pty Ltd ABN 85 070 240 890		Environment Water Wastewater Geotechnical Civil Management	
Drawn:	CS	AEC Locations – Quarry Operations Area Brandy Hill Quarry, 979 Clarence Town Road, Seaham, NSW Source: Nearmap, 2014	Drawing No:
Approved:	AN		FIGURE 3
Date:	25.11.2014		
Scale:	Not to Scale		Job No: P1303888JR01V01



Key



Approximate site boundary



AEC-B Drums, containers and IBC of unknown content



AEC-D ASTs near separator system, also within maintenance shed



AEC-A Beneath and within maintenance and storage sheds



AEC-C Vehicle used for mobile refuelling

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Environment | Water | Wastewater | Geotechnical | Civil | Management

Drawn:	CS
Approved:	AN
Date:	25/11/2014
Scale:	Not to Scale

AEC Locations – Maintenance Area
Brandy Hill Quarry, 979 Clarence Town Road, Seaham, NSW
Source: Nearmap, 2014

Drawing No:
 Figure 4

Job No: P1303888JR01V01

11 Attachment D – Historical Aerial Photographs

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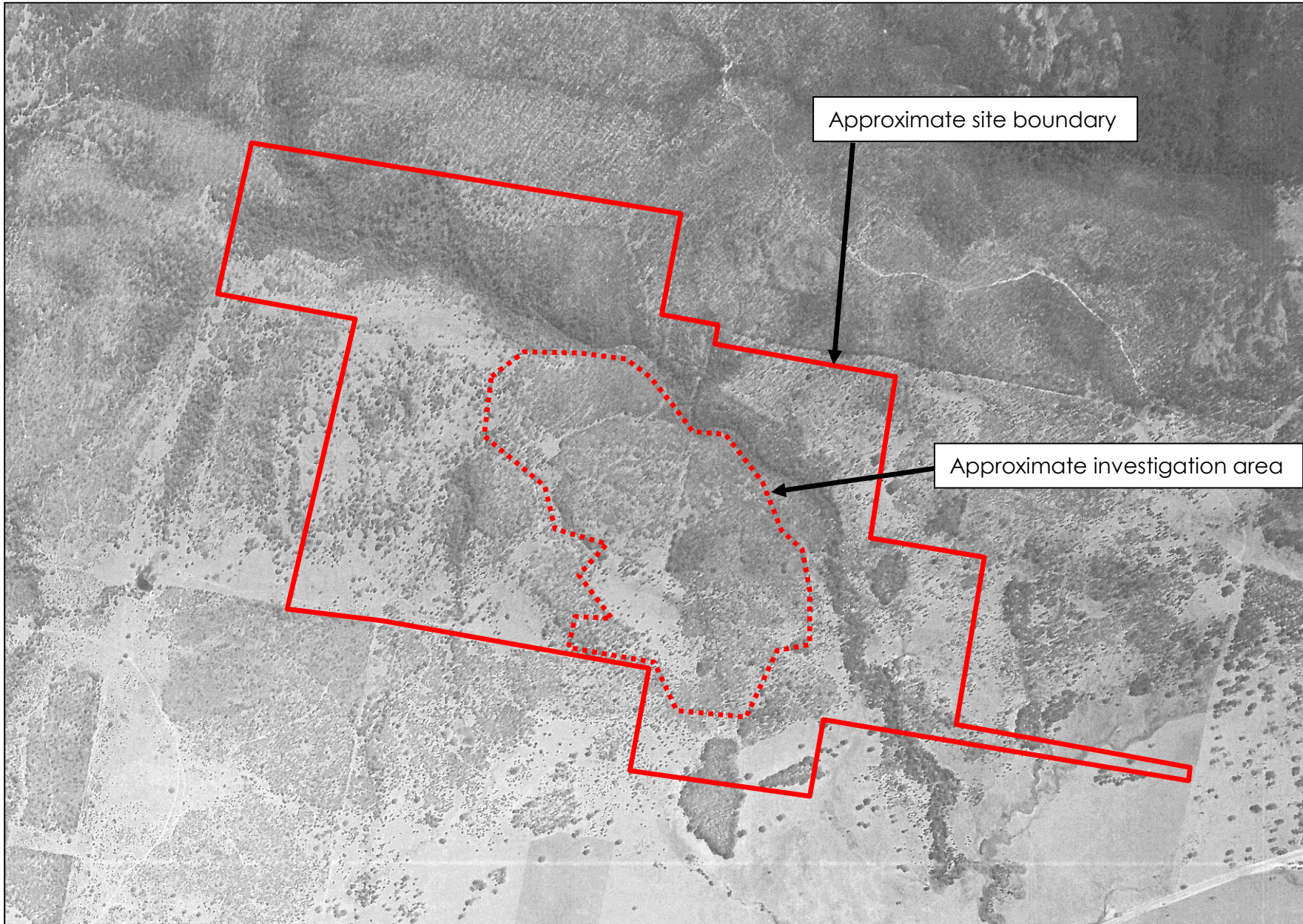
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1952 Aerial
Source: NSW Department Lands

Drawing No:

Figure 5

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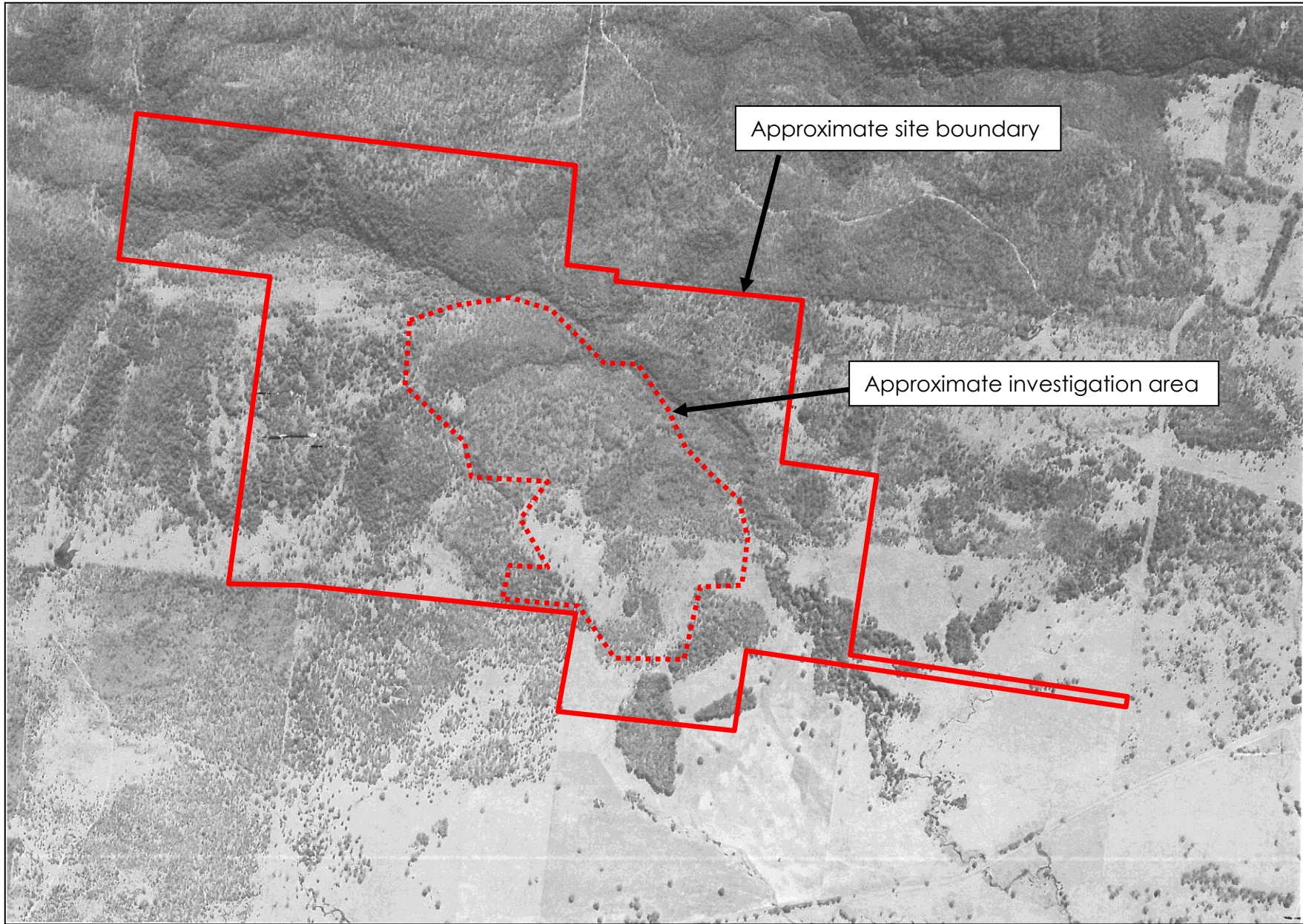
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Environment | Water | Wastewater | Geotechnical | Civil | Management

