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# **Submission**

**to**

## **Clarence Valley Council**

[council@clarence.nsw.gov.au](mailto:council@clarence.nsw.gov.au)

**on**

# **Proposed quarry development at Kungala**

(DA 2013/0508)

**Compiled by John Edwards**

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**For the Clarence Environment Centre**

**Date: 16<sup>th</sup> January 2014**

# Submission to Clarence Valley Council on the Proposed quarry development at Kungala

## Introduction

The Clarence Environment Centre (CEC) has maintained a shop-front in Grafton for over 24 years, and has a proud history of environmental advocacy. The conservation of the Australia's natural environment, both terrestrial and and marine, has always been a priority for our members, and we believe the maintenance of healthy ecosystems and biodiversity is of paramount importance.

## Background

The consulting botanist assisting Dr Clancy in his survey of the proposed Kungala quarry site sent the following report to Dr Clancy on 26<sup>th</sup> April 2011, along with a full species list containing 163 native and 23 introduced flora species. At that time the proposal was to quarry the entire ridge line west of the previous quarry area.

### Report on flora at the proposed Kungala quarry extension.

The proposed area for quarrying lies along a sandstone ridge. In terms of biodiversity, it is in relatively pristine condition with few if any introduced species, and containing numerous old-growth trees providing nesting, roosting and hollows for fauna, something that has been reduced to critical levels across much of the Australian landscape.

Past selective logging, possibly 30 years ago, and a dozen or so excavation trenches, dug looking for suitable extractive material, appear to be the only impacts to date.

The vegetation community, within the as yet untouched forest area, is similar throughout, being typically Kangaroo Creek sandstone dry sclerophyll forest. The end of the ridge, furthest from the existing quarry site (northwestern end?) contains a greater percentage of native grass species, probably because there is less exposed rock in that area. However, the same dominant species, *Eucalyptus pilularis*, *Eucalyptus planchoniana*, *Corymbia gummifera*, and to a lesser extent *Corymbia intermedia*, *Angophora robur* and *Eucalyptus baileyana*, all occur throughout.

The already developed quarry area supports major infestations of introduced species, and should require massive rehabilitation and ongoing management to bring it back to some form of normal. However, it provides a good indication of what can be expected across the proposed area of expansion if and when when the project gets the nod.

It should be noted that the Northern Rivers Regional Biodiversity Management Strategy 2009 (Appendix 15: Threat Ranks) states:

