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Department of Planning Industry and Environment
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Stockton Quarry - Modification - 3 Stockton Sand Quarry (DA140-6-2005-Mod-3)

Dear Anthony

NPWS has reviewed Boral's response to submissions.

The NPWS review has focussed on coastal issues and Aboriginal cultural heritage matters in relation to the Worimi Conservation Lands (WCL) which directly adjoins the existing Boral sand extraction operation. The WCL comprises the Worimi National Park, State Conservation Area and Regional Park gazetted under the NSW National Parks and Wildlife Act (the Act). The review has also been informed by the views of the WCL Board of Management.

The WCL is Aboriginal owned and jointly managed with NPWS in accordance with the Act. The WCL Board of Management is responsible for the care, control and management of the WCL.

The WCL Board has serious and significant concerns regarding potential impacts of sand extraction relating to the proposed modification to the Stockton sand quarry adjoining the WCL, including on Worimi cultural heritage values and the coastal dune system.

NPWS is not satisfied the applicant has demonstrated there will be no impact on any mobile items of Aboriginal cultural heritage currently located on WCL.

NPWS is not satisfied the applicant has demonstrated there will be no impact on the WCL and the natural coastal processes that occur there. The proposed sand extraction extension poses a direct threat of impact to the WCL and the 15 metre buffer between the quarry operation and the boundary with the WCL should be retained.

The NPWS response with detailed comments is provided in **Attachment A**. If you require any further information regarding this matter, please contact Andrew Bond, Hunter Coast Area Manager on 49848256 or 0429144875.

Yours sincerely

Kylie Yeend
Director, Hunter Central Coast Branch
National Parks and Wildlife Service

Attachment A

NPWS response and detailed comments

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Aboriginal cultural heritage

1. Mobile items of Aboriginal cultural heritage are secured by retention of the 15m quarry buffer

The SEE report prepared by Boral Land and Property Group dated 17 January 2019 and RtS dated 25 September 2019 have not provided sufficient detail regarding the protection of mobile items of Aboriginal cultural heritage located on Worimi Conservation Land. Natural coastal processes occurring on Worimi Conservation Land include aeolian processes which involve the movement of items of Aboriginal cultural heritage over time. It has been acknowledged in the revised modification application and RtS that the 15 metre buffer between Worimi Conservation Land and the active extraction pit performs the function of acting as a receiving area for mobile items of Aboriginal cultural heritage. Sand quarried from within the 15 metre buffer area will involve the removal of this area, thereby causing any mobile items of Aboriginal cultural heritage to fall into the active extraction pit. This would represent a permanent loss of items of Aboriginal cultural heritage which is not acceptable to NPWS. NPWS is not satisfied that the applicant has demonstrated there will be no impact on the natural coastal processes that occur on Worimi Conservation Land property and the impact that may have on any mobile items of Aboriginal cultural heritage.

NPWS Response 1

NPWS is not satisfied the applicant has demonstrated there will be no impact on any mobile items of Aboriginal cultural heritage currently located on the WCL.

Coastal processes

2. NPWS is not satisfied that the application has demonstrated there will be no impact on Worimi Conservation Lands (WCL)

The SEE report prepared by Boral Land and Property Group dated 17 January 2019 and RtS dated 25 September 2019 have not provided sufficient detail regarding stabilisation of the dune system as a result of proposed sand extraction activities directly adjacent to the WCL.

The existing requirement to ensure the footprint of the quarry extraction activity does not go beyond the 15 metre buffer from the boundary is a critical condition of consent that mitigates risk of direct impact on the WCL. The proposed sand extraction extension seeks to remove this and poses a direct threat of impact to the WCL.

The proposed sand extraction extension would have the top edge of the quarry batter slope positioned directly at the boundary of the WCL. This leaves no margin for error to avoid impacts on the WCL side of the boundary. It has been acknowledged in the SEE and RtS that the 15 metre buffer performs the function of ensuring that extraction activity does not directly destabilise and effect the neighbouring land within the WCL. Sand quarried from within the 15 metre buffer area will cause the immediately adjacent dune to actively collapse into the extraction pit, further exacerbating dune deflation on the WCL.

The revised Rehabilitation and Landscape Management Plan (2018) appears to be silent on proposed stabilisation efforts along the adjoining batter slope to the quarry floor and the existing 15m buffer area. This is not consistent with the information (refer section 2.3.12, 6.2.4 and 16.1.3) and

recommendations in the original EIS (2005). The EIS (2005) for the current sand extraction operation inclusive of the existing 15 metre buffer zone notes there will be a lowering of the dune beyond the Boral property. The same document also notes that without stabilising the remaining hind dune, including the 15 metre buffer, the extent and rate of deflation of the dunes beyond the Boral property will increase, lowering the dune further on the WCL.

If the buffer area is removed and only the landward batter slope in the quarry is re-vegetated, this will have no impact on stabilising the remaining dune that adjoins the WCL. In these circumstances, the proposed sand extraction extension would result in an increased extent and rate of deflation in the WCL, lowering the dune further.

NPWS is not satisfied that the applicant has demonstrated there will be no impact on the natural coastal processes, including on the WCL, or the stability of land including sand dunes located on the WCL.

NPWS Response 2

NPWS is not satisfied the applicant has demonstrated there will be no impact on the Worimi Conservation Lands and the natural coastal processes that occur there. The proposed sand extraction extension poses a direct threat of impact to the WCL and the 15 metre buffer between the quarry operation and the boundary with the WCL should be retained.