

Part 3A Preliminary Assessment

Extractive Industry

Lot 2 DP 1108702

Killaloe Lane, Eagleton



Prepared For
Buildev Development
(NSW) Pty Ltd

November 2010



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Environmental Planning, Assessment and Management

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Executive Summary

This Preliminary Assessment seeks to assist the Department in the preparation of the Director General's Requirements for an Environmental Assessment for a proposed gravel extraction operation over Lot 2 DP1108702, Killaloe Lane, Eagleton. The Director of Mining and Industry Projects, as delegate for the Minister, has confirmed that the project is a Part 3A Major Project in accordance with clause 6(1)(a) of SEPP (Major Development) 2005 and that a Project Application may be lodged with the Director General.

The site is located on Killaloe Lane (off Italia Rd), Eagleton, which joins the Pacific Highway approximately 14 km north of Heatherbrae (**Figure 1.1**) and is underlain by the Carboniferous-age Nerong Volcanics, which comprise acid volcanics and meta-sediments. The proposal seeks consent for a hard rock quarry on the site for production of a range of rock and gravel products from the site to enable the client to use this material in a range of construction projects and for commercial sale.

This Preliminary Assessment provides an outline of the project, site description, details of the statutory planning controls relevant to the project and provides a précis of the main issues to be addressed in the Environmental Assessment for the project. These issues include, but are not limited to, ecology, traffic, air/dust/noise emissions, archaeology and water quality.

In summary, the Director General's Requirements for the project are sought in accordance with Section 75F of the *Environmental Planning and Assessment Act 1979* to enable the preparation of the Environmental Assessment for the Project Application.

Introduction

1.1 Background

Orogen Pty Ltd has been engaged by Buildev Development (NSW) Pty Ltd to prepare a Preliminary Assessment for hard rock quarry on land at Eagleton, NSW.

The Director of Mining and Industry Projects, as delegate of the Minister for Planning, has confirmed under clause 6(1) of *State Environmental Planning Policy (Major Projects) 2005*, that the project is development referred to in clause 1(1)(a) of Schedule 2 of the Major Projects SEPP and is therefore declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) applies, in accordance with the provisions of the *Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005*. A copy of correspondence from the Department confirming this is provided in **Appendix A**.

This Preliminary Assessment seeks to assist the Director General in the preparation of the Director General's Requirements in accordance with the provisions of Section 75F of the EP&A Act for the preparation of the Environmental Assessment for the project.

A full project approval will be sought for the extractive industry on the site.

1.2 The Project in Brief

The proposed development is for an extractive industry over the following land at Eagleton (hereafter referred to as the site):

- Lot 2 DP 1108702.

The site is accessed via a "Right of Carriageway" (which is accessed from Italia Road) over the following land:

- Lot 1 DP 245116;
- Lot 2 DP 245116; and
- Lot 31 DP 787250.

A site locality plan is provided in **Figure 1.1**. A concept plan showing the proposed development footprint is provided in **Appendix B**.

The primary objective of the development will be the extraction of between 6,000,000 – 8,000,000 m³ of hard rock quarry products from the site. A secondary objective is to provide for the offsetting of proposed vegetation removal (required to facilitate the quarry development) within the site and to undertake the extraction such that the impact on the environment is minimised. These objectives will be facilitated by:

- Compliance with the provisions of the relevant legislation and policies that relate to the proposed development, particularly: SEPP 11; SEPP 33; SEPP 44; SEPP 55; SEPP (Mining, Petroleum Production and Extractive Industries) 2007; *Environmental Planning and Assessment Act 1979*; *National Parks and Wildlife Act 1974*; *Protection of the Environmental Operations Act 1997*; *Water Management Act 2000*; *Threatened Species Conservation Act 1995*; *Crown Lands Act 1989*; *Environment Protection and Biodiversity Conservation Act 1999*; *Commonwealth Native Title Act 1993*; and Port Stephens Local Environmental Plan 2000.
- Development of a biodiversity offsetting strategy; and
- The protection of areas of environmental significance, including the protection of water quality.

1.3 Scope of this Report

This report has been prepared to support the application to the Minister for Planning requesting the provision of Director General's requirements for an Environmental Assessment under Part 3A of the *EP&A Act*. The report is structured as follows:

- *Chapter 2* describes the project and overviews the environment in which it is located;
- *Chapter 3* outlines the planning provisions and key issues that apply to development of the site; and
- *Chapter 4* provides a conclusion to the report.

