

**The Director General  
Department of Planning**

**Dear Sir**

**RE: Sutton Forest Sand Quarry proposal. Your Reference SSD 6334**

This is an objection to the proposed Sutton Forest Sand Quarry ("SFSQ").

**I object to the Sutton Forest Sand Quarry proposal** on the following grounds, each of which I have discussed in more detail in my submission;

- 1. The Major Project Application for the Proposal should have lapsed on 7 February 2016, two years after the issue of the Director General's requirements.**
- 2. The exhibition period of 30 days for public comment is/was too short and notification was woefully inadequate for a development in a rural area. The proponent got 5 YEARS to prepare the EIS and the public get 30 days. This is contrary to principles of natural justice.**
- 3. The proposal will have unacceptable negative dust, noise, and vibration and amenity impacts on neighbouring residents, landholders, the natural environment, and a neighbouring place of worship and should be rejected.**
- 4. The proposal is intrinsically incompatible with the surrounding residential and agricultural amenity, as well as the peaceful and beautiful native bushland and it should be rejected.**
- 5. Long Swamp is an Endangered Ecological Community listed under the Federal Environmental Protection and NSW Biodiversity Conservation Act. The proposal will in my view have a significant impact on the EEC and this proposal should be considered a "controlled action" under the EPBC Act, and should be rejected.**
- 6. The proposed sand quarry will have unacceptable negative impacts including on flora and fauna, threatened species including the Koala, and the Endangered Ecological Community of Long Swamp and it should be rejected.**
- 7. The proposal is intrinsically incompatible with the neighbouring place of worship. The proposal will have unacceptable dust, noise and vibration and amenity impacts on the Pauline Fathers Penrose Park monastery, shrine and religious retreat.**
- 8. The SFSQ proposal will have negative impacts on groundwater in the area. Many landholders are dependent on bores for their domestic and stock water. Cumulative negative groundwater impacts from this and other proposals and projects in the area (including Hume Coal) will have a major impact on the availability of groundwater in the future.**

9. **Use of the Highlands Source water pipeline for industrial purposes by the SFSQ is not appropriate. The pipeline was built to serve the people of Goulburn with quality water.**
10. **This SFSQ proposal is just one of many quarry or mine proposals in the area that have been proposed, approved, expanding or existing. All of these are adding to truck traffic, noise, dust and a general reduction in the quality of life on the highlands and tablelands. No more quarries or mines are justified or needed.**

In the following pages I have expanded on the points above:

1. **The SFSQ Proposal should have lapsed on 7 February 2016, two years after the issue of the Director General's requirements.**

I note that the proposal was first lodged with the Department of Planning in 2013 with Director Generals' requirements issued on 7 February 2014.

It is my understanding that DGR's expire two years after they are issued if no Environmental Impact Statement / Environmental Assessment is lodged by the proponent within that time frame.

It is unclear why the DGR's did not expire and the project therefore lapse on 7 February 2016. **No application for an extension of time was lodged and placed on the Major Project website.** Any member of the public checking to see the status of the project would assume that after Feb 2016, the project had lapsed or was not proceeding.

I was certainly gobsmacked to find that in June 2018, the project was suddenly on exhibition. Not only that, but the proposal had grown larger and more unacceptable than the initial proposal. **I believe that the proposal is not able to be assessed at all, and that the entire planning process should be set aside. If the proponent wants to proceed a new Major Project Application should be lodged.**

2. **The exhibition period of 30 days for public comment is/was too short and notification was woefully inadequate for a development in a rural area. The SFSQ proponent got 5 YEARS to prepare the EIS and the public get 30 days. This is contrary to principles of natural justice.**

As discussed above, and having checked several times since the initial major project application I had assumed the application had lapsed or was not proceeding. **We received no notification of the project at any time over the five years** since the Major Project Application was lodged.

