

Submission to NSW Land and Planning

Subject: Bobs Farm Sand Mine

Objector: Andrew James Tindale

Status: Adjoining Land Owner

Property: 686 Marsh Rd Bobs Farm NSW 2316  
Lot 1 DP 774965.

Relevant Legislation and Requirements:

Commonwealth Environment Protection and Biodiversity Conservation act 1999

Coastal Management Act 2016

SEPP-Coastal Management 2018

SEPP Mining Petroleum, Production and extractive Industries 2007

Secretary's Environmental Assessment Requirements 12 April 2017

Port Stephens Comprehensive Plan of Management

NSW Groundwater Dependent Ecosystem Policy

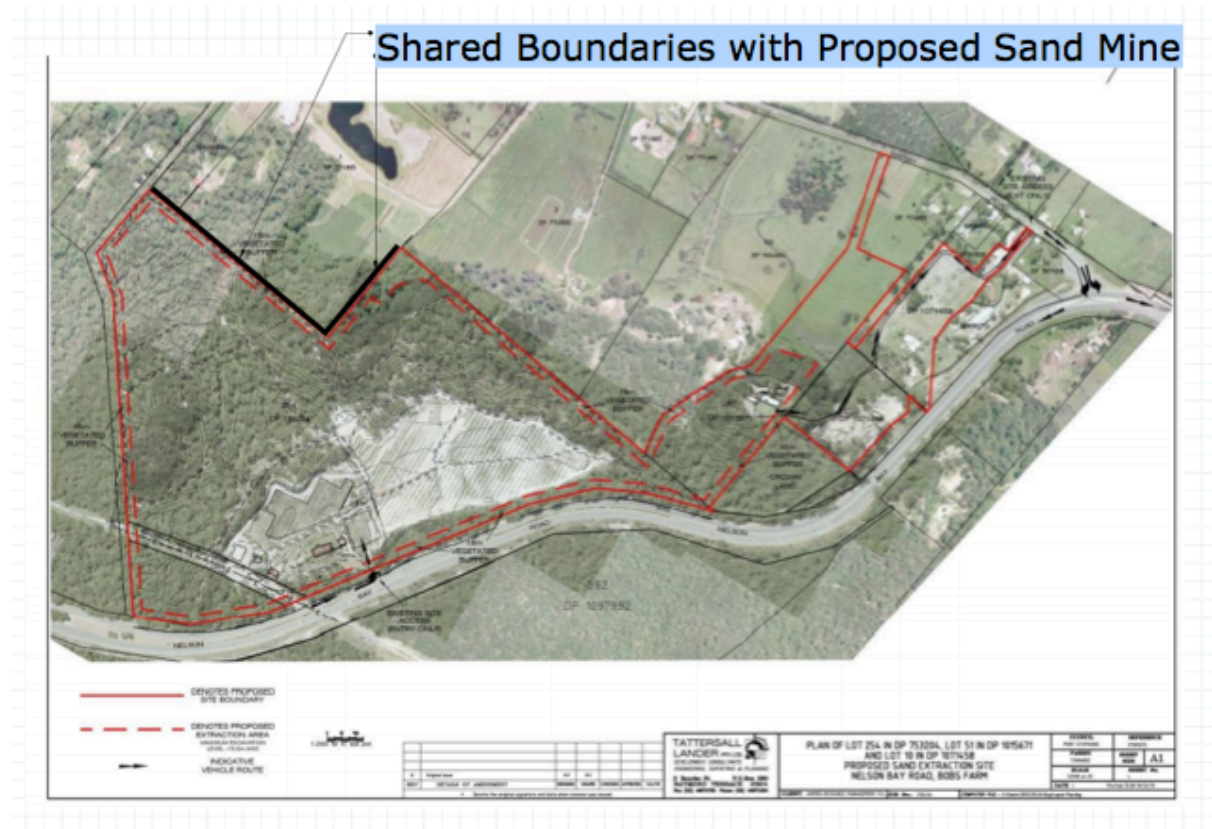
Threatened Species Conservation ACT 1995

Water management ACT 2000

## Boundaries With Proposed Sand Mine

I share two boundaries with the proposed development.

**I STRONGLY OPPOSE** this potential development due to the many adverse impacts on my property and the huge financial loss I will take if it goes ahead.



## Property History

I settled on my property (686 Marsh rd Bobs Farm) in late 2007.

The property is approximately 14.5 hectares, consisting of a long driveway opening up onto a beautiful wetland 250 m long and 70m wide in places, which is a haven for wildlife. On the other side of the driveway is some open grassland that leads onto a large forest with swamp mahogany and paperbark which adjoins a coastal dune sand apple-blackbutt forest running up the back dune slopes.

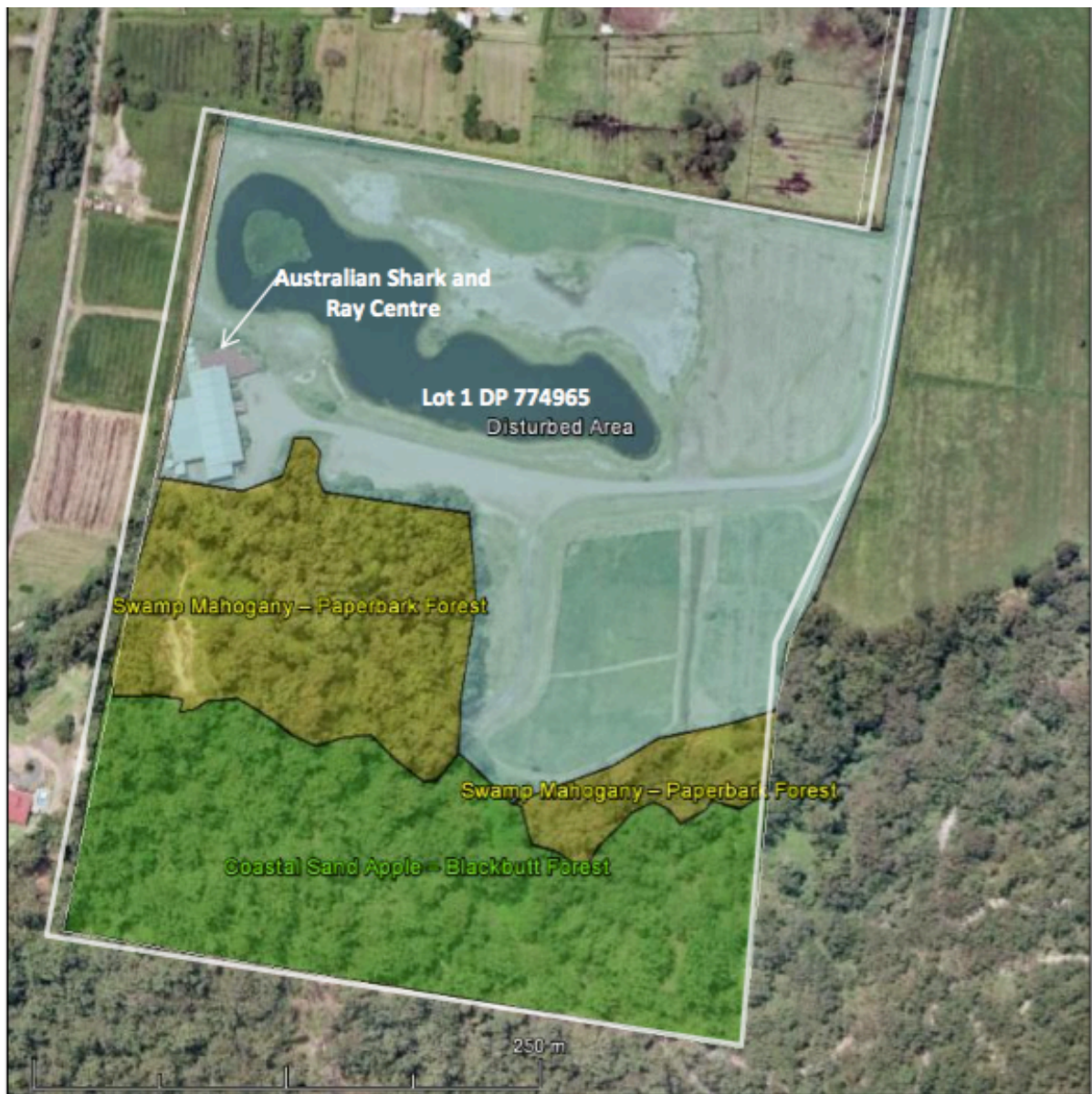


Figure 5: Vegetation Communities present across the subject site.

My property has a long established business on it, formerly the Australian Shark and Ray Centre now called Irukandji Shark and Ray Encounters. This is the only facility **in the world** where clients can come and get in the water with large sharks and stingrays in a controlled and safe environment. Established in 2007 and with nearly half a million visitors having contact with sharks and rays since opening, this a **major tourist drawcard** for the region. Many other tourist accommodation providers and tourism operators work together with the shark and ray centre to provide the largest employer in the region.

In the EIS p779 its states:

Bobs Farm is a quiet rural locality containing a small primary school, Community Hall and approximately 30 rural type residences over an area of 1km<sup>2</sup> and a tourist facility (Go-Karts), a Shark Aquarium and some small businesses. There are no significant projects or activities in the area. There are no known approved or planned new intensive activity developments in the area.

This is an incorrect statement.

In 2014 Port Stephens Council approved a four lot community subdivision (file no. 16-2013-550-1-attached) allowing for the development of 8 eco tourist cabins and managers residence adjoining the back boundary adjacent to the proposed development and 12 wetland frontage cabins and manager's residence on the wetland.

Lot 1- Existing Shark and Ray Tourist Centre

Lot 2- A specialist tourist accommodation catering for people traveling with horses

8 x 4 bedroom eco cabins

Managers Residence

Auxiliary area

Horse Stables

Lot 3 A unique waterfront development close to the coast with all cabins fronting a beautiful wetland.

12 x 4 bedroom eco cabins

Managers Residence

Auxiliary area

Wetland Frontage

Lot 4 Miniature Animal Tourist Centre

Utilising a small space to make a great interaction, this product was expected to boost visitation to the region as a unique tourist offering.