The Project

2.1 Site Locality

The site for the proposed quarry is described as Lot 2 DP 1108702, Killaloe Lane (off Italia Rd), Eagleton, which joins the Pacific Highway approximately 14 km north of Heatherbrae (**Figure 1.1**). Lot 2 is approximately 93.4 ha in area. The site is accessed via a “Right of Carriageway” (which is accessed from Italia Road) through the adjacent Lots 1 & 2 DP 245116 and Lot 31 DP 787250 to the north.

2.2 Outline

It is proposed to operate an extractive industry over the following lot at Eagleton:

- Lot 2 DP1108702.

Lot 2 currently supports a landscape supply business, which is owned and operated by the landowner, and an associated residence (also occupied by the landowner). A commercial arrangement is in place between the landowner and the proponent for the proponent to operate a quarry (should it be approved) under a lease agreement with the landowner.

Site access will be over the following lots:

- Lot 1 DP 245116;
- Lot 2 DP 245116; and
- Lot 31 DP 787250.

The proponent has identified the site as having a hard rock resource that would be suitable for use in a range of construction projects managed by the proponent and for commercial sale. At this stage it is envisaged that the quarry products would be sold into the Greater Hunter region market.

The proposal is to extract approximately 6,000,000 – 8,000,000 m³ of hard rock quarry resources from the site. The proposed extraction pit is irregular shaped, being approximately 28 ha in area (up to 1000 m long x 450 m wide) with an average depth of 25 m within the proposed extraction area footprint. A concept plan of the proposed extraction footprint is provided in **Appendix B**.

Extraction of the resource from the site will require the removal of approximately 28 ha of vegetation. Initial investigations indicate that there may be sufficient surplus land available within the site to provide for the offsetting of this vegetation at a ratio at or close to 2:1.

Following completion of the project, the site could potentially be used for waste management (clean fill/putrescible waste/waste transfer station) or returned to its existing use of landscape supplies business. It may also have potential for use in industrial agricultural operations (eg. intensive poultry farming) or other uses permissible in the zone (**Section 2.3**).

It is unlikely, however, that revegetation of the quarry area to its pre-existing vegetation condition would be feasible, given the lack of available soil regolith (based on the existing negligible overburden on the site) and the final landform, for growth of a viable forest community. The suitability of alternative rehabilitation options such as a shallower rooted shrub type community would also be investigated.

2.3 Zoning

The relevant planning instrument applying to the land is Port Stephens Local Environmental Plan 2000 (LEP 2000). The site is zoned No. 1(a) Rural Agriculture “A”. The proposed development is appropriate in this rural location and is permissible under the existing zone. The provisions of the zone are reproduced below.

Zone No 1 (a)—Rural Agriculture “A” Zone

(1) Description of the zone

The Rural Agriculture “A” Zone identifies land which is of agricultural value and land which has not been set aside for rural residential development.

(2) Objectives of the zone

The objective of the Rural Agriculture “A” Zone is to maintain the rural character of the area and to promote the efficient and sustainable utilisation of rural land and resources by:

(a) regulating the development of rural land for purposes other than agriculture by ensuring that development is compatible with rural land uses and does not adversely affect the environment or the amenity of the locality, and

(b) ensuring development will not have a detrimental effect on established agricultural operations or rural activities in the locality, and

(c) preventing the fragmentation of grazing or prime agricultural lands, protecting the agricultural potential of rural land not identified for alternative land use, and minimising the cost to the community of:

(i) fragmented and isolated development of rural land, and

(ii) providing, extending and maintaining public amenities and services, and

(d) protecting or conserving (or both protecting and conserving):

(i) soil stability by controlling development in accordance with land capability, and

(ii) trees and other vegetation in environmentally sensitive localities where the conservation of the vegetation is likely to reduce land degradation or biodiversity, and

(iii) water resources, water quality and wetland areas, and their catchments and buffer areas, and

(iv) land affected by acid sulphate soils by controlling development of that land likely to affect drainage or lower the water table or cause soil disturbance, and

(v) valuable deposits of minerals and extractive materials by restricting development that would compromise the efficient extraction of those deposits, and

(e) reducing the incidence of loss of life and damage to property and the environment in localities subject to flooding and to enable uses and developments consistent with floodplain management practices.

