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BOBS FARM. NSW. 2316

28th<sup>th</sup> January 2019

Major Projects  
Resources Assessment, Planning & Environment

GPO BOX 39 Sydney 2001

**Proposed sand mine in Bobs Farm. Application Number SSD-6395.**

Many submissions opposing this idea have been presented and from a community standpoint, if they have been acknowledged the proposal is vehemently opposed.

Personally, we made the decision to move to this rural area, clean air etc as my son suffers from asthma. Why on earth is it even considered that a potentially life threatening mine is a possibility. I find it hard to believe that this letter is even necessary? We are located at 772 Marsh Road, Bobs Farm, the trucks are potentially going to be creating a highway right next to our house, noise, destabilisation and issues for my son and us with silica being a huge problem just the tip of the iceberg. How can we choose such an idyllic safe healthy environment just to have it potentially taken away.

There has been a submission made on behalf of the community as you are aware. Many livelihoods and lives both directly and indirectly will be destroyed, not to mention the flora and fauna. If such a proposal is even considered by the government it is concrete evidence we are living in an era of money over lives... money over the environment... sickening.

Our community understands;

- Ammos Resource Management (referred to as the Proponent) are proposing a 36.1 hectare sand mine at 3631 Nelson Bay Rd Bobs Farm.
- The proposed site is approximately 75% undeveloped old growth forest and approximately 25% of the site's area is utilised for agricultural purposes; primarily olive and fig plantations, with a small proportion of this area occupied by farm sheds, a farm hand residence and a master residence. A power transmission line easement (poles and wires) cuts across the southern corner
- They will extract 10million tonne of sand over 15 years.
- The mine will include dry and wet extraction and dredging will occur 15m below sea

level. Dredging operations will account for about 50% of the sand being extracted.

- They will clear 39.4 hectares of bushland.
- They site will be developed to include gravel and sealed road, site and operational sheds.

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- When operational the mine will use ground water for washing, dust suppressions and other operational processes. It is unclear how many litres per year will be required for these operations.
- The site will generate 200 truck movements per day on Nelson Bay Road between 7am and 6pm (one every 3 minutes). These trucks will pass alongside the Bobs Farm School, turn right onto Marsh Road then turn left towards Anna Bay and use the Port Stephens Drive round about as a U turn bay to head out of the peninsular.
- The mine will create 8 onsite jobs.
- The operational hours of the mine are 6 days per week 6am-6pm.
- Once completed they will only re-vegetate 7 hectares of land and leave 24.5 hectare

salt water artificial lake. The fresh water evaporative loss from this lake is

approximately 90 million litres of fresh water per year.

- Possibilities for the dam have not been confirmed but suggestions include a solar power operation or tourist water park.

Bobs Farm is located as the Gateway to Port Stephens on the Tomaree Peninsula. It is a narrow strip of land with water bodies on either side (The Tasman Sea & Tilligerry Creek). The dune system that holds apart these two bodies of water is an ancient non-regenerative landform and common-sense approach would ensure no degradation to this area would occur. Rural residential allotments border the site to the north, west and southwest. Nelson Bay Road borders the site to the southeast, with Worimi National Park located on the southern side of Nelson Bay Road. The Australian Shark and Ray Centre and Bobs Farm Primary School are located along the western end of the northern site boundary. Developments of this nature in this area are conducted in locations where sand is renewable and away from residential and public infrastructure.

A sand mine is not in line with the regional characteristics of our community. The community of Bobs Farm consists of rural-residential, semi-rural, and agricultural operations, and includes a school, community hall and several tourist attraction enterprises. Bobs Farm is a small community with a strong sense of place that is essentially instilled from the agricultural, horticultural and aquaculture farming with an affinity to the natural biodiversity and seasonal

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rhythms of the area. It does not have an industrial sense of place. The approval of a sand mine will radically change the serenity and stability of the area causing unnecessary stress on our community. The area is people and animal focused and, when considering the loss of habitat, there is a case to be considered for the loss of human habitat. People who live here chose to do so specifically because of its natural beauty, its slower pace of life and its lack of industrialization. When considering our endangered species please add rural dwellers to that list because our habitat is also being swallowed up by the insatiable appetite for industrialisation and urban settlement. Food producers are arguably more necessary to society than extraction industries and so we request that consent for this project be withheld.

The wider Port Stephens area is known for its beautiful beaches, stunning sand dunes, coastal walks, national parks and pristine waters, with its carefree laid-back lifestyle and a great range of holiday accommodation. The area is steeped in cultural history as well as being a biodiversity hotspot on the East Coast of Australia. The nature and scenery of the region is spectacular, and the bushland and waters of the estuary are home to some magnificent flora and fauna, many of them unique to the area. This year a proposal is being prepared to list these Worimi lands as a World Heritage Area which shows the significance of protecting our area. Landmarks such as the Stockton Dunes are world renowned for attracting visitors to the area to experience the sheer magnificence of these natural wonders. The positioning of a sand mine at the gateway to a potential world heritage site is incongruous and an off-putting experience for visitors excited to see and participate in the natural beauty of the area.

