



Good afternoon commissioners ladies and gentlemen

The issue i wish to speak about is one of vital importance to the community but sadly does not seem to have been considered important enough in the recommendation of this project.

Firstly a bit of background

My property is situated on cabbage tree road

The western part of which is opposite the quarry site and 40 metres boundary to boundary

Cabbage tree road runs between my property and the quarry site

The edge of that road is some 5 metres from the quarry boundary

Inside the western boundary of my property there is a stormwater easement in favour of port stephens council

That stormwater drain by means of a concrete pipe continues under cabbage tree road to the quarry site. Therefore my property is technically connected to the quarry site

Our neighbours opposite actually share a boundary with the quarry

All three properties mine, the neighbours and the quarry are in the contamination zone

I asked port stephens council to clean out their easement

Verbally i was told due to the contamination the easement could not be disturbed \ cleaned so i asked for that decision in writing

I will now read to you the written version however within the document that i am about to read from, port stephens council staff are identified—i will read around their names

Read emails

Expand on email

Main point here is that the instruction only refers to soil—cannot remove soil from the contamination zone unless of course it goes to a certified storage facility -- absolutely no mention of water tables water profile sea level or depth of excavation

So here we have the controlling environmental authority instructing the local council who in turn advise landowners that it is illegal to remove soil from the contamination zone

Port stephens council owns the quarry site therefore as land owners within the contamination zone they like all other land owners within that zone are fully aware that soil cannot be removed from that area except as mentioned, the alternative, that soil go to a certified treatment facility

The currency of that instruction can be demonstrated in two examples as follows

Cabbage tree road as i mentioned runs between my property and the quarry site and is an rms road

Port stephens council receives grants from the rms to maintain those rms roads within its boundaries

Port stephens council has recently completed repairs to cabbage tree road just to the west of and in front of the mine site. As a precursor to that work port stephens council and rms representatives held a meeting with local residents to discuss the planned work

At that meeting questions asked of the representatives of both port stephens council and the rms== included the following

Have you completed an environmental assessment and statement ?

Are you aware that this road is in the contamination zone ?

Are you aware that any unwanted spoil or excavated material has to be taken to a certified storage facility ?

Can we receive a copy of the environmental assessment – statement ?

Response

Yes we have completed an environmental assessment and statement

Yes we are aware the work is in the contamination zone

Yes we are taking the spoil to a certified storage facility

No you cannot have a copy of the environmental assessment and or statement

So Port stephens council has obeyed the environmental authority instructions

The edge of the road they repaired is 5 metres from the mine site

Secondly

As we all know the raaf base is heavily contaminated and is being expanded.

This expansion has and is producing large quantities of unwanted material which has needed and will need to be removed.

Not all the material has been removed from the contamination zone but that which has been removed was taken to a dump

So in summary

We all know that it is illegal to remove soil-sand from the contamination zone.

So here we have an owner, Port Stephens Council, who is fully aware that it is illegal to remove soil from their property and whilst preventing others from doing so are wilfully supporting a third party in breaching their own guidelines

If i load my ute drive down the road out of the contamination zone and dump the load on a playing field, the road side or pony club grounds there is a good chance that i will be prosecuted by both port stephens council and the environmental authority

Therefore any truck driver who delivers the quarried product outside the contamination zone, to a destination other than a certified treatment facility, also faces the possibility of being prosecuted along with the supplier and owner of the product.

As a responsible corporate citizen, port stephens council should not be putting themselves, the proponents and us rate payers in that position.

IN CONCLUSION I WOULD LIKE TO ADD THE FOLLOWING:

It seems illogical, unjust and contradictory that this edict applies to some members of the community but not others.

It would be appreciated if this discrepancy could be reassessed and an answer would be greatly appreciated.