(3) Development allowed without development consent

Development for the purpose of:

- *Agriculture.*
- *flood mitigation works authorised by the Hunter Valley Flood Mitigation Act 1956.*
- *Exempt development.*

(4) Development allowed only with development consent

Subdivision permitted by clause 12.

Any other development not included in Item 3 or 5.

(5) Development which is prohibited

Development for the purpose of:

- *boarding-houses,*
- *brothels,*
- *bulky goods salesrooms or showrooms,*
- *bus stations,*
- *commercial premises,*
- *depots,*
- *hazardous industries,*
- *hazardous storage establishments,*
- *industries,*
- *liquid fuel depots,*
- *material recycling facilities,*

- *medical centres,*
- *mortuaries,*
- *motor showrooms,*
- *offensive industries,*
- *offensive storage establishments,*
- *places of assembly,*
- *restricted premises,*
- *road transport terminals,*
- *service stations,*
- *shops,*
- *urban housing,*
- *warehouses.*
- *Subdivision other than subdivision permitted by clause 12.*

The operation of an extractive industry is not a prohibited development under the zone and is therefore permissible with consent.

2.4 Site Details

2.4.1 Local and Regional Context

The site is located at Eagleton, a locality within the Port Stephens Local Government Area, approximately 2.5 km northwest of Grahamstown Dam and 10 km north east of Raymond Terrace CBD. The property (Lot 2 DP 1108702) is currently occupied by a landscape supplies business and associated dwelling, which is situated in the north eastern corner of the site. Access to the site is via a Right of Carriageway across the two adjoining lots to the north.

Seaham quarry is located on an adjacent lot to the northwest. Rural residential development is located to the south and west of the site, while land to the east and north is predominately forested. The Pacific Highway is located 1 km to the east of the site.

2.4.2 Biogeography

Landform

The site is located over the eastern spur of a ridge that extends from a peak located 600 m to the west of the property boundary. The spur descends from elevations of 120 m AHD in the west to 30 m AHD in the east over a distance of approximately 900 m (mean slope 5 – 6 °). The eastern portion of the site is relatively flat, comprising the alluvial deposits associated with Seven Mile Creek. Site drainage is off the spur is on both sides (north and south), with the both sets of first order drainage lines joining the main trunk drainage line through the site of Seven Mile Creek, which originates from the peak to the west of the site.

Geology and Soils

The site is underlain on the ridge and upper slopes by the Carboniferous-age Nerong Volcanics, comprising a range of acid igneous rock including toscanite, dacite, andesite, ignimbrite and agglomerate, in addition to a range of meta-sediments such as conglomerate, sandstone and siltstone (NSW Dept. Mines, 1966).

The site is mapped as containing the Ten Mile Road soil landscape group (Matthei, 1995a). Specific soil type varies depending on the parent material, though in general, comprise moderately deep (55 cm) to deep (> 200 cm) well to imperfectly drained brown/yellow Soloths (on meta sediments) and shallow (<45 cm), well-drained Belached loams/Lithosols (on acid volcanics) (Matthei, (1995b).

These soils are highly erodible and have low potential fertility.

Ecology

Flora

A site reconnaissance revealed two broad vegetation types occurring on the site, these being:

1. Spotted Gum (*Corymbia maculata*)-Ironbark (*Eucalyptus siderophloia/fibrosa/paniculata*)-White Mahogany (*E. acmenoides/umbra*)-Grey Gum (*E. punctata*) Dry Sclerophyll Open Forest on hillcrests and hillslopes. Minor subsidiary and associate canopy species included Red Bloodwood (*Corymbia gummifera*), Smooth barked Apple (*Angophora costata*) and Sydney Peppermint (*E. piperita*) which are indicative of a sandstone influence within the bedrock volcanics. Other canopy associates included White Stringybark (*E. globoidea*) and Red Mahogany (*E. resinifera* ssp *resinifera*).

This community most closely resembles 2003 LHCCREMS veg classification Seaham/Coastal Foothills Spotted Gum Ironbark (MU 15/16). This community represents habitat for sigplants *Macrozamia flexuosa* (ROTAP) and *Tetratheca juncea* (TSC Act).