The primary purpose of economy is to benefit the local inhabitants of an area first. Both local and state government have stated their aims to encourage economic growth of Port Stephens. Tourism is a major growth industry to the area which brings in an estimated \$539 million to the local economy (approximately \$1.5 million a day) (Source: National Visitors Survey and International Visitors Survey. Tourism Research Australia). This revenue is shared among local industries as well as tourist ventures and students saving for their higher education. The international airport at Williamstown along with its satellite industries (rental cars and hotels) attest to the growth in tourism in this area. We should be working to protect and enhance the natural environmental assets of Port Stephens not degrade them.

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The sheer size of this mine won't go unnoticed by residence, passing motorists and cyclists. The proposed screen/ buffer area is only 15m wide and won't deter the unsightly view of mining operations. The electricity transmission easement on the south east of the property will need to be left clear of all obstructions and give a full view of the site. The landscape characteristics will also mean that at times trucks will be positioned above the road level and its unlikely that a screen/buffer will be unable to hide the operations from plain sight.

The overall characteristics of the Nelson Bay Road in this area is bushland and rural residential areas, unseen from the main carriageway. The proposed mine will certainly be an eye sore of large excavation and heavy machinery and not in line with the current characteristics of bushland and certainly not what the Gateway to Port Stephens should look like. It should be noted that other approved mines in the area back onto the Stockton bight and harvest windblown sand from unvegetated sites, and the dunal systems are classified as 'renewable'. These mines are also located out of sight.

Many people use Nelson Bay Road daily to commute on and off the peninsular. People travel from the Tomaree peninsula to Newcastle and Raymond Terrace for work, education and medical purposes. Equivalent numbers commute in the opposite direction back into 'The Bay' for work and tourism. The development of a sand mine places motorists and other road users (cyclist) at risk by increased truck movements. The cumulative affect of the approved and operational mines in the area already is bearing a huge expense to our inadequate road infrastructure and we estimate this number could be as high as 1500 trucks per day.

It is proposed at least 200 trucks per day (equivalent to one truck every 2 – 3 minutes) will exit the mine site next to the school into a 40km/hr School Zone on Marsh Rd, then travel just sixty metres before reaching Marsh Road/Nelson Bay Road intersection with compulsory Stop sign, which is located at the base of a sweeping bend, where it will be extremely difficult for heavy loaded trucks to safely pull out into a busy 80km/hr zone. As a result, this will cause a queue of trucks at intersection leaving parents, school buses and local residents unable to exit Marsh Road in a safe or timely manner. The acceleration power required for fully laden trucks to exit the mine will create untenable disruption to education due to the unbearable

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vibration noise in the two demountable class rooms, making it an extremely challenging task to keep students engaged, a highly unfavourable schooling environment. Marsh Road is not suitable for the size or volume of trucks proposed. Marsh Rd and this intersection with Nelson Bay Road has a dreadful track record of vehicle accidents and passenger fatalities.

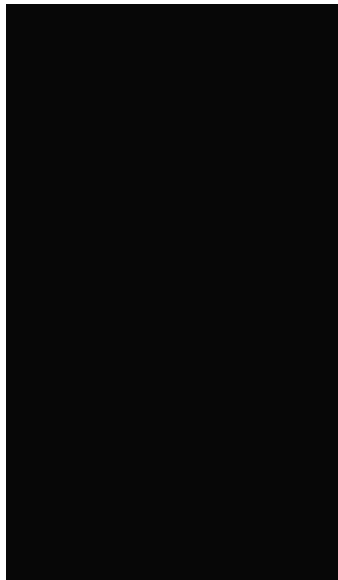
The operational hours of the mine, being 6 days a week 6am-6pm for onsite work and 7am-6pm for transport vehicles imposes substation noise and vibration concerns local residents and the Bobs Farm School. The area is a residential area and construction/operational noise and traffic should be limited to the NSW Construction Noise Guidelines. Mon – Fri 7am-6pm, Sat 8am – 1pm, no work on Sundays, limited hours on Public Holidays. The Construction Noise Management Plan (Annex K) has been compiled using "Standard Construction Hours" which are presumably the noise guidelines set out by the Office of Environment and Heritage as shown above. The proposed hours of operation conflict with the NSW Construction Noise Guidelines.

**The impact expressed in the EIS by the Proponent on the local and broader community is hugely understated. This proposal is not an ecologically sustainable development. The**

impact on the local school and properties bordering the proposed development in relation to health and wellbeing are of great concern. The concerns of our community are listed below for consideration.

### **Community consultation:**

We understand the Department of Planning & Environment does not permit the proponent to disregard any matter that the community raises. We feel the proponent has not adequately addressed our concerns at the two public meeting that have occurred. The way the meetings were conducted were more about information delivery rather than consultation. Although there was allocated time for questions the forum was not open to discussing concerns, potential solutions or feedback to the community concerns. There is an audio recording of the most recent meeting, which we are happy to supply that confirm the tone of Mr Landers



presentation on behalf of the proponent and the lack of community engagement. It's fair to say that a large amount of anger still resonates in our community.

