

This is an interim submission only as DPE has not allowed time to read the application, let alone assess it, contact community and experts and organise a response.

I write as owner and one of the residents of LOT 15 DP255946; 13304 Hume Highway, Sutton Forest. We are on the southern boundary of this sand mine and our dwelling is the closest to the mine and will be disastrously affected by it.

Before addressing specific issues, I want to consider the consultation process of the proponent.

INAPPROPRIATE TIME TO ALLOW A DETAILED ANALYSIS AND RESPOSE

How is it right that DPE allowed this company 5 years to put together this turgid 3000 page revision designed to obstruct community responses yet allowed the community just 4 weeks to read it and respond. We have more at stake than this mine company. It is morally unjust and a disgrace to our Governments. Why were requests for extension declined? There is NO social equity in this proposal or in the way it has been administered.

CONSULTATION BY PROPONENT WITH COMMUNITY

As noted, I live on the southern border of the proposed mine site and have been here for 50 years. In 2018, at the time of the first submission there was a knock on my door one morning and I faced a and apprehensive and ruddy man.

"We're going to build a big sand quarry with digging over there and processing there and trucks going down a road we'll make there." he says pointing vaguely at my northern boundary 50 metres away and the wonderful view beyond.

"We'll build a big concrete wall and give you double glazing but you might want to consider moving."

Seeing my eyes widen he interjects: *"We could rehouse you."*

I had suspected something was afoot as there had been many trespassers on our property over the previous months.

The submission to DPE followed and evoked a fierce community response culminating in the Moss Vale meeting where the proponents were sent away to have a good look at themselves and a long hard think. The Director provided a thinly-veiled warning to the proponent:

"DPE's advice to the applicant would be to engage with the community at length."

Five years passed and we heard nothing. All we knew was the neighbours had sold out to the miners and left so there were probably plans afoot. Then, out of the blue, a note was left in the letterbox with instructions to attend the Sutton Forest Hall on Saturday 28 May 2022, 9:00am – 1:00pm to find out what the miner was going to do. "Let's do Saturday morning - the busiest period of the week."

Personally, I was rostered to work that day and couldn't go. In any case, being so incensed by this summons dropped in my letterbox it was better I had not attended. I heard from a neighbour who did attend that the project was "pretty much the same except for the roadway" and they were just ticking boxes to satisfy DEA making her regret playing into their game.

Next comes another letterbox drop of a very pretty booklet telling us what they were going to do. Different highway access as RMS would not approve the previous, and a reduced extraction area (47 to 36ha) and depth (70 to 50m) – that's a 45% smaller hole producing the same 26,000,000 tonne extraction. How stupid do they think we are!? This occurred at the same time they made their DPE submission so that was that. Finished with community consultation.

Trying to find out how this project will be assessed we discovered that the "Department of Climate Change, Energy, the Environment and Water (the Department)" will assess the project and make a report for the Independent Planning Commission. Contacting "the Department, " we were curtly advised that:

“Public comment period (2 weeks) for EPBC 2022/09313 – Sutton Forest Sand Quarry closed at 11:59pm on 7 November 2022. Please see the below information provided on the EPBC Act Public Portal, displaying the closing date for submissions.”

“But that passed over a year ago” we cry.

“Not our fault. It was the job for the proponent to tell you they were submitting and inform that you can make submissions.”

Thus, the proponent had developed their plan more than a year ago and submitted it to “the Department” in secret. Nobody was advised of the proposal content or that it had been submitted; thus, keeping us uninformed and blocked from having a role in the consultation process. This story just gets better and better! It is more than a year later, after a letter from DPE, do we see the proposal. And what a surprise: after their 5 years to consult, we are given a fluffed up 3000 page plan to assess and respond in 28 days and refused an extension by DPA.