Having followed other major projects since the commencement of Part 3A provisions I am sure that **having five years to complete and EIS / EA is not normal. Why has this SFSQ proposal be given special treatment?**

We did not receive any notification of project going on exhibition. We found out about the exhibition from a friend who had seen the public notice in the Southern Highlands News printed newspaper. **In a**

**rural area we do not get printed newspapers, and read the online editions occasionally. Do online newspapers even have Public Notice sections? Are notices published for just one day only?**

The proponent has had 5 years since 2013 to complete and lodge the EIS. The public is supposed to find out about the exhibition, read several hundreds or even thousands of pages, and then prepare and lodge comments in 30 days? THIS IS NOT GOOD ENOUGH, and is nowhere near enough time, and is contrary to the principles of natural justice. **I believe the exhibition should be extended for at least a further two months to allow proper consideration and response to the EIS.**

- 3. The proposal will have unacceptable negative dust, noise, and vibration and amenity impacts on local residents, landholders, the natural environment, and a neighbouring place of worship and should be rejected.**

Having read the EIS I am not convinced by the studies done by consultants paid by the proponent that impacts from 24 / 7 operation, dust, noise, vibration and blasting, trucks and traffic, will be able to be mitigated, avoided, or otherwise managed. This area is a quiet rural environment, and national and internationally significant wildlife corridor, part of the Sydney water catchment and contains a very popular and valued place of worship. The proposed site for this quarry is not appropriate.

- 4. The proposal is intrinsically incompatible with the surrounding residential and agricultural amenity, as well as the peaceful and beautiful native bushland and it should be rejected.**

Landholders, residents and visitors to this area value the peaceful and quiet rural outlook and lifestyle, as well as valuing the natural bushland, clean air and water, and the many native animals and birds that call this area home. If we wanted to live with a quarry in our backyard or locality, we would live in the Hunter Valley, an area now where the environment has been destroyed by mining and quarrying. Southern Highlands and Tablelands property is highly valuable and sought because of the high value placed on the green rural outlook, the clean air, good soil, an abundance of good clean water, the natural bushland, and great community. If approved this proposal would result in reduced property values in nearby areas, as well as reducing our quiet enjoyment of our properties.

- 5. Long Swamp is an Endangered Ecological Community listed under the Federal Environmental Protection and Biodiversity Conservation Act as well as under the NSW Biodiversity Conservation Act. The proposal will in my view have a significant impact on the EEC and this proposal should be considered a “controlled action” under the EPBC Act, and should be rejected.**

Long Swamp is an Endangered Ecological Community listed under the Federal Environmental Protection and the NSW Biodiversity Conservation Act. The Swamp is also likely habitat for several threatened species such as the Giant Dragonfly.

I believe that **the Sutton Forest Sand Quarry proposal will have a significant impact on the Long Swamp EEC ecosystem, despite the EIS claims that any impact will not be significant.**

I believe that the impacts will be so significant **that the proposal should be controlled action under the Environmental Protection and Biodiversity Conservation Act, and to be referred to the Federal government for consideration as a controlled action.**

**The proposal will impact Long Swamp in several ways. Groundwater regimes will be negatively impacted by this proposal and by cumulative groundwater impacts; there will be changes in surface flow in volume, quality, and timing; surface flows will contain silt and sediment.**

The proposed Sutton Forest Sand Quarry is located adjacent to Long Swamp, an Endangered Ecological Community listed under the Federal Environmental Protection and Biodiversity Act and the NSW Biodiversity Conservation Act . The proposal plans to excavate the pit to a depth of 39 metres below the current water table, in close proximity to the Groundwater Dependent Ecosystem of Long Swamp EEC will have significant impacts on Long Swamp.

Firstly, the proposal will have a negative impact on groundwater. **Changes to groundwater regime are a key threatening process to groundwater dependent ecosystems.** There will also be cumulative negative impacts on groundwater from the combined effects of the SFSQ, the Hume Coal proposal (if approved) and the approved Green Valley Sand Quarry.

The SFSQ EIS downplays the modelled loss of groundwater to Long Swamp by stating it as 0.052ML per day. Expressed another way, this is 52,00 litres per DAY, every day for the 45 years of the project, or 18,980,000 litres per year ( 18ML per year) lost to the GDE.

The EIS stated that there would be a loss of 2.6% to groundwater baseflow to Long Swamp and considered it “unlikely to result in substantial reductions in pool water levels or flow.” However changes to groundwater baseflows are not the only impact that this proposal will have.

