



PCU52819

Department of Planning  
Received  
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Scanning Room

**Attention:** Director, Industry, Key Sites and Social Projects  
Department of Planning & Infrastructure NSW  
GPO Box 39, SYDNEY NSW, 2001  
c.c. The Honourable Mr. Brad Hazzard Minister Planning & Infrastructure NSW

**RE: Application Number MP 10-0006 (Pindimar Abalone Project)**

[REDACTED] We have not made a reportable political donation in the past two years and we would prefer that our names and contact information be withheld.

**Record of Objection:**

I strongly object to the proposed development of an Abalone Farm within the Port Stephens estuarine waters.

In terms of the Director General Requirements, subsection General Requirements, paragraph 6, I ask the Minister to reject the proposal because of misleading information contained with the Environment Assessment Report [EAR] regarding noise.

I understand that the EAR must not be misleading, inadequately justified or missing important information that may affect the Minister's decision.

**Recommendations:**

1. I strongly recommend that the minister, or agent(s), visit South Pindimar before any decision is made. Please contact Judith Richardson, Chairperson Pindimar Abalone committee for the Pindimar/Bundabah Community Association, Contact phone 0402655790 or write to 16 Cambage Street, Pindimar NSW, 2324.
2. I recommend that the Minister reject the proposal and request the proponents to provide an appropriate investigation and assessment of the impact of noise levels, quality and harmonics from the proposed development upon the local residents. The proponents must use an appropriate rated baseline level of ambient noise from the site and its closest residents as they currently are.

**Matters Arising and Points to Consider:**

Please find below reasons for the objection and recommendation to reject the proposal on the grounds of misleading information within the EAR, lack of justification for statements, and for omitting important information from the EAR.

**EAR page 38: Noise assessments are understated and misleading.**

- a. Paragraph 1: South Pindimar village is referred to a 'suburban environment'. A term which insinuates, to the unfamiliar reader, a sense of 'built up housing'.
- b. There is definitely no 'suburban' feel in the South Pindimar Village because the mix of permanent and non-permanent residents (holiday homes) is set within trees and bushland.

- c. South Pindimar village is a very tranquil holiday village within a bushland setting alongside a registered wildlife sanctuary called Tallowfield.
- d. *I recommend the minister, and/or his agent(s), visit the South Pindimar village, and the proposed adjacent development site to get a true perspective.*
- e. There are no commercial shops in the Pindimar village or area. The closest shopping and amenities are 15 minutes away in Tea Gardens.
- f. The proposed development site's base-level ambient sound is characterised by peaceful bushland. This has not been measured to determine the appropriate Rating Background Level.
- g. This bushland ambience is also characteristic within and around the adjacent South Pindimar village and this has not been measured to determine the appropriate Rating Background Level.
- h. This bushland ambience is also characteristic within the adjacent Tallowfield wildlife sanctuary and this has not been measured to determine the appropriate Rating Background Level.
- i. The EAR also fails to consider the 'quality' of the sounds by
  - i. comparing the existing bushland setting sounds to the 24hr,7-days-a-week industrial noise from the proposed development.
  - ii. and adequately discussing the impacts of these upon residents and wildlife.
- j. The EAR baseline Noise dBA records, within the Appendices 21 & 22, understate the impact of the level of proposed industry noise from pumps, generators and vehicles upon the residents.
  - i. Why are industrial/rural noise dBA standards used as a baseline level within the wildlife sanctuary and tiny, holiday village setting?
  - ii. The EAR rating background baseline must be the level of existing ambient sound that must be protected.
  - iii. The existing site and village ambient tranquillity must be the 'base measurement standard' for the level and 'quality' of ambient sound from the proposed site. Including the 24hr/7day a week multiple pump location set across the water from the residents homes.

## 2. Appendix 20 Noise Assessment 2003 Matters Arising

- a. Heavy Equipment requirements have been understated in the EAR. Construction earthmoving, lifting and concreting equipment has been omitted from the EAR.
- b. There is no information provided about the cumulative impact of compounded noise from this equipment working together during both construction and 24 hour, 7 days a week operation.
- c. Documented equipment power levels provided by the proponents are inserted below as a ready reference below in Table 2.2.1

**Table 2.2.1 Equipment Sound Power Levels**

Equipment	Sound Power Levels
<b>Construction</b>	
Truck - materials delivery	<b>84 dBA</b>
Excavator	<b>105 dBA</b>
Bobcat	<b>101 dBA</b>
Concrete delivery	<b>84 dBA</b>
<b>Operation</b>	
Truck delivery	<b>84 dBA</b>
Water pumps	<b>86 dBA</b>
Electric Generator	<b>113 dBA</b>
Cooling System (Air conditioning units)	<b>91 dBA</b>