2. Spotted Gum (*Corymbia maculata*)-White Mahogany (*E. acmenoides/umbra*)-Grey Gum (*E. punctata*)-Red Mahogany (*E. resinifera*) Wet Sclerophyll Forest along the narrow gullies with a mid stratum and groundcover dominated by small dry rainforest trees (eg. *Glochidion ferdinandi*, *Backhousia myrtifolia*, *Elaeocarpus reticulatus*, *Alphitonia excelsa*), vines (eg. *Pandorea pandorana*, *Cissus hypoglauca*; *Geitonoplesium cymosum*) and ferns (eg. *Adiantum aethiopicum*).

This community most closely resembles LHCCREMS MU 12 Hunter Valley Moist Forest and is not analogous to any TSC listed EEC's. As for Vegetation Community 1, we are awaiting updated vegetation classifications to confirm this. Fine scale vegetation mapping would likely yield some sections of the gullies as Hunter Valley Dry Rainforest (MU 3) in those limited areas where the narrow gullies broaden. MU 3 is not considered to be representative of the rainforest EEC's listed under the TSC Act. This community represents habitat for the sigplant *Cynanchum elegans* (TSC Act).

No Threatened flora species were opportunistically recorded, although a survey targeting sigplants would be required to confirm or discount their presence on the site.

The noxious weed, *Lantana* (*Lantana camara*), was recorded in both vegetation types in varying degrees of groundcover (10 – 30 %).

Fauna

Two fauna habitat types were recorded during the reconnaissance, these being Dry and Wet Sclerophyll Forest. Both fauna habitat types supported mixed aged stands of at least three (3) cohort ages, these being older and younger regrowth and occasional older remnant trees. The age structure appears consistent with the historical logging activity reported for the site (*pers. comm.* Lawrie Bowtell – owner of Lot 2).

Two Threatened species were opportunistically detected during the reconnaissance, these being the Varied Sitella and Glossy Black Cockatoo. The Varied Sitella, a Threatened woodland bird, was observed foraging in Dry Sclerophyll Forest in the south-eastern portion of the site. A third Threatened species, the Southern Myotis, was tentatively detected in a rock overhang along one of the finger gullies.

The Dry and Wet Sclerophyll Forests contained the Glossy Black Cockatoo (GBC) feed tree, Forest She Oak (*Allocasuarina torulosa*) as a mid stratum dominant. Chewed GBC cones were found beneath one tree in Dry Sclerophyll Forest near the central western boundary of the site indicating the presence of Glossy Black Cockatoos at the site. Few hollows of sufficient size for the GBC were observed on the site during the reconnaissance although a hollow tree survey would be required to verify hollow attributes for locally occurring Threatened hollow obligates.

One preferred Koala feed tree prescribed in the Port Stephens Koala Plan of Management (KPoM) was recorded on the site, this being Forest Red Gum (*Eucalyptus tereticornis*), occurring as a minor subsidiary in the Dry Sclerophyll Forest vegetation type. This limited Koala habitat on the site appears to be consistent with the 'Marginal' habitat category mapped for the site under the KPoM. Random, opportunistic scat searches were undertaken during the habitat assessment which yielded no initial evidence of Koala activity. Spot Assessment Technique (SAT) sampling would be required to confirm Koala activity levels on the site.

A low overhang cave was observed along one of the narrow gullies in the central portion of the site which contained fresh bat droppings, indicating it is an active microbat roosting site. The overhang is a typical Southern Myotis (*Myotis macropus*) roost, although it may be a roost for the Threatened Bentwing bats. Interestingly no microbats were observed within the overhang which may indicate possible use of multiple roosts in the locality for this species. No other caves or overhangs were

observed throughout the site during the reconnaissance. Further surveys would be required to determine the specific bat roost.

An owl roost tree (older remnant Grey Gum) was recorded in an ecotonal Dry/Wet Sclerophyll habitat in the central portion of the site. An initial inspection of the owl pellets indicated that the species was a Boobook Owl, which is not a TSC Act listed species. Further pellet analysis would be required to confirm this.

Several conical diggings observed on the site are suspected to be those of the non-Threatened Bandicoot.

The two fauna habitat types would be expected to provide foraging, roosting and limited denning and nesting habitat for a range of locally occurring Threatened fauna including large forest owls, microbats, arboreal marsupials, Koala, Grey Headed Flying Fox, Planigale and Eastern Chestnut Mouse.

