

Attention: Department of Planning & Environment, Gen Seed

**DA NO: 25-2017-2-1**

**PROPOSAL: Brandy Hill Quarry Expansion (SSD 5899)**

**PROPERTY: Clarence Town Road, Seaham NSW 2324**

Dear Gen,

Thank you for your email dated 28 February 2017 requesting Council's comments for the above development. Council has completed a review of the proposed development modification and provides the following advice:

### **Ecological**

- There is insufficient information on loss of hollow-bearing trees (density, size class and location) within the development area.
  - Any hollows lost within the development footprint should be compensated for in the local area with the number, size class and area of compensatory nest boxes forming part of the Biodiversity Offset Strategy. It is recommended that compensatory nest boxes are provided within E3 zoned land owned by the applicant, adjacent to the development footprint to mitigate the loss of this local, often limiting important habitat resource.
- The loss of koala foraging and movement habitat at a local level has not been adequately addressed or satisfactorily offset.
  - A more thorough assessment of impacts to koala movement corridors should be undertaken, including a post-development assessment of koala movement areas.
  - The Biodiversity Offset Strategy should include specific mitigation measures for koalas relating to compensatory feed tree planting, fauna movement structures or required speed limits and signage of roads.
- Impacts to waterways and riparian vegetation by the proposed development require a more thorough assessment.
  - No baseline information is provided on the aquatic habitat present within the tributaries of Deadmans Creek and Barties Creek in the development site. These tributaries, while largely ephemeral in nature, form the headwaters of these waterways which will be excavated and completely removed as part of the proposed action.
  - Additional survey effort and monitoring is required to adequately meet the DPI Aquatic Habitat Protection SEARs to assess existing waterway health, extent of habitat removal and potential downstream impacts. It is noted that degradation of riparian vegetation is a key threatening process under the *Fisheries Management Act 1994*.

- No description is provided on the nature or extent of the aquatic habitat removal or modification of the waterways including changes to hydrology downstream, resulting from the proposed action.
- The Biodiversity Assessment Report should include a detailed assessment of potential impact of the development on any groundwater dependant ecosystems, as required in the SEARs.
- The Rehabilitation Plan should include specific performance criteria for areas of native vegetation.

### **Traffic Considerations**

- The existing and projected traffic data modelling indicates that the performance of the road network will not be adversely impacted by this proposed development. The main concern from a traffic perspective is the potential impact on safety, which include:
  - Quarry access road / Brandy Hill Drive intersection with Clarence Town Road has inadequate sight distance for traffic approaching on Clarence Town from the east. If development consent is recommended, relocating the Quarry exit road to a safer location with adequate sight distance is recommended
  - The increased volume of heavy vehicles on Brandy Hill Drive will also impact negatively on local residents with increased risk of conflict between school bus services. Consideration should be given to providing improved separation of bus stops from traffic by providing bus laybys to allow school buses to pull off the road safely
  - The increased volume of heavy vehicles on Brandy Hill Drive will increase the safety risk to pedestrians and cyclists using the roadway. It is recommended that consideration is given to the provision of an off-road pathway allowing school children to access bus stops and for local residents to walk in relative safety.
  - The cumulative impact of the overall expansion is beyond the scope of comment from an individual council but is obviously an issue which requires serious consideration at the state level.

Additionally, the following upgrade road works are recommended:

- Raymond Terrace Road and Seaham Road intersection;
- William Baily Street roundabout.

### **Stormwater Drainage**

- The existing and proposed extension of the quarry is adjacent on the south-western side of Deadmans Creek, which is a 3<sup>rd</sup> order creek in this location and

flows into Eskdale Swamp on the floodplain of the Williams River. It is unclear from the documentation how close the proposed quarry extension will get to Deadmans Creek or if the riparian corridor has already been breached by the existing quarry footprint. If the proposal is to be approved, it is recommended that a condition of consent be included to protect the function of Deadmans Creek, in line with the State Government's recommended widths for riparian corridors, such as:

- The development boundary is not to encroach to within a clear 30m distance from the nearest top of bank from Deadmans Creek. Where this riparian area has not been maintained, the area is to be suitably rehabilitated so to provide bed and bank stability, reduce bank and channel erosion and protect downstream water quality.