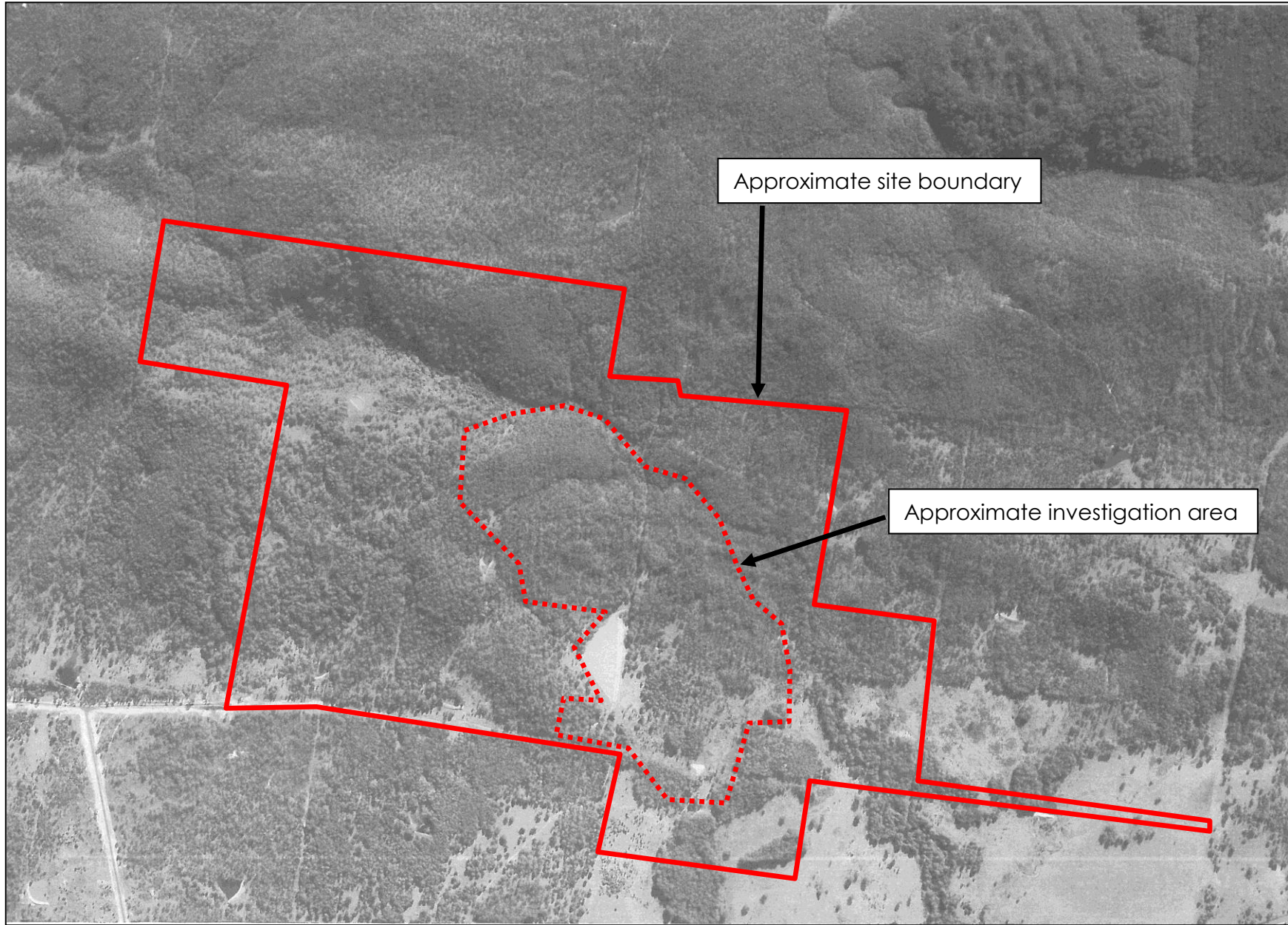
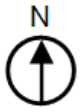
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1967 Aerial
Source: NSW Department Lands

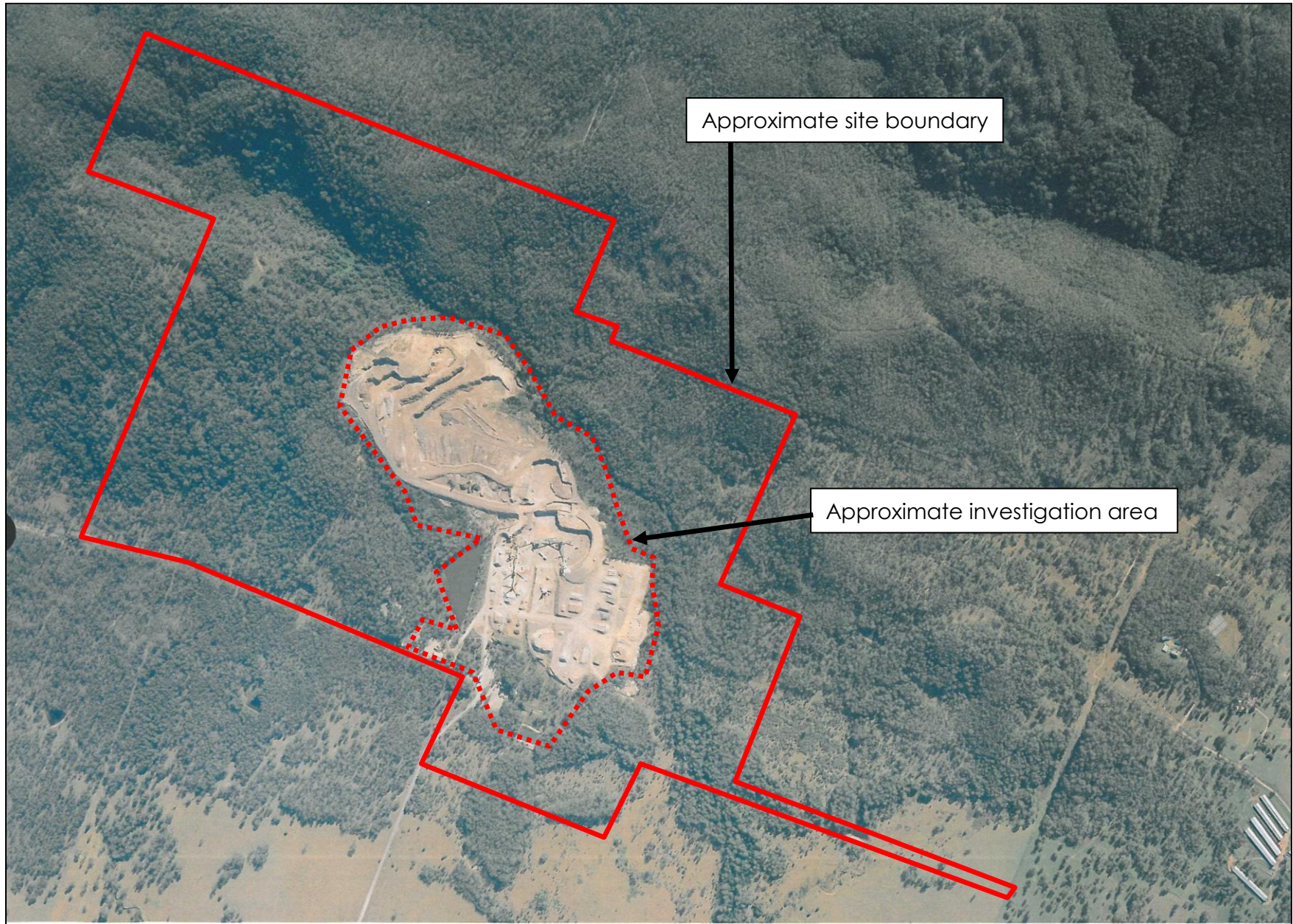
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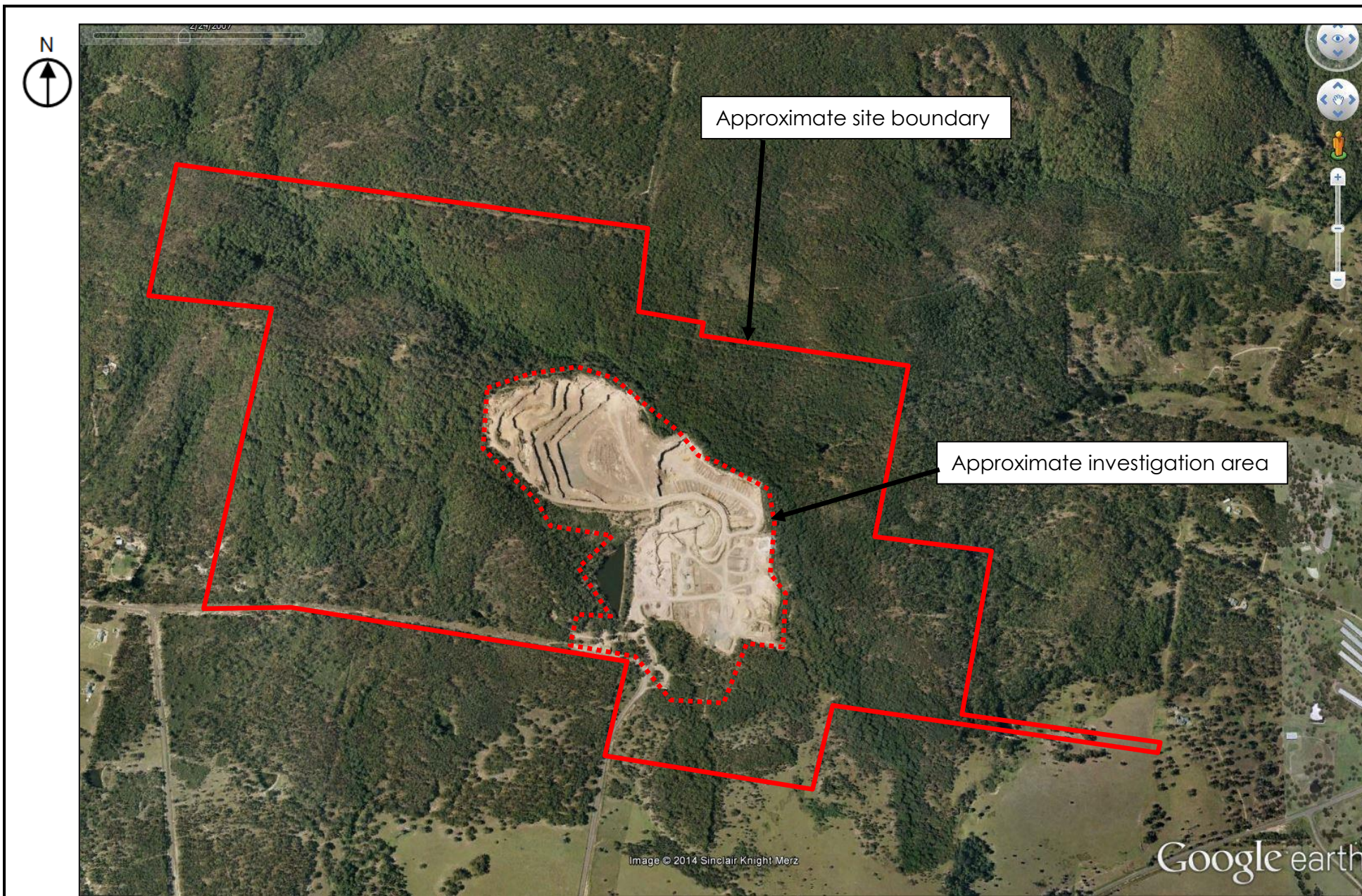
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Scale:	Not to Scale