**acroplan**  
planning+engineering+design

AcroPlan Pty Ltd  
PO Box 398 Maitland 2320  
t: +61 2 49 342 933  
f: +61 2 49 342 966  
e: develop@acroplan.com.au  
w: www.acroplan.com.au

**CLIENT**  
**Andrew Tindale**

**PROJECT**  
TOURIST FACILITY & ASSOCIATED FOUR (4)  
LOT SUBDIVISION

**LOCATION**  
No. 686 Marsh Road, Bobs Farm, NSW, 2316

**DRAWING TITLE**  
**Plans - Site Subdivision**

**SCALE**  
1:2000

**DATE**  
22/04/2014

**STATUS**  
DA

**DRAWN BY**  
SAH

**PROJECT No.**  
**10159**

**DRAWING No.**  
**DA02**

On 29<sup>th</sup> May 2018 I received a **completion certificate and hence physically commenced** work on the subdivision by completing a type AUL intersection into my property (attached).

This subdivision was due to be completed early this year with commencement on the cabins to start once the construction drawings were approved by council. This has had to be postponed until this Sand Mine issue is completed as it would be financial suicide to start an Eco Tourist Cabin next to a forthcoming Mine.

## **Reasons For Objecting to the Proposed Sand Mine:**

I can show that any approval of the sand mine has devastating consequences on both the existing and future economic and environmental state of my property.

Based on the EIS by Tattersall Lander I can demonstrate that the Sand mine will make it impossible for any future Tourism businesses to operate on this property, and will likely impact negatively on the existing business of the Shark and Ray Tourist Centre.

## **Objections**

I felt it best to arrange my objections firstly by the lack of consultation, then by Lot number and the adverse affects the proposed mine will have on each, plus the existing operation on the Shark and Ray Tourist Centre.

## Lack of Consultation

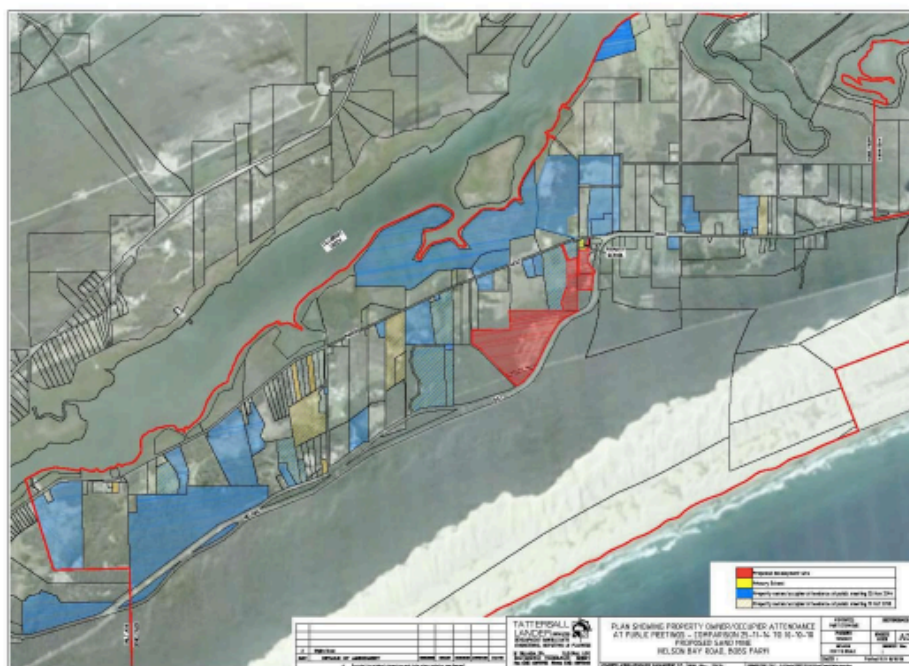
In the Secretary's Environmental Assessment Requirements 12 April 2017  
Under the Consultation area its states that the proponent "must consult with  
affected landholders"

“The EIS must describe the consultation process and demonstrate effective consultation has occurred”

I submit that effective consultation did not occur.

There has been no approach by any directors of Ammass Resource Management (Sotirios Sougleris, Peter Sougleris and Leo Sprague) or any representatives of Tattersall Lander to discuss any proposed impacts. This is obviously why no mention of the tourist subdivision I have started is in any reports.

The EIS claims that a public meeting held in 2018 was adequate consultation but as Figure 4.3 shows, no adjoining landholder attended, I did not even hear about it. Given the relatively few adjoining landholders this would have been relatively easy to make contact with the owners.



**Figure 4-3 – Attendance Comparison 2014-2018 Recorded Attendees at Public Meetings and Locational Relationship to Proposed Development Site and Primary School**

Based on this map, no adjoining landowners attended the meeting, very little attempt to consult was undertaken. It appears only a very small notification in the Port Stephens Examiner was taken as an attempt to consult neighbours on the proposal.

### Bargains \$200 & Under

**MOBILE** walker, dual back wheels, single front push down brakes good. \$45-4997 5566.

**NINTENDO** Skylanders, Swag Force and Skylanders Giants, w/ figurines \$100 the lot. Ph: 0457 310 636

**OUTDOOR SETTING** table and four chairs, cream resin. Excellent cond. \$25. Ph: 0431 259 322

**PIPE CUTTER** record three wheel pattern, half inch to 2 inch diameter, part new in box \$25.00. 0415 673 344.

**POOL TABLE** good cond \$150.00 ono. Ph: 4901 9024

**POSTS** steel, (6) 2.4mx100mm, painted Nelson Bay 1180. Ph: 0419 714 455

**POWER SAW** 18 litre, bench adjustable, suitable contract carter, battery, good condition. \$70. 4997 5566.

**PRAM** bought at \$600 selling at \$20 Ph: 4984 5757

**PRESSURE WASHER** Guern domestic model \$59 4997 5325

**PUSH MOWER** Ortiz, \$40. Ph: 0457 310 636

**RUG** large floor rug blue and grey \$60. ono yac. 0429 846 006

**SKATEBOARD**, Southern Star, near new \$5.00 Ph: 0457 310 636

**SPEAKERS**, AMAV, 5T30P 2.0 Studio Monitor powered speakers. Sounds excellent. \$80. 0404 745 070

### Public Notices

**Proposed Bobs Farm Sand Mine Public Meeting at Bobs Farm Hall, Marsh Road**

Tuesday, 25th November 2014 at 6pm

Tattersall Lander Pty Limited, on behalf of Ammos Resource Management Pty Limited, is proposing to undertake a sand mining development on land off Nelson Bay Road at Bob Farm. The land is currently used for agricultural purposes as a fig and olive farm and will include other adjoining properties.

This project will form part of an Environmental Impact Assessment (EIS) being prepared to support an Application for Development Consent under Part 4, Division 4.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) for the project which will involve the establishment of a sand quarry with a yearly production rate of up to 750,000 tonnes/year.

The Public Meeting will be provided with a detailed briefing on proposed operational details and the Local Community are invited to raise any relevant issues.

For further information please contact Bob Lander 0408 497 657

**DYSON KIRBY** & all vacuum cleaner, repair while you wait Vac Shop, 199 Maitland Rd, Maitland, 4860 1155

### Public Notices

#### BOAT LICENCE

Marine radio, coxswain and deckhand training. Courses weekly. www.allhandsondeck.com.au Phone 0434 803 687

#### Boating Licence Course & Jet Ski

In Newcastle 5th December. Limited places available. Ph: 9524 5678

#### FOUND SOMETHING?

Advertise it FREE in our Lost and Found section That's right maximum 4 lines FREE! PHONE 131 696

#### LEGAL ADVICE

Family Law (property, children), Building Disputes, Criminal Traffic, PCA, DUI. Apts from 7am 6 days 4962 2833, 0421 347 766

### Public Notices

#### NEWCASTLE NEWSPAPERS PTY LIMITED

(The Herald, The Newcastle & Lake Macquarie Star, Lakes Mail and Port Stephens Examiner)

#### GENERAL TERMS AND CONDITIONS FOR COMPETITIONS PROMOTIONS

- Information on how to enter and prizes form part of conditions of entry. Some conditions do apply to particular prizes, as specified. Enter as many times as you wish, but each written entry must be in a separate envelope. Original entry forms only no photocopies accepted.
- When entering competitions via sms, you may enter as many times as you wish.

### Public Notices

#### COSMETIC TATTOO

Are your eyebrows too thin? Would you like more defined lips or permanent eyeliner? Great range of colours. Spoil yourself today! Rhonda Hibbard 0413 255 854 Use our Facebook Page: Smile Respect & Regal Bay

### General Positions

**Port Stephens Veterans & Citizens Aged Care Ltd.**

Community Lifeline Individualised Care

Position Vacant: 66-2014 Community Services Manager

Port Stephens Veterans & Citizens Aged Care (PSVCA) is seeking a dynamic and dedicated Community Services Manager to drive, lead and build a sustainable Community Services Department, to further develop the Linkages with our clients, their family, care providers and government. This is a full-time position, 76 hours per fortnight.

Within this role you will demonstrate the following:

- Managing staff, volunteers and budgets.
- Manage governance, compliance and work, health and safety matters.
- Prepare reports; manage government funding, conduct assessments and reviews.
- Monitor the provision of services to the highest level of care in line with Home Care Standards, HACQ and DVA guidelines.
- Ensure program compliance.

The successful applicant would be able to demonstrate their knowledge and experience against the following essential criteria. If you would like to apply, please email or send in a cover letter detailing how you meet the essential criteria and attach a copy of your current resume.

**Essential Criteria:**

- Has a clear understanding of and personal commitment to the Mission and Values of PSVCA.
- Tertiary qualification from a health related background with sound financial experience.
- Demonstrated knowledge and understanding of the care needs of clients and carers and of the issues relating to the provision of community care services for people with dementia and other age related conditions.
- Advanced computer literacy using Microsoft Office Programs.
- Well developed administrative, time management and organisational skills.
- The ability to work effectively in a team environment as well as independently.
- Ability to manage, support and supervise a multidisciplinary staff team.
- The ability to work within budget parameters.
- Ability to coordinate planning, implementation and evaluation of services.
- Excellent verbal and written communication skills.
- A current NSW driver's licence and comprehensively insured vehicle.

If you have any enquiries please contact:

### Trades and Services Positions

**Bricklayer and Labourer**

Must have GreenCard and Transport. Call or text Terry 0402 067 920

**BRICKLAYERS AND LABOURERS WANTED**

Ring Scott 0488 298 807

**Jim's Mowing**

Fully Insured • Police Checked

131 546

www.jims-mowing.net

**Pest Professionals Wanted**

Certificate III accredited? Professional in all aspects? SWOT Pest Services wants you!

