

Anthony Barnes

From: system@acelo.com on behalf of David Norris <norrilyn@gmail.com>
Sent: Monday, 8 October 2018 3:52 PM
To: Anthony Barnes
Subject: Submission Details for David Norris (object)
Attachments: 283763_Map Activity & Linkage Precincts_2018Oct08_1551.pdf; 283763_Map haul route & koala linkage corridors_2018Oct08_1551.pdf

Confidentiality Requested: no

Submitted by a Planner: no

Disclosable Political Donation: no

Agreed to false or misleading information statements: yes

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Content:
TO: The NSW Department of Planning and Environment
(Attention: Director - Resource Assessments)

SUBMISSION FROM: David Norris, Community Representative on Tweed Shire Council Koala Management Committee and Dunloe Sands Community Consultative Committee

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[PLEASE NOTE: I do not want the Department to delete my personal information before publication and I have not made any reportable political donations in the previous two years.]

MODIFICATION REQUEST: Holcim Dunloe Sands Modification 2 to Project Approval 06/-0030, Application No MP 06_0030 MOD 2, Proponent: Holcim (Australia) Pty Ltd, Location: Pottsville-Moobal Road, Pottsville.

DESCRIPTION OF PROPOSED MODIFICATION: The modification seeks to amend consent conditions to allow an increase in the number of daily vehicle movements in and out of the site, from 80 to 240 Monday to Friday and 40 to 120 on Saturdays.

I OBJECT to the above proposal for the following reasons:-

RISK OF VEHICLE STRIKE AND IMPEDIMENT TO CONNECTIVITY

The EA Table 6-1 Identification of environmental issues (page 15) states: 'The proposed modification will not involve

any construction or demolition works, therefore there will be no impacts to flora and fauna as a result of the proposed modification..... No additional assessment or mitigation is required'.

I disagree with the statement above for the following reasons:-

Vehicles up to the size of a 19-metre truck and dog trailer operate from the Holcim mine site. The proposal seeks to triple the allowable vehicle movements to, from and at the site. The Ecological Assessment recommends that all heavy vehicles access and egress the site to/from Cudgera Creek Road.

The haul road intersects with two koala linkages identified in the Tweed Coast Koala Habitat Study (TCKHS) 2011, one within the mine site which connects with the Sleepy Hollow highway underpass, and one where trucks enter/exit the site at Pottsville/Moobal Road. The haul road also runs parallel and adjacent to the koala black spot on Pottsville/Moobal Road, identified in TCKHS 2011, and intersects the black spot at the entry to and exit from the mine site [refer attached map haul route and koala linkage corridors].

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Recent koala food tree plantings along the southern section of and parallel to the haul road have the potential to attract koalas, increasing the potential risk of vehicle strike.

The Mine Environmental Management Plan states: 'To minimise impacts on native fauna, in accordance with the Development Consent, trucks and machinery are to be confined to defined haulage routes and operate during daylight hours only (7am-5pm weekdays, 7am-12pm weekends) at a maximum speed of 30km/hr'.

However, koalas often move on the ground during daylight hours particularly during koala breeding season (July to February) and are at high risk of vehicle strike. For example, the automatic koala protection gate was installed at the entrance to the Black Rocks sports field (adjacent to the mine site) as a result of koalas being evidenced on the ground during daylight hours.

Another example is a koala sighted and photographed during daylight hours on the footpath at the intersection of Coronation Avenue and Berkley's Lane in the middle of the Pottsville business area.

Male koalas are very single minded when it comes to chasing a female during breeding season which makes them very vulnerable to vehicle strike. Females are known to risk injury in order to escape a male on the chase, making them also vulnerable to vehicle strike.

Pottsville Wetlands has been identified as part of a north-south and east-west regional fauna corridor in the Northern Rivers regional Biodiversity Management Plan (DECCW 2010) with linkages north and south with Cudgen, Wooyung and Billinudgel Nature Reserves and west to Mooball National Park and Cudgera Creek Nature Reserve.

The mine site is located within the regional corridor and adjacent to the Pottsville Wetland. Native fauna including koalas move through the mine site for feeding and breeding purposes.