We ran a poll on our Facebook page and 110 people voted with 97% of people suggesting not enough adequate community consultation had occurred. Source: <https://bit.ly/2FIqeUW>

We ran a change.org poll and received 3,514 online signatures in opposition to the sand mine development. Source: <https://bit.ly/2WmRPAi>

We also received 5,000 hand written signatures in opposition to the sand mine and can make the hard copy of these documents available for the independent commission to review.

The EIS states that the “The community was invited by the project applicant to form a Community Consultative Committee to engage in further dialogue about the proposed development. The community declined to do so”. It’s important to mention this committee feel the proponent has not made available a suitable forum to discuss the consultative process and there has been no further attempt to consult with the community. A member of our committee Kristy Arnall spoke with Bob Lander via telephone call prior to the second meeting to get an update on the situation. Kristy was in support of a consultative committee as she was unable to attend the meeting and Bobs Lander was made aware of this. Unfortunately, the proponent failed to read the concerns of the community choosing to reference inaccurate information published via the Port Stephens examiner quoting another committee member Shea Brunt saying that the community was unlikely to form a consultative committee, which was untrue. We feel the proponent has simply hosted the meetings to tick a box for this EIS submission and has not actually valued the concerns of our community.

The community has the support of the State Member fo Port Stephens, Kate Washington, Liberal candidate and Port Stephens councillor Jamie Abbot, Port Stephens Greens Party, Port Stephens Mayor Ryan Palmer as well as various community organisations such as Bobs Farm Primary School P&C, Eco Network (who have 28 affiliated groups and eco business under its banner), Tomaree Rate Payers Association, Port Stephens Cycling, Port Stephen Koala



Preservation Society, and Destination Port Stephens who agree this development is simply inappropriate and does not satisfy the objectives of an ecologically stainable development.

### **Quality of the application & supporting documents**

Whilst we appreciate the applicant has put a large amount of detail into the EIS (hundreds of pages, although sometimes questionable, outdated and contradictory). The sheer volume of the document is quite difficult for the average person to review and most people are not skilled in interpreting technical reports or understanding relevant legislation. We make the obvious point that all the consultant's reports have been commissioned and paid by the applicant, and likely written to present a favourable outcome for the proponent.

A few points to substantiate our claims include;

- Note that Port Stephens Council has found issues with the quality of at least one report: 'A significant amount of inconsistencies and inadequacies were noted throughout the Environmental Impact Statement (EIS) (Tattersall Lander 2018) and Biodiversity Assessment (Wildthing 2018) in relation to biodiversity values for the proposed development.' (Council letter to DoP dated 14 January 2019 p.1)
- Note that Section 12.5.1 Ambient Particulate Monitoring within the EIS has used figures obtained from 29km away from the site. Since the available data is from 2013 and additional Sand Mining operations have commenced in the surrounding areas to the proposed site, these figures are inadequate at best, and should be considered obsolete.
- Note that in the Air Quality Report Annex L cannot accurately identify the site. "2.1 Site Location: The Bobs Farm site deposit is situated on the northern end of the Stockton Bight Dunal system". It is not part of this dunal system. "2.6 Local Topography: The Project is situated is approximately 2 km from Nelson Bay." Bobs Farm is not located at this distance. These statements demonstrate that the expert engaged to carry out his work has no local knowledge. If the report cannot accurately identify where the site is located, how can any of the information be seen to be accurate?



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- Note that in the Traffic Impact Assessment Annex O – uses outdated data “RMS TDT 2013/14 Update Traffic surveys August 2013” This over-use of outdated information creates a picture of lesser impact to the community affected by this proposal. The projected life of the project is 15yrs. The data projected by SIDRA goes as far as 2026, (6yrs from now). This does not meet the criteria requested.
- Note that the Traffic and Transport section EIS VOL 1 p.91 mentions “It is expected that the initial truck usage will be around 10 trucks/hr ramping up to 200trucks/hr for the wet mining operation”. Surely this 200 number is an oversight as the detailed Traffic Impact Assessment at Annex O in Volume 2 of the EIS refers to peak daily movements of 200 trucks.
- The proponent didn’t supply noise quality documents in a suitable format (table versus graphs and subsequently was required to submit the “Supplementary Noise Monitoring Results ” after the EIS was placed on exhibition. Any submission before the 19<sup>Th</sup> December should be made aware of this to review the information presented.

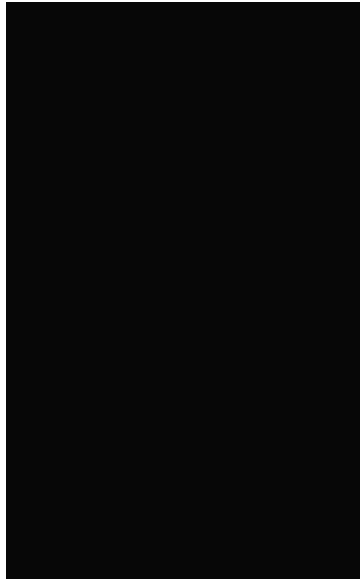
We request that Proponent resubmit current data for all supporting areas and update relevant reports where circumstances may have changed since the original surveys. We hope the assessment committee look closely into the supplied data and when assessing the project and the supporting documentation, that a detailed approach is applied, and where necessary seek independent third-party expert advice on any questionable claims.