Premium package includes full time/above award wages, fully equipped vehicle, uniforms and phone for the right applicant. Call 49543620.

**Turf Laying AUSTIN**

Specialising In Turf Laying

Free Quotes

Call Now 0414987452

Get Your Lawn Down For CHRISTMAS!

The proponents have not met their obligations under the SEAR.

Due to this lack of consultation it has given me very little time to prepare an adequately detailed submission to the gravity of the adverse impacts on my livelihood.

9



## **EIS -No Reference to the Eco Tourist Cabins to be Built Next to the Proposed Sand Mine**

There is no reference to any impact to my development of the Eco Cabins nor the Miniature Animal Farm on **ANYWHERE** in the EIS. This proposed mine will adversely affect all 4 of my properties.

### **Impacts on Lot 1-Existing Shark and Ray Tourist Centre**

History: In 1995 the previous owners of the property invested huge amounts to create Eyeneek Youneek, a tourist Centre where artists and craftsmen were able to share their crafts with the public.

They purpose built a shed space of some 1800m<sup>2</sup> specially for tourist operations, plus a 2 bedroom residence to the side of the building. Due to the flood prone area they also imported thousands of tonnes of fill to build the surrounding land up so guests could access the property. At that time they also created the wetland on the property which is now home to a myriad of wildlife and a key visual component to the shark and ray centres guests.

This was a very large investment and makes the property unique in the area since the Port Stephens LEP was changed that would now make it very difficult to build a tourist facility on rural land in the region.

In 2007 the 1800m<sup>2</sup> building was converted to the existing Shark and Ray Centre giving it 23 years of tourist operations.

The sharks and rays which are utilised to put people in the water with can take many years to condition to make it safe for people. This is the only place in the world where this level of interaction with Sharks and Rays take place, garnering media attention both nationally and internationally.

#### **Impact on the Sharks and Rays**

##### **Vibrations**

Sharks and rays have a lateral line that senses vibrations in water.

Sharks have long been known (and feared) for their impressive ability to smell even the tiniest traces of blood from miles away, despite being diluted by millions of gallons of seawater. For many decades, researchers believed that the animal's ability to detect such tiny implications that prey was nearby existed entirely within its nasal passages. However, scientists have recently discovered that these ocean hunters make extensive use of the lateral line to detect and find their next meal.

The lateral line is present in most fish and is used to sense tiny vibrations in the water. It is situated just under the skin (subcutaneous) on the snout and along either side of the shark's body. The lateral lines are canals that are filled with fluid. Tiny modified hair cells line its walls and are instrumental in sensing vibrations and movement.

These structures are so well tuned that they are able to detect frequencies as low as 25 Hertz. As vibrations make contact with these hair-like cells, they move and sway within the liquid. This causes messages to be transported via nerves to the brain, providing important information regarding the whereabouts and nature of the vibrations detected.

Ref: [www.sharksinfo.com](http://www.sharksinfo.com)

Though the EIS has describe possible affect of vibrations on the surrounding properties, absolutely no reference has been made to the affects underwater vibrations can have on sharks and rays. **All our sharks are located within the groundwater where the dredging of the sand would occur. They almost will certainly be affected by the operation.**

25,000-30000 people a year go into the water with our sharks and rays. It can take many years to condition these rare animals to become accustomed to people and to give the interaction that is the SOLE focus of the business here. The site was chosen because of the

remoteness from all potential impacts that could disturb the sharks and rays including and especially the unknown affect of water vibrations.

**This is the reason why the Shark and Ray Tourist Centre is the only experience like this anywhere in the world.**

There is a vibration report but it in no way addresses the potential impacts of sub-water vibrations caused by excavation, constant dredging within the ground water table and the movement of 180 trucks per day coming within 230m of the sharks and rays. Many of the shark safety products use vibrations in the water to disturb sharks to keep them from attacking people.

Potential Impacts of disturbance to the animals include:

- 12 hour stress 6 days a week
- disruption to their feeding
- erratic behaviour
- potential safety risks to customers from disturbed sharks
- animal deaths

Any or all of these impacts would **definitely result in the closure of the Shark and Ray Tourist Centre**. This would not only mean the loss of my sole source of income but a massive devaluing of my property.

The very minimum the proponents should have done was to consult with me about these impacts. I believe the minimum step to alleviate this risk is to engage proper qualified professionals to ascertain:

- level of vibrations through the groundwater that will reach the sharks and rays
- the different spectrum of the vibrations
- at least two opinions (1 from a qualified professional dealing with sensitivity of sharks and rays on the lateral line, and another from a qualified shark behavioural expert) as to whether these impacts will have a marked affect on the animal's behaviour and what risks these pose to the public and staff.

### **Reduction In Catchment and the Drop in Groundwater Effect On the Wetlands**

For 230m and 70m wide we have a beautiful and longstanding wetland on the property. It reaches a 3m depth with sloping sides and a small island on the northern end.

It is home to a huge number of migratory birds and resident birdlife, plus is an important water source for local fauna, and koalas have been seen to drink out of its water during particularly dry spells.

It is a key element in the role of the shark and ray centre with many participants using the wetlands as a place to picnic and have a barbecue.

In the EIS it clearly states that there is an effect from the mine on the wetlands catchment area. Section 6.1.5.2 states:

The site catchment area draining to the western neighbouring Shark and Ray Centre dam will approximately half as a result of the pit excavation. Given this area represents only a small portion of the dams greater catchment (approximately 15%), and that the site's sandy soils mean that very little surface runoff is generated from the site, the impacts of this are considered negligible.

The reduction of the catchment area for my wetland by 50% absolutely MUST have an impact on the wetlands.

It also states that the Groundwater level will change. The taking of 137 million litres of water must have a dramatic impact on the wetland.

The proposed sand mine will result in the following potential indirect impacts;

- Increased spread of noxious weeds;
- Increased spread of pest fauna species;
- Edge effects;
- Impact on Groundwater Dependent Ecosystems (GDE's) through changes to groundwater levels;
- Increase in noise from machinery;
- Increase in artificial lighting. Increased lighting may be the result of security lighting.

ANY lowering of the wetlands is a disaster for this business-people don't want to drive into a mosquito filled muddy swampland with dead trees to see an Environmental Educational Facility.

This wetland is also located within a Coastal Use Area as defined by the SEPP-Coastal Management 2018. The SEPP states

- (a) to protect and enhance the scenic, social and cultural values of the coast by ensuring that:
  - (i) the type, bulk, scale and size of development is appropriate for the location and natural scenic quality of the coast, and
  - (ii) adverse impacts of development on cultural and built environment heritage are avoided or mitigated, and

The reduction in catchment and potential lowering of the groundwater "adversely impacts" the wetland and in my opinion breaches the Coastal Wetland SEPP.

**I believe this issue has not been adequately addressed and no import has been given to the value of the wetlands to the Shark and Ray Tourist Centre business. The comment that there is a "negligible" impact with no detailed study of exactly what will happen to the wetland over the life of the mine, especially in drier seasons, is a major cause of concern.**



## **Impact on Groundwater Dependent Ecosystems**

In the EIS it states that the sand mines activities will result in impacts on the GDE on their land.

The proposed sand mine will result in the following potential indirect impacts;

- Increased spread of noxious weeds;
- Increased spread of pest fauna species;
- Edge effects;
- Impact on Groundwater Dependent Ecosystems (GDE's) through changes to groundwater levels;
- Increase in noise from machinery;
- Increase in artificial lighting. Increased lighting may be the result of security lighting.

However, no reference is made to the impact of the much larger Groundwater Dependent Ecosystems on my property. Based on their consultants reports the GDE's just stop at the Sand mines boundary.



Figure 5: Vegetation Communities present across the subject site.

*The area in yellow shows the large area of Groundwater Dependent Ecosystems*

The mine is proposing to extract 137 million litres of water per year. This is the equivalent of nearly 60 Olympic Swimming Pools.

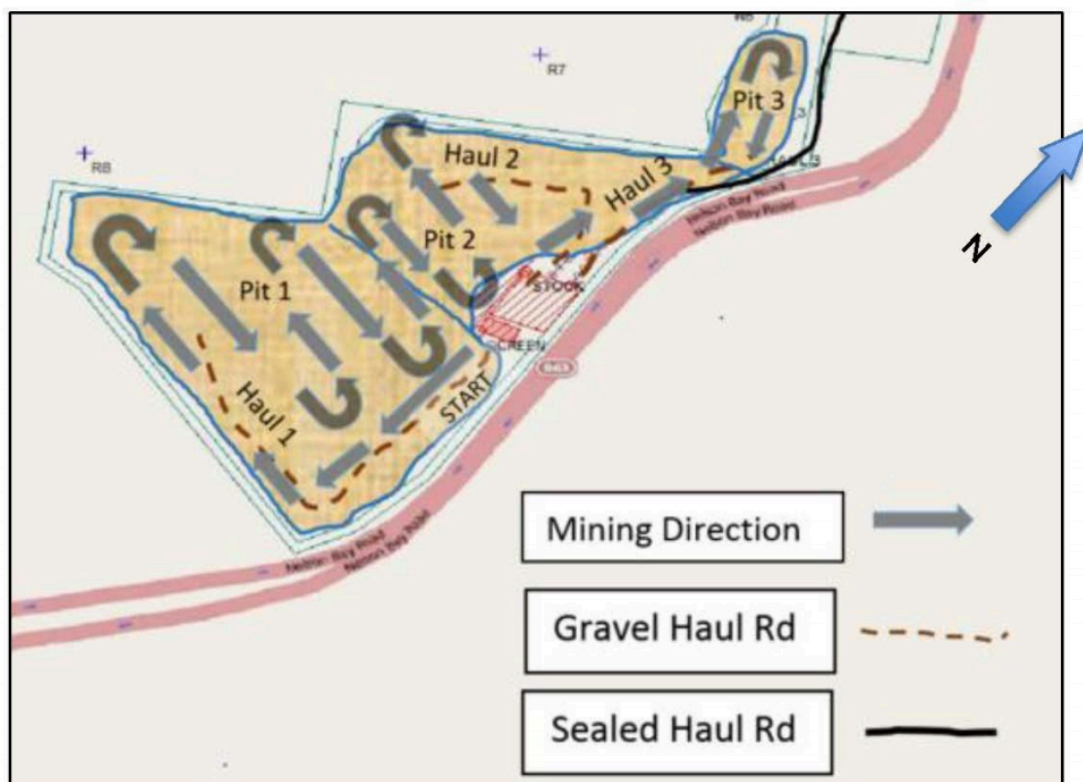
This must result in a lowering of the groundwater table and the potential destruction of a large swathe of groundwater dependant ecosystem located on this property. And subsequent koala food species.