A further matter regarding consultation regards the ten properties on the northern border of the mine site that were created by the Filetron subdivision. They were sold in the last couple of years and seven owners started building their dwellings (see Fig. 1). Filetron strongly objected to the first SSD as those properties will lose their rural outlook as they face directly into a mine pit that will be operating 24 hours a day, every day of the year, effectively forever. They will also receive the worst of the toxic dust because of their slope and the prevailing wind direction. Clearly the proponent should have been found and consulted at length over this massive development but those that we spoke to were unaware of the mine proposal. In fact all Canyonleigh Road residents were unaware until informed by us. It is not enough for DPE to send letters to properties that don’t have a letterbox yet and get them to track down the developer. The developer was instructed to consult with the community – not vice versa.

We are certain that this is not what the commissioner, who undoubtedly knows the meaning of the word “consult,” had in mind when issuing that instruction to the proponent. There never was a credible plan of consultation. The entire process was designed to keep us voiceless.

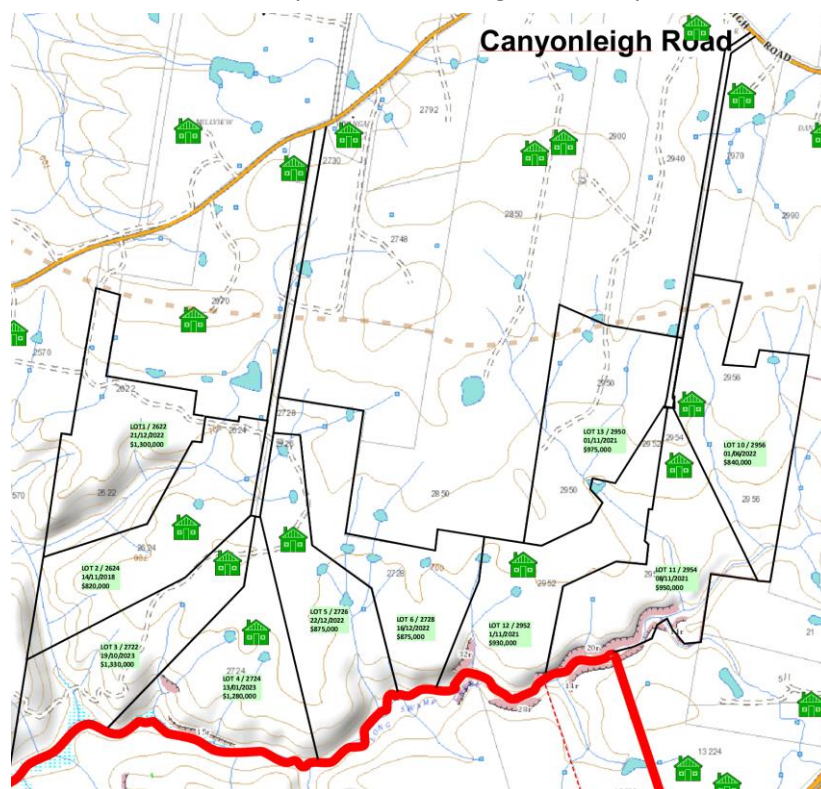


Fig. 1 New subdivision and dwellings being currently built.

GENERAL COMMENT

Overall this resubmission of the application is proposing very few changes of substance and many discrepancies. For example, how are they going to extract the same amount of sandstone (26 million tonnes) from a hole that is 45% smaller in volume. They are either misleading us on the pit size or misleading us on the economics. They can't have it both ways. In all sections, and particularly with water consequences, this is the usual cut-paste-confuse EMM Consulting approach of self-monitoring and reporting without real action, and studies indicating this and suggesting that. These are the terms used by scientists to hoodwink when there is no data to support the claim but they still want the grant money. In light of the bad reputation and shameful track record of Hi-Quality and its director with EPAs on environmental matters, there is no mitigation in this at all. Monitoring the destruction is not mitigation. Were there any care or thought of community, they would have consulted.

As a scientist and having been chief editor on several tier-one international scientific journals, this report gets a clear "reject outright without resubmission." Nice font though.

ROAD ACCESS

The only significant change in the plan with this revised application is that the road access has moved further north as the original overpass plan was blocked. While favouring us, the new road access plan is flawed.

