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SUBMISSION TO SUNSHINE COAST COUNCIL FOR CONSIDERATION WHEN
EVALUATING THE FINAL REVISED QUARRY MANAGEMENT PLANS (QMP) – LODGED
BY NEILSENS DECEMBER 2011

PREPARED BY THE KIN KIN COMMUNITY GROUP

The Kin Kin Community Group submits that the revised Quarry Management Plans (QMP) lodged by Neilsens cannot proceed without unacceptable impacts on the amenity of the Kin Kin area and surrounding district.

We further submit that our expectation and we believe that of Council, was that these revised plans, updating those lodged in 2004, would progress the standard of the quarry management for the lifetime of the quarry's operation. Instead we contend that the revised plans significantly "dumb down" the original plans and move the entire project further away from any acceptable understanding of best practice.

The approval for this quarry demands that QMPs are provided by the operator to the satisfaction of the Council. These plans become the only instruments on which a Council can rely to supervise and manage the operation throughout the lifetime of the quarry. This operation is currently approved for another 21 years, while the operators say that they expect a 30 year lifetime. Regardless of which term is recognised the revised plans only seek approval for a short-term extraction program of between 5 to 10 years; at a significant intensity level described by Neilsens of between 200,000 tonnes and 300,000 tonnes per year for the first few years and with the proviso that these levels could increase "depending on market needs". There is none of the rigour required under any concept of best practice included in these plans and no certainty of when infrastructure would be added, other than a broad provision that if the short-term program is approved, the operator will progressively construct the infrastructure needed for the longer term.

The Kin Kin Community Group submits that the residents of this area and those living along the haulage routes are entitled to expect that the Council requires best practice policies from the outset of this development. The plans submitted; insofar as they relate to the long term operations of this quarry do not provide any specificity on which the Council will be able to rely to control the operation, leaving the Council exposed to future litigation whenever such control became necessary. This community contends that the revised plans fall short of acceptable standards in the following areas:

1. Rehabilitation

- 1.1. Under these plans there is no rehabilitation possible for the proposed initial stage extraction area and processing area during the full life of the quarry. In fact this disturbed area of over

8 Ha will continue to reduce the capacity of the sediment control system to contain run-off from the rest of the quarry.

- 1.2. The requirement under QMP 2005 to complete rehabilitation of exhausted benches within one year has been removed from the revised plan and has been replaced with a vague intent to begin restoration within 6 months, weather permitting (Section 3.8.3). This will leave the project with no enforceable requirement for the completion of rehabilitation of exhausted benches in the proposed plan.

2. Sediment control

- 2.1. The sediment control measures recently put in place are a minimum standard and have been required since EPA approval in 2006. The approval requires containment of sediment runoff from a 24 hour 1 in 5 ARI storm from disturbed areas, a much lower standard than the 1 in 100 ARI required in the Verrierdale approval granted only three years later by the same officer. The progressive capacity of the sediment control measures detailed in the draft plans falls far short of that required to reach this target, once haul road construction and Stage One extraction begins. Sediment releases have been numerous and serious over the past two years and are predicted to continue.

3. Dust and noise

- 3.1. The proposed quarry is 2.5 kilometres from the Kin Kin village in direct line with the prevailing southeast winds. Some 30 residences are situated within the Separation Area surrounding the Resource Area. The impact of noise and dust generated by quarries is well known and the potential for this to become a nuisance for residents is acknowledged in Sections 3.5 and 3.7 of the revised plan. It is stated that crushing, screening and conveying constitute the most significant potential dust source. The approved management plan provided for substantial infrastructure in this regard, including permanent crushing and screening plants and conveyor belts capable of being shielded. The revised plans describe a portable plant for crushing and screening being used for the initial phase of extraction, variously described as lasting for as short a time as 5 years and as long as 10 years. On the operator's own projected figures, these portable plants could be used to deal with as much as 3 million tonnes of rock, significantly increasing the risk of dust and noise nuisance.

This proposal clearly falls well short of best practice principles and places at risk the amenity of the area, and the health and well-being of its residents. This would not be approved if this proposal was for the extent of this extractive industry. Neither should it be approved on the basis that it is only the first phase of development. What is now being proposed, and described as an initial stage of extraction, would in any other circumstance be regarded, in itself, as being an operation of significant scale and intensity.

4. Haulage

- 4.1. The haulage route from the quarry site to Gympie-Kin Kin Road has never been properly shown on any planning document. The designated haulage route has always been shown to be an unformed road, currently used as a portion of the Noosa Trail. This road would join

the Gympie–Kin Kin Road some two kilometres to the south-west of the road Neilsens proposes using as its haulage route, known as Shepperson’s Lane.

Despite having used this road for some years, Neilsens has not upgraded it to an appropriate standard; in fact they have not completed any work on this road since leasing the property. Minor upgrades demanded by the old 1980s approval were conducted many years ago anticipating minor traffic of trucks used for quarrying in that era. Those upgrades are not appropriate for the anticipated number of large articulated modern quarry trucks now in use.

The revised plan states that negotiations have now been finalised to allow upgrading of Shepperson’s Lane to commence in the first half of 2012, but the details of these negotiations have not been provided. The cost to ratepayers for the upgrade and maintenance of this road, some two kilometres in length, is unknown. This will be a financial burden for the lifetime of the quarry. The road is currently in poor shape, with the Council having performed just one minor grading since January 2010.