Visually this would be a disaster for this property not to mention ecologically.

### De-valuation of Property Value

This probably shouldn't need to be stated but without a doubt the location of a 10 million cubic metre Sand Mine within 15m of the rear boundary will have a marked DOWNWARD affect on the property value.

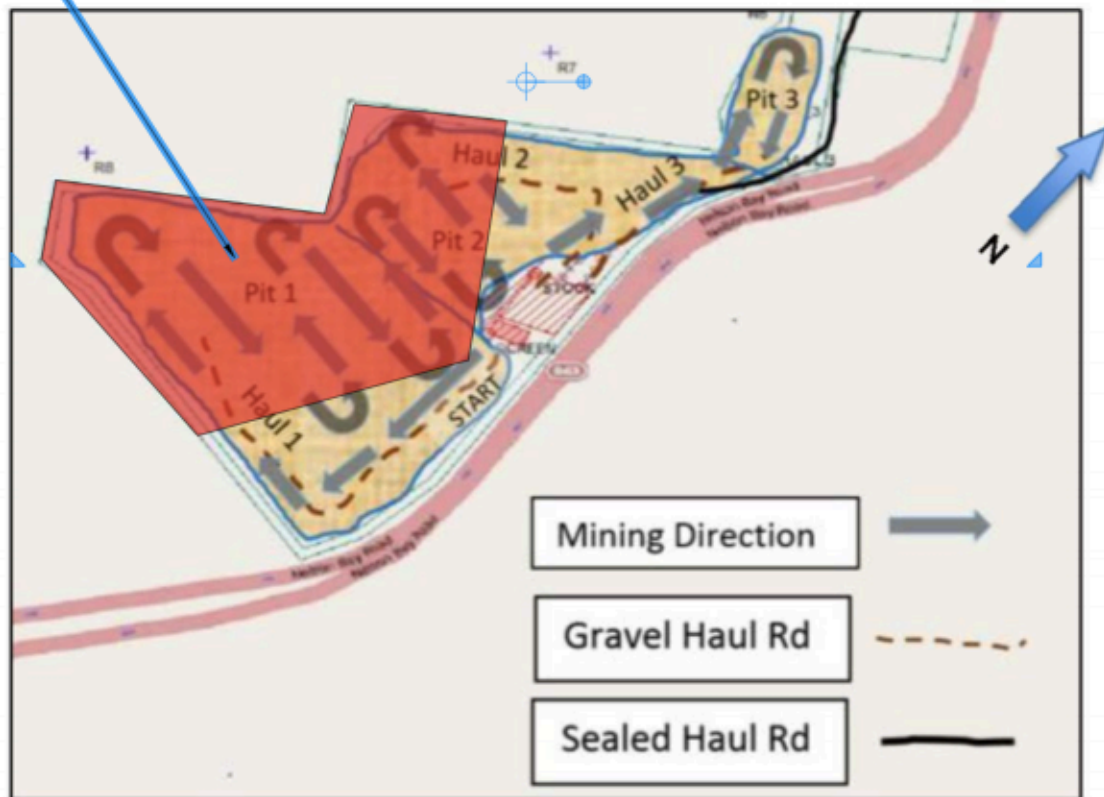
Due to the direction of the proposed mines activities, no other property will be as affected as mine for the lifespan of the mine.



**Figure 2.6 - Proposed Mining Plan and Extraction Cell Arrangement**

As the figure below shows the mine is in close proximity to both Lot 1 and Lot 2 for an estimated 2/3rds of the lifespan of the mine. 8 -10 years of mining operations next door will destroy the property value.

## Mines Activities Close to Boundary 686 Marsh Rd Bobs Farm



**Figure 2.6 - Proposed Mining Plan and Extraction Cell Arrangement**

### Social Impact

There are numerous and devastating social impacts on this property if the Shark and Ray Centre was to close.

NSW Department of Planning and Environment  
Social Impact Guide Assessment for State Significant Mining, Petroleum Production and Extractive Industry Development (Sep 2017)

“For the purpose of the SIA an adjoining landholder is a stakeholder in the development as is Local Businesses located on site.”



Furthermore, correspondence dated 8 March, 2018 was received from the Department advising of the release (on 8 September, 2017) of the 'Social Impact Assessment Guideline for State Significant Mining, Petroleum Production and Extractive Industry Development (2017)'. The correspondence noted that proposals for significant mining, petroleum production or extractive industry projects for which SEARs were issued before 8 September, 2017, were given until 7 March 2018 to submit an EIS before the requirements of the said guideline came into effect. As the EIS for the project has not yet been lodged, the correspondence advised that that the following supplementary SEAR must be addressed in the EIS:

*"The EIS must include a detailed assessment of the likely social impacts of the development on the local and regional community in accordance with the Social Impact Assessment Guideline for State Significant Mining, Petroleum Production and Extractive Industry Development (2017)".*

#### **POSITIVE & NEGATIVE SOCIAL IMPACTS**

As well as outlining the positive social impacts created by the proposed development, the SIA includes evaluation of potential negative social impacts including:

- Who is expected to be adversely affected (directly/indirectly or cumulatively);
- When the potential impact is expected to occur; and
- The potential level of social risk posed by the negative social impact from the perspective of those expected to be affected (as opposed to risk of the project) having regard to consequence and likelihood levels

It is my submission that the SIA in question has not dealt with the social impacts on the Shark and Ray Tourist Centre, the mines nearest neighbour, at all.

This is an Environmental Education Facility. This business relies on 35-40% of its business coming from referrals, that is people who have visited previously or locals who send people to the experience. It would only require a small disruption to the referral business and negative comments on social media about being next to a Sand Mine to see the closure of this iconic Tourist Attraction.

There is no doubt that the existence of an extremely unpopular and noisy mine on two boundaries of the Shark and Ray Centre will adversely affect the business that has stood the test of time for the last 11 years providing employment for 4 full time staff and up to 15 casual staff, almost all of who are local to the Bobs Farm region.

Our research shows that of the 25-30,000 visitors that visit our Shark and Ray Tourist Centre, some 40% come to the region to specifically undertake this experience. Typically they would stay at least 3 nights and do other activities.

Port Stephens Tourist Expenditure data states

## Port Stephens

### Tourism Expenditure

The domestic day, domestic overnight and international visitor expenditure data presented is sourced from Tourism Research Australia (TRA). TRA compile their local government area and regional tourism profiles by applying base data from their International Visitor Survey (IVS) and National Visitor Survey (NVS).

The profile data derived from the IVS and NVS is based on a sample, rather than a census of tourism visitors in Australia and so is subject to sample error. The TRA local government area profiles present survey data which has been averaged over four years to December 2013 with a view to minimising the impact of variability in estimates from year to year.

	Domestic Day	Domestic Overnight	International
Average Stay (Nights)	-	3 Nights	5 Nights
Average Spend per Trip	\$100	\$701	\$406
Average Spend per Night	-	\$205	\$88

**Source:** REMPLAN tourism estimates based on Tourism Research Australia (TRA), *Tourism in Local Government Areas 2016; Port Stephens (S)*.

Based on a reduction of visitors to the Port Stephens area of 12,000 visitors (40% of 30,000) then the economic cost to the region would be in the vicinity of

\$8,500,000 per annum.

And given that the Shark and Ray Tourist Centre could have an eternal life expectancy as the only activity of its type in the world, compared to the few jobs the sand mine would create for 11 years.

The closure of the Shark and Ray Tourist Centre would be have a far greater significance for the region than the proposed benefits.

**Tourism is and always will be the biggest employer of people in the Port Stephens Region.**

Key social impacts include:

- loss of revenue for the business
- potential closure of the business
- loss of 5 full time jobs
- loss of 15 casual jobs
- loss of national and international exposure for the Port Stephens region
- loss of an iconic Tourist attraction
- loss of the ability for other tourist operators to package with the shark and ray centre to promote their facilities

- 100% complete loss of my own personal income
- devaluation of property value.
- Loss of revenue to the Port Stephens area of \$8,500,000 in visitor expenditure

### **Loss of Synergy**

Below is listed the impacts on the accommodation and the Miniature Animal Farm. These developments were selected as each one would feed the other. Guests who visit the Shark and Ray Tourist Centre would stay at the accommodation and vice versa, plus the miniature animal farm would provide extra incentive to visit both.

The synergy of the completed developments would have had a positive impact of an increase of 25-30% increase in business for all. Just having the proposal for the Sand Mine has put all projects on hold affecting the shark and ray's profitability.

### **Summary:**

There is no doubt that the proposed sand mine will have devastating consequences for the Shark and Ray tourist facility.

