

Annex B - Consultation

Agency Consultation Register

Agency	Date(s) of Contact	Contact Arrangements	Outcome
Port Stephens Council – Manager of Planning Matt Brown	16 th September 2015	Informal Pre-lodgement meeting	Council advised that they would expect that Marsh Road would need to be upgraded if that was going to be the exit point of the project. Applicant to address DGR's/SEAR's and Council will respond to the issued EIS when documentation is supplied by DoPE.
Office of Environment & Heritage Nina Pollock Heritage Division	Multiple times 2014 by Aecom for the preparation of the Aboriginal and Heritage Assessments.	Emails. Letters and phone calls	OEH provided the relevant contact for RAP's.
Steve Lewer – Regional Biodiversity Conservation Officer	Multiple times by Wildthing Environmental Consultants 2014, 2017 and 2018.	Emails, phone calls and office meetings. Site inspections for the BSSAR sites.	OEH has ensured that the BAR has been appropriately prepared and that the BBAM has been verified.
Environmental Protection Agency Steve Clair	February 2015	Phone call to discuss project, EPA confirmed that issues will be as per DGR's.	EPA will provide further comment on the proposal to the DoPE when the EIS documentation is supplied to the EPA from DoPE.
Division of Resources and Energy DoI	2015	Phone and email contacts	DoI clarified DoI requirements regarding mineral sands and the necessary licences if this product was going to be produced.
DPI Water Alison Collaros	2015 Multiple contacts with Martens & Associates in the preparation of groundwater reports	Phone and email contacts	DPI Water clarified the specific requirements relating to trigger values for GDE's , private bore and groundwater impacts.

DPI Forestry Richard Rienstra Senior Land Administrator	2015	Phone call to discuss project requirements	Forestry has no interest on private lands.
DPI Agriculture and Fisheries	2015	Phone call to discuss project requirements	Confirmed that no additional to issued DGR's. Agency will respond to EIS when it is provided by DoPE.
Trade & Investment – Crown Lands Martin Dawson Senior Natural Resource Management Officer	Feb 2015	Phone call to discuss project requirements	Confirmed that no additional to issued DGR's. Agency will respond to EIS when it is provided by DoPE.
Roads & Maritime Services Peter Marler	2015, 2016	Phone call to discuss project requirements	Confirmed that no additional to issued DGR's. Agency will respond to EIS when it is provided by DoPE.
NSW Rural Fire Service Brad Sellings	27/07/2018	Phone call to discuss project requirements, email to clarify requirements	RFS not originally included in SEARs responses. Usual bushfire consideration as per PfBP 2006 are to be undertaken and the RFS will respond to EIS when supplied.
Hunter Local Lander Services	2015	Phone call to discuss project requirements	Confirmed that no additional to issued DGR's. Agency will respond to EIS when it is provided by DoPE.
Hunter Water Malcolm Withers	2015	Phone call to discuss project requirements	Ensure that the Application needs to address impacts on groundwater
Ausgrid	2015	Phone call to discuss project requirements	General discussion over the proposed relocation of the main 33Kv feeder line. If a final decision did not affect this line then no other requirements would be necessary from Ausgrid.

Summary of Issues, Comments and Questions Raised by Attendees and Applicant Responses at Bobs Farm Sand Mine Public Meeting held at Bobs Farm Community Hall on 10 October, 2018 & 2014 Meeting Meeting Facilitated by Tattersall Lander Pty. Ltd. (acting as applicant for the proponent of the proposed Bobs Farm Sand Mine) Issues, Comments and Questions Raised by Meeting Attendees and Responses Provided by the Applicant are Taken from Recorded Meeting Transcript* of Tattersall Lander Pty. Ltd. *Permission for recording of the Public Meeting was provided by the meeting audience. Note 1. The Public Meeting was attended by Ms. Kate Washington, BA LLP MP: Member of the Legislative Assembly Member for Port Stephens, Shadow Minister for Early Childhood Education, Shadow Minister for the Hunter, Member of the Australian Labor Party. Note 2: Where italics are utilised, they are for the purposes of emphasis.		Location of where the matter has been addressed in the EIS
Issues/Comments/Questions from Meeting Attendees	Comments	
Extent and Details of Mining		
How vertically extensive is the proposed mining?	Applicant advised that it is intended to mine to -15m AHD (in Mining Phase 3).	Chapter 2.5, Annex T
When is it proposed that the sand mine will be operational?	Applicant advised that if approval is given, it is anticipated that the mine will be operational in approximately 3 years.	Note
What are the days and hours proposed for dredging?	Applicant advised that the dredge would be operational subject to any prescribed detail included in any conditions of consent and that it would also be market driven. If there is no demand for the sand, the dredge will not be operational (nor will trucks be moving sand from the mine).	Chapter 2.10, Annex J
Why hasn't the adjoining/adjacent land, also owned by the proponent, been	The applicant advised that there is no intention to include any additional land as part of the proposed development at this time.	Chapter 2, Annex T