Surface inflows to Long Swamp creek will carry more sediment and contaminants than at present. Alteration to the natural flow regimes of rivers and streams and their floodplains and wetlands is listed as a Key Threatening Process. **There will be changes in surface flow in volume, quality, and timing; surface flows will contain silt and sediment.**

Thirdly, **the EIS does not consider the cumulative groundwater impacts** of other projects and proposed developments on the Long Swamp EEC.

The nearby and recently approved Green Valley sand quarry will also have a negative impact on groundwater and therefore on the GDE of the various components of the Paddy’s River swamp complex.

The EIS has not considered the **long term negative groundwater impacts of the Hume Coal mine proposal on the local groundwater.** The Hume Coal proposal indicates that groundwater will be affected in the Canyonleigh / Sutton Forest area if that project goes ahead. Long Swamp is included in that area.

The following quote is from the Hume Coal EIS : ***“some groundwater depressurization will occur as a result of mining, which has the potential to impact on GDE’s. Terrestrial vegetation, Long Swamp and Stingray Swamp were identified as potential GDE’s in the biodiversity assessment (refer to Chapter 10).”***

**The Hume Coal EIS also shows maps of modelled/ predicted total water table drawdown** from the Hume Coal proposal that impact on the Sutton Forest / Canyonleigh / Hanging Rock area ( amongst others). **Predicted drawdown from the Hume Coal model in the area of this proposed sand quarry is predicted to be between 2 and 10 metres.** Submissions from reputable scientists to the Department of Planning in relation to the Hume Coal proposal claim that the EIS modeling is flawed and that groundwater impacts will be worse than Hume Coal predicts.

Importantly, the Hume Coal Null Case Scenario model shows that **groundwater is already in deficit of minus 2.6ML per day, even with no new coal mine.** Even if the Hume Coal proposal does not proceed, **the groundwater resource in the Southern Highlands is still being depleted.**

It is important that the Sutton Forest Sand Quarry proposal properly assesses all potential groundwater impacts and this includes cumulative impacts from other projects. **The Hume Coal mine proposal, the Sutton Forest Sand Quarry, the Green Valley quarry will all have negative impacts on groundwater in the area and the cumulative impacts of all operating projects and proposals in the area must be modelled .**

There are no plans to stop quarrying if groundwater impacts prove to be greater than predicted. The EIS promises only to monitor groundwater levels, but there are no penalties or deterrent consequences to the operator if and when impacts are greater or more significant than they predicted.

**Taken together I believe all the impacts on the EEC of Long Swamp and the threatened species it supports are very significant and the project should be rejected in its entirety to prevent irreparable damage.**

**6. The proposed sand quarry will have unacceptable negative impacts including on flora and fauna, and threatened species including the Koala, and it should be rejected.**

I have read the EIS including Flora and Fauna and biodiversity studies and offsetting proposals and have serious concerns. My family has had property in Canyonleigh for many years and I am familiar with the flora and fauna of the area.

The Flora and Fauna studies in connection with this proposal were mostly conducted several years ago (2013-2014). The proponent felt no need to conduct any more recent further studies however I believe that several material facts have changed since the fauna study in particular was conducted. The fauna study did not confirm the presence of Koala on the site but acknowledged anecdotal accounts of koalas in the area.

Since the fauna studies were conducted **the Southern Highlands Koala Conservation Project** has been undertaken and many sightings and records of koalas have been added to the Bionet database. **This includes many records of koalas south of Canyonleigh Rd.** It is highly likely that koalas are present on the subject site at least some of the time.

**The NSW Koala Strategy has been published in 2018.** The Koala is one of the six iconic species targeted in the Save Our Species program, and is the only landscape managed species. The Koala Strategy map of

actions showed Regional actions. **Most notably koala habitat conservation is shown on the Map of actions in the Canyonleigh region.** Canyonleigh is the **only region in the State** where habitat conservation is shown as an action on the Koala Strategy Map of actions.

**The SFSQ proposal which includes clearing 63.7 Ha of native vegetation in an area where koalas are known is NOT in accordance with the Koala Strategy.**

**From the Koala Strategy:** *“ During the first three years of the Strategy, the aim is to stabilise koala numbers in koala populations across the State by delivering actions under **four pillars: koala habitat conservation**, conservation through community action, safety and health of koala populations and building our knowledge and education.*

**The first pillar of the strategy is koala habitat conservation.** The best way to conserve koala habitat is **NOT** to clear it.