It potentially negatively impacts on:

- The sharks and rays themselves
- The public interacting with the sharks and rays
- The wetland on the property
- The income of the business and its long term viability

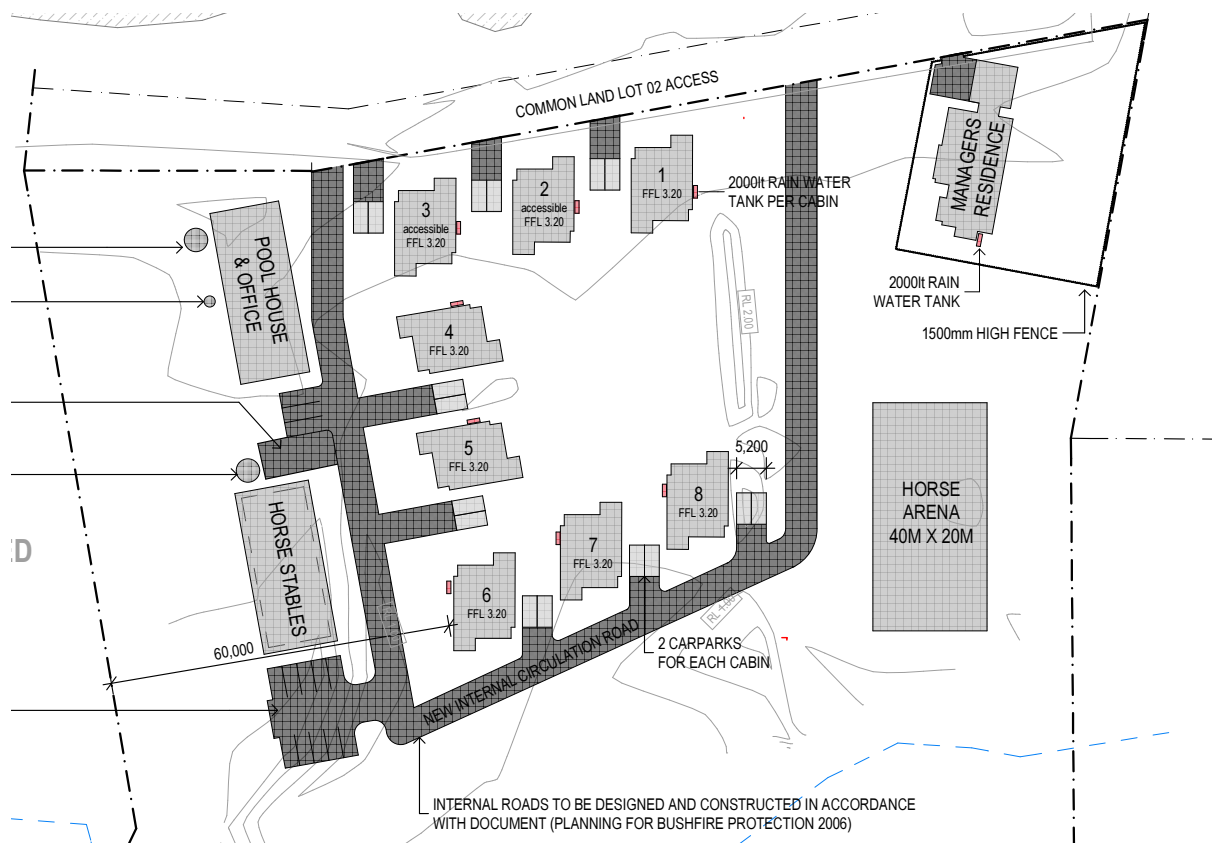
**The Sand Mine could lead to the closure of the only combined Shark and Ray Interaction in the world and must not be allowed to go ahead.**

# Impacts on Lot 2-Approved Cabin and Equine Tourist Accommodation

History: In 2015 Port Stevens granted approval for the development of:

- \* 8 x 4 bedroom, 2 bathroom Eco Cabins with
- \* 1 x 4 bedroom manager's residence
- \* Pool house and office
- \* Horse Accommodation
- \* Horse arena

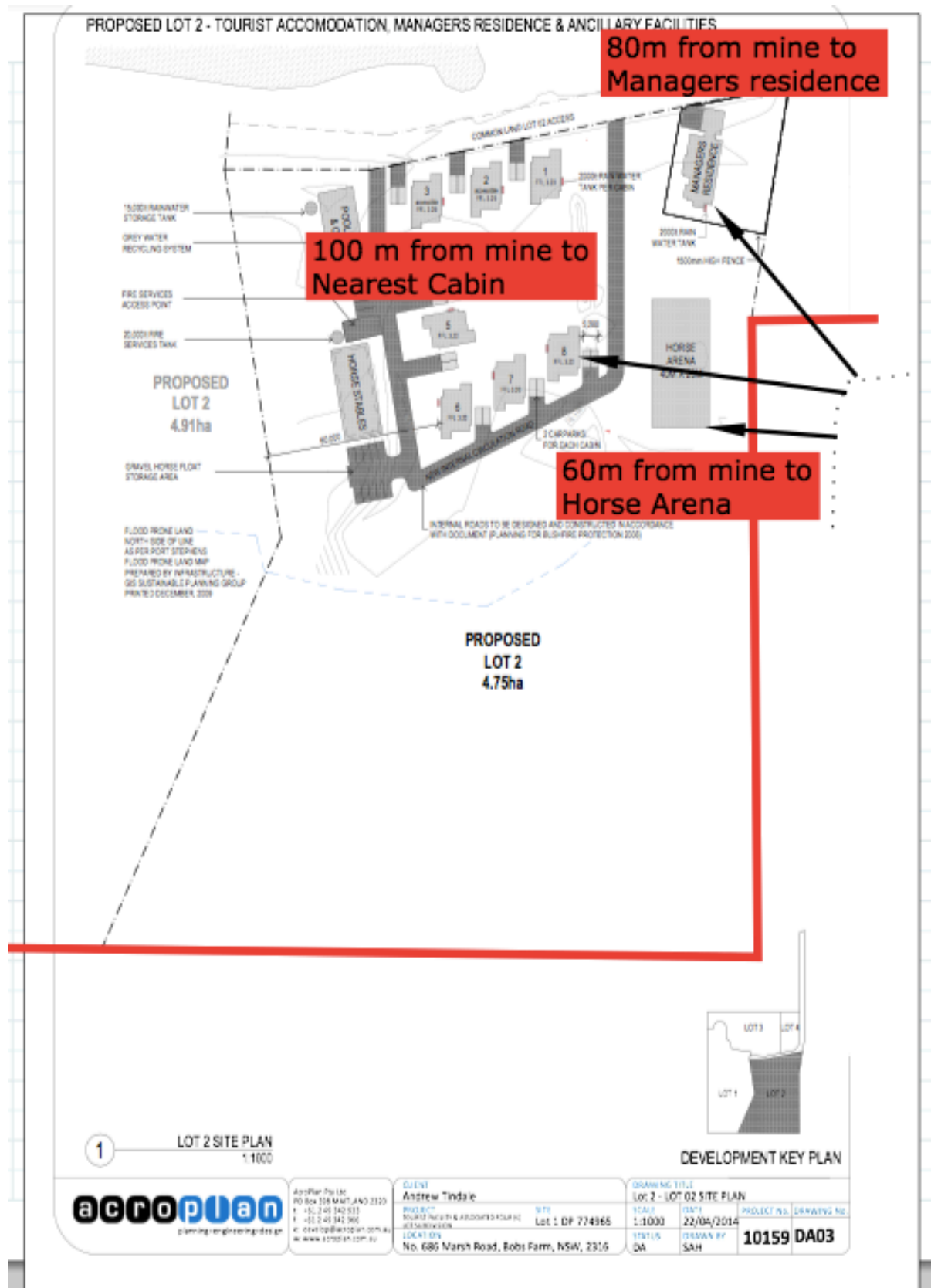
This development was designed because of the quiet and peaceful nature of the area, with an emerging Tourist market of affluent horse owners who wish to take their horses travelling with them. The Port Stephens area has many horse trails and it was hoped to be able access the fire trails behind Lot 2 to provide extra activities for the owners.



*Lot Layout*



## Distance to Approved Facilities on Lot 2 from Mine



Distance to Horse Stables, Managers Residence and Nearest Cabin From Proposed Mine

## **Note: NOWHERE IN THE EIS IS THIS ECO TOURIST DEVELOPMENT REFERENCED**

### **Impacts**

#### **Vibration**

In the EIS vibration on surrounding properties is assessed.

The nearest receivers to the proposed sand mine are located approximately 120 metres to the north-west of the site, at the western end of the pit and approximately 60 metres to the north-east of the site, at the eastern end of the pit. Based on the vibration levels provided in **Table 11.34**, it is unlikely that there would be any vibration impacts generated by the excavation plant that would give rise to annoyance or structural damage at any of the nearest receivers.

---

ersall Lander Pty Ltd

---

Vibration monitoring would be undertaken in the unlikely event that any works were to be carried out within 50 metres of residences where vibration may be generated by equipment, beyond 100 metres there is a low probability of annoyance for all activities.

Here it states that a distance is needed of 100m is needed to achieve a “low level of probability of annoyance for all activities”.

The vibration report does not reference the close proximity of the mine to the horse arena (horses are known to be sensitive to vibrations and is **within 60m** of the proposed mine) nor to the Managers Residence or to the nearest cabin.

There is no doubt that vibrations will have a negative effect on an animal establishment located that close to the mine to guests, staff and the animals to be housed there.

#### **Wildlife Corridor**

The purpose of an ecological tourist development is to be part of an ecological area. Currently guests have access to a large swathe of environmental area. There are numerous tracks that locals and customers can walk through and see some stunning wildlife.

The proposed mine will dramatically destroy a large portion of this area and limit the amount of wildlife that can access my land.

The forested area and its wildlife were to be a key component of the development of this property.



Figure 5: Vegetation Communities present across the subject site.

The following from the EIS shows the impact on the wildlife corridor. Note the swamp mahogany is a known koala habitat and we regularly see and hear koalas in the area. Legislatively it states that the development must:

- f) *Not compromise the potential for safe movement of Koalas across the site. This should include maximising tree retention generally and minimising the likelihood that the proposal would result in the creation of barriers to Koala movement, such as would be imposed by certain types of fencing;*

and

- c) *Minimise the removal of any individuals of preferred Koala food trees, wherever they occur on a development site. In the Port Stephens LGA these tree species are *Eucalyptus robusta* (Swamp Mahogany), *Eucalyptus parramattensis* (Parramatta Red Gum) and *Eucalyptus tereticornis* (Forest Red Gum);*

One species of recognised Preferred Koala Food Tree, *Eucalyptus robusta* (Swamp Mahogany) was found to be present within the study area. Areas of Swamp Sclerophyll Forest within the study area were found to contain a total of 19 specimens of *E. robusta*. None of these species are required to be removed as a result of the proposal.

I have also included

**Under the EPBC Act Policy Statement 1.1 – Significant Impact Guidelines (DoE, 2013) an action is likely to have a significant impact on a critically endangered or endangered species if there is a real chance or possibility that it will:**

- *lead to a long-term decrease in the size of a population*

No Koalas were directly observed within the study area during fieldwork completed for this report or previous reports (Wildthing Environmental Consultants, 2009). However, evidence of Koala activity in the form of characteristic scratches on the trunks of a small number of specimens of *Eucalyptus robusta* (Swamp Mahogany) a preferred feed tree species under the Port Stephens Comprehensive Koala Plan of Management CKPoM and *Melaleuca quinquenervia* (Broad-leaved Paperbark) were present within the area of Swamp Forest in the north of the study area. Accordingly, a Koala assessment was conducted in the study area to assess the level of current koala activity. *Eucalyptus robusta* was the only preferred Koala Feed Tree Species recorded within the study area. No Koala faecal pellets were found within the study area despite a search beneath every individual specimen of *E. robusta* (a total of 19 trees) and searches conducted over the entire study area during the hollow-bearing tree survey. The proposal will result in an incremental reduction of secondary habitat within the local area, however given the fact that no Preferred Koala Feed Tree Species are required to be removed and lack of Koala sightings within the study area the development is unlikely to lead to a long-term decrease in the size of a Koala population.

