

December 18, 2011

Mining & Industry Projects  
Department of Planning & Infrastructure  
GPO Box 39  
Sydney 2001

**RE: 08\_0167 (Concept Plan) and 08\_0168 (Projection Application)**

We write to reiterate our strongest objection to the Eviron Road Quarry Landfill Concept Plan. Our previous objections have been ignored by the Tweed Shire Council. (See letter to Alison Marszalek of GHD Pty Ltd, environmental engineering consultants, April 28, 2009, c.c. Adam Faulkner, Tweed Shire Council).

**Legal issues**

According to the plan, the landfill operation will stretch over the next seven (7) years: that's seven years of truck movements, dust, smell, bird and rat infestation on the council-owned land adjacent to our residential property. Inevitably, the damage to the resale value of our property is catastrophic. Any potential buyer is legally entitled to know that the property they are buying is in the middle of a council industrial precinct which includes a tip and a quarry. Who would want to buy that and live there?

Please note that we have taken legal steps to protect our rights and the value of our residential investment and we will hold the council responsible for any losses we may suffer as a result of council's infrastructure changes in our immediate locality.

**Landfill objections**

The proposed landfill plan is contrary to the council's own environmental regulations and its stated planning strategy for the locality. Instead of remediating the Quirk Quarry site for its inclusion in the proposed Tweed Valley Botanic Garden (as originally proposed and publicly stated), council now intends to build a waste disposal facility on the site.

We have no confidence whatsoever in the proposed "fully engineered liner system, the leachgate extraction system or the gas extractor system" as proposed in the council's submission. Council claimed that the Murwillumbah tip was safely lined but it was shut down two years ago following shocking evidence that toxic pollutants were poisoning the surrounding land. Furthermore, the existing tip at Stotts Creek reportedly has "best practice environmental management" but detailed evidence exists that private and public land surrounding the facility is leaching toxic waste containing oil and heavy metals. When council is eventually forced to acknowledge the poisoning of Stotts Creek site, the cost of remediation will be tens of millions of dollars. Its suitability for future residential or industrial development will have been compromised.

Do the council and its environmental advisers seriously believe that after seven years' service as a landfill, the over-polluted site will be able to form part of a botanic garden?

**Pollution audit needed**

Before any decision is taken to establish three new landfills at Quirks Quarry, North Valley and West Valley, the Department of Planning and Infrastructure and Tweed Shire Council should conduct an audit of land contamination at the existing Stotts Creek site and publish those findings. To push ahead with the current proposal without examining past practices is a recipe for a repeat disaster.

**Flood plain hazard ignored**

The three proposed landfill sites are situated on a flood plain. In the past four years after heavy rain the entire area from Quirks Quarry to Stotts Creek and down to the Tweed Valley Way has been covered in water and turned into an inland lake. On some occasions it has taken three or four days to subside. The flooding of landfill sites on such a regular scale – at least twice a year – has the potential to cause severe environmental damage to the canefields and to pour thousands of litres of contaminated toxic waste directly into the Tweed River at Stotts Island. The damage to the river is incalculable and potentially horrendous.

While scientific evidence is continuing to suggest countries like Australia face rising sea levels, it is wilful vandalism to propose landfills on the Tweed Valley's coastal flood plain.

**Quarry site at West Valley**

The first of the new quarry sites will be located on the same ridge of land on which our property (No 657) is situated. Quarries mean infrequent but regular explosions plus trucks running almost continuously in and out of the site creating noise and dust. In our submission, all possible steps should be taken to ensure that noise and dust pollution are kept to a minimum and that the council considers planting a multi-tree "screen" to abate noise and dust.

**Conclusion**

The Tweed Shire's healthy and "green" environment is the key to its future economic growth. The council has spent large sums of money promoting the shire's unique and eco-friendly environment. The shire's enviable reputation as a coastal centre of special beauty is in danger from a landfill project which will inflict long-term and costly damage on the environment. This environmental disaster should be halted and other sites investigated in Tweed Shire, neighbouring shires and local government areas over the border in Queensland.

Yours sincerely

Alex Mitchell

Judith White