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To: Email: information@planning.nsw.gov.au

Attention: Director, Industry, Key Sites and Social Projects Department of Planning & Infrastructure NSW

c.c. The Honourable Mr. Brad Hazzard Minister Planning & Infrastructure NSW

RE: Application Number MP 10-0006 (Pindimar Abalone Project)

Our names are Ian and Maree Dowsett; property-owners of 28 Cambage Street, Pindimar 2324.

We have not made any political donations within the last two years.

We have read and reviewed the Environment Assessment Report [EAR] and associated appendices from the Department and Planning & Infrastructure website at www.majorprojects.planning.nsw.gov.au.

Record of Objection:

I strongly object to the proposed development of an Abalone Farm within the Port Stephens estuarine waters.

In terms of the Director General Requirements, subsection General Requirements, paragraph 6, I am concerned about statements contained with the Environment Assessment Report [EAR] regarding, access, traffic, noise, air quality, water quality and no oyster leases that appear to be misleading, inadequately justified or missing.

The minister should reject the proposal because of the :-

1. misleading information within the EAR
2. lack of justification for statements in the EAR, and
3. some serious 'errors of omission' of important information from the EAR.

I firmly believe that this project is destined for economic and environmental failure.

Recommendations:

I strongly recommend that the minister, or agent(s), visit South Pindimar before any decision is made. Please contact Judith Richardson, Chairperson Pindimar Abalone committee for the Pindimar/Bundabah Community Association, Contact phone 0402655790 or write to 16 Cambage Street, Pindimar NSW, 2324.

Background:

The proposed industry will be located approximately 11km from the open ocean; which is well beyond the water-quality requirements for the wild abalone population. Prior attempts to have an Abalone farm project approved on this property at 180 Clarke Street was stopped in the Land and Environment court after the judge visited the area.

I also understand that a previous NSW Fisheries experiment for commercial abalone production at the Tomaree headland of Port Stephens NSW failed.

The high risk of waterways contamination is demonstrated by the devastating disease outbreaks that occurred in Victoria, spreading to wild abalone populations and, subsequently, the Tasmanian populations; the large distance of the disease spread appears to indicate the insidious nature of the *ganglioneuritis virus* that remains without cure.

Matters Arising and Points to Consider:

Please find below detailed reasons for the objection regarding the project's understated social and economic impacts.

I provide my concerns by pointing out:-

1. Oyster leases do operate in the vicinity.
2. Traffic access comments are misleading when discussing the "existing public road network".
3. Traffic access comments omit details regarding the existing access to the development within the 180 Clarke St property.
4. Impact of traffic volumes are seriously understated and misleading.
5. Noise assessments are misleading.
6. Inadequate assessment and reporting of Air Quality measures.

EAR Appendix 16 page 40 Oyster Farms : states "There are no operational oyster lease in near proximity" is misleading.

- There is an operating oyster lease right in front of Cambage Street homes that would be only 500 metres from the proposed development.
- I do not understand how the proponents reached their conclusion in Appendix 16 Aquatic Ecology Assessment that there are no operational oyster leases.

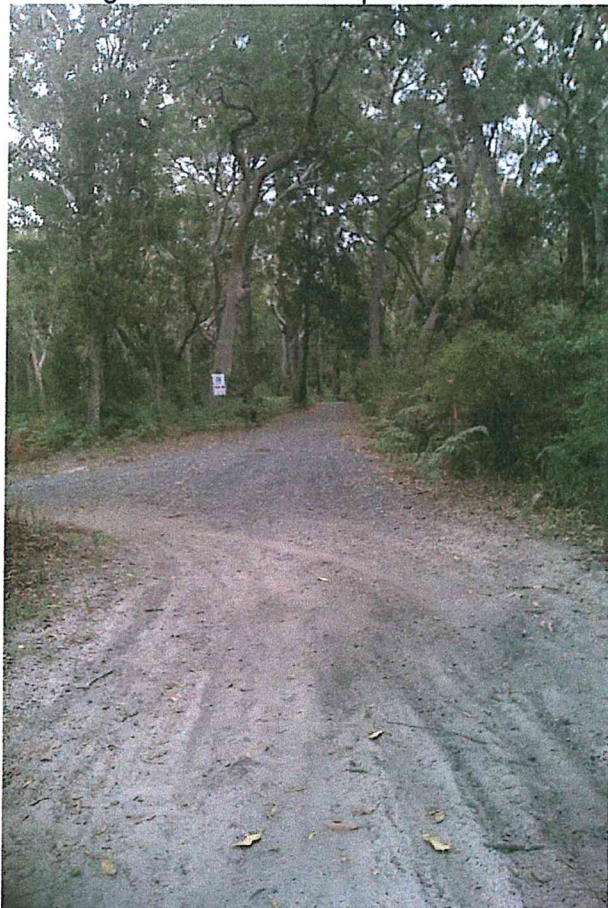
EAR page 37: Traffic Access Summary is misleading.