### **Groundwater interference:**

The proposed development is adjacent to the northern boundary of the North Stockton catchment. This area has been defined as a special area under the Hunter Water Regulation 2015. This proposed mine site is in the landmass that connects to this catchment that comprises this aquifer. Protection of this catchment groundwater should be considered an important asset for our community and mining activities could contaminate and impact this water source.

The depth of the proposed excavation is -15m AHD, which is below sea level, potentially allowing salt contamination. The groundwater in this area has a “flow” which can be observed





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as it flows into Tilligerry Creek. It is common knowledge that fresh underground water travels from high sand hills on the south of the Main Road (Nelson Bay Road) towards the marshes on the east and feeds on towards the Tilligerry Creek in an Easterly direction, predominantly through floodgates. This aquifer has the effect of “charging” the groundwater on the much lower ground in the Marsh Road area of Bobs Farm. Our group has observed that the groundwater at the School to be approximately one metre below ground level. Most of the ground in this area is very close to sea level in fact there are times when Marsh Road is inundated with sea water during periods of king tides. The “charged” groundwater has the effect of holding back the entry of sea water, allowing the area to be used for agricultural purposes. It is vital that the flow of this aquifer is not disturbed.

Local knowledge of an old Rose Farm on Marsh road lost their livelihood by tampering with the water table and not understanding how the areas underground water operates. This farms location is approximately 4Klm from the proposed site. It is our understanding the farm drew too much water and turned their bore water supply to salt. It also in time resulted in the underground supply being severely depleted. They had to do extensive alterations to stop the water sucking back up to the sand dunes. A retired surveyor in our community recalled this event to our group and defined it as the “wicking affect” which works on the same principles of the Wisconsin Mounds used as evaporation transportation. It is paramount that more independent research s done on the detrimental aspect of allowing the mine to dredge and disturb the underground aquifers.

The excavation of the site below the groundwater level will likely affect the level of the groundwater availability, as explained in the example above. This level has been shown to be approximately 2-3m AHD in the EIS. Our group has observed that the groundwater levels and natural variations from June 2015 on a few properties. Many homes and farm in Bobs Farm benefit from the groundwater using a spearpoint (shallow bore with an attached pump). The area sandy soil could not grow grass, trees, fruit and vegetables if it wasn't for

the access to this water. A drop below these measured levels could require new pumps and spears to draw water, a financial burden for many residents. Certainly, the ground water level will be affected and the EIS doesn't provide detailed information to substantiate its impact.

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The fact that Acid Sulphate Soils were found on the site and a proposed management plan suggests several actions including the "Installation of 5 new wells around the dredge pond to detect possible movement of sulfidic acidic impacted groundwater." This measure suggests a possibility of this aquifer being contaminated and the project should be rejected.

Preliminary assessments made observed that "the proposed development is likely to present an environmental risk as a result of the presence of ASS." Further investigations revealed on page 16. "7 of the 21 samples indicate the presence of PASS. Samples exceeding action criteria were generally from close to or below the 2-3 m AHD groundwater table. One sample (3897/BH03/+12.5 to +11.5) out of the 26 collected from above groundwater level exceeded the criteria, indicated PASS. (Acid Sulphate Soils Assessment 4.2).

Sand extraction on other mines in the area (Sibelcos Tanilba and Anna Bay, Salt Ash sand quarry, Fullerton Cove sand quarry and the Cabbage Tree sand quarry) have extraction depth limits imposed upon them to safeguard groundwater sources, and to prevent possible pollution risk and the loss of valuable water supplies from drainage and evaporation. The planning committee should strongly look at the impact of the wet dredging component of this application and deny it.

The EIS has not satisfied concerns of contamination from salt, Acid Sulphate or PFAS which affects nearby areas. In regard to PFAS contamination, it should be noted the current site is within 5Klm of the current boundary, and this boundary keeps expanding. As a community we need absolute guarantees that no disturbance or impact to the groundwater will occur and the EIS fails to address these concerns.

We have requested an independent expert to review this section and when information is available, we will email supplementary information. We strongly encourage more independent and expert knowledge to address groundwater concerns.

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### **Flora and fauna assessment**

We have engaged an expert to review the flora and reports. Please see attached report from David Paul, Ethical Ecology "Biodiversity Review". The report concluded that the current information obtained by the proponet is inadequate.

