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17.5.09

Exhibition of Modified Request
Dunmore Lakes Sand Extraction Project
Application No. DA 195-8-2004 MOD 2
Location Riverside Drive , Dunmore
Proponent Dunmore Sand and Soil

Department of Planning and Environment

I object to this proposal.

The reasons for objection are outlined below.

1. The 2 pits 5A and 5B are located on flood prone land close to the Minnamurra River. These pits are within the Coastal Management SEPP 2018 Zone of the Minnamurra River
2. This activity is a prohibited activity under Shellharbour City Councils LEP 2013.
3. Pit 5A is located near the old Minnamurra Tip site which has a toxic organic bloom in the water table. The tip is beside the Minnamurra River. Mining 230,000t of sand and then backfilling it by bringing 325,000t of VENF onto the site will alter the aquifer / water table dynamics. The permeability and porosity of the fill does not have the same characteristics as the extracted sand. Any construction of bunds or levees will alter the flow of surface water which ultimately flows across onto the Minnamurra Tip site. Any potential threat which interferes with the aquifer flowing into the old tip site will cause this toxic plume to move with disastrous results for the Minnamurra River.
4. Pit 5B is on the flood plain of the Minnamurra river. It will be 27m deep covering an area of 7.85m. This will be left as open water. This area has listed EEC communities under the NSW Biodiversity Conservation Act 2016 – this is Bangalay Forest on Sand. There are also plant communities listed on Commonwealth Environment Protection and Biodiversity Conservation Act 1999 - this is Swamp Oak Flood plain Forest. There are 7 threatened fauna species which are dependent upon Bangalay Forest for food and nesting hollows. The nest of the White Bellied Sea Eagle is found beside this proposal. 56% of the Area 5B is made up of Bangalay Forest on Sand which is in either moderate or good condition. A site inspection would confer the degree of maturity of these trees and an appreciation of the key role these trees play in the ecosystem.

5. Denial of access to the site. The subject land is privately owned. There has been no opportunity for site visits, under supervision, to verify the information which consultants has recorded in the Environmental Assessment Report. Perhaps if the material were peer reviewed then members of the community may have some degree of confidence that the consultant report may truly be an accurate reflection of the biophysical environment.
6. This proposal is seeking to mine sand reserves in the Catchment of the Minnamurra River. The proponents other operations are undertaken in the Rocklow Creek Catchment. This is in a completely different catchment from Rocklow Creek. Rocklow Creek catchment was largely dominated by pasture for animal grazing prior to the commencement of sand mining by the proponent. The Minnamurra River Catchment in contrast has very diverse ecosystems with considerable stands of EEC communities. These communities are under various State and Federal Environmental Legislation.
This proposal ought not be regarded as a modification request as there are no common linkages environmentally between the largely disturbed and heavily modified Rocklow Creek and the the largely undisturbed Catchment of the Minnamurra River. This proposal is physically separated from those considered in the original approval 1999 and later 2005 modification.
This current assessment process ought to be terminated by the Dept of Planning and Environment and should be submitted as a new proposal.
7. The proponent plans to bring by road transport 235,000t of fill onto the site. This is 8000 truck movements on the main local feeder road for all Kiama's northern suburbs. This will lift LoS to category D leading to increased congestion and potential accidents.

I am opposed to this modification request. The proponent knew full well when the original Commission of Inquiry granted approval with clear guidelines in 1999. That all operations would focus in the heavily modified Rocklow Creek area for some 25years. At no stage during that Commission of Inquiry hearing was there any reference to mining in the Catchment of the Minnamurra River. I attended those hearings and made presentations before the Commissioners.

The Precautionary Principle ought to be applied in relation to this application. The environment ought not be degraded or compromised for the sake of a commercial monetary return over a very short period of time.

Declaration

I have not made any reportable political donations in the previous two years

Richard Maitland