The site forms part of a large contiguous area of bushland that connects the coastal foothills of Seaham with the coastal plain and coastal ranges of the lower North Coast biogeographical region to the north and east.

2.5 Site Planning

The planning process for the project was commenced through a collaborative workshop process involving:

- Buildev Development (NSW) Pty Ltd (the developer and project manager);
- Orogen Pty Ltd (town planning, and environmental); and
- ADW Johnson (site survey and design).

The workshop proved highly successful by enabling complete understanding of the many issues relating to the site and potential development, while facilitating an environment of creativity and innovation.

As indicated in **Section 2.3**, the site is zoned Rural 1(a) Rural Agriculture “A” Zone pursuant to the Port Stephens Local Environment Plan 2000 (LEP 2000). A hard rock quarry on the site is permissible in the zone with consent.

2.6 Planning Provisions

2.6.1 Development Control Plans

Port Stephens DCP 2007

Port Stephens DCP 2007 provides a suite of principles and controls for development that apply to all land zoned under the Port Stephens Local Environment Plan 2000 (LEP). It applies to development applications, applications to modify development consents under section 96 of the *EP&A Act*, and application for review of determination under section 82A of the Act.

Part B of DCP 2007 specifies the principles and controls for each type of development (such as residential, commercial or industrial development) and for a range of development issues (such as parking and environmental management). The proposed development will reference and demonstrate compliance with the principles and controls outlined in this section of the DCP.

2.6.2 State Planning

State Environmental Planning Policies

The following provides an outline of the State Environmental Planning Policies (SEPP) applicable to the proposed development, and provides comments on matters required for consideration under these policies. The site is not located in the coastal zone.

SEPP Major Projects 2005

The project is identified as an extractive industry in accordance with clauses 1(1)(a) of Schedule 2 of SEPP Major Projects 2005.

SEPP No. 11 Traffic Generating Developments

The aims and objectives of this policy are to ensure that the Traffic Authority (RTA) is made aware of and is given an opportunity to make representations in respect of developments listed under Schedule 1 of this policy. 'Extractive Industry' is listed as a development under Schedule 1 of the policy.

SEPP No. 33 Hazardous and Offensive Development

The aims and objectives of this policy are to ensure that when determining hazardous or offensive developments or potentially hazardous or offensive developments, the consent authority imposes conditions to minimise any potentially adverse impact. Operation of an extractive industry on the site would be considered a "potentially offensive industry" in accordance with Clause 3 of the policy. Consequently Part 3 – Clause 13 "Matters for consideration by consent authorities" should be taken into account by the Consent Authority when determining the application.

SEPP No. 44 Koala Habitat Protection

The site is situated within the Port Stephens LGA, which is listed on Schedule 1 of SEPP 44, therefore a Koala assessment must be undertaken in accordance with this policy. A Koala assessment in accordance with SEPP will be included in the terrestrial fauna assessment for the proposed quarry.

SEPP No. 55 Remediation of Land

The objective of this policy is to encourage a consistent State-wide approach to the remediation of contaminated land. Clause 7 of the policy is applicable to the consideration of contamination and remediation in relation to proposed developments. The consent authority is required to consider whether there is the possibility that the land may be contaminated due to past land uses, and if so, whether the land is suitable for its proposed use in its current or remediated state.

The site proposed for the hard rock quarry has historically been used, for forestry purposes, which is not listed in Table 1 of the Contaminated Land Planning guidelines as a potentially contaminating activity. Therefore there is no requirement to undertake a preliminary contamination assessment in accordance with the policy.

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

The aims and objectives of this SEPP are to provide for the proper management, orderly economic development and establishment of planning controls on mineral, petroleum and extractive mineral resources. The proposed development is consistent with clause 7(3)(a) of the SEPP, as the land is zoned 1(a) Rural Agriculture “A” Zone under Port Stephens Council Local Environmental Plan 2000. The proposed development is not:

- ‘Prohibited development’ as described in Schedule 1 of the SEPP;
- Exempt development as described in clause 10; or
- Complying development as described in clause 11

The consent authority is required to consider whether the proposed development satisfies the matters for consideration detailed in Part 3 of the SEPP, including:

- Compatibility of the proposed extractive industry with surrounding land uses (cl. 12);
- Compatibility of the proposed extractive industry with extractive industry in the vicinity of the site (cl. 13);
- Natural Resource Management and Environmental Management (cl. 14);
- Resource recovery (cl. 15);
- Transport (cl. 16); and
- Rehabilitation.