considered for alternative vehicular egress? This would provide a more feasible alternative for truck egress rather than adjacent to the primary school.		Comment noted
How will mining batters be engineered to prevent the wind blowing the sand?	Applicant advised that there will not be large scale open clearing with wind left to blow sand away. The intention is that there will be one working face only and that the face will be progressively rehabilitated.	Chapter 5.3, Annex T
Will you and how will you address OH&S issues?	Applicant advised that all OH&S requirements will be fulfilled, including requirements for truck drivers, who will be contractors. Applicant also advised OH&S matters are part of the SEAR's [Secretary's (Department of Planning & Environment) Environment Assessment Requirements] that need to be considered.	Traffic issues in Chapter 15, Annex O Hazards & Wastes Chapter 20
Will the sand mining be halted over peak periods, i.e. When the children are coming in? Christmas Time?	Applicant advised that there will be 'normal shut down periods. There are also other mechanisms proposed that can shut the mine down. It's proposed that there is an on-line instantaneous weather station on the site so that when wind is increasing and dust is 'getting up' with adverse weather conditions which may potentially cause impacts on the community, the mine operators will know about potential associated impacts on a minute by minute basis (inference that mining operations can be stopped under adverse weather conditions etc.).	Chapter 2.10 Environmental Shutdowns considered in Chapter 12 and Annex L
Following from applicant's response immediately above: comment (incomplete) made about the detail of the weather station and associated measurement of impacts: <i>"That's not correct. You can't do that. If they're doing PM Particle Mass that's their way of</i>	Applicant advised that in addition to the weather station, the air quality team (engaged to prepare the specialist air quality report for the project) has recommended that a TEOM (Tapered Element Oscillating Microbalance) station be installed as a proactive management tool (providing instantaneous feedback to mine management/operators) rather than being reactive and saying, for instance, that there was a problem a month ago (inference that the mine management/operators wish to be proactive rather than reactive).	Chapter 12 and Annex L

running it and it will take a higher ... “.		
Following from the comment and applicant response above: <i>“Everyone is obviously admitting that there is a real danger in the dust but you’re saying there isn’t. So why would the mine need to include this equipment (inference to TEOM and weather station) if there’s no problem? When you go on to the website (unstated), their (unstated) number one concern is silica dust. They’ll kill us, they are trying to kill us. That’s it so they don’t have to (unstated) ... so the proactive thing would be not to put a sand mine where there are people”.</i>		Comment noted
Post Mining Details		
Will the post mining landform be a large pool of water?	Applicant advised ‘Yes’.	Chapters 22 & 23
What are the proposed post mine land uses?	Applicant advised that options being presented in the EIS are: 1. Motel accommodation and water sports including skiing and diving; and 2. A Solar Farm	Chapter 22
How far is the edge of the proposed dam going to be from the powerlines and if the mine is going to be 15 metres deep, what is going to stop the edge of the bank eroding into the	Applicant advised that there has been a geotechnical assessment which has already assessed the long-term viability of the batter profile; it’s a 1 in 2.5 batter.	Chapter 5.3

water? Are you going to import rocks?		
Following immediately from the question above: 'How wide is the land going to be?' (inference relating to the land, the subject of the dam).	Applicant sought clarification: 'The distance off the easement or the difference off the transmission line?'.	Comment noted
Following immediately from the question above: 'From one side of it to the other'.	Applicant advised '60 metres'.	Annex T
Following immediately from the comment above: '120 metres full width?'.	Applicant advised no, mining is only occurring on one side and that there's the easement to consider, so one side in the order of 60-70 metres.	Annex T
Sand Resource		
Why does the proponent want to extract the sand resource? Money?	Applicant advised that the sand resource is a valuable commodity in high demand for use as a primary resource and has many uses ranging from production of concrete to utilisation in such products as LED TVs.	Chapter 16 Annex I, R & S
What is the type of sand being extracted? What uses are intended for sand coming from the mine?	Applicant advised that the sand resource is for use as a primary resource and has many uses ranging from production of concrete to utilisation in such products as LED TVs. The applicant noted that there is an entire range of over 30 uses proposed, from general sand fill right through to LED screens with LED screens utilising the high-quality sand.	Chapter 16 Annex I, R & S
Is the sand being mined silica sand?	Applicant advised that some of the sand proposed to be mined is silica sand, the highest-grade class for LED TVs, adding that silica sand is a high grade of sand which is not always readily available.	Chapter 16 Annex I, R & S
Are there a variety of different sands to be mined?	Applicant advised that there are a variety of different sands which are proposed to be mined and subsequently made available for different uses, also noting that sand can be round, it can be angular and that it can be of certain size. The applicant added further (as an example) that the sand is not of the quality required for fracking related to coal seam gas extraction because it doesn't constitute that level of quality.	Chapter 16 Annex I, R & S
Mining Benefits		

Who benefits from mining the sand resource?	Applicant advised that several parties will benefit from the sand resource; including the proponent, employees of the sand operation and consumers utilising products which are proposed to be derived in whole or in part from mined sand at this location.	Chapter 18 Annex X
How many people benefit from this resource? How many people gain from the sand mine? Money?	Applicant advised an unawareness of the structure of the company.	Comment noted
Rather than focusing on the small number of those who would benefit from the mine it should a case of examining how many people who would be disadvantaged by the proposed sand mine.		Chapter 18 Annex X
Whilst it may be possible to meet government requirements, there seems to be no consideration for the community. The proposed mine is to the detriment of this community. This community suffers because of some resource that somebody wants it to sell. We all have the same resource; we will all sell (assumption: sell the resource).		Comment noted
Why would you want to undertake sand mining if there are no royalties involved?' Further question added: Why did person X (disclosed at the meeting but removed for	Applicant advised that the question would be taken on notice.	Comment noted