The noise and visual impact associated with a tripling of vehicle movements (ie on average one movement every two and a half minutes during operational times) has the potential to form a barrier to koala movement and compromise the effectiveness of the east/west and north/south koala linkage corridors that the haul road intersects and parallels . Effective connectivity to koala populations west of the Pacific highway and south of the mine site is critical to survival of the Tweed Coast koala population which is listed as endangered.

SUPPORTING QUOTES FROM TWEED COAST KOALA HABITAT STUDY 2011

TCKHS 2011 identifies barriers to koala movement as a process threatening the survival of the koala on the Tweed Coast. 'Threatening processes' (page 11) states: 'Fragmentation of koala habitat such that barriers to movement are created that isolate individuals and populations, hence altering population dynamics, impeding gene flow and the ability to maintain effective recruitment levels.'

'Road mortalities/koala blackspots' (page 49) states: 'Dr. Phillips (2002) reported vehicle-strike as responsible for 34% of koala mortality on the Tweed Coast. While this statistic has decreased to 19% in the intervening decade, this result is more likely to be attributable to overall population decline than an increase in care and vigilance of drivers.'

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'Mitigation of threatening processes' (page 66) states: 'There is a need for evaluation of existing underpass options along the Pacific Highway that offer greatest potential for safe passage of koalas so as to achieving meaningful east-west connectivity, with particular emphasis on the Sleepy Hollow area where ameliorative measures are also

required'.

TCKHS 2011 has identified the following regarding the Tweed Coast Koala population viability:-

144 Koalas remain in the Tweed Coast study area. '170 is the minimum viable population size for long-term survival' [Phillips, unpub.Data, refer page 61]. An estimated 35 Koalas occupy the Pottsville Wetland.

'Regarding the central Koala Management area (between Bogangar and Pottsville) there is a need to consider the localised extinction of Koalas south of the Tweed River to be a foreseeable event within the next 2 - 3 decades' [refer page 64].

Three disjunct sub-populations of Koalas exist in the central Koala Management Area south of Tweed River between Bogangar and Pottsville [refer page 5].

For viable Koala metapopulation to survive, Koala recovery and management actions must be focused between Bogangar and Pottsville [refer page 6]. The central Koala Management Area must be of the highest importance [refer page 65].

'Population Viability Analysis carried out by Phillips et al. 2007 has determined that as little as a 2-3% increase (ie 4 Koalas in the entire Tweed Coast koala population) in the naturally-occurring mortality rate (as a function of total population size) due to incidental factors such as road mortality, dog attack or the stressors associated with disturbance generally, is sufficient to precipitate decline [refer page 63].

The Tweed Coast Comprehensive Koala Plan of Management identifies that safe koala movement through the koala black spot area is crucial to the survival of the Pottsville Wetland koala sub population. The proposed tripling of allowable vehicle movements through this area has the potential to cause a major risk of koala vehicle strike and a major impediment to koala movement.

SUPPORTING QUOTES FROM TWEED COAST COMPREHENSIVE KOALA PLAN OF MANAGEMENT (refer attached Map Activity and Linkage precincts)

'Dunloe Park KLP' (Koala Linkage Precinct) states (page 19): 'The precinct includes critical connectivity measures across the Pacific Highway, including the fauna overpass south of the Pottsville interchange and a bridge crossing under the highway at Sleepy Hollow Road....Management focus within this precinct is retention and extension of habitat with a specific focus on creating viable movement corridors that link the adjoining KAPs to highly significant habitat west of the highway.'

'Koala Habitat Restoration' (page 48) states: 'Areas of Preferred Koala Habitat vary in condition and currently provide insufficient connectivity between koala sub-populations on the Tweed Coast and between coastal and western populations.'

