



P.O. Box 113 TOUKLEY  
N.S.W. 2263

N.S.W. Government

25-9-2018

Planning & Environment

G.P.O. Box 39

Sydney 2001

## **OBJECTION TO ERARING POWER STATION ASH DAM EXPANSION**

### **MOD 1**

The Northern Lakes Disability Tourism Precinct Committee Inc. was established to identify precinct areas where the disabled and those with mobility, health and aging issues can indulge in safe recreational practices including holidaying, fishing, swimming, bush walking and a long list of activities.

The first Disability Precinct is being established in the north of the Central Coast, yet unfortunately many obstacles have impeded the progress, such as contaminated lands through the licenses that allow polluting, having been handed out by the EPA and other authorities over the past fifty years for both Lake Munmorah/ Colongra Bay and Vales Point power stations.

The words Environmental Protection back in the 60's were only just that, words without any real understanding of the Environmental & Health impacts that would occur over the following decades. Licenses to pollute were bought by large business to discharge into local rivers & handed out with free abandon by the authorities and decades later, we need not look too far to find glaring example of Environmental degradation and potential health impacts.

By-products of industry have created immeasurable damage to both the land and human health, unwittingly or intentionally. P.F.A.S., Asbestos, air pollution, groundwater & stormwater overflow issues from toxic sites such as tailing dams. Ethylene Dichloride, Mercury or Hexachlorobenzene and the list goes on. Yet in 2018 we don't seem to have taken notice or acted upon all the nightmares that we have created for future generations.

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2.

The Central Coast's northern suburbs which happen to be in very close proximity to Vales Point and the former Lake Munmorah power stations and their ash dams, have been identified by a four year Cancer Cluster report, approved by the Cancer Institute, putting nine identified cancers being 20% above the N.S.W. state average. No one can defiantly say that it is due to the power stations or ash dams, yet again no one can prove it isn't.

Many incidences of Brain cancer are currently being identified in very young children in the same proximity to the existing Central Coast ash dams, power stations and contaminated lands. Legal action is about to be pursued regarding the process of leaching through unlined, fifty year old dam walls, penetrating groundwater flows and contaminating neighboring properties.

The general community has requested Newcastle EPA to investigate incidences at the Vales Point Ash Dams and have had them walk away from our concerns. Sydney EPA identified P.F.A.S. contamination in Lake Munmorah and Colongra Bay in September 2017. Today twelve months later, local communities have not been told the results of fish tests, due to the excuse of not being able to catch enough fish or prawns to actually test. Sydney EPA also admitted to I.C.A.C. over the Mangrove Mountain (Central Coast) illegal dump, that they knowingly knew of the issues and failed to protect the environment.

Environmental science has identified the **Precautionary principle**, a new guideline in environmental decision making, having four central components.

1. **Taking preventive action in the face of uncertainty.**
2. **Shifting the burden of proof to the proponents of an activity.**
3. **Exploring a wide range of alternatives to possible harmful actions.**
4. **Increasing public participation in decision making.**

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3.

**Component (1)** is a major principle, due to the uncertainty of further land contamination, destruction of habitat and species, whether under any protection Acts or not and or long term impacts through either walking away from the proponent's obligations to remediate the site or simply cover or cap the site for future generations to unfold.

Nothing in the dam expansion plan suggests anything preventative, only other options with similar outcomes.

**Component (2)** the burden of having the need for the community to prove the possible outcomes is effectively ticking the boxes for the proponent, as individuals within the general community do not have the way or knowledge to dispute the dam expansion proposals.

There is although a reasonable legitimate precedent in practice where Orica in Botany agreed to supply the local Community Liaison Committee the figure of \$100,000 per annum, to allow the community to employ experts to read all scientific reports and access the outcomes on behalf of the community. To educate the community by understanding the terminologies and gaining a better grasp of understanding what is put before them.

***I put to the N.S.W. Government, Planning & Environment that this principle be adopted for all major environmental & human health planning proposals now and into the future.***

**Component (3)** Options have been put forward, of which all will have some degree of Environmental impact and have no certainty for the long term human, native animal or marine species health impacts throughout the region.



4.

**Component (4)** Having the opportunity to read, try to comprehend and write a submission on any of the proposals is well beyond many individual resident's capability or capacity and the component is very aware of this. It simply isolates & targets the individual community member for perceived unforeseen possible intimidation, just for having a view on their future. The only way the community can feel confident that they understand the processes being put forward is to have community meetings where every aspect of the proposal can be tabled and discussed in front of an audience.

***It will only be until all four Precautionary principles are conducted, that the community can try to understand any of the outcomes, be them scientific or political. Yet Eraring Energy insist that they have taken on board not only the Precautionary Principle, also Inter-generational equity, but have failed to identify other Fly Ash disposal methods, admit to environmental & habitat destruction, unable to prove perceived health risks to local and regional communities and they still need to expand the Ash Dams to continue with their destructive ways for a further decade or more.***

Is the Community being led to believe that with all the recourses of the State Government that over the past two decades alone, that the managers of Eraring Power Station did not see the need to expand the dam facilities for excess Fly Ash production? Because if this is the intent now, only a few years before decommissioning, it is quite obvious & apparent the State Government employed the wrong managers for the job.