- d. Heavy Equipment requirements have been understated in the EAR. The following earthmoving, lifting and concreting equipment has been precluded from the proponent's expected construction requirements in the EAR.
- e. Documented Equipment power levels omitted from the proponents table are:-



- i. Truck Earthmoving..... 101 dBA
  - ii. Crane..... 100 dBA
  - iii. Concrete Mixers & Pumps..... 86 dBA
  - iv. These noise levels extracted from pg3 [www.lhsfna.org/files/bpguide.pdf](http://www.lhsfna.org/files/bpguide.pdf)
- f. The proponents have also failed to point out that loudness measurements show that human pain threshold is reached at 140 dBA:-
  - i. I refer you to [www.atcoem.com/Resources/Documents/Noisecontrolhandbook](http://www.atcoem.com/Resources/Documents/Noisecontrolhandbook) which states on page 12 "LOUDNESS Sound is defined as any pressure variation heard by the human ear. This translates into a range of frequencies from 20 Hz to 20,000 Hz for a healthy human ear. In terms of sound pressure, the human ear's range starts at the threshold of hearing (0 dB) and ends at the threshold of pain (around 140 dB)."

### 3. Appendix 21 Noise Impact Assessment 2011 Matters Arising

- a. Assessment Methodology used by the EAR has been inappropriately used although claimed to be based upon NSW Industrial Noise procedures.
- b. Section 5.1 Background Noise monitors were not placed within the proposed development site for background monitoring to characterise the ambient (existing) noise environment and establish an appropriate base level (Rating Background Level) for comparison to proposed industrial noise levels, shown in table 2.2.1 above, during both construction and operations.
- c. No assessment has been provided for the cumulative impact of the noise levels from the equipment all working together.
  - i. What is the effect of sustained noise over long periods upon the residents of South Pindimar village?
- d. Considering the documented dBA levels shown in table 2.2.1 above, it would be imperative that noise monitors were placed
  - i. at each proposed source of the noise to obtain the current ambient sounds as the base level.
  - ii. at, and throughout, the closest dwelling houses of Cambage Street. Both on the waterfront and those homes facing Cambage Street.
- e. The proposed development site's noise environment is currently characterised by night-time silence (frogs & crickets) and daytime bird song. Noise monitors were not placed at this point.
- f. The proposed development's ongoing operations specifications determine that "acoustically significant" large pumps will be used 24hrs and 7 days a week at **86 dBA** each and positioned across the water from the dwelling houses of residents.
- g. Section 5.1 Background Noise monitors were not placed near closest Dwelling houses 200 m east of site boundary near the end of the Cambage St cul-de-sac.
  - i. Noise monitors were not placed at this point.
  - ii. Appendix 21 does not address noise in terms of closest affected residents.
  - iii. What are the affects upon the environment and residents of harmonics generated and pulsating from the 24 hour pumps?
- h. The vegetation separating the development from the closest residents is not 'dense'; as stated in paragraph 1 EAR Page 38. *I recommend the minister, and/or his agent(s), visit the South Pindimar village, and the proposed adjacent development site to get a true perspective.*

The three photos below depict the wetlands, creek and cleared sites that sit, in sequence, between the proposed development and residents homes.

**Photo 1 of 5:** Wetlands adjacent to development site



**Photo 2 of 5:** Creek adjacent to the wetlands.



**Photo 3 of 5:** Cleared private property adjacent to the creek.





- i. The vegetation in front of proposed 24 hr pumps has been cleared to the waterfront and is predominantly patchy with tall trees with canopies to focus the noise out across the water directly into water-front homes.

**Photo 4 of 5:** below depicts the view to shoreline and mangroves from proposed pumping station. *It is not dense bushland!*



- i. Noise monitors were not placed at this point to obtain an appropriate rating base level.
- ii. The vegetation will not effectively reduce the noise from 24 hr pumping systems at **86 dBA** as shown in Appendix 20 Noise Assessment Table 2.2.1 Equipment Sound Power Levels.
- iii. The proposed development noise will be carried across the body of water to the South Pindimar village and will be especially audible during dusk, night and dawn periods.

Photo 5 of 5 below depicts view from homes, across the water, to pump site.



- j. The EAR failed to discuss the noise that will travel across the water to Port Stephens residents directly across the bay. The noise is especially audible during dusk, night and dawn periods.
  - i. What evidence addresses the impact of the proposed development's noise upon Port Stephens residents directly across the bay? E.g., Corlette,
  - ii. Port Stephens residents at Corlette and Salamander Bay and Soldiers Point will be affected during dusk, night and dawn periods.

Yours faithfully,