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'Reducing Koala Road Mortality' (page 51) states: 'The Habitat Study recognised that the Pacific Highway limits movement of individuals and genetic flow between the Tweed Coast koala population and those in the west. A further seven stretches of road on the Tweed Coast were termed "blackspots" that accounted for the majority of koala road kill. This Plan identifies these sections of road along with other high risk sections of road where koala road kill is likely to occur due to its proximity to koala habitat as "koala roads". These areas include: Pottsville Road (Pottsville, Sleepy Hollow)'....Koalas are killed on these roads because they bisect existing home ranges or movement corridors for dispersing animals, thus they also reflect the locations that are most vital for maintaining connectivity across roads. The ranging behaviour of koalas cannot be modified, thus it is the approach to road design and the attitude to road use in high risk areas that must adjust in order to reduce this threat [refer attached Map Haul Route and Koala Linkage Corridors and Map Activity and Linkage Precincts]

TWEED COAST COMPREHENSIVE KOALA PLAN OF MANAGEMENT (KPOM) 3.5.2.2 KOALA LINKAGE PRECINCTS (refer Map Activity & Linkage precincts attached)

A Koala Linkage Precinct (KLP) is a mapped area adjacent to one or more KAPs that provide optimal opportunities for improved habitat management and connectivity.

Dunloe Park Koala Linkage Precinct:

Dunloe Park KLP is approximately 428 ha, consisting of the lands between the Pacific Highway in the west, Pottsville KAP to the north, Black Rocks KAP to the east and non-precinct areas to the south.

The precinct includes critical connectivity measures across the Pacific Highway, including the fauna overpass south of the Pottsville interchange and a bridge crossing under the highway at Sleepy Hollow Road.

Management focus within this precinct is retention and extension of habitat with a specific focus on creating viable movement corridors that link the adjoining KAPs to highly significant habitat west of the highway.

TWEED COAST COMPREHENSIVE KOALA PLAN OF MANAGEMENT KOALA LINKAGE PRECINCT MANAGEMENT OBJECTIVES

i) The following management objectives will be used to guide this Plan in relation to the Koala Linkage Precincts.

a) To actively reduce threats to existing koalas and their habitat.

b) To increase the area and quality of Core Koala Habitat with a focus on improving connectivity between existing koala populations and KAPs.

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c) To ensure that new developments within a KLP minimise impacts on koalas, whether or not they are currently present on site, through the retention and protection of Core Koala Habitat and the application of rigorous development controls.

d) To ensure that any development affecting koalas or their habitat within a KLP contributes positively to koala recovery within the KLP through improved connectivity of koala habitat.

e) To ensure that planning for future development within a KLP positively contributes to koala recovery within the KLP through improved connectivity of koala habitat.

f) To encourage all stakeholders, including private landholders and the community, to positively contribute to koala recovery within the KLP.

EXTRACT FROM TWEED COAST COMPREHENSIVE KOALA PLAN OF MANAGEMENT

For Development Proposals within a Koala Linkage Precinct without evidence of koala usage, connectivity for koalas must be enhanced by the planting of Preferred Koala Food Trees or the creation of additional Preferred Koala Habitat. Such areas shall:

a) be within the property (or adjacent properties in the same ownership) to which the development is proposed but outside of the Development Envelope (including any envisaged infrastructure, easements, bush fire asset protection zones and the like), any land used for offsetting under Section 5.9.3 (iii) or retained under Section 5.9.3 (iv), and b) be optimally located to improve koala habitat connectivity.

The mine site is not considered Minor Development under The Tweed Koala Plan of Management. In the event that the proposal is approved please check if there is a requirement to comply with the above clause.

The proposal should be examined to the fullest extent in relation to its effect on the environment, ensuring that any proposed action has minimal adverse impacts on the threatened species which inhabit the land within and adjoining the mine site.

INCONSISTENT MATTERS

There has been no consideration of the endangered status of the Tweed Coast koala population.

The proposal contradicts a focus of the Dunloe Park Koala Linkage Precinct, which is to improve connectivity to the underpass under the highway at Sleepy Hollow Road. The proposal also contradicts the KPOM koala linkage precinct objectives, particularly objectives (a) (c) (d) and (f).

I believe that the above adverse impacts of the proposed action within and on land adjoining the subject site are inconsistent with the findings of the EA, which concludes that the proposed action will not have a significant impact on koalas.

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I believe that the adverse impacts of the proposal are inconsistent with the recommendations of TCKHS: 'Sustainable planning for Koalas should endeavour to minimise the potential for adverse impacts in known Koala habitat by ensuring that adequate areas of suitable habitat, and linkages to assist ongoing processes of recruitment and dispersal, are maintained or restored.'