- Paragraph 2: Proposed access is loosely described "via existing public road network" being Clarke St-Cambage St-Como St-Challis Ave.
 - The term '**existing public road network**' is misleading. This is *why I recommend the minister, or agent(s), visit the area!*
 - EAR fails to emphasise that Cambage Street has no thoroughfare, ending in a cul-de-sac and signed 'No Through Road'.
 - EAR fails to highlight that the current proposal has additional industrial and transport vehicles travelling an extra 2.3 km, through the residential village in lower Clarke and Cambage St, instead of via the existing site access via 180 Clark Street property.
 - Use of lower Clarke and Cambage Street will disrupt neighbours and residents.
 - Cambage Street is 'a residential access' road and with no thoroughfare. It is an established 'no through road' ending in a cul-de sac. Please be aware that:-
 - Cambage Street has only a bitumen tar skin-seal on the road. All that is required for its use for residential access.
 - The skin will crack and pot-hole from the heavy vehicle use Especially in wet weather.

- To make the road stronger and suitable for the proposed heavier traffic, Cambage Street requires at least 50 mm asphalt overlay. This was discussed with a bitupave worker of 20yrs +.
- Como Ave is described "road network" in the EAR. Como Street is an un-maintained, single lane, loose gravel track with no pavement. See potholes in the photo below at the corner of Cambage/Como St.



- Challis Ave is also part of the "road network" in the EAR. Challis Avenue is actually an un-maintained, single lane, loosely compacted gravel track with no pavement. It consists of a layer of gravel over an existing sand-trail. See the gravel-on-sand in the photo below at the corner of Como/Challis



- Paragraph 2: states "The creation of new roads (within the property is)undesirable (requiring) additional vegetation clearing."
 - I noticed that the Site Access Plan [page 37] does not show the existing access from upper Clarke St and existing track which leads to the proposed development site.
 - The EAR does not adequately identify that this track within the property is currently accessible by the owner through the existing gate at upper 180 Clarke St entrance. *I noticed that the owner has padlocked this gate to stop unauthorised access.*
 - The EAR fails to adequately assess the reasons why the proponent is not developing and using existing property access from Clarke Street:-
 - Access gate and track exist
 - Trees have already been felled too provide access to the development site.
 - Distance to 180 Clarke Street is shorter by 2.3 km to the site boundary access proposed in the EAR.
 - If the Owner provides use of his own property access this
 - will minimize the impact upon existing, long-standing residents in the Pindimar village.
 - The proponents' reason for not using existing track on the property was provided in paragraph 2 as "The creation of new roads was considered undesirable due to impacts associated with additional vegetation clearing."
 - Reasons that remain undisclosed in the EAR are:
 - It is cheaper for the proponents not to develop the internal property road, and this will disrupt the property owners proposed development of '180 Clarke St property. The landowner has already made application to Great Lakes Council for Subdivision of the property at 180 Clarke Street into 10Ha lots. I presume the owner does not want industrial traffic running past lots he wishes to sell.
- Paragraph 1: assumes "existing traffic volumes" are low.
 - The EAR fails to investigate, assess, record and report to you how low current traffic volumes are.
 - We actually did a count and there are 24 full time residents in Cambage St. The other residences are holiday homes.
 - The 24 full time residents have only 1 or 2 return trips per week, to travel to shops.
 - Estimated average daily usage is 7 trips per day:-
 - $(24 \text{ residents} \times 2 \text{ trips}) / 7 \text{ days} = 48 / 7 = 6.85 \text{ trips per day.}$
 - Garbage collection once per week = 0.28 trips per day.
 - The EAR fails to use current traffic numbers as a base for measuring the proposed change in volume of traffic.
 - The EAR fails to stress that the proposed increase in daily traffic volumes will more than double, if not triple, for the residents furthest from the development, at the eastern end of Cambage St;
 - Daily traffic volumes will be even higher for those closer to the development.
 - The EAR fails to include and account for "heavy" vehicles during construction period that will deliver and remove materials and heavy load trucks bearing excavators, site huts, front end loaders and equipment.
- Paragraph 3: states "This traffic generation is considered to be low...."
 - Based on the proponents figures, the closest resident to the development who averages 1 return movement every second day will incur an increase of up to 3900% during construction and 2300% during operation. The residents

