

**Donna Lidbury  
510 Seaham Rd  
Nelsons Plains NSW 2324**

19<sup>th</sup> June 2020

NSW IPC

**RE: Brandy Hill Quarry expansion – Project SSD5899 - Submission for speaking in relation to proposed Brandy Hill Quarry expansion –**

### **INTRODUCTION TO COMMENTS**

As residents of a RU1 zoned property located along Seaham Road Nelsons Plains NSW, we do wish to firstly express we are a middle-aged demographic with school age children that attend a local Catholic Highschool and have owned our property at Nelsons Plains for over 25 years.

There are many of our relatives (my husband's family included) that have been operating agricultural activities (Dairy Farming, hay making and beef cattle production) within Nelsons Plains, Osterley and Mount Kanway for almost 150 years. For the DPIE and the proponent to dismiss the impacts to our property and that of our neighbours (within Nelsons Plains) as minimal comparing our losses as being outweighed by the benefits for this 30-year project (being more beneficial for the state and proponent) is extremely concerning.

The timing of the most current public meeting combined with having to read the documentation, transcripts etc, and then taking the time to listen to the Public meeting on the 12<sup>th</sup> of June (which went for almost 6 hours) has not been entirely great. Many families like ours have been coping with the impacts of COVID19 and restrictions with home schooling and working from home. To absorb all of this information is very cumbersome to many people impacted. There would no doubt be many residents that share our concerns who don't have the time nor energy to fight this battle so I hope that the IPC will appreciate that many residents impacted are also now coping with the financial and emotional impacts due to COVID19.

To add further to the above, I am aware that a number of residents within Nelsons Plains (**there are around 40 homes on the primary haulage route**) did not know about the recent public meeting or like us, only found out about this meeting a week before it was convened. Whilst I realise the meeting notice was publicly available, we only by chance read this notice in the Port Stephens Examiner (which isn't always delivered to our property). Unfortunately for us, we were not well prepared to provide an adequate response at the public meeting held on the 12<sup>th</sup> of June (not having fully read the DPIE recommendations until this week).

In summary, we have now taken the time to read through 79 pages of the latest DPIE report (May 2020), we have listed our main concerns in accordance with the reports table of contents. The determination of this project now lies in the hands of 3 Commissions. I can only hope that our comments and those of many other residents are all considered just as important to that of the proponents. Unlike the proponents (Hansen), we have not spent hundreds of thousands of dollars on reports, testing, consultants, studies etc.

**As long-term residents in Nelsons Plains**, I believe that our comments should be considered as having just as much weight to that of the proponents. We have lived in this picturesque rural locality for many years and have co-existed with the existing quarry operations to a degree of tolerance. I believe our comments are superior to those of the many consultants that have written reports on behalf of the proponents. To assume that sporadic testing and monitoring gives an accurate measurement of the greater community impacts is not reasonable. The IPC and DPIE need to take on board the comments by residents that live in these localities and not just rely on reports that have been prepared on behalf of and paid for by the proponents. There is no denying that many residents will be impacted by the proposed BHQE in many different ways. From our personal locality (Seaham Rd, Nelsons Plains), our greatest impact will be the negative impact to the current rural amenity due to the significant increase of haulage movements along Seaham road which in turn will have multiple impacts; noise, concerns with the current speed limits, road safety, lack of safe bus bays for children catching buses most importantly sleep disturbance being paramount. (to name a few).

The following pages of our comments have been listed under the headings in accordance with the layout of the DPIE report (dated May 2020).

## 1. INTRODUCTION

1.2.4 Since the quarry commenced operations ... its surrounding suburbs have expanded to incorporate a number of uses ... agriculture being one of these uses listed

### Comment:

Many existing RU1 zoned land within close proximity of the site **pre-date BHQ** as well as other quarries in this area. Our property and many neighbouring properties (within Nelsons Plains) commenced agricultural activities circa 1900 with most of these holdings now operating beef cattle production. On this basis, I disagree with comments that a lot of the surrounding holdings have only recently expanding since the quarry operations (this is not the case for most farms within Nelsons Plains).

## 2. PROJECT

2.1.11 Hanson considers that environmental impacts can be managed and mitigated to an acceptable level with positive social and economic benefits for the local economy.