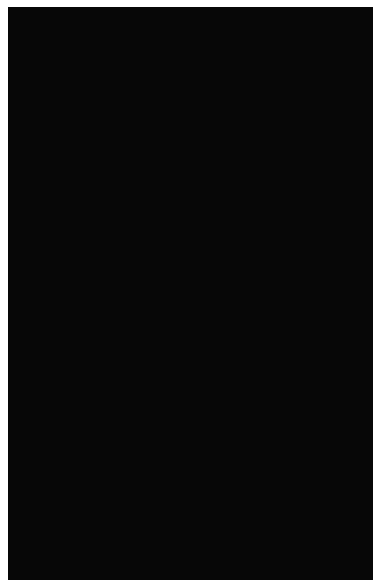
The existing Fig Farm/Olive Farm was substantially illegally cleared by the owners/proponent of the sand mine proposal. This illegal clearing has enabled the owner/proponent to understate and justify the habitat impacted upon and subsequent clearing if the mine is approved. This being the case it is easy to see that there was an ulterior motive to destroy all the former and current native vegetation. This clearly shows the character and moral compass of the proprietor. Why should the community trust the owners/proponent of the property and why should they be allowed to get away with such blatant disregard for the law and our community?

From the Flora and Fauna Assessment undertaken by Wildthing we understand that the proposed Sand Mine will result in the following direct and potential impacts or losses:

- Approximately 25.90ha of Coastal Sand Smooth-barked Apple Blackbutt Forest.
- Approximately 9.5ha of Orchard.
- Approximately 25.90ha of Supplementary Koala Habitat.
- Approximately 25.90ha of known habitat for ten affected threatened fauna species;

Glossopsitta pusilla (Little Lorikeet), Ninox strenua (Powerful Owl), Haliaeetus leucogaster (White-bellied Sea Eagle), Petaurus norfolcensis (Squirrel Glider), Scotenax rueppellii, (Greater Broad-nosed Bat), Falsistrellus tasmaniensis (Eastern Falsistrelle), Miniopterus australis (Little Bentwing-bat), Miniopterus schreibersii oceanensis (Large Bentwing-bat), Phascolarctos cinereus (Koala) and Pteropus poliocephalus (Grey-headed Flying-fox).

- Suitable habitat for several additional threatened and other flora and fauna species likely to utilise the study area.
- Approximately 877 hollow-bearing trees.



- Habitat Fragmentation.
- Injury/Mortality to native fauna during felling of trees.

Only 7.6ha of the 40ha of high-quality remnant vegetation will be rehabilitated. This is unacceptable. As quoted by Tattersall Lander in the EIS, “The resulting artificial lake will remain permanently within the ecological corridor and will be approximately 680m at its widest point. The proposal will result in a reduction in the function and quality of the ecological corridor”. The Flora and Fauna Assessment undertaken by Wildthing lacks any scientific justification or data to conclude that the proposal is unlikely to significantly impact the integrity of the ecological corridor. A very large lake will remain in perpetuity, providing a permanent ‘barrier’ to wildlife movements and therefore fragment habitat. The development will result in the fragmentation of a wildlife corridor that is of high quality habitat for many understorey, hollow-dependent, and endangered species, is preferred koala habitat and is important locally by providing a linkage of remnant habitat west of Nelson Bay Road. The proposed mitigating measures include a 15m wide vegetated buffer, which is clearly insufficient.

The Koala population of the Port Stephens area is well documented as having significant conservation value through historically supporting a large population until recent years (Port Stephens Council, 2002) and supports an important population centre for this species. A recent article in the Newcastle Herald believes; “The rapidly declining koala population of Port Stephens has endured another horrendous start to the summer period with fires, excessive heat and continued loss of habitat. In fact, the situation in Port Stephens – once known as the state’s koala capital – has become so dire that the Port’s leading statistician has warned of complete urban extinction. Port Stephens Koalas data analyst Murray Black, whose work and opinions are backed unequivocally by the not-for-profit organisation, believes that “the koalas on the Tomaree and Tilligerry urban areas will die out” (Newcastle Herald, January 24, 2019). The site contains preferred and supplementary Koala habitat (PSC, 2019). This habitat category means that it requires a “high level” of protection (CKPoM). The combined impacts of removing koala preferred and supplementary vegetation and lack of rehabilitation would

result in the reduction, function and quality of the existing ecological corridor and therefore place further increased pressure on an already declining population of koalas in Port Stephens.

Data from the Hunter Kola Preservation Society clearly indicates Koalas in the area of Bobs Farm are already suffering from population reduction as a result of development (habitat removal) and increased motor vehicle movement. Koalas are territorial and do not easily find new territory, they will often starve, become diseased from stress and travel distances exhausted in the search for food when their habitat is removed.

The site has considerable environmental values and the ongoing development in the area is considered to be creating an adverse cumulative impact on native vegetation. The destruction of 25.9ha of high-quality habitat known for threatened fauna species, including the bulldozing of 877 hollow-bearing trees, is unacceptable. In the past year we have seen fires destroy or threaten koala habitat in Williamstown, Lemon Tree Passage, Anna Bay and Mambo Reserve, all within the Port Stephens local government area. Wildthings Flora and Fauna Assessment (Appendix E, A17), acknowledges the increased intensity of bushfires due to climate change. Port Stephens Council and the Hunter Koala Preservation Society are very aware that the area's koala hubs are under very real threat.