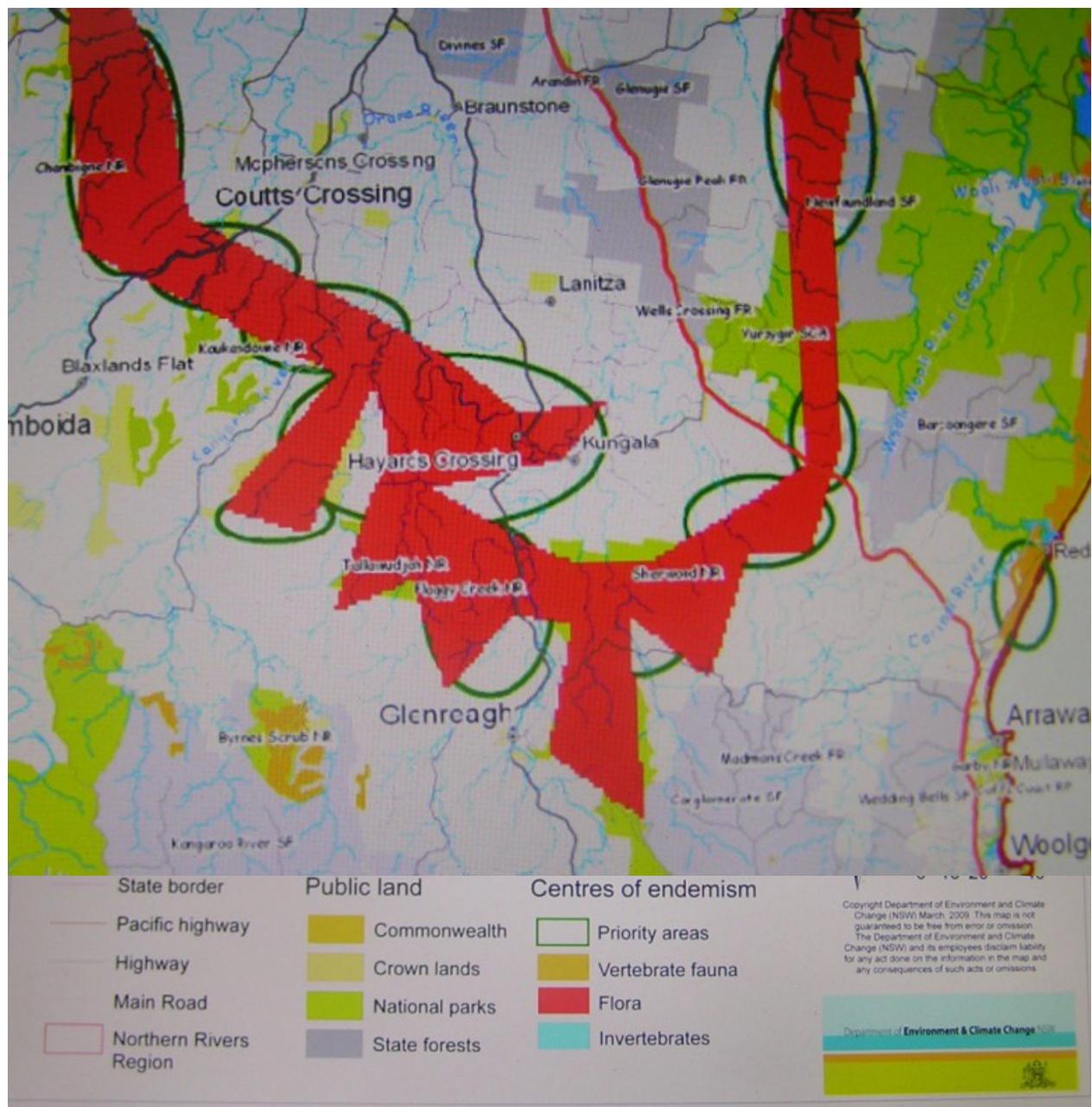
*“The midland hills contains areas that have special biodiversity values because of their geology. The sandstone escarpments and plateaus of the Coaldale to Glenreagh area north and south of Grafton contain a high level of endemic plants... . These areas have high biodiversity significance and are vulnerable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

Furthermore the Strategy's mapping of the region (A0\_18\_nrrbmp\_endemism\_&\_priority.jpg) identifies “Centres of Endemism for priority protection, which clearly covers the area of the proposed extractive operation (see below).

The survey identified one threatened flora species, the Broad-leaved Sandstone Apple (*Angophora robur*). As well as a number of species protected under the National Parks and Wildlife Act, including: *Lomatia silaifolia* (Crinkle Bush), *Ceratopetalum gummiferum* (Christmas Bush), a ground orchid, possibly *Arthrochilus prolixus*, *Boronia rosmarinifolia*, *Caustis blakei*, and *Caustis flexuosa*.

Other significant species (see Sherringham and Westaway, 1995) were RoTAP listed *Eucalyptus psammitica* (Sandstone Mahogany), and *Daviesia wyattiana*, *Acacia hispidula*, *Cryptandra propinqua*, and *Tricoryne anceps subsp. pterocaulon*.

Also of significance was the discovery of a population of the Stringybark Sheoak (*Allocasuarina inophloia*) which, according to Flora of NSW (Hardin, Vol 1) grows on the Northern Tablelands, and the Central West and Northwest Slopes. If this find is confirmed, it will represent a significant range extension, and the first record from the North Coast Botanical Region.