Legislation and Regulations

The provisions of relevant legislation listed in **Section 1.2** will be addressed in the Environmental Assessment. This will include, but not necessarily be limited to the following: *Environmental Planning and Assessment Act 1979*; *National Parks and Wildlife Act 1974*; *Protection of the Environmental Operations Act 1997*; *Water Management Act 2000*; *Coastal Protection Act 1979*; *Threatened Species Conservation Act 1995*; *Crown Lands Act 1989*; *Environment Protection and Biodiversity Conservation Act 1999*; *Commonwealth Native Title Act 1993*.

2.6.3 Regional Planning

There are no Regional Plans applicable to the proposed development site.

Key Issues

3.1 Planning Provisions

The site is zoned 1(a)—Rural Agriculture “A” Zone under the provisions of Port Stephens Local Environmental Plan 2000 (LEP 2000).

The proposed development is permissible in the zone with consent (**Section 2.3**)

The objectives of the 1(a)—“Rural Agriculture “A” Zone relate to maintaining rural operations on prime agricultural lands, preventing the fragmentation of agricultural land holdings and protecting the agricultural potential of rural land that has not been identified for alternative uses.

The land is not prime agricultural land, being classified as Class 5 agricultural land (NSW Agriculture, 2002), due to the relatively poor nutrient status of the underlying soils. There are no agricultural enterprises on the site and the proposed development will not be fragmenting a prime agricultural lands holding. The proposed development is therefore consistent with these objectives of the zone.

A further objective relates to the protection of “valuable deposits of minerals and extractive materials” within the zone, by precluding development that may otherwise compromise this objective. As such, the proposed establishment of an extractive industry is consistent with the expectation implicit in this objective that extractive industries maybe developed in the zone.

The project has been developed taking into account the local planning provisions while also aiming to achieve the most sustainable land use outcome. A sustainability-led planning process was followed to develop the land use outcomes for which approval will be sought.

3.2 Ecology

As detailed in **Section 2.4.2**, the site has been subject to logging, with a variety of mixed aged stands of at least three (3) cohort ages, these being older and younger regrowth and occasional older remnant trees.

Notwithstanding, the majority of the site is vegetated, with cleared areas in the eastern portion containing the landscape supplies business and associated dwelling.

The impact of the proposed development on the ecology of the site will be assessed in accordance with the relevant statutory planning provisions of the *EP&A Act*, the *Threatened Species Conservation Act 1995*, SEPP 44, and the draft DECCW guidelines for Threatened Biodiversity Survey and Assessment.

A broad review of the vegetation on the site indicates the potential to offset the loss of vegetation within the site itself, at an offset ratio of 2:1. Further investigation will be required to confirm any proposed offsetting strategy, which would be reported in the EA for the project.

3.3 Resource Characteristics

Detailed geotechnical assessment of the resource at the site will be presented in the Environmental Assessment, to provide information on the following:

- Groundwater resources on the site;
- Mapping of quarry resource extent on the site;
- Quantity and quality of potential range of quarry products;
- Geotechnical constraints/limitations to proposed operations;
- Methods of extraction; and
- Concept extraction plan.

3.4 Acid Sulfate Soils

The site is not located in area mapped as containing potential acid sulfate soils. This is therefore not an issue for the project.

3.5 Water Quality

Based on the site's geological characteristics and the existing hard rock quarry operations on the adjacent lot to the north, it is unlikely that the proposed extraction operations will intercept groundwater at the site. This would be confirmed through detailed geotechnical investigations on the site.

The upper reaches of three incised first order ephemeral streams are located within the quarry footprint (**Appendix B**). The lower reaches of these streams would remain unaffected and continue to drain to the main trunk drainage stream of Seven Mile Creek, which would be unaffected by the proposal. Drainage within the proposed operations area will be to an internal sump/pit. This water will be used in site operations (crushing/processing/dust suppression).

As indicated, the existing hydraulic function of the main trunk drainage stream (Seven Mile Creek) would remain unaffected by the extraction operations on the site and drainage from overland flow (hydrology) to this watercourse would occur from land located outside of the area of quarry operations.

The initial stages of vegetation removal and quarrying will require careful management (to prevent topsoil soil export and runoff) while the operations are occurring at a level that could potentially drain to the watercourses. As the project progresses, however, the extraction area will be at a relatively lower elevation (compared to the watercourses) thus preventing drainage from the works area to the watercourses.

