

SAND QUARRY POSES NO PFAS RISK, CAN PROCEED WITH STRICT CONDITIONS: IPC

Wednesday 9 May 2018

The Independent Planning Commission has given a proposed sand mine at Williamtown the go-ahead, finding there's no evidence it will contribute to the spread of contamination from the local air force base.

Williamtown Sand Syndicate Pty Ltd sought permission from the NSW Department of Planning and Environment to turn four Cabbage Tree Road properties into a quarry, producing up to 530,000 tonnes of sand annually for the Sydney and Hunter markets.

The Department referred the application to the Commission for determination in February this year amid strong opposition from the local community, which has been badly impacted by PFAS chemical pollution – the toxic legacy of fire-fighting foams used for decades on the nearby RAAF base.

Three members of the Commission – Ms Dianne Leeson, Mr Peter Cochrane and Mr Peter Duncan AM – were appointed to consider the proposal.

They scrutinised the application, the Department's assessment report and information provided by other government agencies; met with the applicant and undertook a site inspection; and held a public meeting in Williamtown to listen to the community's views.

Residents' primary concerns focussed on the quarry's proximity to the plume of PFAS-contaminated groundwater emanating from the RAAF base, the risk the quarry presents with respect to PFAS exposure or contributing to the spread of PFAS, and related human health risks.

Other issues raised by residents included:

- dust pollution
- noise
- increased heavy vehicle movements and impacts on road safety
- biodiversity and ecological impacts, including on the Port Stephens koala population, and
- the lack of due process and transparency in the tendering process for the quarry site

Having examined all the evidence and taken into careful consideration the issues raised by residents, the Commission has today approved the development application with strict conditions.

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In making its determination, the Commission recognised the local community has experienced, and continues to experience, a significant amount of stress due to the contamination crisis.

“Residents are angry and upset at the ongoing uncertainty surrounding the PFAS contamination. They told the Commission they feel “stuck” – unable to sell up and “escape” because their properties have been rendered worthless,” the Commission stated in its determination report. “The proposed quarry, the Commission heard, would be an additional and overwhelming burden, and should be “knocked back” or at the very least “put on hold” until there is a greater understanding of the fallout of the contamination.”

The Commission stressed its role in considering the project must be focussed on the detailed evidence about the site and the proposed development.

And it found there is no evidence that PFAS chemicals are present in the extractive material on the Cabbage Tree Road site or in the groundwater beneath it – and, therefore, an “exposure pathway for PFAS because of the project is unlikely to exist” and “PFAS-related impacts on human health from the project are unlikely to occur”.

Nevertheless, the Commission has, as an extra precaution, imposed a set of strict conditions on Williamstown Sand Syndicate (WWS) to ensure all its activities on the Cabbage Tree Road site remain above the maximum groundwater level. WWS will also be required to establish an ongoing monitoring regime for PFAS chemicals on site, as well as appropriate responses in case they are detected in the future.

In addressing the other key issues raised by opponents to the project, the Commission found:

- the average daily increase of 146 vehicle movements a day is not expected to result in a significant adverse impact or a substantial change in the current level of service or road safety on Cabbage Tree Road
- the proposed offset strategy in conjunction with the proposed site revegetation would ensure the impacts to biodiversity, including local koala populations and other protected flora and fauna, would be adequately managed in the medium to long term
- the potential impacts on local amenity from air and noise pollution are likely to be small and are proposed to be mitigated and managed by WWS, and have also been adequately incorporated into the conditions of consent for the project, and
- that, the Commission did not receive any evidence of wrongdoing, and whilst it acknowledges the concerns, it is beyond the remit of the Commission in making its determination for this development to consider or provide comment on the tendering process undertaken by Port Stephens Council.

The Independent Planning Commission’s Determination Report and the Development Consent, including the imposed conditions, are available here:

<http://ipcn.nsw.gov.au/projects/2018/02/cabbage-tree-road-sand-quarry>

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