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21 June 2018

Attention: Mr Howard Reed,

Dear Sir,

Submission Regarding Environmental Impact Statement by Sutton Forest Quarries Pty Ltd, SSD 6334.

On behalf of Coal Free Southern Highlands Inc. (CFSH) I am submitting this document for your consideration. It is in regard to the assessment of the Sutton Forest Quarries Pty Ltd (EIS) and the issue of a development consent for the building and operation of a sand quarry in Sutton Forest, NSW. Further, more detailed, information will be submitted in coming weeks.

We strongly object to the proposal on community and environmental grounds and submit that the development application should be rejected.

1. Coal Free Southern Highlands Inc.

CFSH is a community group established in 2015 to campaign against the Hume Coal Project. CFSH follows in the footsteps of the Southern Highlands Coal Action Group (SHCAG) which was established in 2010.

2. Proposal

This is defined as a State Significant project. The proposed quarry is to be located just off the Hume Highway south of the Sally's Corner Interchange in Sutton Forest and will cover an area of 59 hectares including processing and stockpiling.

The proponent is proposing to excavate 34 million tonnes of sandstone over a 30 period, crush and wash the rock on site and send it by trucks to local and Sydney markets.

The proponent plans to excavate a pit to a depth of up to 65 metres in the Hawkesbury sandstone which is 80 metres thick and contains a highly productive groundwater system.

It will operate 24/7, involve significant blasting activities with more than 300 trucks operating round the clock at full capacity, travelling only 60 metres from an established residence.

3. A highly deficient EIS with little time to consider:

The community of the Southern Highlands has only had 28 days to respond to the EIS. We have had no time to engage the required suite of experts to carefully evaluate and consider the document.

The document is technically complex, lacks detailed analysis and supporting evidence in many key areas and is difficult to interpret, even by experts. In some cases, the information an expert will require is entirely missing.

From our cursory review, the EIS is a poorly presented document which fails to meet DGR requirements in many fundamental respects. This begs the question as to why it was released in this form by DPE?

4. No Community Consultation:

In addition to the above, there has been no community consultation to speak of save a meeting held at short notice on June 2 by the proponent. Most Southern Highland residents were unaware of the meeting and as few as 20 attended.

The DPE has not made the local community or Council aware that the project was imminent.

Even many directly affected landowners were unaware of the proposed project until very recently and some have not had direct contact with the company at all.

5. Critical Issues

We have identified many deficiencies in the document and a number of key issues that the EIS fails to address. A selective, but certainly not complete, summary of some of the deficiencies in the proposal is as follows:

- **Groundwater Impacts:**

The proponent has prepared a groundwater model and claims that groundwater impacts will be negligible on surrounding landowners and groundwater dependent ecosystems.

Given the proximity of the proposed quarry to Long Swamp and Long Swamp Creek, plus 43 landowners bores some of which are used for commercial purposes, these claims must be thoroughly evaluated.

We have not had time to engage experts to comprehensively evaluate groundwater modelling and the assumptions used in the models. The groundwater take appears to be unrealistically low with negligible impacts on local bores. This is highly questionable.

We also note that the proponent does not undertake any required worst-case analysis regarding groundwater impacts.

The proponent also proposes to partially backfill the void, but the actual characteristics of the fill material are left intentionally vague. The potential future groundwater pollution issues that this creates are not addressed.

The proponent claims that the proposal does not breach the 'Minimal Harm' criteria under the **Aquifer Interference Policy**. We believe that the opposite will be the case upon a rigorous review of the water modelling.

- **Surface Water**

The proponent claims that no discharge into the creek or adjacent river systems will occur during the life of the project. This claim is highly problematic. A very preliminary review of the information contained in the EIS regarding possible surface water impacts if such discharge were to occur is extremely disturbing.

Dr Ian Wright, a surface water expert from Western Sydney University, has assessed the information provided in the EIS regarding surface water characteristics as potentially catastrophic for the ecology in Long Swamp Creek and the Long Swamp upon a significant discharge.