An entry lane to the highway is 180m short of the exit lane to the busy Sallys Corner Services Centre. Loaded trucks will be accelerating and moving right while vehicles are decelerating and moving left. The junction is already a problem spot and site of collisions. The entry lane from the south is just 75m from our highway access drive and at a point of reduced visibility from the south as it is over the ridge from the climb from the valley.

The plan that trucks from Sydney will go down to Marulan, cross over the interchange, pass through the RMS check station then drive back is fanciful and the proponent knows this will be never adhered to and can never be policed. Trucks will turn where they can – most likely at the southern access to Hanging Rock Road then back up it to access the Hume at low speed at the bottom of a steep hill. Hanging Rock Road traffic levels presented in report are ludicrous and simply deceitful. There are 80 people living on the road and nearly all work in town or Sydney. There are several businesses, the water trucks, a huge and heavily attended church, and several tourist accommodation businesses. This road cannot be used by this number of heavy trucks.

Using the Hoddles crossing overpass for trucks heading south will be difficult and obstruct the free flow of traffic on a relatively busy turnoff to the population towns of the Southern Highlands. There is very poor visibility back to Canyonleigh Road (especially in the late afternoon) and the switch back into the turnoff lane we already know from experience is difficult for trucks to manage.

NOISE AND LIGHT POLLUTION

The sound modelling is trivial and not credible. The simple test of this is to ask the miner if he would live alongside this development.

"Noise bunds" are proposed. I have not had time to do any calculations on this but they would have to be extraordinarily high and long to block the noise from the enclosed valley beyond as we are elevated on the side of the hill. Replacing our rural valley main view with a massive pile of waste is unacceptable. This simplistic off-the-shelf modelling and mitigation by "monitoring" is outright misleading in stating the impact this mine will have on us and our neighbours.

The location of the bund will block the natural waterway from the south to Long Swamp and cause havoc on the feeding side; i.e. our orchards. On its own, making a massive mound like this and disrupting the landscape would never be allowed. Here it becomes a relatively minor development when masked by the size of the overall project. Everything here will have unforeseen consequences in the landscape and environment and leave permanent damage.

BIODIVERSITY AND ECOLOGICAL DAMAGE

We human beings are not the only creatures to be disturbed by noise and light. This is a critical biodiversity area. Between the Blue Mountains and the South Coast, this is the singular most stressed section of the Western Wildlife Corridor that is critical for the survival of our unique fauna. The mine property itself is mapped as a major primary wildlife corridor at a most critical point where animals traverse around the back of long swamp (see Fig. 2). Many are crepuscular or nocturnal and cannot manage light and noise pollution 24 hours a day, every day, forever. This once was a hot spot for koala when I first came to live here – the sound of their roars was all around on some days. Now I'm lucky to see one a year, usually lost trying to head east or, worse, dead on the highway. Dust will also be the new enemy. We don't eat dusty lettuce; koala don't eat dusty leaves.

Our immediate community with the help of Local Government and State Government initiatives have actively been planting thousands of trees appropriate for wildlife on the properties bordering this mine. Our Canyonleigh neighbours on the other side likewise. The purpose is to rehabilitate and rebuild the wildlife corridor and it is working. How is it that one person can come and buy three properties right in the centre and even be allowed to think about destroying it.