A total of 1217 habitat (hollow-bearing) trees were identified within the study area as a result of a hollow-bearing tree survey. Of these 1217 hollow bearing trees, 877 will be cut down to make way for the proposed sand mine. The Flora and fauna assessment undertaken by Wildthing concludes. The loss of hollow-bearing trees is a Key Threatening Process under Schedule 3 of the TSC Act 1995. The removal of 877 hollow-bearing trees would be a significant loss of this resource in the local area.

The EIS's flora and fauna report undertaken by Wildthing is erroneous due to a vast amount of inappropriate and inaccurate survey techniques that have been clearly outlined by Port

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Stephens Council (PSC letter to the DoP, 14 January 2019) and David Pauls Review of the Flora and Fauna Assessment (Attached). The Flora and Fauna surveys undertaken by Wildthing are not consistent with recommendations of OEH and as such are not compliant with OEH survey guidelines. Considering the inadequacies in the survey effort for several species the flora and fauna assessment undertaken by Wildthing is considered inadequate to determine the potential impacts of the proposal on threatened species and their habitats. As such the development in its current form should be denied.

#### **Clearing of land, rehabilitation and the creation of an artificial water body**

This development is located on an ancient sand dune and will clear old growth forest. It will result in habitat fragmentation by clearing native vegetation. The threatened species conservation act has determined clearing as a key threatening process contributing to the loss of biological diversity and loss of local populations of individual species.

The proponent has stated in the EIS that just over 7 hectares of land will be rejuvenated and Instead of turning the landscape back to its original form a 24.5 hectare artificial lake will be left after the operations have ceased. The long-term effects of creating an artificial lake by excavation and dredging have not been addressed. The suggestions for possible usage for the dam at the end of the development is not suitable and a definite end plan for the dam needs to be clarified and approved by the community before any approval is considered. The site must ensure sustainable future land use and the evaporative losses alone cannot be a best practice planning outcome.

## **Traffic Considerations**

The increase in heavy vehicle traffic in a quiet little semi-rural locality such as Bobs Farm is inappropriate, especially when it benefits so few, but imposes on so many. Traffic Safety and Health and Safety Concerns of the general population must be considered, given that the proposal states that there may be up to 200 additional (Heavy) truck movements per day



added to local road infrastructure within a very popular tourist destination and past its closes neighbour the Bobs Farm Primary School.

Frankly the access point via Marsh Road is not a suitable option, given the site has access to Nelson Bay Road. We support the Port Stephens council submission stating “The proposed

haulage route has been assessed and is not supported. Should the application be supported the preferred haulage route would be a left in and a left out from Nelson Bay Road, subject to an appropriate design being submitted. There are a number of traffic, noise and safety concerns in relation to the exit route being along Marsh Road especially around school drop off and collection times. Council has previously expressed these concerns to the Department (12 March 2014)."

It is common local knowledge that trucks stage themselves along the roads prior to entry into the mines upon opening. Nelson Bay Road does not provide a suitable safe and non-disruptive space for large trucks to be pulled up outside resident's properties. It provides a hazard to road users and including poor traffic visibility to enter on Nelson Bay road when leaving their residence. It also renders unnecessary early morning noise and vibration to residence.

We have specifically outlined these concerns in response to the EIS.

Part 1.5 – "DGRs Response Comment Report Inclusion Accurate predictions of project-related traffic and a detailed assessment of the potential impacts of project-related traffic on the capacity, safety and efficiency of the road network". This condition is not met as the data used is 5 years old and the road upgrades referred to in the EIS still have not materialised.

Part 1, 4.2.1 – "Current traffic counts for all of the above traffic routes and intersections" Again, the traffic counts were conducted in September 2014 – this data is outdated.

Part 2.2 – "Access to the site is also available via Marsh Road, a local road providing access to a number of local rural suburbs and rural residential holdings. It provides a single lane of travel in both directions and operates under the posted speed limit of 60 km/h. There is a

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school zone located close to the intersection with Nelson Bay Road with the normal restriction of 40 km/h during the morning and afternoon school activity periods." This statement gives weight to the Community's concerns for the health and safety of school children, inappropriateness of the location of the project, and traffic risks associated with heavy vehicles frequenting the school zone. These risks are unacceptable. Port Stephens Council, in their response to the Dept of Planning's request for DGR input, stated that "All entry and exit movements resulting from this application must be to and from Nelson Bay Rd directly and not Marsh Rd..." and "Marsh Rd is considered structurally inadequate by council to carry large volumes of heavy vehicles", also "The proposed exit route to Nelson Bay Rd via Marsh Rd passes through a School Zone for a Primary School aged children, it is considered unsafe and inappropriate to have large volumes of heavy vehicles in the vicinity of young children when there is adequate opportunity (U-Turn Facility) for those vehicles to enter and exit from the proponents frontage to Nelson Bay Rd." These comments were expressed by Council in their letter to the DoP dated 12th March 2014 and restated again in 2017.

Part 2.2.4 – “During the site work a number of cyclists were observed on Nelson Bay Road but no pedestrians”. Port Stephens is a mecca for cyclists, and many, many cyclists use both Nelson Bay Road and Marsh Road frequently. The increase in heavy vehicle traffic on either or both roads will significantly increase the road-risk to these cyclists. This increase in risk is unacceptable.