### Comments

This comment would be expected from any proponent for a significant project where the proponent is also a benefactor for profits. The BHQE (if approved) will be a 30-year negative impact to those residents within close proximity of the quarry and those residents impacted by the increased haulage routes (as identified on the DPI report listed as Map 1). The impacts to residents won't be immediately realised until after the existing operations increase. There is an unknown certainty with the following impacts to residents within Nelsons Plains;

- Sleep disturbance and associated health issues due to lack of sleep
- Road and traffic safety – intersection at Hinton Road completely dismissed as having any impacts (no dedicated turning lane with potential accidents)
- Current inconsistencies in speed limits across the main haulage route (Clarence town road, Brandy Hill Drive, Seaham Road) – refer to mark ups on map marked annexure A -
- Loss of sense of place
- Noise disturbance
- Impact on property values – stigma associated with properties on very busy roads and the public perception of people generally avoiding property purchases on busy roads

## 5 ENGAGEMENT

### Comment

In general, many residents provided responses to BHQE however, I do understand that some Nelsons Plains residents have participated in past feedback which, was associated with residents that have formed a Brandy Hill Action Group. I believe that the DPIE and the IPC may assume that the majority of issues and concerns should be directed only to residents along Brandy Hill Drive.

The assessment and recommendations by the DPIE have placed many residents within Seaham Road, Nelsons with a sense of no-confidence that our concerns are not being considered as part of the recommendations and not being fully realised or factored into the IPC determination.

**5.3.14** Terms of the VPA address the key safety and social impacts, particularly residents on Brandy Hill Drive ...

### Comment

As noted in the paragraph above, there are at least 40 residential properties within the primary haulage route of Seaham Road Nelsons Plains who, are all equally impacted by the proposed Haulage movements to those residents that reside along Brandy Hill Drive.

I am unsure how a determination can be made without considering the same impacts to areas as listed under my comments listed under 2.1.11.

### 5.4.3 Truck Movements, Road and Pedestrian Safety

#### Comment

All factors in this assessment have once again overlooked the road, conditions, topography and many other factors along Seaham Road Nelsons Plains (our property at 510 also included) as follows:

**Inconsistency with speed limits** – there has been no consideration to the other 40 residents within Seaham Road who currently suffer a 90km speed limit yet there is currently a self-imposed 60km/h speed limit that is being trialled along Brandy Hill Drive (for those 50 residents) – please again refer to annexure A identifying speed limits along the main haulage route all of which differ from 60km/h to 100km/h

**Driver conduct/ noise from trucks, intersection safety of children catching buses along Seaham Road** - if speed limits were consistent throughout the primary haulage route (commencing from Raymond terrace through to BHQ) this would definitely minimise some of the concerns raised by many residents along Seaham Road (Nelsons Plains) who are equally impacted by the same haulage movements of residents within Brandy Hill Drive - yet this hasn't been even considered – there is no cost to the proponents or the state to reduce speeds – you cannot put a cost on the life of a child who is catching a bus or being dropped of at a makeshift bus stop yet, Seaham Road residents and our children (mine included) are driving children to these makeshift bus stops on narrow shoulders (daily) where we keep our children in our cars until the bus arrives. We don't let our children get off the bus along Seaham Road in the afternoon due to the current dangers presented – our children currently get off on the roadside where we park to collect them on Hinton Road each day.

## 6. ASSESSMENT

### 6.1 Traffic Transport

#### Comments

As noted in many comments above, the increase in haulage movements is in my opinion a significant impact that is life changing (for 30 years). I find it absurd that under section 6.1.10 that the department has recommended various measures to form part of a traffic management plan to be implemented prior to the commencement of the project. This is assuming that residents impacted have to wait to see the TMP after the project is approved!

Most of us are assuming that this project will be approved but my frustrations are that once approved, the community will get no support at all from our local council. I have already petitioned our local councillor (Paul LeMottee) who has been excellent and has now approached Port Stephens Council Traffic committee asking (pleading) that road safety, speed limits and intersection safety (Hinton Road, Nelsons Plains) be addressed.

Why are residents continually asking for safer speeds and why do we all have to continue to jump through so many hoops and red tape to request speed reductions. Surely this is a no brainer? The DPIE, Port Stephens Council and now the IPC have been continually hearing the same complaints associated with the BHQE and yet these departments (not Hansen) have the ability to implement these changes now! Speed limit reductions can be implemented before this project is considered (irrespective of the outcome).