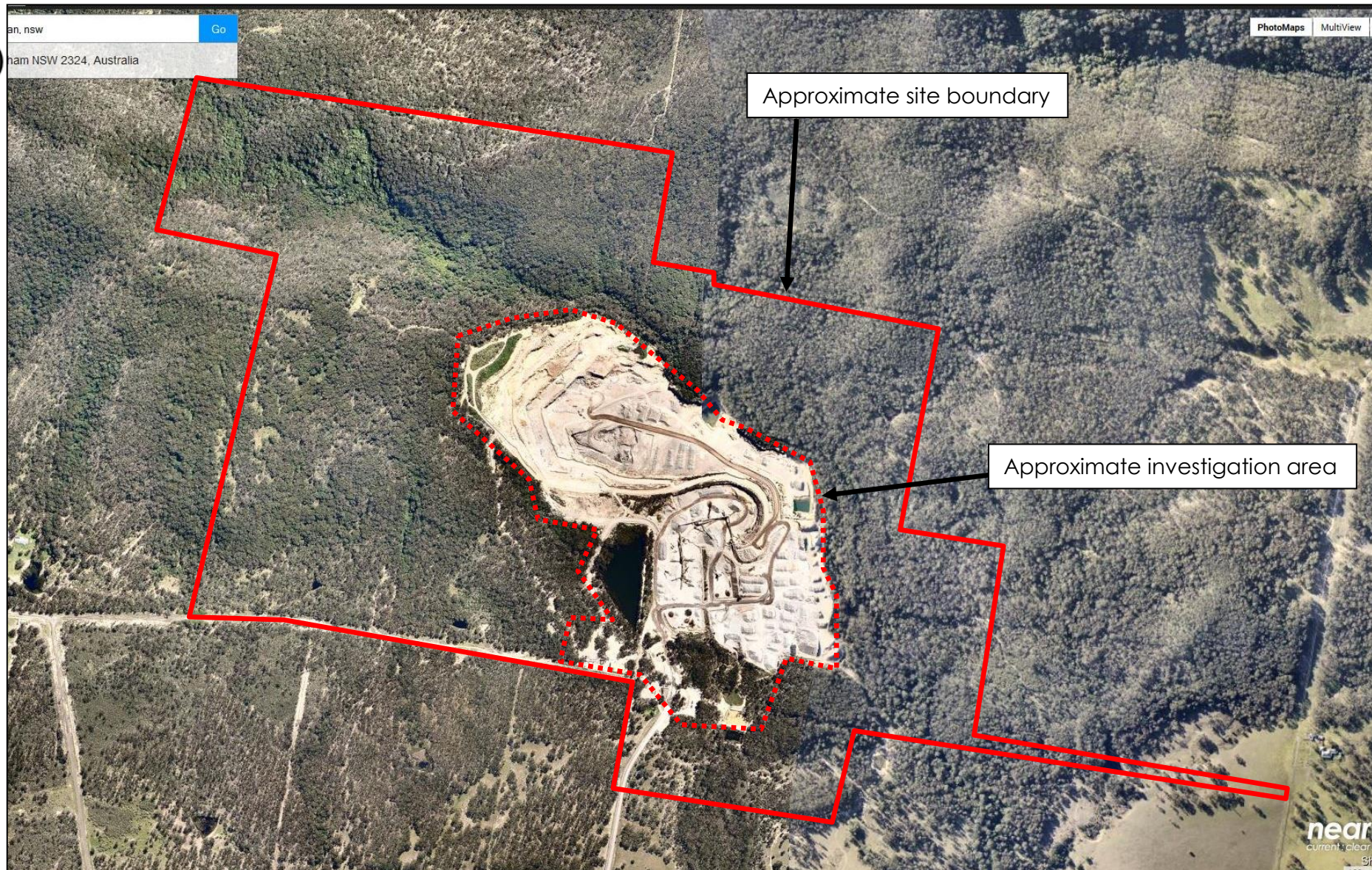
1996 Aerial
Source: NSW Department Lands

Drawing No:
Figure 9

Job No: P1303888JR01V01



Martens & Associates Pty Ltd ABN 85 070 240 890		Environment Water Wastewater Geotechnical Civil Management	
Drawn:	CS	2007 Aerial Source: Google Earth Maps	Drawing No:
Approved:	AN		Figure 10
Date:	25/11/2014		
Scale:	Not to Scale		Job No: P1303888JR01V01



Approximate site boundary

Approximate investigation area

martens

Martens & Associates Pty Ltd ABN 85 070 240 890

Environment | Water | Wastewater | Geotechnical | Civil | Management

Drawn:	CS
Approved:	AN
Date:	25/11/2014
Scale:	Not to Scale

2014 Aerial (Present)
Source: Nearmap, 2014

Drawing No:	Figure 11
Job No:	P1303888JR01V01

12 **Attachment E – WorkCover NSW Correspondence**

Our Ref: D14/128829
Your Ref: Carolyn Stanley

22nd October 2014

Attention: Carolyn Stanley
Martens & Associates Pty Ltd
6/37 Leighton Place
HORNSBY NSW 2077

Dear Carolyn Stanley,

RE SITE: 979 Clarencetown Road, SEAHAM, NSW, 2324

I refer to your site search request received by WorkCover NSW on 3rd October 2014 requesting information on licences to keep dangerous goods for the above site.

A search of the Stored Chemical Information Database (SCID) and the microfiche records held by WorkCover NSW has not located any records pertaining to the above mentioned premises.