- 4.2. The revised plans identify the Pomona-Kin Kin Road, a State-controlled road, as the principal haulage route, yet it has been conceded by Neilsens management that deliveries of their product will be made in all directions as required by the market. This will necessarily include Dr Pages Road which has some 5 kilometres of narrow dirt, and is totally Council-controlled.

The state of the anticipated haulage routes is of major concern to this community and neighbouring residents as it is considered that the physical capacity of all local roads is insufficient to meet the quarry traffic projected by the operators in their revised plan.

5. Health and safety

- 5.1. The revised plans acknowledge that the site has only a limited capacity for the making and receiving of telecommunications. It is noted that the plans make no provision for this to be improved upon. It is submitted that no proper safety procedures can be put in place until this is addressed.
- 5.2. Symptomatic of this operator’s level of commitment to proper health and safety considerations is their admission in these revised plans that they do not even propose constructing permanent toilet facilities during the initial extraction phase of several years.

6. Energy

- 6.1. The community expected that modern management plans would announce firm commitments to pursue the usage of alternative fuels and other sources of energy, as well as carbon off-setting. Commitments of this nature seem particularly relevant given that this industry is being proposed within the Noosa Biosphere. Instead, the revised management plans suggest that connection to the electricity grid is not even being considered, at least in the short term with diesel generators the preferred source of power during the period of initial extraction of between 5 and 10 years. This standard of electricity provision falls well below best practice and should not be approved.

7. Buffer zones

- 7.1. Section 1.4 of the revised plan acknowledges that 10% of the site is regarded as Regional Ecosystem 12.11.16 (tall eucalypt forest – Remnant Endangered Regional Ecosystem “of concern”) and that this fringes the southern and eastern boundary. The area of the quarry site has always been identified in Noosa Plans as being environmentally sensitive, in various guises.
- 7.2. Most of the proposed quarry face is outside of the State Planning Policy Key Resource Area KRA 57 Processing Area. Under the revised plan working of the upper benches would in fact commence within the Separation Area identified in the planning policy, and proceed toward the Processing Area, clearly compromising the buffer zone supposedly provided to neighbouring properties.

Despite all of this, in these new plans Neilsens propose to provide only minor buffer areas to the lower slopes.

8. Restoration.

- 8.1. The final land form in the draft QMP includes a dam with capacity estimated in excess of 450 ML. There is nothing in the management plan about how this large water storage is to be safely managed post extraction although it would completely alter the dynamics of the catchment.

Our contention that these revised plans fall well short of best practice appears to be supported when Neilsens’ revised Management Plan for the Kin Kin Quarry are compared with the reasons given by Council for refusal of the Verrierdale quarry application in 2011 (DEVELOPMENT APPLICATION FOR EXTRACTIVE INDUSTRY 953 & 945 NORTH ARM-YANDINA CREEK ROAD, VERRIERDALE).

Four reasons were given for recommending refusal of the application. Each of these reasons could be applied equally to the Kin Kin Quarry if it were to go before Council for approval.

1. ***“...the applicant has not been able to demonstrate that the proposal can proceed without unacceptable impacts on amenity”.***

The Kin Kin community has amply demonstrated that the Kin Kin Quarry will have a severe negative effect on the amenity of Kin Kin and district. It has already had a significant effect on the community even in its construction phase.

2. ***“...the proposed quarry would exceed the current physical capacity of the local roads to be used for haulage and there is insufficient and/or unsatisfactory information to determine whether these roads are capable of being upgraded to meet the demand likely to be generated”.***

Council officers have attempted to negotiate with Neilsens to reach an agreement for upgrading Sheppersons Lane. The outcome of these negotiations is not known. DTMR have quoted in excess of \$72 million would be required to upgrade Pomona Kin Kin Rd to a satisfactory standard for expected quarry traffic and have stated that this is not budgeted and is unlikely to be budgeted for at least 20 years.

3. ***“...insufficient buffers are maintained to the site's waterway adjacent the proposed extraction area and vegetation that is likely to contain protected or threatened species is proposed to be cleared”.***

Sediment-laden run-off from the Kin Kin quarry has continued regularly for two years, impacting Wahpunga Creek with over 60 readings exceeding the allowable 50 NTU release. Despite recent upgrades to the sediment control system, sediment-laden stormwater exceeding 400 NTU's was released into Wahpunga creek as recently as 24 December 2011.

The proposed haul road to the top benches, as shown in Stage One of the revised draft plan, passes through a section of endangered regional ecosystem, with no provision for its protection.

4. ***“...the proposal conflicts with State Planning Policy 2/07 – Protection of Extractive Resources as the proposed quarry extends into the identified separation area and, therefore, compromises its function as a buffer”.***

At least 2/3 of the proposed Kin Kin quarry is designed to occur in the identified KRA separation area, compromising its function as a buffer and destroying an ecosystem shown in the Noosa plan biodiversity overlay as an environmental protection area.

The haul road gazetted in KRA 57 is not Sheppersons Lane as used by the quarry; it is an unmade section of the Noosa Trail. Sheppersons Lane is not a protected haul road under SPP 2/07 and therefore has no buffer areas or other quarry related encumbrances attached.

Summary

The lodgement of these revised plans provides the Council with the opportunity to ensure it imposes the benchmarks on which it can properly manage and supervise the operations of this quarry. This will not be possible should these plans be approved in their current form. They are too vague about the future and describe a “short term” operation which, for perhaps as long as ten years, would operate with conditions falling far short of the modern practices demanded at other quarries. Neilsens is a large commercial enterprise with the capacity to provide whatever infrastructure is required at the outset, not at some point of their choosing when and if they consider the venture to be commercially viable.

Regards,



Gary Martin
President