privacy considerations) get fined for not paying royalties? There was extensive coverage in newspapers documenting fines for non-payment'.		
Who benefits? The Local Government because they own the rights to the mine?	Kate Washington MP responded no, it's a private company and the benefit goes to the company.	Comment noted
How many jobs will the sand mine generate?	Applicant advised that there will be around 8 full-time jobs. (Note: Point of clarification The project will require 7-10 persons for operational activities in addition to 50-70 transport contract drivers.)	Chapter 2
Air Quality and Related Health Considerations		Chapter 12 Annex L
Air quality is the number one issue, the primary concern for this application.		
Is there potential for the silica sand to be airborne and impact on surrounding properties and on the health of surrounding residents as well as school children?	Applicant advised that the specialist air quality assessment specifies that sand mine related air quality impacts will generally not exceed acceptable limits and that overall, dust is not expected to be a nuisance for sensitive receptors.	Chapter 12 Annex L
Silica, a component of the sand proposed to be mined is a known carcinogen. How can you contemplate putting children at risk by mining it? Silicosis is the 'new' asbestos. Belief that the proposed mine is equivalent to putting an asbestos mine on the site.	Applicant advised that the specialist air quality assessment is rigorous and specifies that sand mine related air quality impacts will generally not exceed acceptable limits and that overall, dust is not expected to be a nuisance for sensitive receptors.	Chapter 12 Annex L

After the applicant stating above that the air quality assessment is rigorous, the following comments were made: "800 pages is actually nothing when you're writing a report. Excuse me I'd just like you to know something... both my wife and I are researchers... we're scientists. Our specialty is Air Quality and Health. We're members of the International Society of BIOQ and other member organisations like the World Health Organisation, the CDC that's the Centre for Disease Control and the US EPA. In Australia there's a number of Professors and Associated Professors and researchers from many Universities here in Australia, and I can tell you what you are saying here is ***** (expletive removed). I can tell you straight away you have no understanding of what you're talking about... 2 point... for your information 2 point... sounds impressive... 2-point PM... It's just a Particle Mass and it's a way of measuring... it's an archaic way of measuring. The world has changed since that		Comment noted
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and the coal mines brought that in obviously to stop people complaining about health effects. When you're talking about particle size, especially crystalline... crystalline is a particle ... there are only 2 of them in the world. One is man-made and one is natural, man-made is asbestos. The other one is silica, which creates silicosis. To say that the particle will not go into the air, I can prove to you right now with a particle counter that they do... it's... it's... the science has gone way past this, and if you say that it won't affect these kids.... It'll affect everyone. I can tell you for a fact that crystalline silica can be suspended in the air from one site from 10 kilometres away and we can measure that today. So, I can't see... it's a known carcinogen how you can put a... it's illegal to do it with asbestos which is a crystalline, the same as the silica... so how can... How can a mine go ahead in a community where there's a		
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school and people like us... children, they will get affected I'll tell you the truth... what happens with this... this silica... it will affect the kids because it will be low to moderate? Low to moderate means that you will start being affected in 15 to 20 years' time. When does the mine... How long's the lease of the mine? 15 years? Oh, it's gone. Yep and that's it. It won't be here... It's not going to happen I can tell you that now. We'll all be getting sick. I can give you every scientist in the world on Air Quality, and I will if I have to, to convey this because it's a carcinogen... end of story. You can't put a carcinogen into the air deliberately... that's... that's... that's... that's the law. I mean there's laws for asbestos, they apply to silica, crystalline silica... because they're both the same particle... I'm just saying... I'm not trying to be... I just can't see how anyone could still relate crystalline silica to a 2.5 PM Particle Mass. There are 6 Channel Laser Particle Counters that can		
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count all 60 different particle sizes. We can do that instantly, it takes 9-minute samples. My wife here is one of the main instigators of putting together an online calculator or analytics program that we can actually get a report within 1 minute or less... and so we can... people can... these people can... they can just get online, and if they've got a particle counter we can tell them what's there".		
Following from immediately above, the comment was made: "... I can start the experiments tomorrow with the school, with the community... make... make equipment available, so that we can get a background level... all that type of stuff tomorrow... That's what I'm talking about... Is that necessary or... or... cause it is dangerous".		Comment noted
Fear that silica dust will be deposited into water tanks and will subsequently cause ill health from water ingestion.	Applicant advised that the specialist air quality assessment specifies that sand mine related air quality impacts will generally not exceed acceptable limits and that overall, dust is not expected to be a nuisance for sensitive receptors.	Chapter 12 Annex L
The proposed life of the mine is 15 years: it may take 15 years for the health impacts associated with silica dust to become	Applicant advised that the specialist air quality assessment specifies that sand mine related air quality impacts will generally not exceed acceptable limits and that overall, dust is not expected to be a nuisance for sensitive receptors.	Chapter 12 Annex L

apparent: by that time the mine will have closed.		
It will be like the other one (mine). They exceed the dust particle rules. There's been a lot of controversy over it. That coal mine has not been closed down (specific mine unstated). Once a mine is operational it doesn't appear to matter.		Comment noted
Community advised it does not wish to be in the same position 15 years from now as Williamstown is currently.		Comment noted
Environmental Considerations		
Are the rare on-site orchids to be retained?	Applicant advised 'Yes'	Chapter 14 Annex N
Following immediately from above: do the orchids grow under the easement?	Applicant advised 'Yes'	Chapter 14, Annex N
Has the adjoining land, also owned by the proponent, been considered for biodiversity credits for the threatened species on the site? e.g. for the Powerful Owl, Sugar Gliders and Squirrel Gliders?	Applicant advised that this has not been considered at this time.	Chapter 14, Annex N
Following immediately from above: Were the threatened species on the site Powerful Owls and Gliders?	Applicant advised that there were threatened species on the site and also feeding habitat for quite a few species on the site. Applicant further advised that under the Biodiversity Conservation Act requires that such matters are now 'captured' and put through a calculator for the purposes of determining requirements for biodiversity offsets.	Chapter 14, Annex N