If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely



Michelle Kidd
Customer Service Officer
Dangerous Goods Team

RECEIVED
29 OCT 2014

BY:

**13 Attachment F – Port Stephens Council DA/BA/CC
Records**

Carolyn Stanley

From: Cherylanne Bailey <Cherylanne.Bailey@portstephens.nsw.gov.au>
Sent: Friday, 7 November 2014 2:08 PM
To: Carolyn Stanley
Subject: Determination Informal GIPA Request - Martens & Associates - Historical DA/BA/CC information for Brandy Hill Quarry
Attachments: Martens & Associates.pdf

Telephone inquiries
Cherylanne Bailey
Ph: 02 49800349
Please quote file no:
PSC2014-03410

Ms Carolyn Stanley
Environmental Scientist
Martens & Associates Pty Ltd

By email cstanley@martens.com.au

Dear Ms Stanley

INFORMAL APPLICATION GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009 (GIPA)

I refer to your informal application under the Government Information (Public Access) Act 2009 received 29 September 2014 and to my communications with you on 1st and 30th October 2014. I confirm you are seeking historical DA/BA/CC information in respect of the Brandy Hill Quarry.

Council has found documents in relation to the matter which has been attached for your information. Please note that due to the age of the developments all records were found to be contained on multiple microfiche sheets so it took some time to lift the relevant images. Please note that the copies provided are the best that can be obtained from the microfiche.

In accordance with the *Privacy and Personal Information Protection Act 1998* Council has deleted sections of the information, in particular signatures.

Should you require any additional information, please do not hesitate to contact me.

Yours faithfully

Cherylanne Bailey
Paralegal/Right to Information Officer



Port Stephens Council
Phone: 4980 0349 Fax: 4983 1918
Email: cherylanne.bailey@portstephens.nsw.gov.au
Web: www.portstephens.nsw.gov.au

From: Cherylanne Bailey
Sent: Wednesday, 1 October 2014 11:17 AM
To: 'cstanley@martens.com.au'

TRIO

[illegible]

OFFICE USE ONLY.

Cashier _____

Registration _____

Assessment No. _____

Date Registered _____

Fees Amount \$ 1,865

Property Card Completed NW

Receipt 6939

Other Depts notified [REDACTED]

Date 24/6/83

Closing Dates for Advertising _____

ZONING Non Urban 1A1

Council Meeting _____

Previous DA/BA _____

Sign on Site _____

Inspection: _____

1 _____

2 _____

3 _____

BUILDING APPLICATION processed on _____

Conditions No. _____

(signed) _____

Incorporated into Building Permit _____

APPROVED DELEGATED AUTHORITY

by _____

on _____

subject to

following conditions:

REFUSED COUNCIL

General Council van (15.8.83) This submission
will go into next ex. [REDACTED]

Mr Maheen collected a further 6 EIS's
today - making a total of 8-9 he has
taken [REDACTED] 17.8.83

TO BE COMPLETED BY THE APPLICANT

Before submission of this application it is necessary for the APPLICANT to read carefully, complete and sign the following statement.

I, the applicant for the land use stated on page 1 of this application state as follows:—

1. a) I have read and supplied all information as required on page 4.
- b) I understand that if my development is listed in Item 9 on page 4, it will be advertised, and that Council prior to determining my application will take into account any public participation received as a result of the advertising.
- c) I accept that, Council by determining my application, the fees paid become the property of Council and no refunds will be made should the application be refused or should I decide not to proceed with the development.
- d) I have consulted Council's Codes in relation to my application.
- e) My application has to the best of my knowledge and belief been submitted in accordance with the requirements of Council's Codes.

[Redacted Signature] Signed
24-10-83 Date

2. In support of my application for a Residential Flat Building, Industrial/Commercial Building the following information is supplied.

1. Setbacks from Boundary 1 N/A mm 2. Height of Building _____ mm
2. _____ mm
3. _____ mm
4. _____ mm

3. Site Area _____ m²
4. Site Coverage _____ m²
5. Area of Site Landscaped _____ m²
6. No. of Carparks _____
7. Area of Carparking _____ m²

Name of Person Preparing Plan _____ Phone No. _____
 Name of Landscape Designer _____ Phone No. _____
 Name of Surveyor _____ Phone No. _____

INSTRUCTIONS FOR COMPLETING DEVELOPMENT APPLICATION

- 1920
1. The fee determined by the consent authority must accompany the application. In the case of a building or work the fee is based upon the estimated cost of that building or work.
 2. A plan (in triplicate) of the land to which the application relates must accompany the application indicating the following:
 - a. the location, boundary dimensions, site area and north point of the land;
 - b. the existing vegetation and trees on the land;
 - c. the location and uses of existing buildings on the land;
 - d. the existing levels of the land in relation to buildings and roads;
 - e. the location and uses of buildings on site adjoining the land.
 3. A plan or drawing (in triplicate) fully describing the proposed development shall accompany the application and, where applicable, that plan or drawing shall indicate the following:—
 - a. the location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to boundaries of the land;
 - b. floor plans of proposed buildings showing layout, partitioning, intended uses of each part of the building or room sizes;
 - c. elevations and sections showing proposed external finishes and heights;
 - d. proposed finished levels of the land in relation to buildings and roads;
 - e. building perspectives where necessary to illustrate the proposed building;
 - f. proposed parking arrangements, vehicular ingress, egress and movements on the land (including dimensions where);
 - g. proposed landscaping and treatment of the site (indicating plant types and their height at maturity);
 - h. proposed methods of draining the land.
 4. In addition to the material referred to in Notes 2 and 3, the following information shall, where applicable, accompany the development application:—
 - a. in the case of shops or offices or commercial or industrial development —
 - (i) details of hours of operation;
 - (ii) plant and machinery to be installed;
 - (iii) types, size and quantity of goods to be manufactured, stored or transported; and
 - (iv) loading and unloading facilities.
 - b. in the case of subdivision —
 - (i) details of existing and proposed subdivision pattern (including the number of lots and location of roads);
 - (ii) details of consultation with public authorities responsible for provision or amplification of utility services required by the proposed subdivision;
 - c. in the case of demolition — details of the age and condition of the building or works proposed to be demolished;
 - d. in the case of development relating to an existing use — details of the existing use.
 5. An environmental impact statement must accompany the application where the proposed development is designated development.
 6. Where the proposed development is not designated development, information —
 - a. demonstrating that consideration has been given to the environmental impact of the development; and
 - b. setting out any steps to be taken to mitigate any likely adverse environmental impact, must accompany the application.
 7. The consent authority may require additional information of the proposed development to be provided where that information is essential to the determination of the development application.
 8. The applicant may support the application with additional material (e.g. photographs, slides, models, etc) which further illustrate the proposed development.
 9. Advertising the following classes of development are advertised by Council.
 1. Residential flat buildings in all zones other than Local Environmental Plans.
 2. A Council policy, refer to Council minutes.
 3. Designated developments as per Environmental Planning and Assessment Act.

DEVELOPMENT FEES:

Dwelling	\$5.00
Duplex Units	\$50.00
Rural Developments	\$5.00
Advertising Fees	\$25.00
All other developments	

Column 1	Column 2
Estimated Cost of Development	Maximum Amount of Fee
(i) Not exceeding \$100,000	\$50 plus \$3 for each \$1,000
(ii) Exceeding \$100,000 but not exceeding \$500,000	\$350 plus \$1.50 for each \$1,000 above \$100,000.
(iii) Exceeding \$500,000 but not exceeding \$1,000,000	\$950 plus \$1 for each \$1,000 above \$500,000.
(iv) Exceeding \$1,000,000 but not exceeding \$10,000,000	\$1,450 plus 75 cents for each \$1,000 above \$1,000,000
(v) Exceeding \$10,000,000 but not exceeding \$43,600,000	\$8,200 plus 50 cents for each \$1,000 above \$10,000,000
(vi) Exceeding \$43,600,000	\$25,000
Renewal of Consent	25% of fee paid if consent still current otherwise new fees applicable
Contribution for Carparking	\$1,500 per space for Raymond Terrace; and \$7,500 per space for Nelson Bay.
Development Fee	\$50.00 plus \$15 for each lot to be created by the subdivision. Where roadworks are involved, then additional fees payable be — <ol style="list-style-type: none"> (a) \$1.50 per metre for urban roadworks; (b) \$0.50 per metre for rural roadworks.

OR REZONINGS:

1. Fee of \$80.00
2. Environmental Plan involves a proposed subdivision —
 - a. for each lot to be created by the subdivision
3. Environmental involves development then the fee is to be based on the estimated cost of development and in accordance with the above table of the Regulations to the Environmental Planning and Assessment Act

NOTES:

1. If requested to prepare landscaping plans the fee be —
2. For Residential Flat Buildings
3. For units for Residential Flat Buildings
4. 1 metre of frontage for Commercial and Industrial Buildings

If requested, and the work, the subject of the inspection is not ready for inspection subsequent at a cost of \$50.00 to the person requesting the inspection

ITS:

Refer to Council minutes.

NEW ENGLAND HIGHWAY, LOCHINVAR.