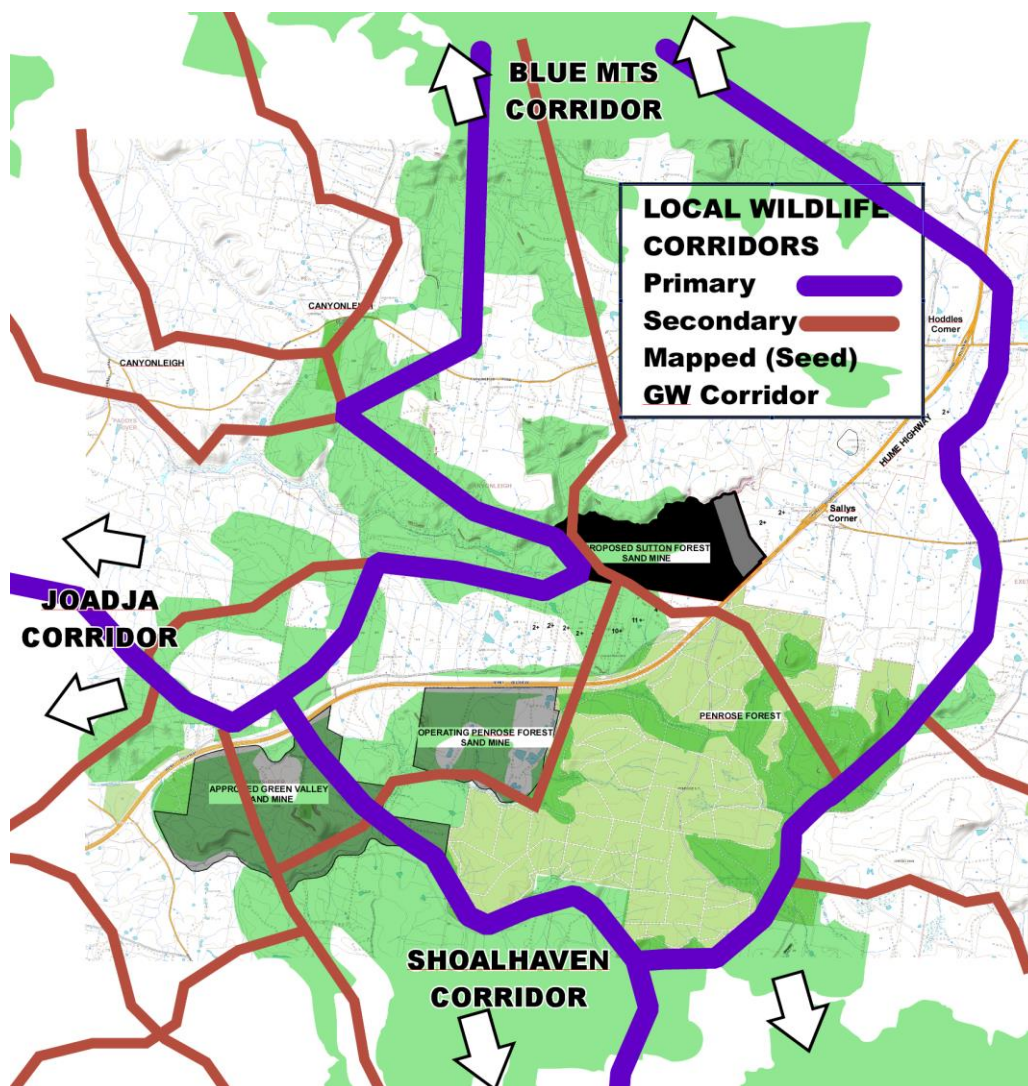


Fig. 2. The Western Wildlife Corridor as mapped (SEED) and major corridors as mapped (WSC).

The combination of this mining development together with those of the Penrose Forest and Green Valley operations to the south (also shown in Fig. 2) will almost entirely block the corridor. No amount of bio-diversity offsetting can make up for the specific loss of this particular critical site. This is the wrong place for a sand mine.

Long Swamp and its creek which borders this proposal is a large area feeding the upper Nepean catchment and NSW listed as Montane Peatlands and Swamps. This is a recognised endangered ecological community. It provides habitat to the endangered to the Giant Dragonfly and many other threatened and endangered fauna and unique plant species. Expert review of the proposed mine by Dr Ian Wright has shown that runoff from this mine will almost certainly “kill the swamp.” The amended proposal mitigates by monitoring, but the damage is then done.

I invite everyone to examine Hi-Quality’s sand mining operation at Menangle on the side of the Nepean. Ten years ago, the river just downstream was clear and deep whereas now it is a silted mess. If this mining can damage a robust river, it will certainly kill the sensitive swamp. It is not worth the risk.