Is the flooded gum area on the site a threatened community?	Applicant advised 'Yes'.	Chapter 14 Annex N
You're not touching the Groundwater Dependent Ecosystem on the site?	Applicant advised that the proposed mine does not touch the Groundwater Dependent Ecosystem whilst also noting that groundwater 'rules' specify that the maximum water draw down at 40 metres from the edge of Groundwater Dependent Ecosystems is 0.3 metres.	Chapter 7, 14, Annex E, N
You are rehabilitating 9 hectares of land?	Applicant advised that rehabilitation will occur in the area that is above the water table.	Chapter 2.8, Annex T
With regard to revegetation there's money to be set aside in 15 years? Will it be set aside prior to this? It's too easy for companies to 'go bust' in 14 years.	Applicant advised that there is little need to have a sinking fund for rehabilitation. Any approval will mandate a requirement to have certain land revegetated before the next stage of mining is permitted to commence. If it's not completed to the requirements of any consent granted, there is an 'automatic blockage' to mining the next stage.	Chapter 23
There is an inability to revegetate land that is going to become a 24-hectare void and there is also an inability to revegetate in sand.	Applicant advised that the area above the water table would be revegetated. The applicant also advised that there would be enough top soil set aside (along with endemic seeds and chosen plant species) so that revegetation would be effective.	Comment noted Chapter 23
Can you provide a timeframe for rehabilitation? Is there a timeframe for when stage one will be finished? It sounds like the area affected by stage one will not have to be rehabilitated until stage one mining is complete.	Applicant advised that there is no specific timeframe. The applicant further advised that part of the Statement of Commitments in the EIS contains details of sequential rehabilitation as mining moves away from the mine face. Upon moving from the mine face, the procedure is to continually go back and rehabilitate. Otherwise there will be a huge stockpile of mulched vegetation which contains endemic seed stock and which will 'cook' in the heat if left in the pile. The seeds need to be active. The intention is to rehabilitate on a regular basis.	Chapter 23
Following immediately from the above question: You mentioned that Stage Two couldn't commence until rehabilitation had occurred for Stage One so	Applicant advised that the commitment for continuous rehabilitation will be a mandatory part of mining operations. There are 'natural blockages' in both the process and in the mining operation (the inference being that rehabilitation must occur in the manner prescribed).	Chapter 23

in effect, rehabilitation of Stage One wouldn't technically have to occur until the mine was ready to commence Stage Two.		
Groundwater Considerations		
Concern over the impact that mining will have on groundwater and the subsequent impacts on individual properties. Associated concern over the rigour and process (modelling versus actuality) by which the groundwater assessment has been undertaken.	Applicant advised: - the specialist groundwater report discusses the potential for sand mining impacts on groundwater in the locality - the groundwater assessment has indicated compliance with relevant legislation and associated requirements - groundwater will revert to a stabilised regime - there are requirements to obtain an Aquifer Interference Licence from the NSW Office of Water (Department of Industry) pursuant to the <i>Water Management Act 2000</i> - there are requirements to ascertain any impacts on Groundwater Dependent Ecosystems.	Chapter 7, Annex E
Proposed development will impact on existing bores in the locality and their associated capture of groundwater.	Applicant advised awareness of 13 registered bores in the locality as well as corresponding associated extraction rates and function.	Chapter 7, Annex E
How are you aware of individual property water extraction rates?	Applicant advised that extraction rates are assumed on the type of use specified on the licence of a registered bore, e.g. domestic, irrigation.	Chapter 7, Annex E
Concerns that groundwater will become contaminated as a result of the sand mining.	Applicant advised that groundwater contamination is not expected to occur as a result of the proposed development. Applicant further advised that the groundwater assessment has considered the presence/absence of Acid Sulfate Soils and that an Acid Sulfate Soil Management Plan has been developed.	Chapter 7, Annex E
Can you confirm that the proposed development seeks to mine one metre below current groundwater levels and float a dredge?	Applicant advised that the proposed sand mine does seek to mine one metre below current groundwater levels and float a dredge.	Chapter 16, Annex I, T

Following immediately from the question above: For every metre of sand you take out it has got to be replaced by one metre of water. That is going to drop the total groundwater level in the surrounding area. It may not happen immediately but you're relying on rainfall to fill that back up to the present water level.	Applicant advised that that was not the case as groundwater will naturally form a continuous surface.	Chapter 7, Annex E
The mining will be taking the ground pressure off. Salt water is currently pressurised at that hill (referred to in slide showing proposed mine). Once mining takes the pressure of that hill it (inference salt water) will be constantly flowing through our dam. When you take pressure off that hill, we're going to have salt water coming back into our dam: that is what is going to happen.	Applicant advised that is not going to happen. The movement of groundwater is north from the site.	Comment noted Chapter 7, Annex E
Following immediately from the comment above: Yes, to Marsh Road.	Applicant commented 'And it heads towards Tilligerry Creek'.	Chapter 7, Annex E
Following immediately from the comment above: 'To Marsh Road, under pressure by the sand hill. <i>"I'll take you in the back paddock and you'll see ... what I'm saying is as soon as you hit the sand barrier, up</i>	Applicant advised there's a groundwater monitoring plan which will be in effect. There is also a Groundwater Assessment that has shown the impact even on Groundwater Dependent Ecosystems ... 40 metres away our impact is less than 0.3 metres.	Comments noted Chapter 7, Annex E