Detailed assessment of issues surrounding water on the site would be addressed in the Environmental Assessment.

3.6 Traffic

The site is accessed from Italia Road by a Right of Carriageway over the two lots to the north. Italia Road has direct access to the Pacific Highway for both north and southbound journeys. This intersection is currently used by the quarry located on the adjacent lot to the north.

The impact of truck movements into and out of the site will be addressed through a detailed traffic analysis. Any alterations required to road intersections will need to meet the requirements of Council's design criteria, as well as those of the NSW Roads and Traffic Authority (RTA).

3.7 Air Quality, Noise and Visual

Noise impacts from the proposed extraction operations on the site (including blasting) and haul trucks will be assessed in the Environmental Assessment. At the closest point, the nearest dwelling (excluding the existing dwelling on the site) would be located approximately 750 m from the southern boundary of the site on an adjoining property to the south.

Air quality impacts arising from the extraction operation would also be assessed, as would any visual impacts arising from the extraction operations and final landform.

3.8 Cultural Heritage

The proposed excavation operations will trigger the need for an Aboriginal archaeological assessment. These issues would be addressed in the Environmental Assessment, as would the potential for any European cultural heritage issues.

3.9 Social and Economic Impacts

The potential for the project to impact upon the local economy and social fabric of the Eagleton and surrounding areas will be addressed in the Environmental Assessment. The project is likely to have a positive social and economic impact, through investment in the extraction operations on the site and the creation of full time and casual employment opportunities.

Conclusion

4.1 Conclusion

This report has been prepared in support of an application for an extractive industry on the site. The proponent has identified a need for extractive resources in a wide variety of construction projects across the region. In summary, the proposed development would be designed to comply with all relevant planning policies and instruments.

The primary objective of the development will be the extraction of between 6,000,000 – 8,000,000 m³ of hard rock quarry products from the site. A secondary objective is to provide for the offsetting of proposed vegetation removal (required to facilitate the quarry development) within the site and to undertake the extraction such that the impact on the environment is minimised.

The project is consistent with principles of Ecologically Sustainable Development, in that it will:

- Will supply the market with hard rock quarry products that are in-demand, with minimal environmental impact;
- Promote sustainable land management practices through offsetting of vegetation on-site; and
- Contribute positively to the local and regional economy.

The project is designed to have minimal environmental impact and have a positive benefit to the local and regional economy. It is submitted that the information provided in this report is sufficient for the issuing of Director General's Requirements for the project.

References

Matthei, L.E. (1995a). *Soil Landscapes of the Newcastle 1:100 000 Sheet Map*, Department of Land And Water Conservation, Sydney.

Matthei, L.E. (1995b). *Soil Landscapes of the Newcastle 1:100 000 Sheet Report*, Department of Land And Water Conservation, Sydney.

NSW Agriculture (2002). *Agricultural Land Classification*, Agfact AC.25.

NSW Dept. Mines, (1966). *1:250 0000 Geological Series Sheet SI 56-2*.

Figures



LEGEND

— Proposed Site

NOTES:

1. Map indicative only



Figure 1.1 - Site Locality Plan

Appendix A

CLAUSE 6 CONFIRMATION LETTER

From: "Carl Dumbleton" <Carl.Dumbleton@planning.nsw.gov.au>

Date: 26 July 2010 2:37:57 PM AEST

To: "Mark Daniels" <MarkDaniels@buildev.com.au>, "Colin Phillips" <Colin.Phillips@planning.nsw.gov.au>

Subject: Re: Balickera Rock Quarry - Clause 6

Hi Mark,

The Director of Mining and Industry Projects, as delegate for the Director-General, has formed the opinion that the Balickera Quarry Project is a project to which, Part 3A of the *Environmental Planning and Assessment Act 1979* applies.

Accordingly, the Department requests a Preliminary Environmental Assessment (PEA) of the project that briefly details its potential impacts. This would enable the Department to form the Director-General's Requirements for the Environmental Assessment of the project. If the PEA is sufficient, copies will need to be sent to the relevant agencies, so they can provide input into the forming of the Director-General's Requirements.