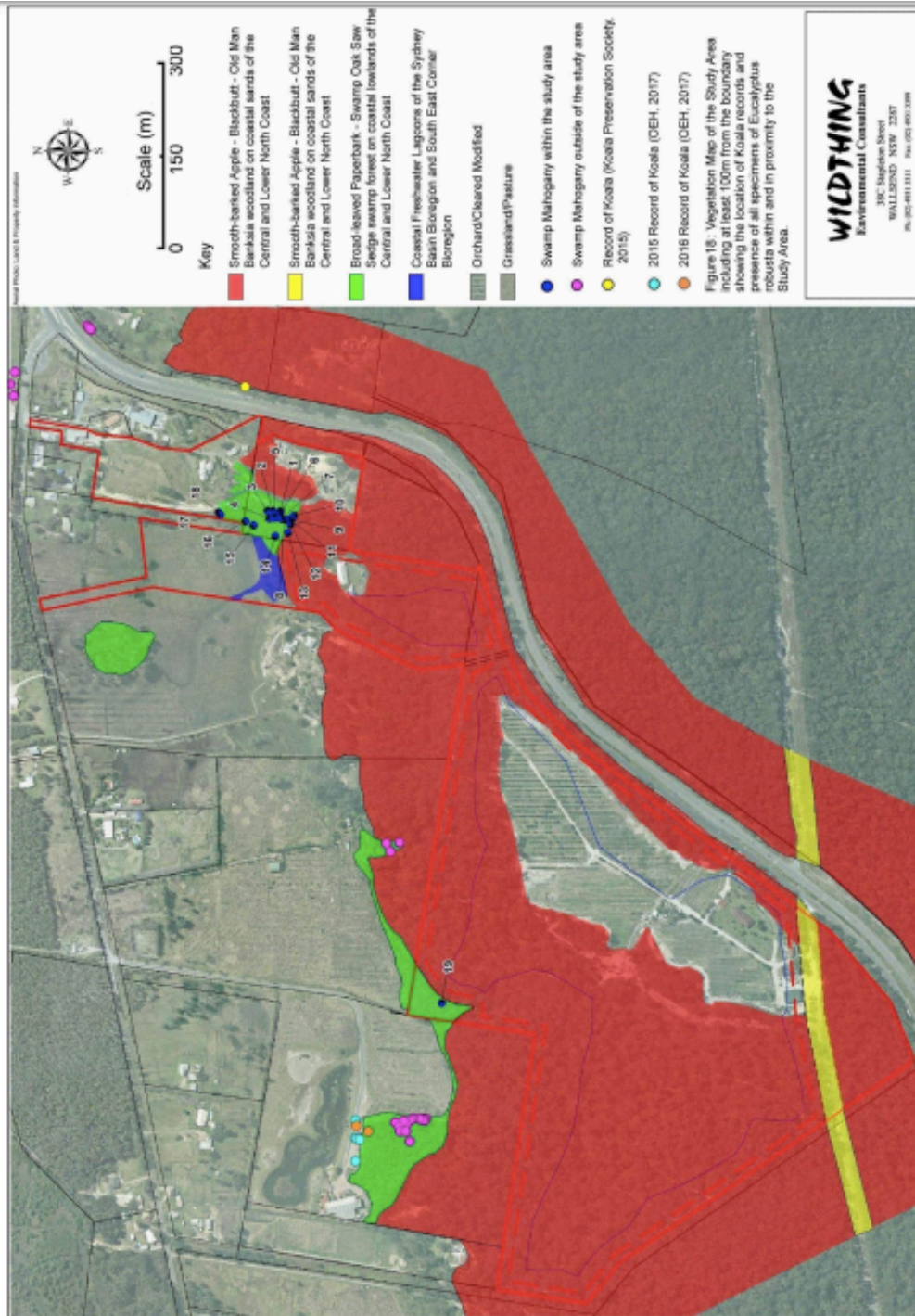
- *reduce the area of occupancy of the species*

The proposal will result in the removal of approximately 25.90ha of Supplementary Koala Habitat largely resulting in an incremental reduction of secondary habitat within the local area, however given the fact that no Preferred Koala Feed Tree Species are required to be removed and lack of Koala sightings within the study area the development is unlikely to significantly reduce the area occupancy of the Koala.

The EIS details a small pocket of Groundwater dependent wetland on the proposed sand mine site but does not reference how the development would impact a wildlife corridor to the forest on Lots 1 and 2 where a much larger area of groundwater dependant wetland exists. In particular, is the large number of swamp mahogany on my site, a preferred koala food species.

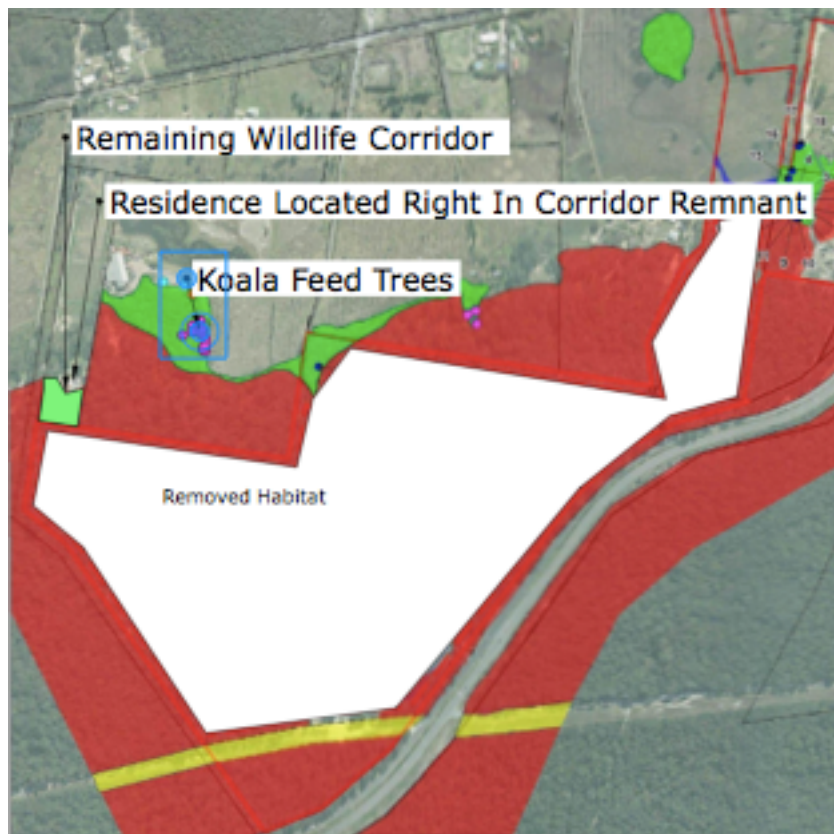
The following Existing Vegetation map from the EIS shows the current state of vegetation. This allows for a lot of movement of wildlife to the forested areas on my properties.





**Figure 14.18 - Existing Vegetation**

However, if the mine goes to completion it will reduce the ability of wildlife to move onto my site to the following remaining wildlife corridor which is only 36m wide to the residence on that lot.



**It is important to note** that though there is on on the map this remaining corridor after the reduction of the existing corridor by 90% or more, this a house is right in the middle of the corridor just 36m away. The existence of dogs and people constantly in this area and basically strands any wildlife located on my property **with nowhere to go**. This creates a wildlife island.

It should also be noted that as the mine progresses towards my property it starts at the southern end, moving north, isolating any populations of wildlife pushing them towards my bushland. Eventually this **must result in an overpopulation** in the forest on my land, leading to starvation with no way to move out of the area.

When wildlife and any koalas in particular are caught in this pocket this will be disastrous environmentally and contravenes the above mentioned Mining ACT and the EPBC ACT.

**No Eco lodge ever existed without an environment to explore and explain.**

In the EIS air quality receptors were located as below.

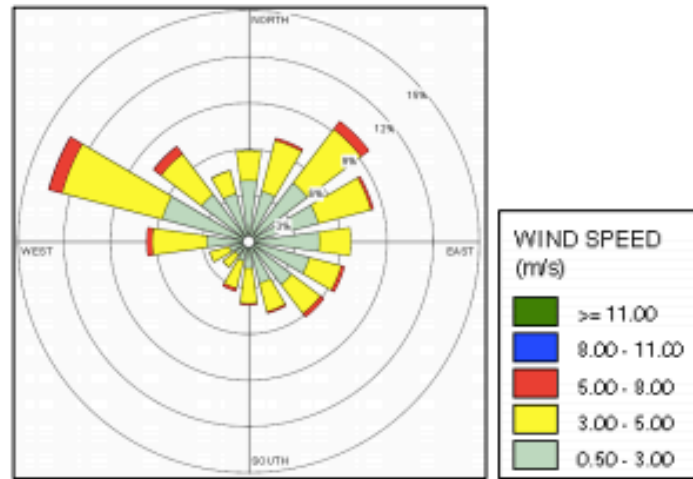


**Figure 112-2 - Sensitive Receptor Locations as Modelled**

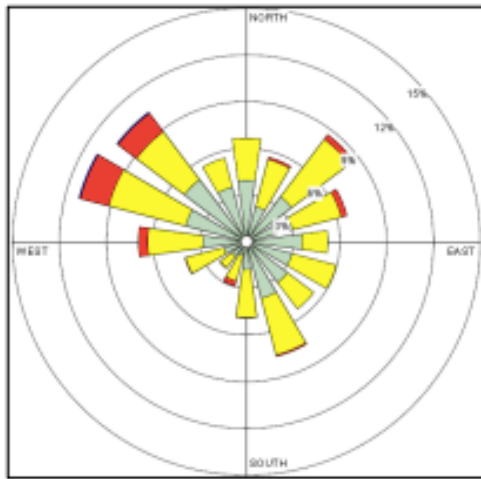
**The closest air quality receptor to any of the development is approximately 350m PAST the eco tourist cabins.**

It would be impossible to believe that multiple excavators, trucks and other equipment within 30m of the site will not be blowing vast amounts of exhaust and dust onto staff, guests and animals.