Part 2.3.7 – “Further to the west, it can be seen that the single lane of travel causes some delays, due to the volume of traffic. However, the road upgrade will allow for 2 lanes of travel and eliminate these delays.” The proponent’s statement is in relation to Nelson Bay Road. The ‘upgrade’ they speak of is one which the local community has been waiting on for the past 15 to 20 years, but as it is a ‘political hot-potato’ it looks like it may be another 15 years before it is ever carried out. The Nelson Bay/Port Stephens area has only One road in/out. In peak holiday seasons the road system is used to its capacity due to the huge tourist volumes. Please see attached file showing dash cam footage of the backlog of traffic that can occur on this single lane. Adding many heavy vehicles, particularly fully laden trucks with dogs, exponentially increases risks to other road users. This increase in risk is unacceptable.

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Part 3.2.1 – “Driveway Location- This entry point is located 30 metres west of an existing U-turn lane on Nelson Bay Road”. To have a frequent procession of heavy/long vehicles using this access point as their ingress point puts at risk those motorists using the current U-turn facility. The Egress point on Marsh Road is also near a U-turn bay, and the motorists using that facility will have increased risks created for them by the presence of heavy/long vehicles constantly stopping at the intersection with Nelson Bay Road.

Part 3.2.2 “Service Vehicle Access. All service vehicle access will be via Marsh Road, with servicing levels expected to be low. There will be a requirement for a fuel truck to access the site as well as occasional maintenance vehicles for the quarry vehicles which will be located permanently on site.” This statement by the proponent is contradicted somewhat by a previous statement in part 3.2.1, saying “All vehicles entering the site at this location will be light vehicles only associated with staffing requirements.” Any vehicle entering a single lane driveway where 18 to 20 fully laden trucks with dogs are exiting every hour is being placed at extreme risk. These risks are unacceptable. The risk becomes obvious when studying Part 3.3.1 “Pattern of Circulation All vehicles will be able to enter and exit the site in a forward direction from the local road network. All trucks will enter the site off Nelson Bay Road via the left turn slip. These trucks will then proceed through the site in a forward direction and then exit the site onto Marsh Road. All trucks will turn right when exiting the site onto Marsh Road. Light vehicles will access the site via Marsh Road, move within the site and then exit the site onto Marsh Road in a forward direction.”

Part 4.1.2 “Sight Distances The site access point on Nelson Bay Road is located within an 80 km/h speed zone. This access is an entry only and as such there is no requirement for drivers to observe vehicle movements on Nelson Bay Road to exit the site at this location. For drivers entering the site, the alignment of Nelson Bay Road ensures that the required



forward visibility distance is available along the road, to allow a driver to observe the left turn slip road into the site.” This statement by the proponent fails to take into account the safety of motorists using the U-turn facility on Nelson Bay Road. It is a popular facility giving access for west-bound motorists to access places on the opposite side of Nelson Bay Road. Any heavy vehicles with dogs/trailers using this U-turn facility create significant risk for east-bound motorists travelling at 80kph. These risks are unacceptable.

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Part 4.1.2 – “Sight Distances- available sight distance left of the site access on Marsh Road Visibility to the right is less than this distance, due to the road alignment to the east of the site (as shown in Photo 3 below). However, vehicle speeds at this point are below 60 km/h, as drivers have turned off Nelson Bay Road into Marsh Road. The distance available is 78 metres, which is some 5 metres less than the required distance of 83 metres for the posted speed zone of 60 km/h. However, it is noted that the minimum sight distance requirement for a driveway in this speed zone is 65 metres, which is less than the distance available. Further, it is noted that for a 50 km/h zone the sight distance requirement for a driveway is 69 metres desirable (45 metres minimum) and it is considered reasonable that vehicle speeds at this point could be 50 km/h”. Safety issues arise due to safe sight distances not being met from the Marsh Road egress/access point. Bold/inaccurate assumptions are made as to the speed of vehicles coming from Nelson Bay Road. This is a huge, unacceptable risk to the community and road users.

Part 4.3.2 “Peak Hour Impacts on Intersections- The key intersection that could be impacted upon by the proposed development would be the give way controlled intersection of Nelson Bay Road and Marsh Road”. This erroneous statement by the proponent fails to acknowledge the STOP sign at the Marsh Road/Nelson Bay Road intersection. This particular intersection MUST be avoided by any development impact from this proposal. It has too many inherent risks associated with its use by heavy/long vehicles fully laden.

SIDRA analysis states that trucks turning left out of Marsh Road onto Nelson Bay Road will impact on traffic at the roundabout at end of Port Stephens Drive. “The above analysis shows that the roundabout is operating well with minimal delays and congestion for all road users. This roundabout will be impacted upon by the trucks from the quarry that have turned left out of Marsh Road and then use this roundabout to complete a U-turn.”