Even in this green-washing application they admit that there are 9 endangered and vulnerable species that will be adversely affected by this sand mine. How can it be that other government bodies and community work and spend big to protect environmentally significant places yet allow applications like this to be considered? A mine does not belong in an ecologically sensitive area.

PENROSE PARK

It is socially unconscionable that anyone would propose a mine directly alongside a place of worship of this importance to so many (75 m away from the mine boundary). This is an extremely special place of international note that attracts tens of thousands of worshipers and visitors a year, from far and wide, to pray, rest, reflect, escape the busy city, spend time with friends and family and have retreats. This is a significant multicultural hub where different communities have built their many distinct chapels and shrines that act as social gathering points and places of worship.



Fig. 3. Our Lady of Mercy - Penrose Park

Our community is privileged – even blessed we can say – to be home to this wonderful place. It is where I go to worship. This place, church and monastery, has been evolving and growing over the forty years since it was established and will continue to do so. It is worth infinitely much more to our community and Wingecarribee Shire than any sand mine.

Many people here come from ethnically diverse countries and have language barriers that make it extremely difficult to have their voice heard. They do not have the access to societal institutions that we take for granted. They do feel shut out from having their voice heard about this mine and being unable to defend their holy place and way of life.

We don't expect the miner to care but surely even DPE can see noise, blasting, dust pollution and lighting and trucks passing in front 24/7 will ruin the peace and serenity that is so important for this amazing place to thrive. Apart from the 10 or so residents who live in the monastery, to affect so many people's lives and place of worship in such a grave way in pursuit of individual wealth shows a most extreme disrespect.

This is the wrong place for a sand mine.

KINGSBURY VC PARK

Directly over the road from this mine site is The Kingsbury VC Memorial Park that honours an extraordinarily brave servicemen, Bruce Steel Kingsbury. I defy the miner to read his biography. His family and 2nd 14th Battalion continue to look after this place. The park, being at the top of the hill, has spectacular views to the south and north and sees many hundreds of visitors a month who camp, rest, and picnic there. Although this revised application no longer includes the overpass that would have wiped it out entirely, the noise, pollution and visual destruction of the landscape will still effectively ruin it.

This is the wrong place for a sand mine.

LIFESTYLE

We have lived here for 50 years and developed our commercial orchards, now growing flowers, in this beautiful environment. We live here permanently as do our 50 neighbours who share this border. We are not the weekenders as they suggest in trying to be dismissive of our lives. Three people are here all the time and up to 10 much of the time. We often have extended family stays, enjoying our slice of rural life, interacting with the diverse wildlife.

Like everyone who lives along our road, we are professionals, mostly working locally. We work in the local NSW Health service; we work shifts or more and often need to sleep by day - several immediate neighbours are the same. This is a residential area and we cannot be subjected to this noisy dirty industry disrupting our lives, just as this city miner would not let it disrupt his life.

This mine will cripple the commercial viability of our flower orchard. Dust weakens plants, and directly causes petal drop. Further, people don't buy dusty flowers and, unlike sand, you certainly can't wash them.

Their application does not even acknowledge our livelihoods or this commercial enterprise. Again, lack of consultation and insight into the local people and their lives and the use of the land. This was to be our major source of income as we step back from the health industry and academia.

We live in an area zoned *NSW Conservation C3 – Environmental Management Zone*. Nothing in the NSW Government description and purpose of this zone allows for heavy industry and destruction of landscape. That is why we chose to live here. This is the wrong place for a sand mine.

This simplistic off-the-shelf modelling and mitigation by "monitoring" is outright misleading in stating the impact this mine will have on us and our neighbours.

HEALTH

There are extreme health concerns with this development of a massive environmentally destructive sand mine in a populated area. I fear for my health, the others living here and all neighbours likewise.