2321

postcode

30 7254

please note the rateable owner of the land must sign the

DESCRIPTION OF DEVELOP

EXTRACTIVE INDUSTRY - A HARD ROCK QUARRY AND PROCESSING PLANT

N/A

materials to be used on external

N/A

roofing

NA

if a subdivision then no. of lots

SEE ENVIRONMENTAL IMPACT STATEMENT

length of road

VALUE OF DEVELOPMENT

\$1.5 MILLION

LOC

N/A: PART PORTIONS 38 AND 56
house no. _____ lot/por. _____

house no

lot/pot

N/A

PARISH OF SEAHAM, COUNTY OF DURHAM

LOCATED 3.5KM WEST OF SEAHAM AND 1.5KM NORTH
OF SEAHAM ROAD

~~PART PORTION 38 4/5/82. PORTION 56 15/10/82~~

date of ac

NATURAL STATE

~~existing developmen~~

Owners Signature

I the owner of the above property hereby give my consent
to this application: 2-1-83

24-6-83 date

Page 38 SUBD BY DR 264033

PLEASE NOTE: The applicant must complete page three. The Council requires the applicant to complete all questions and sign page three prior to the lodging of this application. Council will not accept any application unless page three is fully completed.

Please ensure that your application is accompanied by the information requested in relation to plans and fees as set out in the application.

[illegible]

OFFICE USE ONLY.

Cashier _____

Registration _____

Assessment No. _____

Applicant Notified _____

Fees Amount _____

Date Registered _____

Receipt _____

Property Card Completed _____

Date _____

Other Depts notified _____

ZONING _____

Closing Dates for Advertising _____

Previous DA/BA _____

Council Meeting _____

Sign on Site _____

Inspection: _____

1 _____

2 _____

3 _____

BUILDING APPLICATION processed on _____

Conditions No. _____

(signed) _____

_____ incorporated into Building Permit

APPROVED DELEGATED AUTHORITY

by _____

on _____

subject to
following conditions:

REFUSED COUNCIL

Signed _____

Date _____

1920
Pt 2

INSTRUCTIONS FOR COMPLETING DEVELOPMENT APPLICATION

1. The fee determined by the consent authority must accompany the application. In the case of a building or work the fee is based upon the estimated cost of that building or work.
2. Four copies of the plan of the land to which the application relates must accompany the application indicating the following:
 - a. the location, boundary dimensions, site area and north point of the land;
 - b. the existing vegetation and trees on the land;
 - c. the location and uses of existing buildings on the land;
 - d. the existing levels of the land in relation to buildings and roads;
 - e. the location and uses of buildings on site adjoining the land.
3. A plan or drawing (in triplicate) fully describing the proposed development shall accompany the application and, where applicable, that plan or drawing shall indicate the following:—
 - a. the location of proposed new buildings or works (including extensions or additions to existing buildings or works) in relation to boundaries of the land;
 - b. floor plans of proposed buildings showing layout, partitioning, intended uses of each part of the building or room sizes;
 - c. elevations and sections showing proposed external finishes and heights;
 - d. proposed finished levels of the land in relation to buildings and roads;
 - e. building perspectives where necessary to illustrate the proposed building;
 - f. proposed parking arrangements, vehicular ingress, egress and movements on the land (including dimensions where)
 - g. proposed landscaping and treatment of the site (indicating plant types and their height at maturity);
 - h. proposed methods of draining the land.
4. In addition to the material referred to in Notes 2 and 3, the following information shall, where applicable, accompany the development application:—
 - a. in the case of shops or offices or commercial or industrial development —
 - (i) details of hours of operation;
 - (ii) plant and machinery to be installed;
 - (iii) types, size and quantity of goods to be manufactured, stored or transported; and
 - (iv) loading and unloading facilities.
 - b. in the case of subdivision —
 - (i) details of existing and proposed subdivision pattern (including the number of lots and location of roads);
 - (ii) details of consultation with public authorities responsible for provision or amplification of utility services required by the proposed subdivision;
 - c. in the case of demolition — details of the age and condition of the building or works proposed to be demolished;
 - d. in the case of development relating to an existing use — details of the existing use.
5. An environmental impact statement must accompany the application where the proposed development is designated development.
6. Where the proposed development is not designated development, information —
 - a. demonstrating that consideration has been given to the environmental impact of the development; and
 - b. setting out any steps to be taken to mitigate any likely adverse environmental impact, must accompany the application.
7. The consent authority may require additional information of the proposed development to be provided where that information is essential to the determination of the development application.
8. The applicant may support the application with additional material (e.g. photographs, slides, models, etc) which further illustrate the proposed development.
9. Advertising: the following classes of development are advertised by Council.
 1. Residential flat buildings.
 2. As per Council policy, refer to Council minutes.
 3. Designated developments as per Environmental Planning and Assessment Act

DEVELOPMENT FEES:

Dwelling

Rural Developments

All other developments

\$500 \$10.00
\$500 \$10.00

Column 1	Column 2
Estimated Cost of Development	Maximum Amount of Fee
(i) Not exceeding \$100,000	\$50 plus \$3 for each \$1,000
(ii) Exceeding \$100,000 but not exceeding \$500,000	\$350 plus \$1.50 for each \$1,000 above \$500,000
(iii) Exceeding \$500,000 but not exceeding \$1,000,000	\$950 plus \$1 for each \$1,000 above \$1,000,000
(iv) Exceeding \$1,000,000 but not exceeding \$10,000,000	\$1,450 plus 75 cents for each \$1,000 above \$1,000,000
(v) Exceeding \$10,000,000 but not exceeding \$43,600,000	\$8,200 plus 50 cents for each \$1,000 above \$10,000,000
(vi) Exceeding \$43,600,000	\$25,000
Renewal of Consent	25% of fee paid if consent still current otherwise new fees applicable.
Subdivision Fee	\$50.00 plus \$15 for each lot to be created by the subdivision.

ADVERTISING FEES:

Where a Residential Flat Building, Duplex or Rezoning requires advertising, then the actual cost of advertising will be charged at the time of lodging the Application.

LANDSCAPING PLANS:

That where Council is requested to prepare landscaping plans the fee be:—

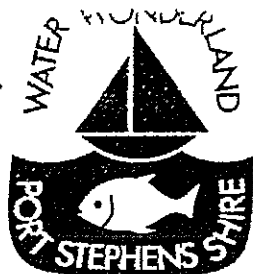
- (i) \$30.00 — Duplex Residential Flat Buildings.
- (ii) \$35.00 plus \$10.00 per unit for Residential Flat Buildings.
- (iii) \$30.00 plus \$2.00 per metre of frontage for Commercial and Industrial Buildings.

RECALL INSTRUCTIONS:

Where an inspection is requested, and the work, the subject of the inspection is not ready for inspection, subsequent inspections be carried out at a cost of \$50.00 to the person requesting the inspection.

SECTION 94 ASSESSMENTS:

As per Council policy, refer to Council minutes.



Port Stephens Shire Council

COUNCIL CHAMBERS RAYMOND TERRACE

Hunter Valley Mining
Corporation Pty Ltd
"Dalmore Park"
New England Highway
LOCHINVAR 2321

Planning Dept.

P9/1/12/1920

Environmental Planning and Assessment Act, 1979

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Hunter Valley Mining Corporation Pty Ltd,
of: "Dalmore Park", New England Highway, Lochinvar,
being the applicant in respect of development application no. 1920.

Pursuant to section 92 of the Act notice is hereby given of the determination by the consent authority of the development application no. 1920,

for: Hard Rock Quarry and Processing Plant,
at: Part Portions 38 and 56, Main Road 301, Seaham, Parish
 of Seaham.

The development application has been determined by:-

- ~~*(a) granting of consent unconditionally;~~
- *(b) granting of consent subject to the conditions specified in this notice;
- ~~*(c) refusing of consent.~~

The conditions of the consent are as set out in schedule 1.

The reasons for the imposition of the conditions/~~the refusing~~ are as set out in schedule 2.

Notes:

- (1) To ascertain the date upon which the consent becomes effective refer to section 93 of the Act.
- (2) To ascertain the extent to which the consent is liable to lapse refer to section 99 of the Act.
- (3) Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of appeal to the Land and Environment Court exercisable within 12 months after receipt of this notice.

Date of Endorsement: 21st December, 1983

J W Walsh
SHIRE CLERK

SCHEDULE 1:

FILE: P9/1/12/1920

- 1) The applicant shall obtain from the State Pollution Control Commission all statutory approvals required under the Clean Air, Clean Waters and Noise Control Acts.
- 2) The applicant shall submit a detailed landscaping plan prepared by a qualified landscape architect to Council. The plan is to be submitted prior to the lodging of the Building Application and is to pay particular attention to the provision of a buffer screen to shield the site of operations from Main Road 301 and any area visible on the skyline. Such landscaping shall have regard to the ultimate land use of the site as a recreational area. Screen planting is to be of mature species and is to be carried out prior to work commencing on the site and is to be maintained for a period of twelve (12) months or until such time as an effective screen is provided.
- 3) The applicant is to pay all costs associated with the up-grading of the intersection of the access road with the Main Road and is to meet the standards set by the Traffic Authority of NSW in respect to this access.
- 4) The applicant is to undertake all those environmental protection measures outlined in the Environmental Impact Statement prepared by Resource Planning and shall ensure that every effort is taken to minimise any adverse impact upon the existing environment.
- 5) The applicant is to undertake adequate steps to ensure that Dead Man's Creek is not polluted by sedimentation from run-off associated with quarrying works.
- 6) The applicant is to enter into a legally binding agreement with Council to the effect that the site will be restored in accordance with the landscape plan required by Condition No 2 and that at the completion of work on the site all industrial plant will be removed, all operations upon the site are to cease after quarrying operations have been completed and the site is to be dedicated to Council as public gardens and recreation space at no cost to Council.
- 7) A Tree Preservation Order is in force over the whole of the Shire of Port Stephens, and the removal of or interference in any way with the trees existing upon your site, without the written permission of Council will nullify this consent.