I have not seen any reports or correspondence from the proponents that indicates any concerns or issues in changing the current speed limits within the main haulage route (Brandy Hill Drive through Seaham Road through to Raymond Terrace). This proposed haulage route is probably only 10km in length and yet I cannot see any argument nor justification in retaining 3 varying speed limits of 80/90/100 along such a small distance. The main haulage route should be a consistent speed of 70km/h or 80km/h. This would most definitely address a lot of issues with noise and safety concerns.

#### The proposed recommendations of the DPIE for transport delivery 5.00am to 7.00am –

As a resident within the primary haulage route (Seaham Road, Nelsons Plains) we do not support the 5.00am commencement. We would however support a 6.00am commencement which, I believe is more in line with commencement times of other quarry operations - like many residents, it is impractical to assume that contractors (not necessarily Hanson direct employees) would strictly adhere to a 5.00am commencement. Many residents within Seaham Road believe that the 5.00am commencement time (haulage movements) will lead to movements as early as 4.30am.

## Targeted delivery to construction projects that require materials during the night to operate 20 evenings per calendar year

We are also not in support any form of night haulage operations. We have lived at our property for over 25 years and we have almost no traffic noise at night. In fact, had traffic counters been placed along Seaham Road, the DPIE and the IPC would see that traffic movements are almost non-existent 7 nights a week. I can only assume that by not having the proponent emphasize the lack of existing traffic moments along Seaham Road (or noise disturbances at night) that it would not be beneficial to the proponent's Justification of seeking any form or night haulage movements (irrespective of how many days per calendar year being sought).

### 6.1.23 intersection impacts

#### Comment

We raised our concerns in our 2018 submission regarding the intersection at Hinton Road and Seaham Road, Nelsons Plains yet this intersection has not been considered and has been completely overlooked in any assessment. It should be known that our children and may other children travel on buses daily that use this very intersection. This is also combined with many local residents (coming as far as clarence town and Dungog).

### 6.1.34 The TIA only identifies 2 intersections with sight distance issues...

Having travelled along Seaham Road for many years, we have first-hand experience in the lack of visibility to the **Hinton Road/Seaham Road intersection**. In fact, you cannot see a turning vehicle until you approach this intersection (heading south).

This intersection does not have a dedicated turning lane and is subject to many close calls. Having fully laden trucks (proposed 305) travelling at a speed of 90km per hour with limited visibility and limited time to brake, is a huge concern for residents and parents whose children are travelling on buses that turn at this intersection. The Departments recommendation of changing speed limits along Clarence Town Road (**section 6.1.35**) should also be applied to this intersection whilst also reducing the speed limit.

### 6.5 social impacts

#### 6.5.4 The departments consideration of adverse impacts of property values would be minimised...

#### Comment

I am yet to see any conclusive reports or findings in this assessment that would indicate what impact the BHQE will have on property values

There is no historical data or recent comparable sales for larger rural allotments (RU1 zoned) that you could use to support these comments.

Under current material fact legislation vendors and their selling agents are required to provide prospective purchasers information relating to a property for sale. The department can easily type in our property address on real estate.com.au and you will not find any comparable sales in Nelsons Plains. Many larger rural holdings in our area (not small acreages) has been retained by the same owners for many years. I also want to emphasize that we are concerned as to the long-term impacts of values that are not yet realised for our property and that of the surrounding community.

It is ludicrous to assume that any buyer may or may not be enticed to buy or not to buy a property due to adverse impacts such as traffic noise etc. I work in the property industry and negative attributes such as traffic (amongst other impacts) do impact property values and do also reduce the desirability of a property which in turn reduces buyer demand. How could this not impact values. If someone asked me to buy a property close to the Quarry, I would certainly re-consider spending my money in an area an impacted by haulage movements and a quarry compared to another rural property that may be just as desirable but not having these impacts.

## **Conclusion**

I thank the Independent planning commissioners for taking the time to read our concerns and we hope that the IPC review ours and many other residents' comments in making a determination.

The considerations and conditions being sought by our community (if this project is approved) is detrimental in providing a balance between the project operations and the ongoing protection of our rural amenity and lifestyle that all our community enjoy.

Regards

Donna and Andrew Lidbury