I could write book about health issues and, in fact, I have. It is a self-evident truth that a toxin producing operation in unprotected space anywhere near a human population is wrong. The list of diseases caused by exposure to dust, short or long term, is extensive and growing. Many are common, some are uncommon. The dust here, which will be high-grade activated silica, is extremely toxic. In their ignorance of medical science and epidemiology, the application focusses on the rarest of all conditions (silicosis) and ignores the common risks that they will impose on the population daily.

The effects on people living nearby must be considered on a different scale to the recently publicised industrial standards.

First, the standards are arbitrary and have no relation to disease pathological process. They are an expedient compromise between industry and regulators who need to appease specific groups. It has no medical validity. THERE IS NO SAFE LEVEL for this activated silica toxin. Regulators and residents assume $\text{PM}_{2.5}$ under $25 \mu\text{g.m}^{-3}$ is safe and DPE descriptors of good or fair air quality for levels under $25 \mu\text{g.m}^{-3}$ gives false assurance because, in fact, THERE IS NO SAFE LEVEL of this toxin.

Second, the resident population are exposed nearly all of their lives there whereas workers are exposed for about a quarter of theirs. Residents don't have PPE while workers do.

Third, residents are not remunerated for their hazard of exposure whereas workers are. The miner in Sydney has the best of both – no exposure and all the profit.

Simple common diseases like asthma, bronchitis and sinusitis will increase in incidence and severity and be harder to treat. Chronic conditions like COPD, cardiac and autoimmune diseases will be exacerbated. Mental health in the community will be adversely affected by stress and anxiety and depression. The effects of this toxin can be demonstrated down to chromosomal level where changes show that cell age faster when exposed to silica – you can read that as our lives will be shortened. There has been no attempt to understand our neighboring community, which ranges from the in-utero, through childhood, adulthood and older age. Many will have existing health conditions that will worsen. We can take this argument through a hundred conditions with statistical power down to the smallest detail. For example, it is known from large robust international and Australian studies that a $6 \mu\text{g.m}^{-3}$ increase in $\text{PM}_{2.5}$ up to 2 days before is associated with increased risk of cardiac arrest; the peak being an increase of 4-6% a day and a half later. The serious point is that this occurs with any increase in level regardless of whether it is above or below the regulatory standard. Does this miner have the right to increase anyone's risk of sudden death, which is what cardiac arrest means when you live in the country.

An extensive health analysis is what the proponent should have done before even thinking about putting a mine in the middle of a residential community.

VISUAL LANDSCAPE

The visual blight on the landscape by this mine will be horrendous and widespread (Fig. 4) as natural bushland and farmland is reduced to a wasteland. The damage to the landscape will be particularly serious from the north where the elevated aspect faces directly into the pit and processing area. The representation provided in the report is deliberately misleading as it considers only a limited set of target points to the east in an attempt to confuse the reader. The real effect will be much greater.