### **Social Planning Considerations**

- Traffic Management Plan and Driver Code of Conduct for the quarry, as referred to in the EIS, could not be located and is vital in assessing the potential impacts of the proposal.
- Social Impact Assessment (SIA) that identifies and discusses the social impacts on the communities of interest (Brandy Hill, Seaham, Wallalong, Woodville, Nelson Plains and Raymond Terrace) should be submitted. The SIA should include, but not necessarily be limited to, comments within this report below and assessment of the impacts as they relate to the demographics of people who live in the affected suburbs as noted. The SIA should also provide adequate assessment of the cumulative effects that discuss the following:
  - All quarry related sources of noise, including transport of product and the impacts and cumulative impacts on people
  - The impacts of dust associated with all quarry related activities, including road dust as a result of trucks and dust coming off loads in transit, which has not been addressed in the Air Quality Impact Assessment (Appendix 11). The Air Quality Impact Assessment is considered insufficient due to the lack of baseline air quality data and inability to measure and manage quarry related air quality impacts and nil assessment of the impacts of diesel fume emissions.
  - On site air quality monitoring equipment to measure baseline air quality (existing air quality and quarry generated air quality impacts) and ongoing measurement and management of quarry related contributions to air quality is recommended if approval is granted.

- The SIA must address S.89 of the *Local Government 1993*, S.79(b) and S.79(c) *Environmental Planning and Assessment Act 1979* and clause 228 of the *Environmental Planning and Assessment Regulation 2000*.
- Identify public infrastructure, such as school bus stops and general public bus stops. Changes to speed limits on Clarence Town Road and Brandy Hill Drive are recommended.

### **Economic Impacts of the Development**

The Socio-Economic Impact Assessment notes the estimated cost for the quarry expansion as \$15 million, hence a discrepancy between EIS and Socio-Economic Impact Assessment for capital investment value (CIV), i.e. \$22.5 million v \$15 million. The following economic characteristics of the development have been derived from the capital investment value (CIV) of \$22.5M.

- The corresponding creation of direct jobs is estimated at 43 jobs. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 42 jobs.
- It is estimated that direct wages and salaries would increase by \$3.576 million. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 42 jobs and a further increase in wages and salaries of \$3.502 million.
- The EIS suggests the operation would have considerable economic benefit related to securing the supply of construction materials to the Sydney market transcending into local expenditure and employment opportunities, with the project servicing markets in the Hunter, Central Coast and Newcastle.

The Hunter Regional Plan 2036, does identify an additional 70,000 dwellings needed by 2036 and an additional 60,000 jobs. Building and infrastructure associated with growth predictions in these areas can generate demand for the materials proposed, and it is recognised that the quarry is in a strategic location when considering its proximity to the Sydney market and would assist in the provision of construction materials to enable infrastructure development.

- The site is surrounded by undeveloped bushland and agricultural land with the town of Seaham approximately 3km east. The quarry is situated in a rural, residential, and environmental zoned land use area. From an economic perspective there may be potential economic impacts on surrounding land and its value associated with the development given the proximity of the development to:

- The township of Seaham - potentially having a negative impact on business and consumers considering purchasing land/residential properties in the area.
- The impact of truck movements on the local economy in terms of safety, access, and co-location with other activity in the area
- Economic cost post-operation in terms of land integrity and value.

## **Section 94 Contribution Comments**

The following key points have been identified in relation to Section 94 contributions.

- Cumulative effect of truck movements on Brandy Hill Quarry and Martins Creek Quarry on Brandy Hill Drive
  - In Council's submission for Martins Creek Quarry, the intersection of Brandy Hill Drive and Clarence Town Road is a safety concern. Brandy Hill Quarry have advised that they will be hauling east and west, there is no specific turning bays and this will pose a safety risk to all road users. Martins Creek Quarry links an upgrade of this intersection to the proposed expansion of the Brandy Hill Quarry, however Council is of the opinion that this should be a joint contribution between both quarries.
- Monthly contribution towards the ongoing maintenance, repair and upgrade of roads within the haulage route. The following haulage routes are proposed
  - The major haul route is recommended to be from Brandy Hill Drive, right to Seaham Road, left to Adelaide Street through to the Pacific Highway via Richardson Road.
  - The following minor haul routes will be: West on Clarence Town Road to Maitland (However additional information is required to assess this route) and East on Clarence Town Road to Dungog
  - The haulage shall not be varied without the express written permission of Council. Such variation without Council consent will render this development consent null and void.
  - Each payment shall be:
    - a) Based on weighbridge records of the quantity of extractive material transported from the site quarterly. Those records are to be provided to Council within 14 days of the end of the relevant month;



- b) Paid within 21 days of receipt of the invoice received from Council; and
  - c) Adjusted in line with the Consumer Price Index calculated from the date of approval and applied annually from the first day of operation.
- Contribution towards the construction of a pathway and bus stops along Brandy Hill Drive is recommended

Thank you for the opportunity to comment on the proposed modification. If you wish to discuss any of the above issues raised please contact me on the number below.

Yours Sincerely



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Development Planner

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