**ENVIRONMENTAL ASSESSMENT:**

In light of the understanding that this proposal triggers SEPP No. 14 Coastal Wetland Management, SEPP No. 55 Remediation of Land, SEPP 44 Koala habitat protection, the State Protection of the Environment Operations Act 1997 (P.O.E.O. Act) and many Local Government policies & plans, yet is deemed not to trigger the Commonwealth Environment Protection & Biodiversity Conservation Act 1999, even though several species under these acts have been identified, completely astonishes me.

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5.

The proposal admits to the unlikely finding of threatened Amphibian species being present due to the reduced quality of the Ash Dam & few other aquatic habitats. **Therefore admitting to the destruction of more than one aquatic habitat, which may have been critical habitat, for other threatened or vulnerable species, yet no longer exists due to the existing Ash Dams and now they want to expand them?**

Consultation started in 2003 for this proposal with three species of flora under both the TSC & EPBC Acts being identified. *Acacia bynoeana* (both Acts), *Callistemon linearifolius* (TSC), *Tetratheca juncea* (both Acts). Also finding a further four Vulnerable species within 10 km from the site plus a further 94 fauna species & 6 threatened Vertebrates. The proposal identifies migratory bird species that are protected under RAMSAR, JAMBA, CAMBA & ROKAMBA Conventions. **Yet still insists that NO impacts are expected to occur to habitats or water quality and give NO answers to if it were to occur.**

I find it amazing that this has not triggered a massive response from State Planning & Environment Department or the Environmental Protection Authority (EPA). **52 ha of critical habitat bushland would need to be removed. This is equivalent to 72.8 soccer fields or just under twice the size of Newcastle Airport for the establishment of a further 52 ha toxic dump with no real potential of remediation.** Systematic demolition of critical habitat being safeguarded by placing a few boxes in the trees in the nearby buffer zone and hoping that will suffice.

**PREFERRED OPTIONS:** may increase capacity with the **PROJECT ELEMENTS** explaining the strategy's makeup of cell deposition, progressive ash terraces, access roads, water management systems, upgrades and staging, yet fails in every way to identify the long term **REMEDICATION STRATEGY** or **ENVIRONMENTAL BONDS** to ensure a positive outcome.

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6.

***Whilst pages are systematically left blank throughout this document, the Community are expected to comment on possible inclusions after they have responded & the decision has been made by the Department and Minister.***

**STAKEHOLDER CONSULTATION:** All appropriate agencies needed to approve this proposal, have been briefed, yet with one glaring omission... the **General Community**.

Having a C.A.R.E. committee or selected community consultation group does nothing for community concerns, as most representatives are nothing more than apologists for the proponents and very rarely get back to the masses to clearly explain the consequences.

**BIODIVERSITY:** The Environmental Assessment identifies that the region is scattered with substantial areas of intact vegetation within the buffer land. The region includes areas of wetlands, coastal lagoons, creeks and alluvial flats, all currently under threat from mine subsidence. The region also consists of Paperbark and Casuarina forests, heath, sedge & reed communities, all making up a dynamic ecosystem and home to indigenous and visiting species.

The allowance of Biodiversity Credits is nothing more than another version of Licenses to Pollute or for the allowance for destruction of existing habitats. This idea should be revisited by all authorities and amended to make sure that no credit system, license approval, tokenistic financial punishment or offset procedures can be allowed by those who are put in place to enforce Australia's Environmental laws for the residents.

**PRESCRIBED IMPACTS:** "Uncertain prescribed impacts that are unable to reliably predict outcomes". This Plan cannot report that this project is unlikely to result in uncertain prescribed impacts. Therefore the only one conclusion that can be forthcoming is the **PRECAUTIONARY PRINCIPLE** looking at it from the community's perspective.

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7.

**ENVIRONMENTAL SAFEGUARDS:** cannot be guaranteed in any form and certainly this proposal can state what Eraring Energy would like to happen & that they intend to cover every aspect of Environmental & Community Protection, yet cannot guarantee any outcomes. Therefore a massive Environmental Bond in the hundreds of millions can be the only outcome if the authorities approve the Plan.

**TRAFFIC & NOISE:** The license for traffic movements and noise around the Vales Point Power Station and Ash Dams were predicted over fifty years ago. The new license was given for the dumping of the Connex North spoil in the past few years without community consultation. This has now generated tens of thousands of heavy truck movements per year in and around local streets, terrorizing locals and has directly taken lives in a horrific accident on the M1 in early August 2018.

**Nothing in this document can seriously be considered by any authority or the community, as sufficiently protecting our ecosystems, ensure long term remediation strategies & introduction of Environmental Bonds or prove that the process of dumping toxic Fly Ash into unlined dams will not or have not created detrimental health problems for the surrounding communities.**

**The Northern Lakes Disability Tourism Precinct Committee Inc., object to this Ash Dam expansion proposal.**

Yours sincerely,

*Gary Blaschke*

Gary Blaschke OAM

N.L.D.T.P.C. President

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