comes the water table, real quick and it actually goes ... I've got a dam at home ... it's pressurised from the sand hill behind it because the sand hill has head pressure ... without that head pressure our properties are one metre below high tide ... go for a walk along Marsh Road, it's a levy bank ... and it's blowing over on high tide'. Without that pressurised sand hill pushing freshwater north of Tilligerry Creek we are going to have salt water over 10 years, 15 years, probably 30 years when the mine has closed. And it's happening with Rose Farm ... it shut down because they bored it, they 'pulled too much bore'".		
Following immediately from the comments above: Have you got any case studies to back that up?	Applicant commented partly (before a further comment interrupted as documented immediately below): <i>'The guy who does this ... '</i>.	Chapter 7, Annex E
Following immediately from the question above: "The guy who does this wouldn't know how to use a shovel. He's sitting at a computer in an office, he wouldn't know anything about this area ... I think we are reminded that the whole system		Chapter 7, Annex E

is 'screwed' ... the developer is paying those consultants to write a report ... I've worked for consultants and you write what the person who is paying you wants you to write ... it's ridiculous. I'm not making a particular case of you (the applicant company), I'm just saying the whole process is ridiculous and bad ".		
Accusations over hiding details related to groundwater impact	Applicant advised that groundwater impacts are clearly articulated in the specialist report which will be available for public viewing as part of the exhibition of the EIS. Applicant advised that he is happy to discuss the detail as part of any Consultative Committee discussions or otherwise during public exhibition of the EIS.	Chapter 7, Annex E
Traffic & Transport Considerations including Truck Egress and AADT/Peak Volumes, Existing Road Network and Associated Transport Impacts		
What are the truck egress locational movements from the site?	Applicant advised that trucks are proposed to exit the site at Marsh Road, turning right and travelling to the intersection of Marsh Road and Nelson Bay Road. Trucks are then required to turn eastwards at this intersection, travelling to the roundabout at Port Stephens Drive. Those trucks wishing to travel westwards will utilise the roundabout to turn and travel in that direction (the majority of trucks). Trucks wishing to continue east will travel straight through the roundabout.	Annex T, Chapter 15
Where is the truck egress location relative to the Bobs Farm Primary School?	Applicant advised that the proposed egress point is directly to the east of the house which adjoins the primary school to the east.	Annex T, Chapter 15

The truck egress point is far too close to the school, presenting noise and safety concerns.	The applicant advised that all heavy vehicles will turn away from the school along Marsh Road to the intersection with Nelson Bay Road. Heavy vehicles will not be permitted to travel past the school (exclusion zones are proposed to be enforced). The Noise Impact Assessment has advised that noise impacts are within acceptable limits.	Annex T, Chapter 15
What about trucks? How many of them are there?	Applicant advised a maximum of 18 heavy vehicles per hour.	Annex T, Chapter 15 Chapter 11, Annex J
The proposed sand mine will cause (at a maximum) the addition of 18 heavy vehicles per hour to Nelson Bay Road. The localised and cumulative traffic impact of this addition is unacceptable.	Applicant advised that the Traffic Impact Assessment stipulates that the proposed development will have a negligible impact upon road safety and road function in the general locality of the subject site. The additional traffic generated by the proposed development is able to be satisfactorily accommodated (both currently and with accepted temporal projection) by the existing road hierarchy at acceptable levels of service. The applicant added further: At the moment Nelson Bay Road is a 4-lane road. It has a capacity that starts to be considered in excess of 12,000 vehicles in one direction per day. At the moment, traffic counters have Nelson Bay Road at under 8,000 vehicles so there can be a 50% increase in vehicles before the capacity becomes an issue. Part of the Traffic Impact Assessment has to calculate a forward projection; the number, the percentage increase, and calculate about 20 years forward; to see whether or not any of the intersections (including the round-a-bout at Port Stephens Drive) has been impacted adversely.	Annex T, Chapter 15
Following immediately from the above comment: What about Janet Parade with the other sand mine proposed there? It's a single-lane road	Applicant advised that is part of the cumulative impact assessment.	Chapter 15

Is it the case that this development can't go ahead until Nelson Bay Road has been duplicated?	Applicant advised: 'No, that's not the case'.	Comment noted Chapter 15
The Janet Parade development can't go ahead. In their EIS it stated that the road wasn't 'up to scratch'. If you're going to put another 7,000 trucks or whatever, through that single-lane road down there ... (inference it will not be permitted).	Applicant advised: It's not 7,000	Comment noted
Following immediately from above: It might be 2-lane up here, but it's going to be 1-lane down there	Applicant advised that those are matters that the Traffic Impact Assessment and the Roads & Maritime Services will assess.	Comment noted Chapter 15
As a member of staff and a teacher at the school attendee interested to know how many trucks are proposed and what times of day do they start and finish and what are the movements per hour?	Applicant advised that it was originally proposed that the trucks start at 6 o'clock. The applicant further advised that the Noise Impact Assessment has indicated that from 6 to 7 that no trucks be operational. From 7 through to 6 is the next 'noise window', which is referred to as daytime (inference, hence the proposed mine operating hours from 7 a.m. to 6 p.m.). The original application sought 200 truck movements a day. On that basis, the noise report suggested an inadequacy so that the maximum number has been reduced to 180 a day. The maximum number of trucks proposed per hour is 18.	Comment noted Chapter 11, Annex J
Following immediately from above Kate Washington MP asked: Is that in and out? Or is that just out?	Applicant advised: 'Out'.	Chapter 11, Annex J
Our classrooms are demountable and a lot of them		Comment noted Chapter 11, Annex J