Part 5.1 “Improvements to Accommodate Existing Traffic The existing road network in the immediate vicinity of the subject site is well developed and there are no road network upgrades currently occurring within the immediate vicinity of the subject site.” This remark by the proponent in part refutes earlier suggestions made in Part 2.3.7 – “Further to the west,

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it can be seen that the single lane of travel causes some delays, due to the volume of traffic. However, the road upgrade will allow for 2 lanes of travel and eliminate these delays". It seems the assumption is that if one section of the road is okay, it doesn't matter if the rest is substandard. Nelson Bay Road has not been upgraded to dual lanes for its entirety, and needs to be before projects such as this should ever be considered.

### **Noise & Air quality**

We have engaged an expert to review the air and noise quality reports. Please see attached report. "190131 FINAL Noise and Air Impact Assessment Review.pdf". The conclusion of this is that the reports cannot be relied upon in its current form. Note that Section 12.5.1 Ambient Particulate Monitoring within the EIS has used figures obtained from 29km away from the site, Clearly this data cannot be seen as acceptable.

Our community has concerns about the adverse health risk associated with the development from dust, contamination to drinking water (tanks), diesel emissions, noise and vibration. The department of health outlined in their response that at times the mine could not operate within safe guidelines and, what if any action will be taken by the proponent to eliminate these risks?

This is considered an offensive industry and dust from the product; silica sand is hazardous. On page 695 of the EIS it states the composition of the sand to be 97% silica. silica dust is a known carcinogen, refer to attachment "2017-10-09-Silica-Factsheet-Final".

Throughout summer typically North Easterly winds blow consistently at speeds of 37-55Klmp/h. This harmful and very small particulate matter will blow directly towards neighbours and motorists. Neighbour live between 8 metres and 650 metres from the mine site. The closest neighbour identified is Bobs Farm Public School, 10 neighbours are within 100 metres or less. The barriers recommended in this EIS will not ensure that the exposure of residents will be protected. Furthermore, the operational hours will not ensure that the dust generated from this activity is contained outside of the hours of operations, not during the hours of operation either, thus exposing residents to silica dust 24 hours of every day.



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We would also like to state our alarm at the fact that one of the exposed groups within our community will be our children. The primary school is located at the proposed exit point to this operation. Even without the exit point, the proximity to the site of operations will see them exposed to silica dust. They are the most vulnerable of all as their lungs are still developing. The chances are that by the time they are in their 20's, they will be suffering silicosis alongside their parents. This is a fatal and debilitating disease! The only sure way to prevent this, is to remove the possibility of exposure from a known source.

All properties, including the school in Bobs Farm, are wholly dependent on rain/tank water for a supply of drinking water. As this proposed mine will cause a significant amount of airborne dust, which will subsequently settle on the building rooves, there is a real likelihood of water contamination when rain washes dust into water tanks.

This proposed development does pose a risk to human health, life, and property. What action, if any, will the Proponent take to ensure the safety of residents within the vicinity of this proposed development, and what level of commitment and accountability will the proponent have 20+ years after the completion of the project. One of the control measures listed in the Safe Work Australia fact sheet is to provide workers with respiratory equipment. Does the proponent expect school children to wear this type of PPE during the school day?

### **Land Values, Closure of Key Assets**

Its fair to say the operation of a sand mine will significantly decrease land values, and as such most community residents in Bobs Farm will be seeking compensation for decreased land values, most likely in addition to potential impacts upon resident's health and wellbeing.

Bobs Farm school recently celebrated 100 years of quality, local schooling to the community. The proposal outlined by the Proponent does not allow us to educate our children in a safe, nondisruptive environment. If this mine can proceed, it is most probable

that Bobs Farm Public School, which only recently celebrated its Centenary, would be forced

to close. As a

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result, the employment of the teachers and school staff would also be impacted. The closure of Bobs Farm Public School would have devastating consequences for the Bobs Farm community as a whole.

## **Conclusion**

Our community has raised the following concerns

- - The mine is an inappropriate development on an inappropriate site and should not be approved.
- - Consideration to the sheer number of submissions against the development should give the Department of Planning a clear message that this development is not wanted by the Port Stephens community.
- - Consideration that the residents and school children of Bobs Farm health and safety is not being upheld if this mine is approved should ensure this project is denied.

- - Clearing of old growth forest and the impact to threatened specials, groundwater dependant eco systems and degradation of the corridor is not in line with an ecological sustainable development and should be rejected.
- - Dredging the mine is not ecologically suitable and poses many risks to groundwater supply and contamination and should be rejected.
- - The entry/exit point of Marsh road is unacceptable and should not be allowed. Additional road infrastructure on Nelson Bay road is not equipped to handle the cumulative demand of traffic and the project should be denied.
- - The lack of rehabilitation to the site and creation of a large artificial lake is not considered a sustainable development and the application should be rejected.
- - Inaccurate and out of date information has not satisfied the requirements of the EIS and relevant and up to date data must be resubmitted by the proponent for traffic, noise, air, groundwater and flora and fauna assessment.
- - Additional independent expert analysis should be obtained in water, air, noise and flora and fauna to prove the lack of sound reasoning to accept this proposal.

It is hoped that the Australia we grew up in is still alive and a horrific money over lives decision is not made here, our community stands strong, this mine is not something that belongs here.

Loretta M Carini  
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