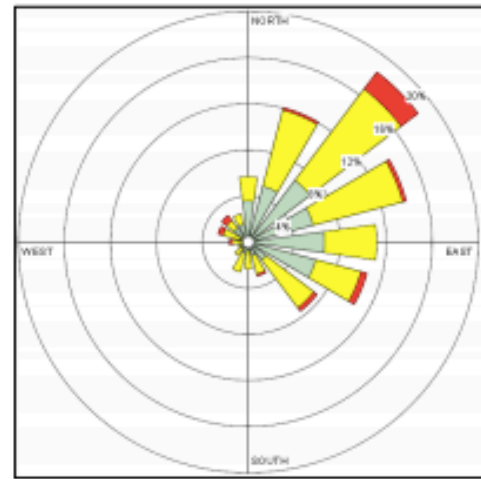
The wind direction modelling provided by the EIS shows that many times will have the wind blowing these poisonous substances over these people and animals regularly.



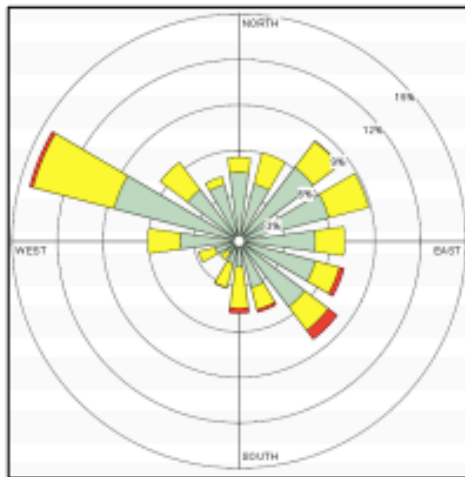
**Annual (Calm – 0.39%)**



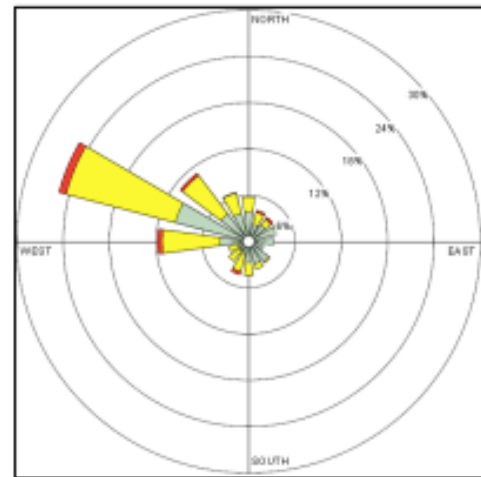
**Spring (Calm – 0.37%)**



**Summer (Calm – 0.05%)**



**Autumn (Calm – 0.77%)**



**Winter (Calm – 0.36%)**

**Figure 12.7 - Site-Specific Wind Roses by Season for 2013 [TAPM]**

Note: None of these issues are addressed in the EIS for this property.

## Social Impacts

Expected revenue for the region:

8 x 4 cabins specifically designed for horse owners. I believe we would average 6 people a night as 4 bedroom cabins are extremely rare on the north coast of NSW.

Based on an occupancy rate of 60% (typical for a tourist region), an average of 6 people per cabin and a daily expenditure of \$234 (see average expenditure for Tourist per person in Port Stephens / 3 days) the ANNUAL economic loss to the region of this development is

### Port Stephens

#### Tourism Expenditure

The domestic day, domestic overnight and international visitor expenditure data presented is sourced from Tourism Research Australia (TRA). TRA compile their local government area and regional tourism profiles by applying base data from their International Visitor Survey (IVS) and National Visitor Survey (NVS).

The profile data derived from the IVS and NVS is based on a sample, rather than a census of tourism visitors in Australia and so is subject to sample error. The TRA local government area profiles present survey data which has been averaged over four years to December 2013 with a view to minimising the impact of variability in estimates from year to year.

	Domestic Day	Domestic Overnight	International
Average Stay (Nights)	-	3 Nights	5 Nights
Average Spend per Trip	\$100	\$701	\$406
Average Spend per Night	-	\$205	\$88

Total nights                      365 nights X 60% occupancy x 6 people x 8 cabins

**= \$ 2,460,000**

Given that this development should have a lifespan of 50 years, that's an economic loss to local tourism of **\$120 million.**

## Expected Loss of Jobs

The Eco Cabins were expected to employ:

2	x	Full time Live in Managers
2	x	Full time Groundskeepers
4	x	Full time Cleaners
15	x	Casual staff involved in general duties and horse care.



Plus add another \$2 million spent locally to develop the land.

Ultimately the development of the Sand mine will lead to a further loss of jobs to the region of an equivalent 8 x full time jobs (all from the local region) and 15 casual jobs.

**Loss of personal Income and Investment:**

Based on projections I personally would be losing an expected \$280,000 per annum in income as I cannot develop this project. More importantly the value of the property would increase significantly with the thriving Tourist business located on it.

With a sand mine operating right next to it the value of the property would be zero! Even the proposal of the sand mine makes the property's value zero! No one will purchase it.

**Summary:**

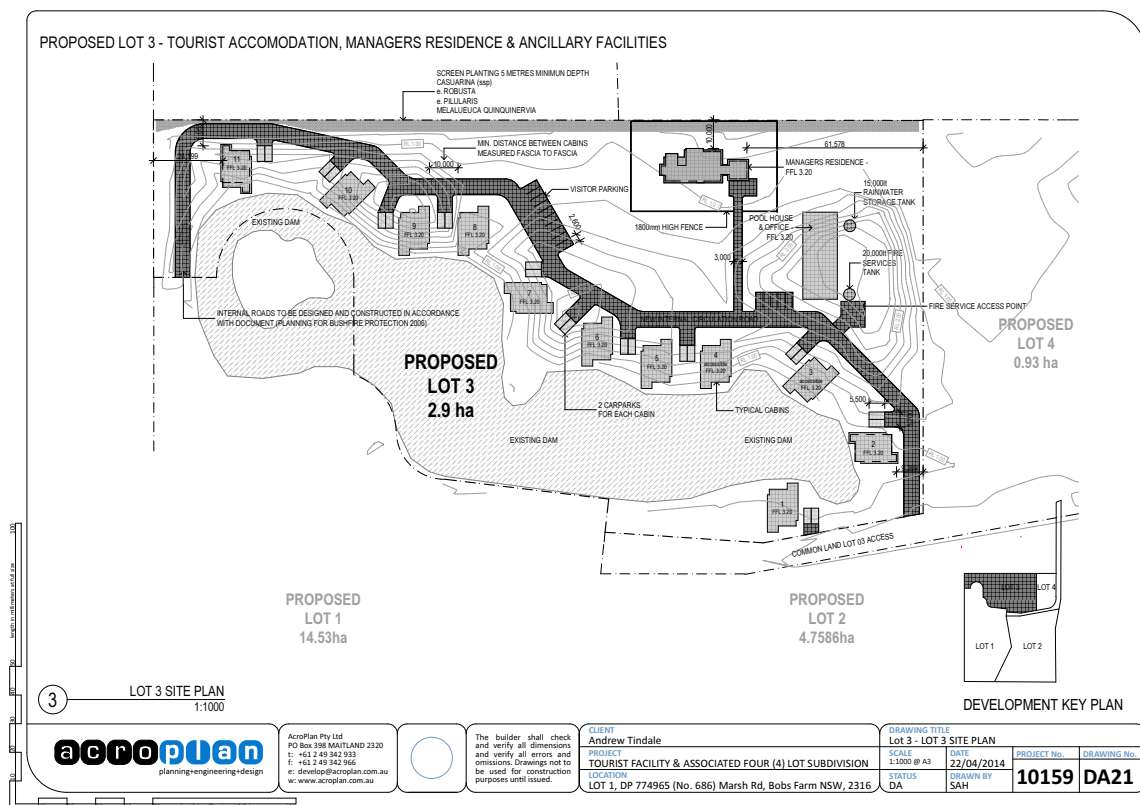
**There is no way the Eco Cabin and horse accommodation be developed whilst the proposed sand mine is on the table, and it will never occur if the sand mine is approved.**

# Impacts on Lot 3-Approved Wetland Frontage Eco-Cabins

History: In 2015 Port Stevens granted approval for the development of:

- \* 12 x 4 bedroom, 2 bathroom Wetland Frontage Eco Cabins with
- \* 1 x 4 bedroom manager's residence
- \* Pool house and office

This is a Landmark development with very few 4 bedroom eco cabins available within coastal NSW and almost none known with wetland frontage.



## Reduction In Catchment and Lowering of the Water Table Affect On the Wetlands

For 230m and 70m wide we have a beautiful and longstanding wetland on the property. It reaches a 2.3m depth with sloping sides and a small island on the northern end.

It is home to a huge number of migratory birds and resident birdlife, plus is an important water source for local fauna, with even koalas being seen to drink out of its water during particularly dry spells.

Any reduction in the catchment area would destroy these cabins. Even the smallest drop in water level wrecks the whole nature of this offering.

In the EIS it clearly states that there is an effect from the mine on the wetlands catchment area. Section 6.1.5.2 states:

The site catchment area draining to the western neighbouring Shark and Ray Centre dam will approximately half as a result of the pit excavation. Given this area represents only a small portion of the dams greater catchment (approximately 15%), and that the site's sandy soils mean that very little surface runoff is generated from the site, the impacts of this are considered negligible.

The reduction of the catchment area for my wetland by 50% absolutely MUST have an impact on the wetlands.

It also states that the Groundwater level will change. The taking of 137 million litres of water must have a dramatic impact on the wetland.

The proposed sand mine will result in the following potential indirect impacts;

- Increased spread of noxious weeds;
- Increased spread of pest fauna species;
- Edge effects;
- Impact on Groundwater Dependent Ecosystems (GDE's) through changes to groundwater levels;
- Increase in noise from machinery;
- Increase in artificial lighting. Increased lighting may be the result of security lighting.

ANY lowering of the wetlands is a disaster for this business, and even the potential of having the sand mine has meant the halting of the development of this land.

## **Air Quality**

In the EIS air quality receptors were located as below.