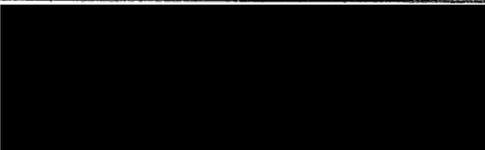
AND
↑

Given the current position in regard to the ever spreading and increasing contamination in the area along with the unanswered serious health questions it would seem to be a very irresponsible authority or person that allowed this project to proceed.

Thank you

Brian Curry

Kind regards



www.portstephens.nsw.gov.au



-----Original Message-----

From: [Redacted]
 Sent: Thursday, 8 December 2016 9:31 AM
 To: [Redacted]
 Cc: portstephens@parliament.nsw.gov.au
 Subject: Removal of spoil / soil from our property

Dear sir / madam

Our property at [Redacted] Williamtown has a 3 metre storm water easement in favour of port Stephens council running through it.

After requesting the drain be cleaned out one of your staff members contacted us to say that the work would be done towards the end of the year--which is greatly appreciated.

However whilst in conversation with your representative we were informed that any spoil / soil removed from that drain cannot be taken off site.

We would appreciate that instruction and the reasons why be sent to us (as owners) in writing.

As we are contemplating selling our property we believe it is ethical for that information to be available to any prospective purchaser.

Thanking you

From: [REDACTED]
Date: 16 December 2016 1:08:52 PM AEDT
To: [REDACTED]
Subject: Removal of spoil / soil from our property

Dear Mr & Mrs Curry

Thank you for your e-mail.

Facilities & Services Officer Winston Stokes has provide the following information - as it stands at the moment Port Stephens Council are not permitted to remove spoil/soil from land within the investigation area (red zone)in put in place by the EPA. Where possible we spread spoil as neatly as possible on site, generally along the easement. If we do remove spoil from site we generally let it dry out on site, then remove to an approved facility. This is all done in consultation with the property owner.

In order to limit risk Council are minimising works in the area of investigation (red zone) unless the works are of a very urgent nature (e.g. flooding).

If you have any further concerns please call Winston directly on [REDACTED]
[REDACTED]

Kind regards



[REDACTED]
Officer
p (02) 4980 0264
w www.portstephens.nsw.gov.au



-----Original Message-----

From: [REDACTED]
Sent: Thursday, 8 December 2016 9:31 AM
To: SwitchPC
Cc: portstephens@parliament.nsw.gov.au
Subject: Removal of spoil / soil from our property

Dear sir / madam

From: [REDACTED]
To: [IPCN Enquiries Mailbox](#)
Subject: Cabbage Tree Road Sand Quarry
Date: Monday, 19 March 2018 2:42:42 PM

Brian Curry
[REDACTED] Cabbage Tree Road
Williamstown. 2318

19 March 2018

Planning Assessment Commission
Attention:
Ms Diane Leeson
Mr Peter Duncan AM
Mr Peter Cochrane

RE: Cabbage Tree Road Sand Quarry (ssd 6125)-d500/18

I hereby within this submission wish to object to the approval of this project.

At your site meeting on last Monday March 12 you could not have helped but notice the proximity of the proposed quarry to our homes and properties.

The location will introduce (should the quarry be approved) severe health, noise, traffic and commercial issues for us residents.

I ask that an exclusion zone of at least five hundred metres (as used in other areas) should be implemented as a buffer between our properties and the quarry.

As you are aware our properties and the proposed quarry are in the contamination zone and as I advised the hearing last Monday it is illegal as implemented by both the Environmental Authority and Port Stephens Council to remove sand/soil from the contamination zone.

The EPA suggests that due to the shape of the sand particles it is unlikely the contaminant will adhere to the sand--well that only leaves the contaminant to blow around in the wind during excavation and later--not an optio.

The product being quarried is high grade silicon sand and being done so in a high wind environment--the lack of control mechanisms only translates to more dangerous health issues--which we do not need.

There are two noise issues which need serious attention.

Firstly that is the noise emanating from the quarry will be high volume due to the proximity and the high winds will only amplify it.

