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SUBMISSION

to

Development Application

No. MOD2011/0026

Modification of DA2006/0688

Sand extraction operation at

Lot 66 DP 752845 Kangaroo Creek Rd.

**Compiled by
John Edwards
(Scientific licence - No 11209)
Honorary Secretary
27th April 2011**

**SUBMISSION to Development Application No. MOD2011/0026
Modification of DA2006/0688, Sand extraction operation at
Lot 66 DP 752845 Kangaroo Creek Rd.**

Preamble

The Clarence Environment Centre has maintained a shop-front in Grafton for over 20 years, and has been closely involved with local environmental issues, particularly those relating to inappropriate development that creates unacceptable environmental degradation.

It would seem the sand quarrying proposal **DA2006/0688** slipped under our radar, which is regrettable because we have major concerns that such an extraction proposal, which we believe involves the mining of a Kangaroo Creek Sandstone ridge community

Northern Rivers Regional Biodiversity Management Strategy identifies these Kangaroo Creek sandstone areas as “Centres of Endemism”, because of the unique flora species that occur there, many of which cannot be found anywhere else in the world. Because of the significance of these sandstone communities, the then DECCW recommended studies be undertaken in threats that currently impact those communities such as fire. The Strategy also identifies much of that area as a “very high priority restore area”.

The proposal.

The papers provided to us by Council relating to the proposed access modification did not include: “*The attached Traffic Assessment [GHD, 2011]*”(second paragraph, page 5). The original proposal saw the need for major up-grading of Kangaroo Creek Road to cater for, we are told, an average of 2 truck movements per day (pers com Cheryl Sisson. Cheryl's comment was from memory and she stated she was unsure of the number of estimated vehicle movements but, because of time restrictions, it is the only figure we have).

As a result of a claimed change of focus from supplying material to construct the Shannon Creek dam, to the construction of the Pacific Highway, the proponent is proposing to exit the property via a private access that joins the Tallawudjah Creek Road near Glenreagh, and is requesting the onerous upgrading of the Kangaroo Creek Road requirement be dropped. It is important to understand that, according to the Application (opening paragraph, page 4) that: “***The proposed (new) access was included in the original proposal but later removed due to lack of demand (for the extractive material) to the east***”.

The proponent also explains (first paragraph page 5) that: “*The proposed eastern access road would be along existing roads that have recently been upgraded for the forestry operations within the properties*”.

Our investigations to date have identified a few anomalies in these statements including:

- The proponent suggests: “*The original access route (approved on January 29, 2008), was intended to service the construction of the Shannon Creek dam*”, which commenced in September 2006. It should be noted, that the crushed sandstone material that will be mined at the Kangaroo Creek site is identical to the sandstone of Shannon Creek where an excess of 300,000 cubic metres were excavated during the construction process. It would have been highly unlikely there would ever have been a market there for sand from Kangaroo Creek.
- Despite the claim that the proposed eastern access has, “*recently been upgraded for forestry operations within the properties*”, our search of the PNF register appears to show there has been no PNF Property Vegetation Plan (PVP) approved for any of the 5 Lots identified, suggesting the

logging was either unapproved, or the road upgrading has been preemptive.

(It should be noted however, that the PNF register only gives a point location, and there are several such locations marked south of those blocks. Therefore it is possible one of those PNF points covers those blocks, if there was co-ownership of those properties).

We attached a map showing the nominated blocks in bright yellow, and the approved PNF PVPs are red dots. The PNF layer from the register is current to the 12th April which is the last date given on the register.

Please note, there appears to be a 'typo' in the Lot & DP numbers. We believe Lot 652 should have been DP 606480 (not 606840).

- We believe that if the quarry plans to provide crushed sandstone for the Pacific Highway upgrade, the estimated 2 loads per day is a gross underestimate, and therefore misleading. We also believe the inference that no material will ever be moved via Kangaroo Creek Road, no longer necessitating an upgrade of that thoroughfare, is also misleading. If a future project is approved in the Coutts Crossing area for example, there is no way the proponent would deliver the material via Glenreagh, and this is likely to be the case for any delivery of material in the Clarence Valley north of Glenugie.

Also, in relation to the new proposal to supply material for the Pacific Highway construction, this could now see large quantities of material transported along Tallawudjah Creek Road, through Glenreagh, and likely along the entire length of the currently unsealed Upper Corindi Road to the Pacific Highway upgrade site.

Therefore, we believe Clarence Valley Council should retain all requirements for the Kangaroo Creek Road access, and impose similar upgrade conditions for both Tallawudjah Creek, and Upper Corindi Roads.

Flora and Fauna surveys

The proposed new access follows an approximate alignment of old logging trails, through woodland along a sandstone ridge line containing significant flora communities. The proponent informs us that the access has been upgraded to allow recent logging activities, something that is allowed without any ecological assessment under the highly flawed PNF Code of Practice.

However, now that a permanent roadway with heavy traffic is proposed for sand mining, requiring further upgrading, a thorough flora and fauna survey of the route should be undertaken, bearing in mind the high level of floristic diversity known to occur in these sandstone communities.

In that respect, the Northern Rivers Regional Biodiversity Management Strategy, 2009 (Appendix 15: Threat Ranks) states:

*“The midland hills contains areas that have **special biodiversity values because of their geology. The sandstone escarpments and plateaus of the Coaldale to Glenreagh area north and south of Grafton contain a high level of endemic plants as well as habitat for the endangered Brush-tailed Rock-wallaby.** These areas have high biodiversity significance and are vulnerable to stochastic events, high fire frequency and human-associated activities such as illegal collecting and other disturbances.”*

Further, the Strategy contains mapping of the region (A0_18_nrrbmp_endemism_&_priority.jpg) that identifies “Centres of Endemism for priority protection, which clearly covers the area of the proposed extractive operation and access road (see attached).

Therefore, we believe a flora and fauna impact assessment should be undertaken.