**This SFSQ proposal plans to clear 63.7 ha of native vegetation**, that would, according to the EIS ***“adversely impact the threatened fauna species recorded within the Site and therefore represents a significant impact.”***

The EIS made the above statement without finding koalas present on the site. I believe that the **confirmed presence of a population of koalas south of Canyonleigh Rd makes the clearing of 63.7 ha especially significant.** Any clearing on this site would result in clearing of known koala habitat.

Additionally, the Crown Road reserve proposed to be used as the access for this quarry was **identified in the EIS as containing koala feed trees, and is therefore also koala habitat.** The Koala Strategy clearly states that *“Koala habitat will also be protected on other types of public land, for example on crown land and travelling stock reserves.”* As the Crown road reserve is Crown land, **no clearing of koala habitat on the Crown Land should be permitted in accordance with the Koala Strategy.**

Given the significant amount of clearing proposed, the EIS has identified a need for a Biodiversity Offset package and the proponent has purchased an approximately 200ha site in the area as an off-site biodiversity offset (shown in Figure 2.19 of the EIS).

**Despite this project having been initially proposed five years ago**, the EIS states that ***“Field surveys of the off-site biodiversity offset area are yet to be completed***, however Niche (2018) reviewed available aerial photography of the subject property and concluded that vegetation present on the off-site biodiversity offset area is likely to like-for-like offset for areas being impacted by the Proposal and the vegetation appears to be in relatively good condition.”

The proponent has apparently overlooked the history of the purchased offset site, or failed to do thorough research. **The off- site offset site was itself the subject of a Major Project Proposal in 2008 when a 300MW gas fired power station, known as the Hanging Rock Power Station was proposed** (refer Major Project 08 -0106 available on the Major Projects website).

Documentation lodged with the Hanging Rock Power Station proposal described the site as *“approximately 500 acres in size and comprises 300 acres of cleared agricultural land together with 200 acres of second growth woodland and watercourses.”*

The Site Map submitted with the Hanging Rock Power Station site showed an aerial photograph depicting cleared and non cleared areas.

As on ground **surveys have not been conducted** on the proposed off site offset site **it is not possible from the information supplied in the EIS to know what the flora and fauna values of the offsite offset site are.**

Accordingly **it is not possible to conclude that the proposed off site offset site will provide appropriate biodiversity offsets** for this project.

**I believe the SFSQ proposal should be rejected in its entirety due to the negative impacts on threatened species or their habitats, in particular the iconic species Koala.**

Notwithstanding this, if the proposal is approved, and noting the **off site offset site's** yet to be assessed suitability, I support in principle biodiversity offsetting in the immediate locality of the proposed quarry site as opposed to offsets in some other location. An offset in perpetuity in the Long Swamp area is critical to maintain connectivity and to preserve habitat and biodiversity in the area in a like for like manner.

The western parts of the Wingecarribee Shire are biodiverse and form part of the **nationally and internationally significant Great Eastern Ranges initiative**, providing ecological connectivity along the eastern ranges of the Australian continent.

The GERI corridor has come to the attention of the public over recent years. Local landholders are aware of the importance of the corridor and are largely onboard with conservation initiatives. As mentioned above the Southern Highlands Koala Conservation Project has revealed numerous koalas in the region that are using the GERI corridor as habitat (as well as other habitat).

As previously mentioned, the fauna studies for the EIS were conducted four or five years ago and should have been updated or redone. Koalas are not the only species to be found recently in the area.

The presence of the national listed species **Spotted Tailed Quoll has been confirmed in Canyonleigh, (caught on camera)**. Quolls can and do travel many kilometres a day and it is likely that the SFSQ site is habitat for Spotted Tail Quolls. Previous quoll sightings in the area include sighting of a quoll crossing Canyonleigh Rd in the approximate area of this proposal. Spotted Tailed Quolls should be assumed to be present on the subject site and the project impacts should be assessed accordingly.

