



# Port Stephens Greens

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15 February 2016

NSW Department of Planning

## **Objection: Major Project SD 13\_6125 - Cabbage Tree Road Sand Quarry, 398 Cabbage Tree Road, Williamtown**

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=6125](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=6125)

### **Introduction**

Port Stephens Greens represent a number of members and supporters who live in the vicinity of the proposed quarry and are therefore directly affected, and many more in the wider Port Stephens area who have an interest in the environmental, social and traffic impact on the local community.

### **Assessment should not proceed pending resolution of Williamtown contamination issue**

We submit that assessment of this proposal should be put on hold pending clarification of the extent of contamination from PFOS/PFOA chemicals historically used in Fire Fighting foam at the RAAF Base Williamtown – the quarry site is at least partly within the ‘red zone’ investigation area declared by the NSW EPA, and close to one source of the contamination (Lake Cochrane). It is unconscionable that any consideration be given to soil disturbance in this area until the risk is fully assessed.

A soil and water testing regime is still under way and a human health risk assessment has only just commenced. The Senate Foreign Affairs and Defence Committee is holding an Inquiry into the contamination issue, with an initial report on the Williamtown area due in February.

The EPA has instituted a ban on fishing in Fullerton Cove and Tilligerry Creek (into both of which groundwater from the Investigation Area drains) until at least the middle of 2016, and there are other restrictions on sale of produce from the zone. It seems unlikely that the full scale of the contamination and its potential effects will be known for some time.

The proponent has *not even acknowledged* the specific issue of the RAAF Base contamination in its application or accompanying EIS, despite the latter document (by consultants Umwelt) being dated November 2015 – two months after the RAAF Base contamination became publicly known.



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Mehreen Faruqi, MLC, the Greens Environment spokesperson, has written to the Minister of the Environment (cc Minister for Planning) calling for suspension of the assessment of this DA.

## **Status of applicant**

We and many others questioned the controversial process whereby in 2013, Port Stephens Council (the landowner) awarded the tender for quarrying, initially to Castle Quarry Products, and the subsequent re-assignments of the lease, most recently to Williamtown Sand Syndicate Pty Ltd. We note that while the EIS has been prepared for Williamtown Sand Syndicate Pty Ltd, the applicant for this DA is still listed on the Department of Planning's major projects website as Castle Quarry Products (CQP). We question whether this should not have been formally updated to be a valid application – CQP may not even be a currently functioning legal entity?

## **Objections if assessment proceeds**

In the event that assessment proceeds, Port Stephens Greens object to the DA on the following grounds, each of which relates to one or more of the assessment criteria in s79C of the EPA Act:

### **Soil and water contamination**

- The quarry is located within the 'Red Zone' Investigation Area where groundwater is contaminated by toxic chemicals from the Williamtown RAAF base - the impact a sand quarry in this area may have on the spread of contamination has not been assessed. As noted above, the EIS for this DA makes no mention of the RAAF Base contamination – a glaring omission. This should on its own be sufficient grounds to either reject the DA or at least to require the applicant to provide further information before progressing the assessment.

### **Groundwater, flooding and drainage**

- The quarry is located on the Tomago groundwater source – an important source of drinking water to the Hunter region (although use of some specific bores was discontinued by Hunter Water in 2009 because of its knowledge of potential contamination from the RAF Base – not made public until September 2015). Apart from the potential effect of quarrying on the contamination, we submit that there are other potential risks to the aquifer that make quarrying on this site inappropriate.
- The EIS shows that large areas of the site are within Port Stephens Council's, 'Flood Planning area' (Figure 3.1). While the specific areas proposed to be quarried are largely above the



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flood level, we question the effects mining the site will have in the longer term. Potential Climate Change impacts don't appear to have been considered.

- The EIS states that quarrying will all be more than 1 metre above the aquifer groundwater level (3.4.4) and therefore that there will be no interference. One metre does not seem to be an adequate 'buffer', particularly given that the aquifer under this site is part of the Tomago sandbeds which is an important source of drinking water for the region. We note that there is reference in the EIS to a Groundwater Management Plan recommendation that a minimum 2 metre buffer be the norm (Appendix 7, section 2.1).

## Flora, fauna and biodiversity

- The EIS has identified 146 native plant species and 97 fauna species within the site area. Figure 4.4 of the report lists a total of eight threatened fauna species recorded in the project area; all are listed as vulnerable under the TSC Act.
- The koala population within the Port Stephens Council LGA is recognised as one of only a few significant colonies within NSW. A comprehensive Koala Plan of Management (CKPoM) exists for the LGA and the site of this proposed development has been identified as including both preferred koala habitat and supplementary habitat (PSC 2002a – cited in the EIS section 4.4.4.4). The EIS concludes that ***“the project may result in a significant impact on this species”***.
- This threat to be totally unacceptable with little mitigation proposed apart from instructing drivers to be on the lookout for native animals and to travel below 20km/h (which is clearly unrealistic).
- The proposed 'area reserved for the wildlife access corridor', although a welcome addition, doesn't appear to have any suitable fencing or barrier proposed along the access road connecting the southern and northern quarry sites, nor a tunnel or bridge to allow native animals to move east/west without having to cross the access road.
- The cumulative effect of losing a small piece of koala habitat from all of the numerous developments proposed around the Port Stephens area has reached a critical point that no further loss can be acceptable by the community if we are to ensure the survival of the local koala population.