actually shake as a bus goes past.		
Will the 3-tonne load limit on Marsh Road need to be upgraded?	The applicant advised that the Council will require upgrading of Marsh Road between the proposed egress point and the intersection of Marsh Road/Nelson Bay Road and, subsequently, may change the load limit relevant to that section of road. The load limit of the remainder of Marsh Road will be unaffected by the proposed sand mine. No heavy vehicles from the proposed mine site will be permitted to travel west along Marsh Road.	Chapter 15
Why can't the egress point be in the same location as the proposed ingress point to the south, therefore removing any potential traffic impact on school students/parents collecting their children?	The applicant advised that an acceleration lane in that location, being on an uphill incline and requiring extensive distance along with land acquisition in the order of up to 1.5 km, would be 'extraordinarily expensive'.	Annex T
The acceleration lane won't be required to be 1.5km long. There's already one at another sand mine and it's only 200 metres long.		Comment noted
Trucks moving past the school will create adverse air quality impacts for the school students and dust will settle on school buildings and on school grounds.	Various air quality measures are to be undertaken to minimise dust including the sealing of haul road 3 and applying low silt gravel to the remaining two haul roads. Watering of the haul roads will also occur when dust is visible, especially during dry conditions. Any product stockpiles will be watered and/or screened. A wheel wash will also be present at the exit of the site to reduce the likelihood of dust visibly accumulating on the road.	Chapter 12, Annex L
We don't want more people being killed on Nelson Bay Road.	Applicant advised: 'Sorry, yes'.	Comment noted

There's been an accident just here, just this afternoon		
Social Impact Assessment Process and Community Consultation		
Will all individuals be interviewed as part of preparation of the Social Impact Assessment? Community member stated that they were uncertain how the community can be fully consulted without personal interviews being undertaken. Two community members specifically requested that the applicant undertake individual interviews with them.	Applicant advised that individual interviews are not a mandatory requirement for preparation of the Social Impact Assessment. Applicant also advised that more detailed conversations about community concerns could be had as part of the consultative committee should the community wish to form one.	Annex X
When you report on the consultation, on this meeting, will you report on the strength of feeling from this meeting or will you just tell them that we had a meeting?	Applicant advised that the recording is taken (community agreed to permit recording when asked at the start of the meeting) and which incorporates the comments that can be heard and those comments are summarised in a table. Applicant further advised that the Department of Planning & Environment does not permit the applicant to disregard any particular matter that the community raises. Additionally, the community was informed that this is not the end of the consultation process. Once the Department is satisfied that all adequacy issues have been addressed, the application will be publicly exhibited for comment. (Inference that public submissions can be lodged during the exhibition period).	Annex X
Impacts Generally		
How will we know what the impacts are if we are not living	Applicant advised that all impacts will be fully considered as part of the specialist reports and the EIS. The Department of Planning &	EIS and Annex X

with them? Everything you're talking about is going to be affecting our life, our daily life. And it will be so close that we won't be able to enjoy our outside life.	Environment will determine the application by way of either approval or refusal.	
<i>"The mining licence is for 15 years. In 15 years, they'll be pulling out, so when you get sick... when your grandchildren can't come and visit you or your grandchildren start getting sick when they're in their twenties... I will be retiring in three years... just when you'll be starting so we'll be out the back all the time..."</i>		Comment noted
Formation and Function of a Consultative Committee		
The meeting was invited by the applicant to form a Consultative Committee for the purpose of engaging in detailed dialogue with the applicant about the proposed development, the development process, the detail of the EIS, including specialist reports and post mining considerations.	The meeting participants did not elect to form a Consultative Committee during the evening of the public meeting. (Note: It is further understood from a press article (Port Stephens Examiner: 18 October, 2018) that the community is unlikely to take up the offer of forming a Consultative Committee).	Annex X
Who would set the terms of reference for any Consultative Committee and would members be permitted to fully	Applicant advised the view that the Consultative Committee would be there to discuss technical and community matters raised by the application and that an agenda would be set for meetings.	Annex X

discuss matters raised in the committee with the rest of the community?	Applicant advised that there are no concerns about discussing matters raised at the Consultative Committee meetings with the wider community. Applicant put the view that the numbers of people on the Consultative Committee would need to be reasonable and manageable such that the Committee didn't become unwieldy and ineffective.	
Would the Consultative Committee be formed and active prior to the lodgement of the application or would it be formed and effected during the course of exhibition of the EIS?	Applicant advised that the Consultative Committee could be formed to take effect from the exhibition of the EIS but that it would likely continue on an ongoing basis during the course of resolving issues coming out of the submissions about the proposed development as made to the Department of Planning & Environment.	Annex X
Would the Consultative Committee have access to independent advice for the purposes of understanding the EIS and the specialist reports?	Applicant advised that if the community wishes to object to any of the specialist reports/the EIS, the community is within their rights to seek independent advice.	Comment noted
Application Lodgement		
Kate Washington MP asked for an explanation of what the Department of Planning & Environment has raised regarding adequacy issues which require resolution prior to lodgement of the application	Applicant advised that certain matters related to community consultation, compulsory acquisition (a recent Departmental policy), traffic, biodiversity, noise and air quality are the adequacy requirements that the Department has raised and that those matters require resolution prior to the application being exhibited. The Department raised questions about air quality and PM 2.5. (Note: Adequacy matters detailed by the Department of Planning & Environment are: Additional Legislation; Consultation; Groundwater; Air Quality; Biodiversity; Traffic & Transport; Hazards; Visual Considerations; Social and Economic)	Comments noted
Kate Washington MP and the community asked about the process from here to the	Applicant advised that the matters currently raised by the Department of Planning & Environment related to the adequacy of information are currently being finalised, after which, that detail will be	note