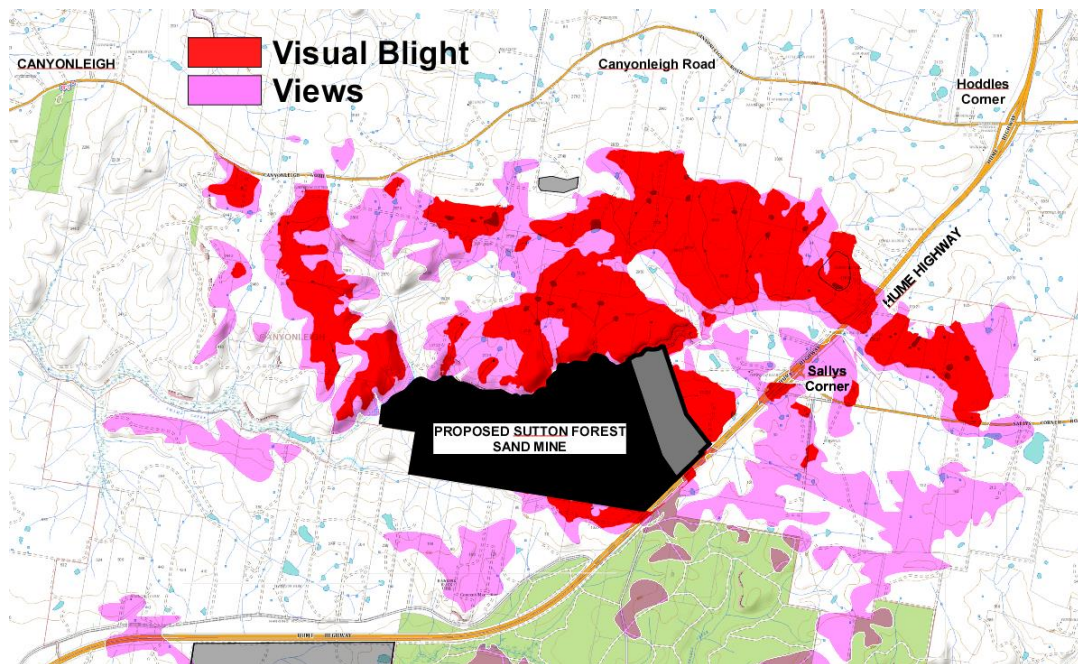


Fig. 4. Area of disturbance of the visual landscape.

PROPERTY VALUES

This mine will have devastating effects on surrounding property values. This is an area where properties are sought after for the natural beauty of the landscape, the peace and the outstanding local amenities. This is a known strategy for these mines; as values fall, land is bought up for future expansion. As companies live longer than individuals, this expansion cannot be stopped.

GROUNDWATER

This I must leave to the specialists who have provided expert opinion. However, anyone can see that digging a hole this size deep into the aquifer and filling it with waste material will alter the aquifer level and pollute it. Pollution of the groundwater is an obvious outcome that needs no modelling and cannot be mitigated. If you put waste in the water it will be dirty and disperse. The direction and time might be subject to debate. This is the best groundwater in NSW the basis for the local drinking water industry on neighbouring properties. No monitoring can solve this – the damage is forever.

The proposal admits there will have a draw-down effect the water table and local bores on which we rely. We have a specific irrigation licence for our crops and rely on it for commercial production as well as domestic. They say the draw down won't be too bad (metres) while other experts indicate say it will be worse. The point is it might or it might not. Modelling is just that; it's a best guess and we don't know. With the potential for permanent damage being so great, it simply is not worth the risk. Note also that there is no risk to the miner; it is all borne by the community.

NEED

The application makes a very poor case for the need for the product and why it must be obtained from a populated and ecologically sensitive area. Other mines nearby and further away are still not producing or at partial production as the demand is not there. Supplies are available well into the future and other sources are available in appropriate site. Transport cost is a minor issue as the cost per km after the initial "flagfall cost" is small.

WHY HERE?

Let me tell you a tale of three men. Once upon a time, the time of the GFC, Mr A had his friend Mr B visit one day. The footy over and feeling down of their luck, they looked at the hill to the west of MrA's property and thought: "why not mine that to get us out of trouble?" But we need someone to actually do it. In comes Mr C. "Of course, and I can fill the hole with waste afterwards." There started

the saga of “The Great Sand Mine.” Mr A and Mr B hit on better times and lost interest leaving Mr C to jump and take the lot. The rest of the tale is yet to be written.

My question. Is this really the way we identify and allocate the state’s valuable resources? On a whim one afternoon. No serious investigation and analysis of potential sites, their pros and cons. Just because Mr C has bought these properties does not imply an inherent right to do as he pleases with them.

More appropriate uses can be found for this land and more appropriate places can be found for mining.

CONCLUSION

In summary, I implore DPE to advise the IPC to reject this proposal that will have dreadful consequences in many domains.

Environmentally we all know it will be a disaster.

The impact will be severe on the 30 or so residences immediately around the mine and the more than 100 who live in them and thousands who visit.

The development is the antithesis of the direction the Southern Highlands communities have chosen for themselves and future generations. It will impact negatively on tourism, agriculture, viticulture, the appropriate industries that work harmoniously with the area.

Simply, this is the wrong place for this mine and it was chosen for the wrong reasons.