



15 February 2016

Department of Planning
GPO Box 39
Sydney NSW 2000

Attention: Director of Resource Assessments

Re: SSD 13_6125 – 398 Cabbage Tree Road Sand Quarry - OBJECTION

Introduction

Tomaree Ratepayers and Residents Association Inc. (TRRA) objects to the proposed development of a sand quarry at 398 Cabbage Tree Road Williamstown.

Our organisation represents the residents and ratepayers of the Tomaree Peninsula located some 35 kilometres to the east within the same Local Government area of Port Stephens.

TRRA has raised a number of concerns about this project from the very beginning. 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 Williamstown Sand Syndicate Pty Ltd. We note that while the EIS has been prepared for Williamstown 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?

TRRA has made a number of submissions in recent years on proposed developments at Williamstown and along Nelson Bay Road as these developments (and now this proposed sand quarry) directly affect the environment, visual impact and safety of our members while travelling to and from Newcastle, Maitland and Sydney for employment, shopping or social activities. The Tomaree Peninsula also relies very heavily on the Tourist market, with a significant proportion of visitors travelling by motor vehicles from Sydney via Cabbage Tree Road.



Traffic Impact

TRRA Inc. continues to be very concerned about the cumulative effect of the increased development of the Newcastle Airport/Business Park, Williamstown RAAF base expansion, proposed increase in truck movements from Mackas Sand quarry south of Nelson Bay Rd and now additional trucks from this proposed quarry.

The EIS predicts annual average daily movements of 63 trucks (126 in or out trips), but also confirms that there will be peak movements of 20 vph (40 trips). Loading/transport times are proposed from 5 am, and it seems likely that the peak heavy truck movements associated with the quarry will coincide with the morning peak hours. This is supported by the application (Modification 2) for an increase in the permitted number of movements from the nearby Mackas Sand operation (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”).

The EIS for the Cabbage Tree Road quarry cites existing traffic volumes on Cabbage Tree Road of 600 vehicles per hour (vph) in the morning peak (and 2000 vph on Nelson Bay Rd both north and south of the Cabbage Tree Rd intersection (roundabout). 10% is estimated to be heavy vehicle traffic. Nearly all of this traffic passes through the roundabout at the intersection of Nelson Bay Road and Cabbage Tree Road. The EIS also assumes a 3% per annum background increase in traffic on the local roads over the medium term (it is not clear if this allows for approved and prospective truck movements from other mining operations).

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.

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.

Visual Impact

It is difficult to determine from the EIS how large the vegetation buffer is between Cabbage Tree Road and the proposed quarry area 8A. Currently the area has extensive vegetation cover and we submit that the buffer should be wide enough to ensure that traffic passing the site is unable to view any part of the quarry apart from the main entrance gate.

Rehabilitation

Very 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 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.

Flooding and effect on groundwater

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 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).

RAAF Base contamination

No mention is made of the entire site being included in the 'Red Zone' Investigation Area declared in September 2015 because of contamination from the Williamstown RAAF Base. Questions that remain unanswered include:

- is any of the sand that will be quarried contaminated, and if so will quarrying and transport pose a health risk either to workers or to nearby residents?
- will changes to the ground level (and consequently to drainage patterns) resulting from quarrying increase the risk of contaminants moving faster and/or further into neighbouring land?

We submit that the assessment of this DA should be suspended pending clarification of the risks from contamination from the RAAF Base. It would be irresponsible to approve operations that will disturb the soil and change grounds levels within the EPA declared Investigation Area until the state of affairs becomes clearer.

Fauna and Flora

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”.

We find 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.

Biodiversity offset

Although we welcome the permanent allocation of a site for biodiversity offset, details are not provided and appears as if this area will be allocated at a later date depending on possible other commercial uses of the site once the quarry closes. We find this unacceptable and that an area should be allocated prior to development, particularly to protect the existing Koala population onsite.

CCTV Monitors

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. TRRA strongly endorses this recommendation and request that a similar condition be applied to Cabbage Tree Road should the project proceed.

Conclusion

We submit that the application should be refused on the grounds that:

- The truck movements from this proposal, when added to the additional truck movements from other nearby sand mining operations and growing commuter traffic around the Newcastle airport/RAAF Base will result in unsafe conditions particularly on the Nelson Bay Road/Cabbage Tree Road roundabout.
- The significant likely impact on the local koala population is an unacceptable risk, and threats to other vulnerable flora and fauna species too great.
- The effects of the contamination from the RAAF base have not been considered.
- The risk to the valuable Tomago groundwater source is too great.
- The lack of detail on environmental offsets and proposed rehabilitation is unacceptable.

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