I submit that considering the issues raised in this submission, the proposal does constitute a 'radical transformation', and that continued use of Section 75W to modify the project approved under Part 3A (known as Transitional Part 3A Projects) cannot be relied upon because the proposed changes cannot be considered a 'modification'.

Outstanding Environmental Planning and Assessment Act matters:

I believe that the adverse impacts of the proposal should it be approved will significantly impede connectivity causing fragmentation between areas of koala habitat and breeding locations. The increase in vehicle movements would result in degradation of the corridor value of the land within and adjoining the mine site.

I believe that the adverse impacts of a tripling of vehicle movements are likely to disrupt the life cycle of the species (Pottsville Wetland koalas) such that a viable local population of the species is likely to be placed at risk of extinction.

I believe the proposed action is inconsistent with the objectives or actions of the Recovery Plan for the Koala which was approved by the Minister for Climate Change and the Environment in November, 2008.

I submit that the proposal poses unacceptable impacts on the environment in that the proposal is likely to have a significant impact on the viability of a koala linkage corridor identified in the Tweed Coast Koala Habitat Study 2011 and within the Dunloe Park Koala Linkage Precinct as mapped in the Tweed Coast Koala Plan of Management.

I believe that the proposal poses unacceptable social impacts on the amenity of neighbours.

If the proposal is approved, up to 240 vehicle movements a week day day will be allowed until 1 January 2035, but there has been no consideration of how the proposed increased vehicle movements will interact with the cumulative effects of traffic associated with other proposed future development in the area. This includes the proposed Dunloe Park urban development adjacent to the mine site. This development proposal is presently undergoing a master-planned community process and, if approved, is expected to house 6000 people.

There has been no consideration of how the proposed increased vehicle movements will interact with the traffic generated by the North Byron Parklands Splendour in the Grass and Falls music festivals which use Pottsville Moobal Road and the Pottsville Pacific Highway interchange as a designated access route. Currently an estimated 35,000 people attend the Splendour in the Grass event over a 5 day period.

Considering the ecological values, disruption to connectivity and impacts on threatened fauna within and/or adjacent to the mine site as detailed in this submission, I submit that the application for the proposed action should be rejected.

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Outstanding Environmental Protection Biodiversity Conservation Act matters

Regarding assessment under the EPBC Act, I believe that the Environmental Assessment and Review of Environmental Factors are incomplete because they do not recognise the federally-listed vulnerable status of the koala, and that the mine site is located within a quality habitat corridor linking the Pottsville Wetlands with the Wooyung and Billinudgel Nature Reserves to the south and koala habitat to the west. This recognition is not reflected in the findings and recommendations of these documents.

There is no reference in the EA to the koala's federally-listed vulnerable status. TCKHS 2011 Koalas Population

Viability presents a number of very alarming statistics regarding predicted localised extinction of koalas and a viable population size which is well below the minimum. I believe that the impacts on Pottsville Wetland koalas will have very serious consequences for their survival and will significantly impact on the viability of the koala population on the Tweed Coast.

I therefore believe that the proposal warrants referral to the SEWPC Minister for impact assessment and Commonwealth approval under the EPBC Act.

CONCLUSION

I submit that the issues raised in my submission must be assessed in accordance with the relevant provisions of the EP&A Act and EPBC Act.

Considering the matters referred to in this submission, I submit that the precautionary principle should be adhered to and the application should be rejected.

Please note:- the attached maps are modifications of maps copied from the Tweed Coast Koala Habitat Study 2011 and the Tweed Coast Comprehensive Koala Plan of Management.

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IP Address: 164.21.141.112.sta.dodo.net.au - 112.141.21.164
Submission: Online Submission from David Norris (object)
https://majorprojects.accelo.com/?action=view_activity&id=283763

Submission for Job: #8619 Dunloe Park Sand Quarry (MOD 2)
https://majorprojects.accelo.com/?action=view_job&id=8619

Site: #42 Dunloe Sand Quarry
https://majorprojects.accelo.com/?action=view_site&id=42