**Glossy Black Cockatoos** are another prominent species and are known to be present in the area. Glossy Black Cockatoos are known to be under pressure from habitat loss, feeding only on Allocasuarina seed pods. Any loss of habitat for this species, particularly feed trees, is significant as the species is under intense pressure. Replanting of seedlings will take many years to become established and to function as feed trees.

The **"Glossies in the Mist"** project is currently being undertaken to protect the species in the **Great Western Wildlife Corridor**, a part of the GERI corridor, that connects Bullio to Bungonia. "Glossies in the Mist" is a collaborative project between the local community of the NSW Southern Highlands and Southern Tablelands, the "Friends of the Glossy Black Cockatoo" community group, Forest Corporation of NSW, the NSW Office of Environment and Heritage and Wingecarribee Shire Council.

It seems absurd to have one **arm of government actively protecting Glossy Black Cockatoos in this area, while this proponent is proposing to clear habitat of not just one but many threatened species in the wildlife corridor.**

To clear 63 Ha of this site that includes stands of Allocasuarina feed trees as well as old growth trees with possible nest sites is not acceptable. The SFSQ site, according to the EIS, contains habitat for 9 threatened species, to which I would add Koala and Spotted Tail Quoll, **totally 11 threatened species that will be impacted by this proposal.**

The Long Swamp Creek and Long Swamp complex form part of the biodiversity corridor. Upland swamps occur locally in several places, forming part of the Paddy's River complex of swamps. The swamps are habitat for several threatened species including the Giant Dragonfly. Several upland swamps can also be found along the central ridge of Canyonleigh (although most are modified). **As such Long Swamp forms part of a stepping stone corridor of swamps and habitat for the threatened species that may be found there, and is not just a single swamp in isolation.**

- 7. The proposal is intrinsically incompatible with the neighbouring place of worship. The proposal will have unacceptable dust, noise and vibration and amenity impacts on the Pauline Fathers Penrose Park monastery, shrine and religious retreat.**

The shrine known as the Grotto is just a few metres from the proposed Quarry pit and it is difficult to see how the Grotto could not be very adversely affected by this proposal. No amount of noise walls, screens, plantings or other mitigation measures make the proposed quarry location suitable adjacent to this well established, peaceful, very popular and valued place of worship.

- 8. The SFSQ proposal will have negative impacts on groundwater in the area. Many landholders are dependent on bores for their domestic and stock water. Cumulative negative groundwater impacts from this and other proposals and projects in the area (including Hume Coal) will have a major impact on the availability of groundwater in the future.**

Most of my comments in relation to groundwater impacts on Long Swamp are relevant to groundwater generally in the area especially in relation to

- 9. Use of the Highlands Source water pipeline for industrial purposes is not appropriate.**

The proposal estimates that it will require 81ML of water per year for operations, and proposes using water from the **Highlands source pipeline ( Wingecarribee to Goulburn).** **As a Goulburn Mulwaree**



**ratepayer, I object to the pipeline being used for industrial uses.** It was built to provide water for the people of Goulburn and not to facilitate inappropriate industrial development.

- 10. This SFSQ proposal is just one of many quarry or mine proposals in the area that have been proposed, approved, or are expanding or existing. All of these are adding to truck traffic, noise, dust and a general reduction in the quality of life on the highlands and tablelands. No more quarries or mines are justified or needed.**

There are a large number of quarries /mines operating in the area around Marulan all contributing to the cumulative impact that quarrying is having on the area. Quarries include Lynwood, Ardmore Park, Peppertree, Gunlake, and Marulan South quarry as well as the nearby and recently approved quarry at Green Valley.

**In conclusion** I believe the Sutton Forest Sand Quarry is totally unacceptable and inappropriate for the site. The massive scale, 24/ 7 operation, constant noise, dust, vibration, and truck traffic will all have adverse amenity and health impacts for local people and visitors to the highlands, especially Penrose Park.

Additionally, the location of the site in the wildlife corridor, the significant impact on many threatened species from clearing native vegetation, the chance of irreparable damage to the Long Swamp and Long Swamp Creek, as well as adverse impacts on the Sydney drinking water catchment all contribute to this proposal being totally unacceptable. **It should be rejected.**

J. Platt

BELFIELD NSW 2191

20 June 2018