Special attention will be paid to the manner in which landscaping of the site incorporates the existing flora.
- 8) The approval of the Department of Industrial Relations and Technology to be obtained prior to occupation or use of buildings.

SCHEDULE 1:

FILE: P9/1/12/1920

- 9) Full details of office and amenities to be submitted with Building Application.
- 10) Engineer's details of footings and concrete slabs to plant and buildings to be submitted with the Building Application.
- 11) That ten (10) carparking spaces are to be provided upon the site in accordance with Council's Business and Industrial Control Code.
- 12) No work is to commence upon the development of this land unless and until the road proposed within the subdivision of Development Application No 2157 is constructed and dedicated to Council.
- 13) This application is subject to a Section 94 Contribution under the provisions of the Environmental Planning and Assessment Act, 1979 in respect of the upgrading of communication and transport facilities within the area and in this regard widening of Main Road 601 to provide bus lay-bys for the picking up of and setting down of school children will satisfy this requirement.
- 14) Should claims for compensation in respect of damage or loss of value of property within 2 km of the centre of the quarry arise, the applicant shall accept the verdict of an independent board in respect to payment of damage claims or in the case of gross devaluation of property, acquisition thereto. The board shall consist of:-
 - (a) A Chairman being the nominee of the Valuer General who shall have a casting vote,
 - (b) A representative of the Seaham District Community Association,
 - (c) A nominee of the applicant, and
 - (d) A nominee of Council.

A majority decision of this Board shall be binding upon the applicant. Should the applicant refuse to accept the decision of the Board, then the land use will become null and void.
- 15) Prior to commencement of work upon the site the applicant shall carry out at his expense a land use assessment of all properties within the 2 km radius of the quarry. Such assessment shall be used as a basis for Condition No 14.
- 16) Access to and from the site shall be in accordance with an approved traffic route of Council and shall not be varied without the express written permission of Council. Such variation without Council consent will render this development consent null and void.

SCHEDULE 1:

FILE: P9/1/12/1920

- 17) In accordance with Council policy towards the maintenance of and road use by heavy vehicles this application shall contribute towards the fund in respect to roads in the immediate vicinity of the area which are likely to be affected by the operation being carried out. The levy per tonne moved is 20¢ and is payable on a monthly basis based on weigh bridge tickets.
- 18) That the value of the tonne levy of 20 cents be varied annually with movements in the C.P.I. commencing from a base year being the first year of production.

SCHEDULE 2:

Conditions 1 - 18 to comply with:- Requirements of the State Pollution Control Commission; Council's Landscaping requirements; Requirements of the Traffic Authority of NSW; Council's Tree Preservation Order; Requirements of the Department of Industrial Relations and Technology; Council's Carparking requirements in accordance with the Development Control Plan for Parking Matters; Section 94 of the Environmental Planning and Assessment Act, 1979; Council's Business and Industrial Control Code; and the provisions of the Deemed Environmental Planning Instrument for Port Stephens Shire.



Forth Stephens Shire Council
COUNCIL CHAMBERS RAYMOND TERRACE

Hunter Valley Mining
Corporation Pty Ltd
"Dalmore Park"
New England Highway
LOCHINVAR 2321

P.O. Box 42 Raymond Terrace N.S.W. 2324
Telephone 87 3122 Area Code: 049
Telephone Enquiries: Planning Dept.
Our Ref: P9/1/12/1920
Your Ref:

Environmental Planning and Assessment Act, 1979
NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

To: Hunter Valley Mining Corporation Pty Ltd,
of: "Dalmore Park", New England Highway, Lochinvar,
being the applicant in respect of development application no. 1920.

Pursuant to section 92 of the Act notice is hereby given of the determination
by the consent authority of the development application no. 1920,
for: Hard Rock Quarry and Processing Plant,
at: Part Portions 38 and 56, Main Road 301, Seaham, Parish
of Seaham.

The development application has been determined by:

~~the granting of consent unconditionally;~~
(b) granting of consent subject to the conditions specified in this notice;
~~etc) refusing of consent.~~


The conditions of the consent are as set out in schedule 1.

The reasons for the imposition of the conditions/~~the refusing~~ are as set
out in schedule 2.

Notes:

- (1) To ascertain the date upon which the consent becomes effective refer
to section 93 of the Act.
- (2) To ascertain the extent to which the consent is liable to lapse refer
to section 99 of the Act.
- (3) Section 97 of the Act confers on an applicant who is dissatisfied with
the determination of a consent authority a right of appeal to the
Land and Environment Court exercisable within 12 months after receipt
of this notice.

Date of Endorsement: 22nd December, 1983


M. Walsh
SHIRE CLERK

(3), 3 years) of the date upon which that consent becomes effective
in accordance with section 93 (in this section referred to as "the
prescribed date"); or
(4) where within one year of the prescribed date a provision of an
environmental planning instrument is made having the effect of
prohibiting the development - within one year of the date upon
which that provision comes into force; and

SCHEDULE 1:

FILE: P9/1/12/1920

- 1) The applicant shall obtain from the State Pollution Control Commission all statutory approvals required under the Clean Air, Clean Waters and Noise Control Acts.
- 2) The applicant shall submit a detailed landscaping plan prepared by a qualified landscape architect to Council. The plan is to be submitted prior to the lodging of the Building Application and is to pay particular attention to the provision of a buffer screen to shield the site of operations from Main Road 301 and any area visible on the skyline. Such landscaping shall have regard to the ultimate land use of the site as a recreational area. Screen planting is to be of mature species and is to be carried out prior to work commencing on the site and is to be maintained for a period of twelve (12) months or until such time as an effective screen is provided.
- 3) The applicant is to pay all costs associated with the up-~~grading~~ grading of the intersection of the access road with the Main Road and is to meet the standards set by the Traffic Authority of NSW in respect to this access.
- 4) The applicant is to undertake all those environmental protection measures outlined in the Environmental Impact Statement prepared by Resource Planning and shall ensure that every effort is taken to minimise any adverse impact upon the existing environment.
- 5) The applicant is to undertake adequate steps to ensure that Dead Man's Creek is not polluted by sedimentation from run-off associated with quarrying works.
- 6) The applicant is to enter into a legally binding agreement with Council to the effect that the site will be restored in accordance with the landscape plan required by Condition No 2 and that at the completion of work on the site all industrial plant will be removed, all operations upon the site are to cease after quarrying operations have been completed and the site is to be dedicated to Council as public gardens and recreation space at no cost to Council.
- 7) A Tree Preservation Order is in force over the whole of the Shire of Port Stephens, and the removal of or interference in any way with the trees existing upon your site, without the written permission of Council will nullify this consent. Special attention will be paid to the manner in which landscaping of the site incorporates the existing flora.
- 8) The approval of the Department of Industrial Relations and Technology to be obtained prior to occupation or use of buildings.

if the consent authority so approves in accordance with subsection (3), 3 years) of the date upon which that consent becomes effective in accordance with section 93 (in this section referred to as "the prescribed date"); or

(ii) where within one year of the prescribed date a provision of an environmental planning instrument is made having the effect of

SCHEDULE 1:

FILE: P9/1/12/1920

- 9) Full details of office and amenities to be submitted with Building Application.
- 10) Engineer's details of footings and concrete slabs to plant and buildings to be submitted with the Building Application.
- 11) That ten (10) carparking spaces are to be provided upon the site in accordance with Council's Business and Industrial Control Code.
- 12) No work is to commence upon the development of this land ~~not~~ ^{or} unless and until the road proposed within the subdivision ~~Development~~ ^{or} of Development Application No 2157 is constructed and dedicated to Council.
- 13) This application is subject to a Section 94 Contribution under the provisions of the Environmental Planning and Assessment Act, 1979 in respect of the upgrading of communication and transport facilities within the area and in this regard widening of Main Road 601 to provide bus lay-bys for the picking up of and setting down of school children will satisfy this requirement.
- 14) Should claims for compensation in respect of damage or loss of value of property within 2 km of the centre of the quarry arise, the applicant shall accept the verdict of an independent board in respect to payment of damage claims or in the case of gross devaluation of property, acquisition thereto. The board shall consist of:-
 - (a) A Chairman being the nominee of the Valuer General who shall have a casting vote,
 - (b) A representative of the Seaham District Community Association,
 - (c) A nominee of the applicant, and
 - (d) A nominee of Council.A majority decision of this Board shall be binding upon the applicant. Should the applicant refuse to accept the decision of the Board, then the land use will become null and void.
- 15) Prior to commencement of work upon the site the applicant shall carry out at his expense a land use assessment of all properties within the 2 km radius of the quarry. Such assessment shall be used as a basis for Condition No 14.
- 16) Access to and from the site shall be in accordance with an approved traffic route of Council and shall not be varied without the express written permission of Council. Such variation without Council consent will render this development consent null and void.