- at the eastern end of Cambage St will have to tolerate a minimum increase in traffic movements of 100%. This is not Low!
- However, proposed daily traffic movements appear to be understated.
 - The EAR does not highlight that there is currently no regular, rural commercial or industrial vehicular traffic rattling down Cambage Street because it is a 'no through road'.
 - The EAR's reported 'Estimated daily movements' during construction omits
 - all of the 35 workers' vehicles.[Refer EAR page 23]
 - all of the heavy load trucks delivering and removing site materials, fill and waste, site sheds, tanks, concrete, pumps, machinery, excavator(s), crane(s) and front end loader(s).[Refer EAR page 23]
 - additional service vehicles for sewage, biomass and garbage collection.
 - The EAR's reported 'Estimated daily movements' [12 x 2 = 24 movements] during operational period omits
 - all of the 15 workers' vehicles. [Refer EAR page 23]
 - the proposed research and education personnel vehicles [Refer EAR page 23]
 - additional service vehicles for sewage, biomass and garbage collection.
 - The EAR failed to investigate and report that there are only 24 full time residents in Cambage St.
 - The EAR fails to stress the proposed increase in daily traffic vehicle numbers will more than double current daily road usage if job creation estimates are fulfilled.
 - The EAR fails to note that Actual traffic movements resulting from the proposed development will be high impact upon residents of no-through road Cambage Street.

EAR page 38: Noise assessments are misleading

Matters Arising:-

- Paragraph 1: South Pindimar village is referred to a 'suburban environment'. A term which insinuates to the reader 'built up housing'. Especially to people unfamiliar with the surroundings. *This is also why I recommend the minister, or agent(s), visit the area!*
- In fact, South Pindimar village is a very tranquil village area in a bushland setting alongside a registered wildlife sanctuary called Tallowfield.
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- There is no suburban feel because the mix of permanent and non-permanent residents (holiday homes) is within trees and bushland along Cambage Street.
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 - Noise dBA readings distort the impact of proposed industry noise from pumps, generators and vehicles, located a mere 200m away, upon the residents.
 - Why are industrial/rural noise dBA standards used as a baseline within a wildlife sanctuary and tiny, holiday village setting.
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 - The existing tranquillity must remain the base measurement standard for 'quality' of ambient sound from the proposed site.

Appendix 20 Noise Assessment 2003 Matters Arising

- Documented Equipment power levels provided by the proponents are inserted below as a ready reference below in Table 2.2.1

Table 2.2.1 Equipment Sound Power Levels

Equipment	Sound Power Levels
Construction	
Truck - materials delivery	84 dBA
Excavator	105 dBA
Bobcat	101 dBA
Concrete delivery	84 dBA
Operation	
Truck delivery	84 dBA
Water pumps	86 dBA
Electric Generator	113 dBA
Cooling System (Air conditioning units)	91 dBA

- Equipment has been precluded from the proponent's expected construction requirements in the EAR.
- Documented Equipment power levels omitted from the proponents table are:-
 - Truck Earthmoving..... 101 dBA
 - Crane..... 100 dBA
 - Concrete Mixers & Pumps..... 86 dBA
 - These noise levels extracted from Page 3 www.lhsfna.org/files/bpguide.pdf
- The proponents failed to point out that loudness measurements show that human pain threshold is reached at 140 dBA:-
 - I refer you to www.atcoem.com/Resources/Documents/Noisecontrolhandbook which states on page 12 "LOUDNESS Sound is defined as any pressure variation heard by the human ear. This translates into a range of frequencies from 20 Hz to 20,000 Hz for a healthy human ear. In terms of sound pressure, the human ear's range starts at the threshold of hearing (0 dB) and ends at the threshold of pain (around 140 dB)."