lodgement of the development application.	lodged with the Department. Applicant further advised that the application will be exhibited for public comment by the Department once all necessary information has been lodged and is found to be adequate.	
Kate Washington MP asked about the timeframe for lodging the documentation with the Department and when it is anticipated that the application will be made available for public comment?	Applicant advised that it is hoped that all adequacy documentation would be ready in a matter of weeks and that such lodgement is proposed prior to Christmas. It is possible that the Department may require that the public exhibition is after the Christmas Holidays if a suitable 'block of time' is not available prior to then.	note
Following immediately from above Kate Washington MP then asked if the 'block of time' was the 30 days that had been referred to previously	Applicant advised: 'Yes'	note
Which Department will the application be lodged with?	Applicant advised NSW Department of Planning & Environment	note
Following immediately from the above question: Who is the Minister responsible for the Department of Planning & Environment and where is the Minister located?	Applicant and Kate Washington MP advised Anthony Roberts MP, Sydney.	note
Environmental Impact Statement (EIS) Exhibition		
How long must the EIS be publicly exhibited?	Applicant advised that EIS must be publicly exhibited for a minimum of 30 days and that the community can make submissions to the Department of Planning & Environment during that period. The applicant also advised the public meeting that a period of extension for the public exhibition can be granted by the Department. The applicant also advised that the local member (present at the	note

	meeting; Kate Washington MP) can assist in facilitating that request although anyone may ask for and be granted an extension.	
Given the possibility of the exhibition period being after the Christmas Holidays, are you saying that the exhibition and public consultation may occur in February?	Applicant advised that he was not prepared to prescribe any likely timeframe stating that, in the first instance, the Department must sign off on documented adequacy considerations. It is then up to the Department to establish a timeframe for public exhibition.	note
Specialist Reports		
Concern that the specialist reports informing the EIS are funded by the developer and are, therefore, biased.	Applicant advised that specialist reports are proponent funded as is usually the case.	note
Where are copies of the specialist reports that can be reviewed by the community? Question asked 'Are they being hidden from the community'?	Applicant advised that all specialist reports will be available to the community for review and provision of any associated comment once the Department of Planning & Environment provides them as part of the exhibition of the EIS.	note
Consent Authority		
Who is the consent authority for the proposed development?	Applicant and Kate Washington MP responded State Government via Department of Planning & Environment.	note
Kate Washington MP commented that a similar application at Cabbage Tree Road was determined by the Independent Planning Commission rather than the Department of Planning & Environment because of the nature and extent of public opposition to it. Ms. Washington advised that the application had to be assessed by the		note

Independent Planning Commission because there were enough community submissions opposing the development to cause that to occur.		
Following immediately from above, questions were asked about who constitutes the Independent Planning Commission and whether they are actually independent.	Kate Washington MP advised that the Independent Planning Commission comprises a rotating group of people and clarified that they are independent and not political.	
Comments from the 'Say No to Bobs Farm' Facebook Page		
Community advised that the presentation given at the public meeting appeared to focus on community concerns around traffic, groundwater and biodiversity. Why hasn't the meeting also discussed other impacts?	Applicant advised that traffic, groundwater and biodiversity considerations appeared to be the issues most discussed on the 'Say No to Bobs Farm' Facebook page and responses to those concerns have been one point of focus for the meeting. That is not to say that other matters such as air quality and noise considerations aren't important and have also been discussed at the community meeting. All specialist reports will be available from the Department of Planning & Environment website at the time of public exhibition of the EIS.	Comments noted
Following immediately from above, Kate Washington MP asked for clarification asking which website?	Applicant advised that the 'Say No to Bobs Farm' Facebook page was reviewed to establish community concerns. The Department of Planning & Environment website will have links to the EIS and specialist reports once the application is exhibited for public comment.	note
Generic Opposition to the Sand Mine		
A question was asked about the number of the persons attending the public meeting who are opposed to the sand	It appeared from viewing that all adult attendees raised their hand in opposition. A comment was made by an attendee: 'We all oppose it'.	note

mine. A show of hands was requested to demonstrate those at the meeting opposed to the sand mine.		
A question was asked whether there was anyone present from the community who was in support of the mine.	A comment was made by an attendee: 'zero ... one? ...one? ... No surprises there'.	note
If the mine was opposed by the majority of this community, would it still go ahead?	Kate Washington MP commented: 'Yes'. Applicant advised that a development application will be lodged with the Department of Planning & Environment and the community has a right to object to the development. The applicant further advised that the Department of Planning & Environment will decide whether to approve or refuse the application. The Department has to consider the validity of all the reports, which the community may have a completely different view of, and decide.	note
Bobs Farm Primary School Generally		
The sand mine will inevitably cause the closure of school. Who decides that the school will be closed?		note
The Bobs Farm school, who were celebrating their centenary 2 weeks ago, will be no longer in 3 years.		note
Are you trying to say that it is unlikely that the dust from the mine won't go on to Bobs Farm Public School?	Applicant advised: 'Yes'.	Chapter 12, Annex L
Following immediately from the above question: "That's a load		