Extract from the Northern Rivers Regional Biodiversity strategy showing priority areas of endemism associated with Kangaroo Creek Sandstone. (Map # A0\_18\_nrrbmp\_endemism\_&\_priority.jpg)

Dr Clancy's subsequent report, which is attached to the DA, is dated some 21 months later in January 2013, and the proponent's application to Clarence Valley Council was delivered by Ardill, Payne and Partners another year later in January 2014.

Dr Clancy's observation (page 9) that the disjunct population of *Allocasuarina inophloia* (Stringybarked Sheoak), "*would almost certainly qualify as an endangered population*", was hardly prophetic, given the NSW Scientific Committee had already made its final determination that the population was 'Endangered' 2 to 3 months previously in early November 2012.

However, the Clarence environment Centre welcomes the subsequent decision (page iii) that: "*The original proposal to extend the extraction area to the west along the sandstone ridge was abandoned by the proponent*", as recommended by Dr Clancy.

**Having said that, any approval of the project must contain a consent condition that protects the unquarried ridge line from any incursions as a result of the quarry operations**, such as the dumping of over-burden, materials storage or vehicle parking.

## **Rehabilitation**

While the old quarry might not be contaminated, it is nevertheless highly degraded, eroded, and has had rubbish dumped in some places. There are large expanses of bare earth with old stockpiled material, and extraction pits left the way it was when extraction ceased over a decade ago.

We are a little concerned at the wording of the proposed rehabilitation, which quotes Dr Clancy's recommendation that this should occur by "*allowing natural regeneration*", followed by a somewhat contradictory requirement to source local seed stock for propagation.

It is clear from past experience, that the quarry site has little or no naturally occurring seed-bank available for natural regeneration, and while any such regeneration should be encouraged, it would be anticipated that much of it would consist of introduced weeds as is currently the case.

Therefore, should the project proceed, Council must clearly outline the standard of rehabilitation required, and ensure that the work is carried out.

## **Noise and dust**

The Clarence Environment Centre believes that an earlier proposal by the proponent included night work, so we welcome the proponent's decision to operate between 7am to 6pm. However, we ask that council ensures that no truck movements; stationary machinery, mixers, generators etc, be allowed to operate at night. Also we would like to see an independent analysis of the noise pollution assessment presented by the proponent, and checks to ensure proposed mitigation measures will ensure nearby residents are not adversely impacted by dust and noise.

As well, because the access road to the site has a significant slope, we ask that the use of truck air brakes be banned.

## **Traffic**

The access to the proposed quarry along Kungala Road is sub-standard, and clearly unsuitable for the proposed volume of heavy transport vehicles, therefore an upgrade and widening needs to be a priority, including shoulder construction and centre line marking, before the quarry is reopened.

The DA claims that truck movements will be “primarily” east to the Pacific Highway. However, given the traffic disruptions that will occur during the highway construction period, we believe that much of the heavy transport bringing in material for blending, will likely chose to use the Orara Way. Therefore, because of the dangerous road conditions, blind corners, single lane bridges etc, we strongly believe that the upgrade of Kungala Road extend along the entire stretch from the the Pacific Highway to the Orara Way.

Also, as the road is the local school bus route, we suggest that, as a consent condition, truck movements to and from the quarry be halted during the relevant pick up and set down periods. As these are likely to be relatively short periods of no more than 45 minutes morning and afternoon, that should be no great impediment to quarry operations.

We thank Council for this opportunity to comment. **However, we would like to make an official request that all future development applications be made available to the public in electronic form (CD) at a reasonable cost. The developer in this instance was required to provide electronic copies of the DA to Council, and burning CDs costs no more than \$2 or \$3. To 'extort' \$35 from those wishing to obtain a copy, is clearly unfair, as is the suggestion that the public can read the documents, often containing thousands of pages, at the Council office free of charge.**

**Yours sincerely  
John Edwards  
Honorary Secretary.**