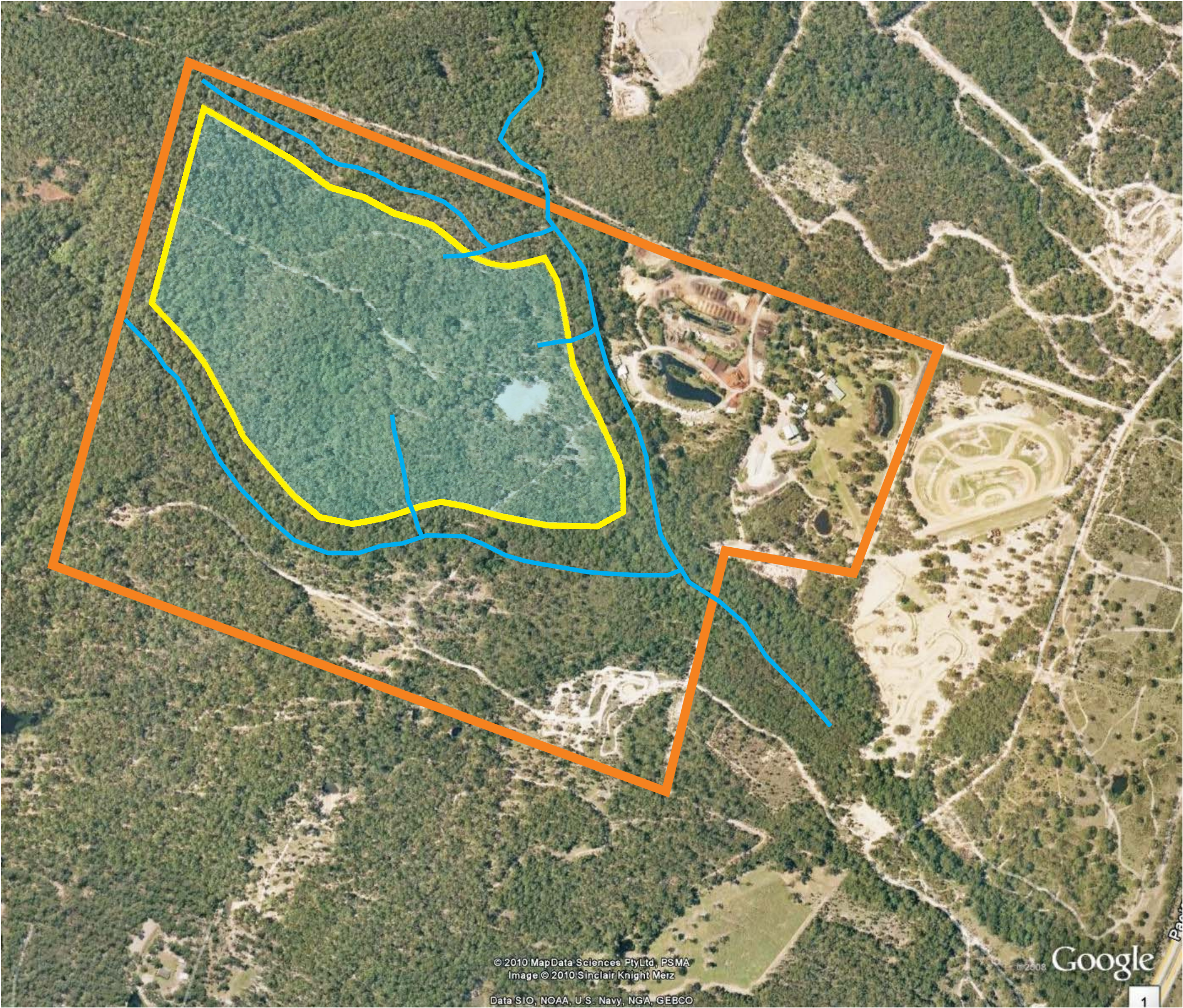
At this stage you need to supply an application form and accompanying PEA for the project.

Kind Regards,

Carl Dumbleton
Planner
Mining
Department of Planning NSW
22-33 Bridge Street, Sydney 2000
Tel: (02) 9228 6283
Fax: (02) 9228 6331

Appendix B

CONCEPT PLAN OF DEVELOPMENT FOOTPRINT



- LEGEND
- Site Boundary
 - Drainage Lines
 - Potential Quarry Footprint
Approximately 28 ha

NOTES:
1. Map indicative only
2. Map to be printed in A3