SCHEDULE 1:

FILE: P9/1/12/1920

- 17) In accordance with Council policy towards the maintenance of and road use by heavy vehicles this application shall contribute towards the fund in respect to roads in the immediate vicinity of the area which are likely to be affected by the operation being carried out. The levy per tonne moved is 20¢ and is payable on a monthly basis based on weigh bridge tickets.

- 18) That the value of the tonne levy of 20 cents be varied annually with movements in the C.P.I. commencing from a base year being the first year of production.

SCHEDULE 2:

Conditions 1 - 18 to comply with:- Requirements of the State Pollution Control Commission; Council's Landscaping Requirements; Requirements of the Traffic Authority of NSW; Council's Tree Preservation Order; Requirements of the Department of Industrial Relations and Technology; Council's Carparking requirements in accordance with the Development Control Plan for Parking Matters; Section 94 of the Environmental Planning and Assessment Act, 1979; Council's Business and Industrial Planning Control Code; and the provisions of the Deemed Environmental Planning Instrument for Port Stephens Shire.

PORT STEPHENS SHIRE COUNCIL
BUILDING APPLICATION

Dev. No. P91/12/1920
S. T. No. 35/86

069 25

Owner's Name HUNTER VALLEY AGGREGATES
(SEAHAM) PTY. LIMITED
P.O. BOX 83,
HATFIELD 2320
Address
Phone 886166

Builder's Name NOT APPLICABLE
Applicant's Name ATCO PREPARED/CAST BUILDINGS
Address
Phone
Builder's Licence No.

LOCATION ASS. No. 923/PO
STREET 56 SEC. 17
PORT/POB SEAHAM
TOWN OR LOCALITY
PARISH OF SEAHAM
SPECIAL LEASE No. NOT APPLICABLE

DESCRIPTION OF LAND
DIMENSIONS: AREA 49.56 HA . M2
DATE OF ACQUISITION: 1983
EXISTING BUILDINGS ON LAND YARD ROCK QUARRY PLANT

PLEASE PRINT
PARTICULARS OF PROPOSED BUILDING:

Class of Building OFFICE AND AMENITIES BUILDINGS
(See Drawings, Part, Model, Sample, Addition, etc.)

Total Floor Area 583. PLANS sq m

Distance from Street Alignment to nearest part of proposed building n/a Metres

Estimated Cost: \$ 27,000

TYPE OF CONSTRUCTION
Footings SEE ATCO DETAILS
Floor AS ABOVE
External Walls AS ABOVE
Roof Covering Material AS ABOVE

I, the undersigned, hereby make application to Council for permission to erect a building, as above, and as per accompanying plans and specifications, and in accordance with provisions of the Local Government Act, 1919, as amended, and the Ordinances thereunder, and I undertake to build in conformity with such approval and Act and Ordinances.

Date 18th FEBRUARY 1986
Signature of Applicant
Application must be signed by Director of Building
HUNTER VALLEY AGGREGATES (SEAHAM) PTY. LIMITED

OFFICIAL USE ONLY
Builders Bond No.
B.L.B. Ins. Receipt No.
B.L.B. Not Required
L.L. Required
S.S. Plan Required

15/9/86

File No: 7-1983-1920-1
Parcel No: 9682
Your Ref: P9/1/12/1920

29 August, 2012

[REDACTED]
[REDACTED] RD
GLEN OAK NSW 2320

Dear Sir/Madam,

Re: **Development: HARDROCK QUARRY & PROCESSING PLANT**
Property: PT: 38 DP: 752487
69 Clarence Town Road SEAHAM

With reference to your enquiry regarding the Development Approval conditions for the above property (also known as Brandy Hill Quarry) I can provide the following information.

There are no specific approval conditions relating to hours of operation. However the operations on site must adhere to the original approved documentation. In this case the approved supporting documentation (The Statement of Environmental Effects) section 6.0 states:

Operations will be conducted during daylight hours 6am to 6pm Monday to Saturday.

It is noted that there is an Environmental Protection Licence issued by the NSW Office of Environment and Heritage which controls impacts such as noise from the development.

Should you have any further questions in relation to the operations on the site please do not hesitate to contact me on the below number.

Yours faithfully

Tom Croft
DEVELOPMENT ASSESSMENT OFFICER – CUSTOMER SERVICE

Phone: 49800115 (9.00am – 12.00 noon)
thomas.croft@portstephens.nsw.gov.au

tcg:kmk



APPLICATION to DEVELOP and SUBDIVIDE

File No P9/1/14
D/A No 2608
B/A No

Phone 87-3122

All correspondence to

The Shire Clerk

PO Box 42 (DX 7879)

RAYMOND TERRACE 2324

APPLICANT: Name SCOTT CRISP CASHMERE AND PARTNERS PTY LTD

Address 13 CHURCH STREET MAITLAND

335633 Phone

(If the applicant is not the owner, then the rateable owner of the site must sign this application)

DESCRIPTION OF DEVELOPMENT

RELOCATION OF COMMONS BOUNDARY

Materials to be used on external walls _____ colour

Roofing material _____ colour

If development is a subdivision then no. of lots created 2

Length of road created NIL

VALUE OF DEVELOPMENT

LOCATION Lot/Port 10 & 11 DP 264033

Street HEYDON'S CREEK SUBDIVISION Sites 20

Locality SEAHAM

Parish SEAHAM

Date of Acquisition _____

Existing Development on site _____

Enclos. for Atten.	Date Ref.	Actioned by Initials

Signed by [Signature]
(owner/applicant)

Date 12th DECEMBER 1984

File No.

SCHEDULE 1:

FILE: P9/1/14/2607

1. The requirements of Council's Subdivision Code must be complied with in all respects.
2. All trees within the proposed subdivision are subject to the provisions of Council's Tree Preservation Order. In this regard the removal, lopping or topping of any tree will be subject to the approval of Council.
3. The provision of electricity supply to the proposed lots.
4. The developer be responsible for full costs associated with any alteration, relocation or enlargement to public utilities whether caused directly or indirectly by this proposed subdivision. Such utilities include water, sewerage, drainage, power, communications, footways, kerb and gutter, etc.
5. The submission of written evidence from Telecom Australia that satisfactory arrangements have been made for underground telephone cables throughout the proposed subdivision.
6. Any conditions which may be imposed by the Department of Main Roads.
7. Alteration of proposed rear boundary of Lot 21, as per the attached plan, to increase area of allotment to over two (2) hectares.

SCHEDULE 2:

Council's Subdivision Code; The Tree Preservation Order for Port Stephens Shire; Clauses 33 and 33A, Deemed Environmental Planning Instrument for Port Stephens Shire; Section 94, Environmental Planning and Assessment Act, 1979.

Port Stephens Shire Council

59 Port Stephens St. Raymond Terrace Tel (049) 87 3122

FILED

Telephone Enquiries:
Development & Building Dept
Please Quote File No:
B/A 159/86

Hunter Valley Aggregate Seaham Pty Ltd
PO Box 83
Maitland NSW 2320

Dear Sir

Re: No. 20 Giles Road, Seaham
Certificate of Classification

I have to advise that under the requirements of the Local Government Act, 1993, a Certificate of Classification shall be issued in respect of all buildings upon completion of building works. This excludes single dwellings and their appurtenant structures.

Once classified, the use of a building is not to be changed without the approval of Council and issue of a new Certificate of Classification.

Enclosed please find a Certificate of Classification for your premises.

Yours faithfully

G K Lindsay

G K LINDSAY
MANAGER DEVELOPMENT AND BUILDING
PER: 

S

16 November 1993

FILE COPY

CERTIFICATE OF CLASSIFICATION
LOCAL GOVERNMENT ACT, 1993

Certificate No: 442
Building Application Reference: 159/86
Date of Certificate: 16 November 1993
Street No: 20
Lot No: 56
DP/SP No:
Street: Giles Road
Town/Locality: Seaham
Site Area:
Owners Name: Hunter Valley Aggregate (Seaham) P/L
Owners Address: PO Box 83, Maitland NSW 2320
Applicants Name:
Applicants Address:

I certify that, the whole parts of the building described above are classified as V & X.