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- There is no specific offset proposal described in the Environmental Impact Statement (EIS) – simply a promise to consider offsets later. We submit that this either renders the application invalid or at the least is grounds for refusal or deferral pending further information.
- Few details are provided about the proposed rehabilitation of the site apart from a vague commitment to develop a plan approximately 3 years prior to the closure of the quarry. In the meantime, it appears that any existing vegetation cleared will be mulched and stockpiled ready for placement on rehabilitated areas. We submit that if approval was granted, the quarry operator should be required to commence replanting soon after quarrying ceases in each zone. This would enable trees over a large sector of the site to be already reaching close to 10 years in maturity by the time the operation finally ceases in approximately 15 years.

## Potential health risks

- There are unknown but potentially serious health impacts from the proposed quarrying of silica sand such as respiratory illnesses. The precautionary principle requires a more detailed health impact assessment.
- We understand that previous mining for rutile on part of the site involved potentially toxic materials, which were brought to the surface and subsequently covered up. Further quarrying would risk exposing these materials, with unknown health consequences.

## Traffic

- The quarry will generate an extra 140 truck movements per day, on an already heavily used and inadequate single lane road (Cabbage Tree Rd). We understand that there are some 25 homes, with access driveways, within 500 metres of the proposed quarry entrance. It seems likely that the peak heavy truck movements associated with the quarry will coincide with the morning peak hours.
- The assessment needs to consider the cumulative impact of extra movements generated by the quarry together with both existing heavy truck traffic and future traffic from other already approved mining operations in the Williamstown/Saltash/Oyster Cove/Fullerton Cove area. This should include consideration of any changes to traffic from the Mackas sand operation currently under consideration by the PAC (Reference MP 08\_0142). In relation to that project, the Department of Planning, following advice from the RMS, has recommended to the PAC that the number of truck movements be restricted between the hours of 6am and 9am due to ***“potentially unsafe interactions with general traffic on Nelson Bay Road”***).



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- The proposed operations would therefore add 3-4% to the current movements on Cabbage Tree Road, (but all of the increase heavy truck movements). The proposed left turn only out of the quarry, while sensible for safety, means that all of the truck movements would have to traverse the CT/NB Roads roundabout.
- If the DA was to be considered for approval, we submit that an alternative to the proposed left turn only out of the quarry and resulting U turns at the CT/NB Roads roundabout needs to be explored. Options include the installation of traffic lights, or a new roundabout at the quarry access on Cabbage Tree Road (any such works to be at the expense of the applicant).
- We note that one of the recommendations to the Modification 2 of Mackas sand project (MP 08\_0142) is that CCTV monitors should be installed 100m from the entry of the access road in order to better manage driver behaviour and help resolve any community complaints that might arise about trucking operations. We strongly endorse this recommendation and request that a similar condition be applied to Cabbage Tree Road should the project proceed.

## Noise, dust and visual pollution

- The proposed quarry would involve the removal of sand hills which form a natural sound buffer for residents from the aircraft noise generated by Williamtown civil airport and RAAF Base. Aircraft noise is forecast to increase significantly with the introduction of the Joint Strike Fighter (JSF). Noise exposure maps produced as part of the JSF project assessment and approval will no longer be valid for some properties along Cabbage Tree Road.
- Quarrying operations will adversely impact the way of life for local residents, with unacceptable noise, dust and visual pollution. Operations are proposed between 5am and 6pm on weekdays and 7am to 4 pm on Saturday, and parts of the quarry site are within 20 metres of residential properties. What is currently a picturesque bush landscape will become an ugly industrial scene. Were the DA to be approved, a vegetated buffer should be required that is wide enough to ensure that traffic passing the site is unable to view any part of the quarry apart from the main entrance gate.

We note that the quarrying operation would provide a very small number of jobs, and that there is no shortage of sand from other sites both within Port Stephens and elsewhere. The economic case for approval is therefore very weak.



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For all the reasons set out above, we submit that the DA should be refused, and no quarrying allowed on this site.

For context, we attach a flyer we have been distributing in the Williamstown area, highlighting the multiple threats faced by the local residents, including the RAAF base contamination and this sand quarry proposal. The cumulative impact of these threats is imposing a massive burden on the 650 families living in the 'red zone' and many others beyond, including to mental health.

Please acknowledge receipt of this submission

*Attachment: Williamstown threats flyer*

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