Secondly the existing trees and hills of the quarry area act as a noise buffer for the residents from the RAAF runway and that buffer should be maintained especially with impending introduction of the new jet fleet/squadron the noise from which as is publicly known has been underestimated by some fifty percent by Defence.

Therefore the buffer is critical for residents well being.

Realistically the EIS produced by Defence should be revisited to produce a new noise map.

The precious environment within the quarry perimeter is going to be decimated--protected and rare species gone--forever.

We should be protecting our environment not destroying it.

We are currently reeling from the affects of the PFAS contamination issues with our property values being severely affected this quarry will only further destroy those values--who would want to buy a property which has a sand quarry as a close neighbour and having silicon dust blown all over you ?

The traffic on this road is already of a dangerous nature with both volume and speed being factors especially with the constant flow of fast moving sand trucks twenty four hours a day which makes access to our properties quite dangerous.

The proposed entrance to the quarry is a disaster waiting to happen--out the front of residences.

There is a good alternative which I suggested in a previous submission--going in off Masonite Road and using the access road through Waterboard Land. I understand it has been previously used as such.

There is not anywhere for the trucks to lay up, as happens now, trucks are travelling to existing mines in the early hours of the morning to queue--where will these trucks form their waiting queue--answer please

If approved, the operating hours need to be altered to properly reflect the area--rural residential--nowhere else would there be an active quarry amongst houses-- therefore the hours of operation should be kept to a minimum.

I have to question some of them testing methodology.

On the plan I saw, the animal detectors were only placed around the outside perimeter--is that satisfactory ?

Secondly it is my understanding that testing for PFAS was conducted on the top of the sand hills__the least likely area for a detect--was that true ?

The mapping of the contamination in relation to this site is unbelievable--how do you have a contamination area at the fence line but not inside the fence ? Please explain.

Wind and water, the last time I checked, did not recognise fence lines.

More issues regarding the dangers of the contamination are in today's press further confirmation of the possible horrific outcomes.

Surely we do not need to further endanger people and the environment by excavating and transporting the contaminants especially against instructions from the authorities.

Given that the quarry is in the contamination zone and sitting on top of the Tomago Sandbeds--a local water supply-- surely as a protection for that water supply and those who consume it-- any disturbance of those beds would be best avoided.

The status of this application is also questionable

It is being assessed on a state significant basis.

As we were told by the Planning Department there are two requirements for a project to be state significant

Firstly the volume of the excavation and secondly the product itself.

In the first instance the quarry qualifies

However in the second instant as they advised us it does not.

As you would know the test is whether the people of NSW be worse off if the quarry was not to proceed.

This application fails in the second requirement (as advised by the planning department) because the product--high grade silicon sand-is in plentiful supply--and as our investigations revealed there is very low need for it.

The people of NSW will be no worse off should this application be denied therefore the quarry is not essential.

The dire outcomes for our community, should this quarry proceed, far outweigh the benefits for a few individuals some of whom do not have the fortitude to identify themselves.

Everything, in my opinion, that has happened throughout this process suggests that approval is a foregone conclusion especially when there were some one hundred and twenty objections and one in favour when the initial submissions closed. Basically since then our compelling objections have either been swept under the carpet or given very scant attention.

Even the RMS was overruled in their logical requirements for ingress and egress lanes.

So in conclusion I ask you as individuals to take a fresh humane approach to our situation.

The contamination issue is getting worse.

We are basically on our knees this mine is not a necessity and will only introduce new contamination, health issues and stress to our community.

I am sure you would not like to be in our position with extreme health issues hanging over our head.

I thank you for taking the time to read yet another submission and basically beg for our community that you understand our objections.

Should you be compelled to approve this application please for our sake give us an opportunity to get a conclusion to the contamination issue and defer the operation for a couple of years.

Many thanks
Yours sincerely
Brian Curry