Appendix 21 Noise Impact Assessment 2011:

- Assessment Methodology used by the EAR has been inappropriately used although claimed to be based upon NSW Industrial Noise procedures.
- Section 5.1 Background Noise monitors were not placed within the proposed development site for background monitoring to characterise the ambient (existing) noise environment and establish an appropriate base level (Rating Background

Level) for comparison to proposed industrial noise levels, shown in table 2.2.1 above, during both construction and operations.

- No assessment has been provided for the cumulative impact of the noise levels from the equipment all working together. What's the effect upon the residents of South Pindimar village?
- Considering the documented dBA levels shown in table 2.2.1 above, it would be imperative that noise monitors were placed at each proposed source position of the noise and throughout closest dwelling houses of Cambage Street, on the waterfront and those homes facing Cambage Street.
- The proposed development site's noise environment is currently characterised by night-time silence (frogs & crickets) and daytime bird song. Noise monitors were not placed at this point.
- The proposed development's ongoing operations specs determine that "acoustically significant" large pumps will be used 24hrs and 7 days a week at **86 dBA** each and positioned across the water from the dwelling houses of residents.
- Section 5.1 Background Noise monitors were not placed near closest Dwelling houses 200 m east of site boundary near the end of the Cambage St cul-de-sac.
 - Noise monitors were not placed at this point.
 - Appendix 21 does not address noise in terms of closest affected residents.
 - What are the affects upon the environment and residents of harmonics generated and pulsating from the 24 hour pumps?
- The vegetation separating the development from residents is not 'dense'; as stated in paragraph 1 EAR Page 38.
 - The vegetation in front of proposed 24 hr pumps has been cleared to the waterfront and is predominantly patchy with tall trees with canopies to focus the noise out across the water directly into water-front homes.
 - Noise monitors were not placed at this point.
 - The vegetation will not effectively reduce the noise from 24 hr pumping systems at **86 dBA** as shown in Appendix 20 Noise Assessment Table 2.2.1 Equipment Sound Power Levels.
 - The proposed development noise will be carried across the body of water to the South Pindimar village and will be especially audible during dusk, night and dawn periods.
 - Port Stephens residents at Corlette and Salamander Bay and Soldiers Point will be affected during dusk, night and dawn periods.



- The EAR failed to discuss that sound travels across the water and is especially audible during dusk, night and dawn periods.
 - What evidence addresses the impact of the proposed development's noise upon Port Stephens residents directly across the bay? E.g., Corlette,
 - Appendix 21 does not address noise in terms of closest affected residents that are around 200 metres from the site.

EAR page 40: Air Quality:- proponents assessments appear inadequate.

- The EAR states that there will be odours 'during pond cleaning activities' and waste disposal.
- EAR has failed to provide adequate assessment of these odours and for protecting residents' air quality during operations, and in case of contingency planning for mass mortality.
- The proponents' justification is unsatisfactory to simply state *"Measures are recommended to mitigate impacts on air quality, including dust management provisions during construction; the chilling of Abalone mortalities before garbage collection; and the sealing of waste collection receptacles. Overall, the farm is not likely to have an adverse impact on air quality."*
- The following questions have not been answered:
 - What happens to the abalone mortalities?
 - What are the contingency operations in case of mass mortality?
 - What happens to the waste biomass?
 - Where is biomass dumped?
 - What chemicals does the biomass contain?
 - What is the frequency and timeframe for the proponents to clean, clear and dispose of waste?
 - Who will physically clean, clear and dispose of waste? And in what timeframe (daily, weekly, monthly)?

Yours faithfully,

Ian Dowsett