of '****' (expletive removed). <i>Our most precious things in the world are our children. If I had children in there I'd be taking them out of the school because the dust gets in there and travels; you have to have a big southerly come up and it's going to blow into Bobs Farm School and the children are going to suffer ... not next year or the year after, 20 or 15 years down the track ... just like asbestos. It's going to get into their lungs and that's it. Silica is a known carcinogen; so how can you release a known carcinogen into the air and expose all these people? Whose wisdom is that ?"</i>		Comment noted
Trucks moving in proximity to the school every 3 minutes will cause a noise impact causing students to have difficulty concentrating. Community member advised that their children did attend the Bobs Farm Primary School and that they couldn't hear the teacher at an assembly when a school bus went by. How are children going to listen, hear and concentrate every 3 mins a	The applicant advised that the Noise Impact Assessment concluded that with mitigation measures noise impacts would be within acceptable limits.	Chapter 11, Annex J

day? Are you going to sound proof the whole school? Are you going build them a sound proof assembly so that they can have their morning assemblies and so that the teacher can talk to the children and the Principal and be heard? Further comment by a different community member: <i>"Oh no, they'll have their dust masks kids... they'll be right"</i> .		Comment noted
General Questions/Comments		
How many mining applications for which you were the applicant have been refused by the State Government?'	Applicant advised that no refusals or approvals were forthcoming from the State Government. Applicant further advised that two development applications were currently being prepared by the company for sand mining: Bobs Farm and Anna Bay.	note
What is your experience in the preparation of EISs? Comment made inferring that the applicant had limited experience in that regard.	Applicant advised that the company has around 15-20 approvals for development applications which are designated development, each requiring the preparation of an EIS.	note
Who is the consultant being utilised to examine biodiversity matters for the Bobs Farm Sand Mine?	Applicant advised Wildthing Environmental Consultants	note
A comment was made about selection of Wildthing to undertake biodiversity assessments for the Bobs Farm Sand Mine citing preference for others.		note

The Environmental Defenders Office assisted the community previously when the Bobs Farm Sand Mine was first mooted.	The applicant made the point that engagement with the Environmental Defenders Office (EDO) was, in fact, a suggestion/comment made by the applicant at the previous community meeting and the same opportunity is available to the community to engage again with the EDO.	note
Following immediately from above, a question was asked related to engagement of the Environmental Defenders Office: "So, we're just helping you 'fire-proof' your job?".	The applicant asked what was meant by 'fire-proofing' a job to which the questioner responded: " <i>If we find a little loop hole</i> " we're just going to help you get it rectified". The applicant responded by stating that if an issue is found which we have not adequately addressed, the community has the right to raise it and we have the requirement to address it. The community has the right to raise any issues with the Department of Planning & Environment, including on-line lodgement, emails and the like. The reference number for the application is SSD6395. The applicant added that any issue raised with the Department throughout the exhibition of the application will be considered by the consent authority regardless of whether the submission comes from the public or from a Consultative Committee (if the community decides it wishes to form one).	note
Are you confident that this development will proceed?	Applicant advised reasonable confidence that the development proceed because all of the specialist reports are indicating compliance with the relevant rule book(s).	EIS
What is to stop the group preparing our own 'application' refuting what they're putting in for their Environmental Impact Statement?	Kate Washington MP advised It's a matter of countering... you'd have to counter all the elements.	note
Why is the proponent's exploration licence lodged over numerous properties that are not part of the proposed development application? Is it because they're thinking that	The applicant advised that the answer to that question was unknown and was of the understanding that the licence would be over the same area as the land which is the subject of the development application. The applicant further advised that the extent and detail of the exploration licence would be on the Department of Primary	note

they may have to acquire other land?	Industries (Mineral Resources) website and that the question would be taken on notice and a further response provided if required. A further comment was provided by the applicant that sand is not a crown mineral, so there are no royalties paid.	
Does the developer live locally? (Understanding that he lives in Sydney).	Applicant advised 'I think the developer lives locally'.	note
Are there power lines running across the land which is the subject of the proposal and are you building a dam alongside it?	Applicant advised 'Yes', there's a 33KV line running across the land and there will be a dam built beside it.	Note Annex T
Accusation that the applicant is hiding the noise impact assessment.		Chapter 11, Annex J
The mine is going to go ahead isn't it?	Applicant advised that an application for the sand mine will be lodged with the NSW Department of Planning & Environment.	note
The people that bought the land (assumption of proposed mine site) chose to live here with us and now they're doing this to the community, where's their social conscience? Their kids go to public... private school		Comment noted
Question about whether it would be acceptable to make comment on behalf of the No Sand Mining Committee? Comment made:	Applicant advised to the question: 'Of course'.	Comment noted

<i>"So, David, who is the President of the Committee is apparently not here... apologises for not being here. We will obviously have a community meeting without the applicant to discuss what views were put forward for us today, and how we're going to go forward as a community... whether you want to do the consultative group thing, or whether we keep the current committee going. And you'll be able to... We'll let you know via the Facebook page and also via a letter drop".</i>		
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