G K Lindsay
G K LINDSAY
MANAGER DEVELOPMENT AND BUILDING
PER: [Signature]
S

Port Stephens Shire Council

59 Port Stephens St. Raymond Terrace Tel (049) 87 3122

Telephone Enquiries:
Miss A Lawrence

File No:
B A 159/86

Hunter Valley Aggregates Seaham Pty Ltd
P O Box 83
MAITLAND 2320

Dear Sir

Re: Lot 56 Giles Road, Seaham.

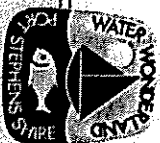
This is to confirm that conditions 11 & 12 of the building consent and conditions 17 & 18 of the development consent are to be read concurrently and does not implicate any double charge.

Yours faithfully,

J W Walsh
SHIRE CLERK

PER: [REDACTED]
ALL/AR

10 April, 1986



Port Stephens Shire Council

59 Port Stephens St. Raymond Terrace Tel (049) 87 3122

Hunter Valley Aggregates Pty Ltd
P O Box 83
MATTLAND 2320

Telephone Enquiries:
Health Department

File No:
B A 159/86

Dear Sir,

Date of Approval: 13-3-86

Building Application No: 159/86 Classification of Building: V & X

Description of Building: Office and Amenities

Property Description: Lot 56 Giles Road, Seaham

Your above application has been approved, subject to the conditions on the attached schedule. The conditions of approval are necessary so that the completed building will comply with the provisions of the Local Government Act, 1919, the Ordinances thereunder and Council Standards.

Yours plans and specifications, duly endorsed, are enclosed.

This building permit becomes invalid if the Building is not substantially commenced within a period of twelve(12) months from the date hereon.

Should you be aggrieved by any condition of approval included on this Building Permit, an appeal may be lodged with the Registrar, Land and Environment Court of N.S.W., P.O. Box K199, Haymarket, 2000.

Yours faithfully

J.W. Walsh
SHIRE CLERK
PER:

INSPECTION PROCEDURE

Please phone Council on 87 3122 for the following inspections giving two (2) working days notice. Please quote the above mentioned building application number.

Footings
Framework
Final

1 of 3



PORT STEPHENS SHIRE COUNCIL

59 Port Stephens St. Raymond Terrace Tel (049) 87 3122

Lot 56 Giles Road, Seaham - Hunter Valley Aggregates - B A 159/86

SCHEDULE 1

1. Work being carried out in accordance with Ordinance 70 and Council's Regulations.
2. Toilet accommodation for all workmen on the building site is to be provided from the time work commences until the building is complete.
Acceptable toilet accommodation is as follows:-
 - (a) Chemical Toilet, suitably housed
 - (b) Approved Septic Tank with a suitable closet, pan and flushing cistern.
 - (c) Any other method as may be approved by the Shire Health Surveyor.
3. All works including fencing, retaining walls and driveways constructed to the street and/or public reserve boundary shall be constructed to approved Council levels. Such levels to be obtained from Council's Engineering Department.
4.
 - a) Roofwaters to be conveyed to street gutters or other disposal area approved by Council.
 - b) Surface drainage to be intercepted and conveyed to street gutters or to method approved by Council.
5. "Should the Specifications in any way depart from or conflict with any Act or Regulation governing the erection of buildings within the Shire of Port Stephens then the Specifications so far as they depart from or conflict with the Regulations of the Shire shall be of no effect and the Regulations of the Council shall be deemed to be substituted for any Specifications so departing from or conflicting with Council's Regulations notwithstanding any consent of the Council endorsed upon such specifications".
6. Footpath Occupation
Approval to occupy, close or partially close the footpath adjacent to the property to which this approval relates shall be the subject of a separate application.
Without specific approval, storage of materials on or closure of the footpath is prohibited.
7. Approval for the size and site of proposed household mail boxes must be obtained from Australia Post.



Lot 56 Giles Road, Seaham - Hunter Valley Aggregates - B A 159/86

8. The approval of the Department of Industrial Relations to be obtained prior to occupation or use of buildings.
9. This application is subject to a Section 94 Contribution under the provisions of the Environmental Planning and Assessment Act, 1979 in respect to the upgrading of communication and transport facilities within the area and in this regard widening of Main Road 601 to provide bus lay-bys for the picking up of and setting down of school children will satisfy this requirement.
10. Access to and from the site shall be in accordance with an approved traffic route of Council and shall not be varied without the express written permission of Council. Such variation without Council consent will render this development consent null and void.
11. In accordance with Council policy towards the maintenance of and road use by heavy vehicles this application shall contribute towards the fund in respect to roads in the immediate vicinity of the area which are likely to be affected by the operation being carried out. The levy per tonne moved is 20c and is payable on a monthly basis based on weigh bridge tickets.
12. That the value of the tonne levy of 20c be varied annually with movements in the CPI commencing from a base year being the first year of production.

3 of 3



**14 Attachment G – Asbestos Risk Assessment, Steel Tanks,
Brandy Hill Quarry (Workplace Environment Consultants,
2014)**

28 March 2014

Mr Michael Benic
Quarry Manager – Brandy Hill
Hanson Construction Materials Pty Ltd
979 Clarencetown Road
SEAHAM NSW 2321

Re: Asbestos Risk Assessment, Steel Tanks, Brandy Hill Quarry

Dear Mr Benic

In accordance with your instructions, WorkPlace Environment carried out an asbestos inspection and risk assessment of the steel tanks at the above site.

The work was carried out on 19 March 2013, and the samples were tested on 26 March 2013.

I hope this report meets your current requirements. Please don't hesitate to contact me on (02) 9550 6522 if you need any further information.

Yours faithfully



Philip Turner, MAIOH
Certified Occupational Hygienist (COH)

INSPECTION REPORT

Scope:	<p>Representative samples of potential asbestos materials have been collected by a competent person & analysed in accordance with AS 4964-2004 Method for the Qualitative Identification of Asbestos in Bulk Samples</p> <p>The tanks were assessed for the presence of bonded or friable asbestos, the extent of any contamination, and the need for special remediation procedures.</p> <p>The work was required because the company wants to dispose of the tanks.</p>
Inaccessible areas:	Underneath the tanks
Inspection:	<p>Rail tanker- shell insulation - glass fibre, no asbestos detected (127-2014-1)</p> <p>Rail tanker - gasket at discharge pipe- no asbestos detected (127-2014-2)</p> <p>Rail tanker - turret sealant – no asbestos detected (127-2014-3)</p> <p>Steel tank - no fibrous materials</p>
Assessment:	No asbestos was detected
Recommendations:	Safe disposal requires removal of the bituminous residues contained in both tanks.
Limitations:	The scope of this report is the 2 steel tanks only.



Steel Rail Tanker



Steel Tank



Rail Tanker – Shell Insulation



Rail Tanker - Gasket at Discharge Pipe



Rail Tanker – Turret Sealant

CERTIFICATE OF ANALYSIS 106950

Client:

Workplace Environment Consultants

PO Box A95

Sydney South

NSW 1235

Attention: Philip Turner

Sample log in details:

Your Reference:	127-2014
No. of samples:	3 Materials
Date samples received:	24/03/14
Date completed instructions received:	24/03/14

Analysis Details:

Please refer to the following pages for results and methodology summary.

Samples were analysed as received from the client. Results relate specifically to the samples as received.

Note, even after disintegration it can be difficult to detect the presence of asbestos in some asbestos containing bulk materials using PLM and dispersion staining. This is due to the low grade or small length or diameter of the asbestos fibres present in the material, or to the fact that very fine fibres have been distributed intimately throughout the materials. Vinyl/asbestos floor tiles, some asbestos containing epoxy resins and some ore samples are examples of these types of material, which are difficult to analyse.

Report Details:

Date results requested by:	26/03/14
Date of Preliminary Report:	Not Issued
Issue Date:	26/03/14

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Accredited for compliance with ISO/IEC 17025.

Tests not covered by NATA are denoted with *.

Results Approved By:

Asbestos was analysed by Approved Identifier:	Matt Mansfield
Asbestos was authorised by Approved Signatory:	Paul Ching


Paul Ching
Approved Signatory

Envirolab Ref:	Sample ID:	Date analysed	Mass / Dimension of Sample	Sample Description	Asbestos ID in materials
-	-	-	-	-	-
106950-1	127-2014-1	26/03/2014	120x30x1mm	White fibrous insulation material	Synthetic mineral fibre detected
106950-2	127-2014-2	26/03/2014	30x15x2mm	Green gasket material	No asbestos detected
106950-3	127-2014-3	26/03/2014	190x7x7mm	Brown/grey mastic material	No asbestos detected

MethodID	Methodology Summary
ASB-001	Asbestos ID - Qualitative identification of asbestos in bulk samples using Polarised Light Microscopy and Dispersion Staining Techniques including Synthetic Mineral Fibre and Organic Fibre as per Australian Standard 4964-2004.