Dr Wright is undertaking a more detailed review of possible impacts on these water bodies and thus the Sydney Water Catchment for submission in coming weeks.

- **Water Management Act requirements:**

Consideration of the Project's impact on water resources is central to an assessment of this Project. The proponent must be able to show that the project **meets the requirements set out in the Water Management Act** otherwise development consent should not be granted.

Given the information provided in the EIS even prior to detailed review, we believe that it highly problematic that the Minister for Water will be able to be satisfied that the proponent can meet the “**no more than minimal harm**” **requirements** necessary for the grant of the required access licence.

The proponent concedes that it does not have the required **water licence** to undertake the project. The project lies in Nepean 1 for which water licences are fully allocated. The proponent has failed to demonstrate that it can access required water licences to meet the worst-case water usage conditions over the life of the mine.

As the project is situated within the Sydney drinking water catchment, the proponent must demonstrate that the project will have a “**neutral or beneficial**” **effect on water quality** (NORBE test) under the SEPP (Sydney Drinking Water Catchment) 2011. We consider it highly problematic that the proponent can meet this standard.

- **Sound, Light and Dust**

The proponent has made a rudimentary assessment of these issues.

The issue of light pollution is the subject of one paragraph in the EIS but will create major on-going disturbance for both local residents and wildlife given that the project will be in operation 24 hours per day and seven days per week. The proponent has not submitted a detailed experts assessment of this issue for review and comment.

The noise submission will also require expert evaluation. Needless to say, we view the assessment of noise created by the project to be unrealistic and unable to be supported by comprehensive measurement and empirical evidence. As an example, up to 50 heavy truck movements per hour could pass within 60 metres of one neighbours home in early morning hours!

The proposal to test the noise impacts on 'Penrose Park' for six months after the project has commenced does not provide any comfort that the analysis provided is at all reliable.

The dust report is superficial and does not provide any comfort. The use of average wind speeds is very misleading. SH residents are aware of the very high winds that regularly blow during winter months in particular. Dust control is also problematic.

The proposal that mitigation measures will be put in place if these issues becomes significant after the project commences would indeed be laughable if it wasn't so serious. By that stage it is too late.

- **SW Wildlife Corridor:**

The project lies in the South Western Wildlife corridor. Over 60 hectares of this corridor will be destroyed by the quarrying operations. This is at the corridors narrowest point. We understand that this will have a very significant impact of the corridor, but further expert evidence will be required.

We have serious concerns regarding the impact on protected and endangered species in an area that is intentionally identified by the NSW and Federal governments as important to maintain and protect.

To quote the proponent's EIS *'the ecological assessment confirmed that this land was potential habitat for a range of threatened species'* (EIS Page ES-5).

The proponents' proposal to establish a bio-diversity offset on the land adjacent to the quarry itself is truly bizarre. Clearly the impact on native wildlife will be profound with trucks and other vehicles running 24/7, operational noise from excavation and crushing operations, periodic blasting and light from 24 hours operations.

- **Federal Environmental Protection and Biodiversity Act (EPBC Act)**

The proponent claims that the project will not be subject to the federal EPBC Act. We contend that impacts on Long Swamp Creek and Long Swamp itself are likely to be significant. Long Swamp is listed as endangered under the EPBC Act. Impacts on endangered species in the area affected are also potentially subject to a controlled action under this legislation.

6. Rigorous Assessment:

A project of this size and complexity demands a rigorous assessment. The community has a right to expect to be given the time to undertake such a review and engage experts to evaluate the information provided by the proponent. On behalf of the community we are hoping to engage a series of experts (if available) over the coming 4 to 6 weeks covering the following areas subject to sufficient information being made available by the proponent:

- Surface Water
- Groundwater
- Noise, Dust and Light
- Bio-diversity
- Transport
- Social Impacts

7. Involvement of Experts:

We would also request that, following submissions, community experts be given the opportunity to discuss the major impacts with the experts from the proponent and any experts the government sees fit to engage. This is a sensible step that flushes out any residual concerns and disagreements between the experts before your department determines its position.

Regards,



Peter Martin
President
Coal Free Southern Highlands Inc.