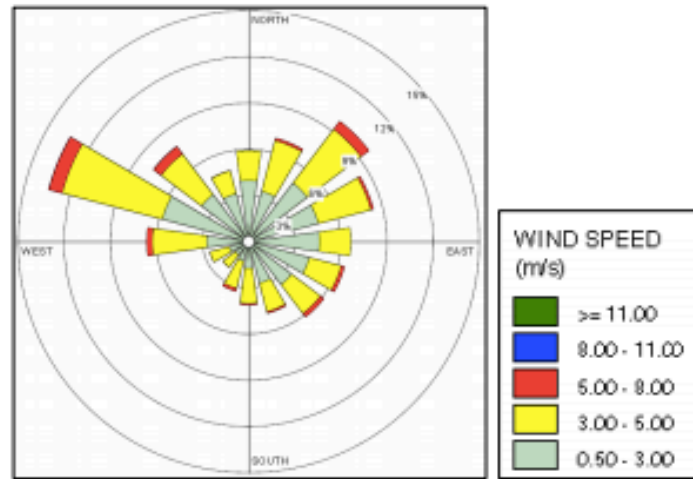


**Figure 112-2 - Sensitive Receptor Locations as Modelled**

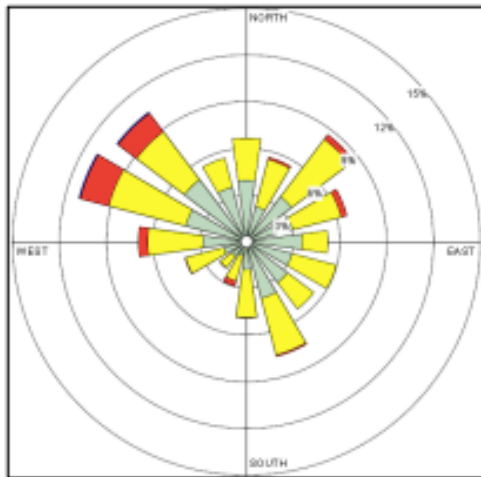
**The closest air quality receptor to any of the development is approximately 250m PAST the eco tourist cabins.**

It would be impossible to believe that multiple excavators, trucks and other equipment within 160m of the closest cabin will not be blowing vast amounts of exhaust and dust onto staff, guests and animals.

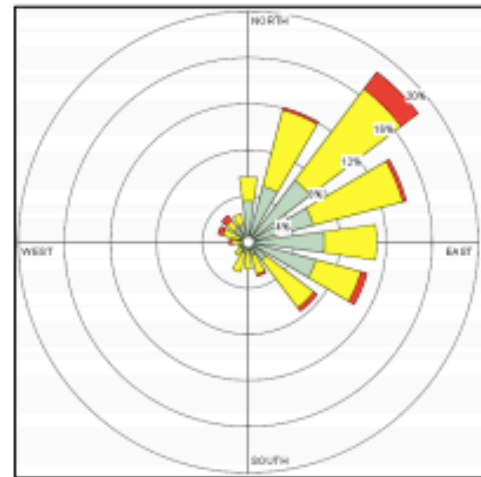
The wind direction modelling provided by the EIS shows that many times will have the wind blowing these poisonous substances over these people and animals regularly.



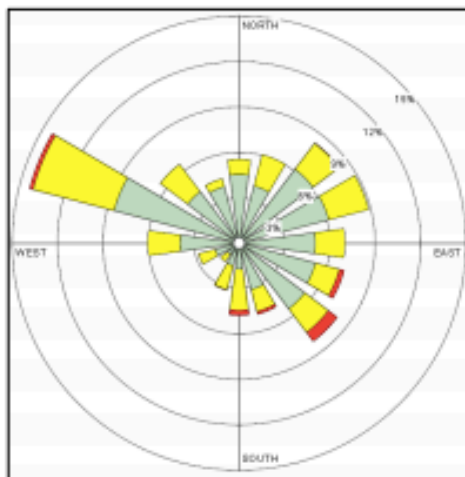
**Annual (Calm – 0.39%)**



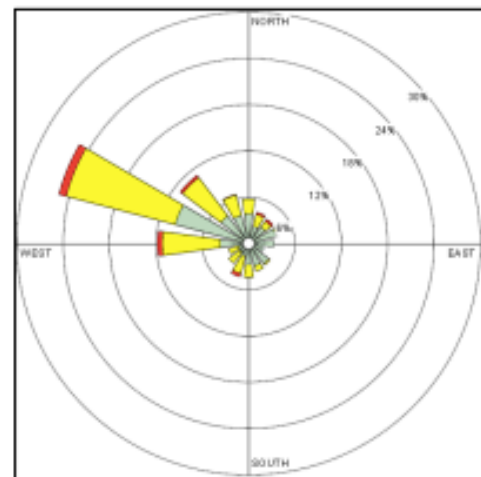
**Spring (Calm – 0.37%)**



**Summer (Calm – 0.05%)**



**Autumn (Calm – 0.77%)**



**Winter (Calm – 0.36%)**

**Figure 12.7 - Site-Specific Wind Roses by Season for 2013 [TAPM]**

Note: None of these issues are addressed in the EIS for this property.



## Social Impacts

Expected revenue for the region:

12 x 4 cabins specifically designed for nature lovers. I believe we would average 6 people a night as 4 bedroom cabins are extremely rare on the north coast of NSW.

Based on an occupancy rate of 60% (typical for a tourist region), an average of 6 people per cabin and a daily expenditure of \$234 (see average expenditure for Tourist per person in Port Stephens / 3 days) the ANNUAL economic loss to the region of this development is

Total nights                      365 nights X 60% occupancy x 6 people x 12 cabins  
  
= \$ 3,690,000

Given that this development should have a lifespan of 50 years, **that's an economic loss to local tourism of \$180 million.**

## Expected Loss of Jobs

The Eco Cabins were expected to employ:

2	x	Full time Live in Managers
4	x	Full time Groundskeepers
6	x	Full time Cleaners
10	x	Casual staff involved in general duties

Plus add another \$3 million spent locally to develop the land.

Ultimately the development of the Sand mine will lead to a further loss of jobs to the region of an equivalent 12 x full time jobs (all from the local region) and 10 casual jobs.

## Loss of personal Income and Investment:

Based on projections I personally would be losing an expected \$400,000 in income, plus a wage as the live in Manager and my partners wage (\$140,000 combined pa) as I cannot develop this project. More importantly the value of the property would increase significantly with the thriving Tourist business located on it.

With a sand mine operating right next to it the value of the property would be zero! Even the proposal of the sand mine makes the property's value zero! It is unsaleable with a mine next door.

## Summary:

**There is no way this development can proceed whilst the proposed sand mine is on the table, and it will never occur if the sand mine is approved.**

## **Impacts on Lot 4-Miniature Animal Farm**

Lot 4 was approved to operate as an interactive Miniature animal farm, another educational facility. In particular this was targeting school children to interact with a range of miniature farmyard animals. It was a way to educate children (and the adults that will attend) on agriculture and animals in general.

This is a niche product with very few similar products around the country. With a low entry fee it was expected to gather 100,000 visitors per annum.

## PROPOSED LOT 4 - INTERACTIVE EDUCATIONAL FARMYARD

PROPOSED LOT AREA 0.93ha

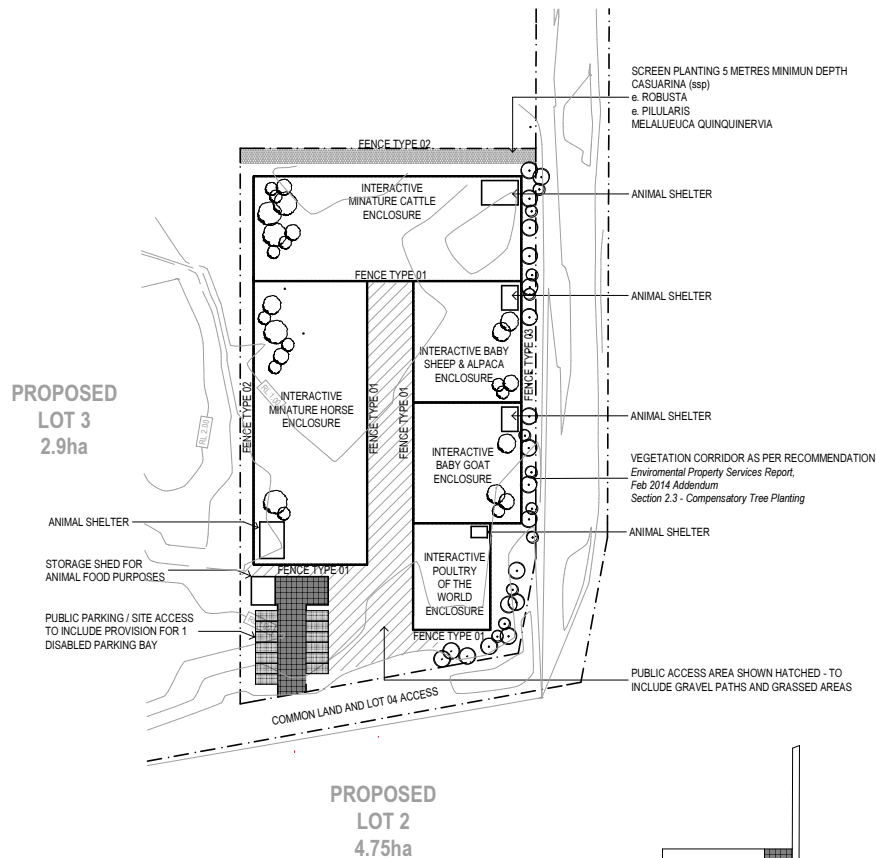
### ANIMAL ENCLOSURE AREA TABLE

ENCLOSURE NAME	DIMENSIONS	AREA
MINATURE CATTLE	66.150m x 31.850m	2116 Sqm
MINATURE HORSE	70.250m x 28.350m	1989 Sqm
BABY SHEEP & ALPACA	30.000m x 27.000m	810 Sqm
BABY GOAT	30.000m x 27.000m	810 Sqm
POULTRY OF THE WORLD	26.000m x 19.000m	494 Sqm

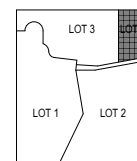
### NOTES:

ALL FENCES TO ANIMAL ENCLOSURES TO BE 1500mm IN HEIGHT  
 FENCE TYPE 01 - TIMBER POST AND RAIL WITH STEEL MESH INFILL  
 FENCE TYPE 02 - TIMBER POST WITH 4 STRAND PLAIN WIRE  
 FENCE TYPE 03 - TIMBER POST WITH STEEL MESH INFILL

ALL ANIMAL ENCLOSURES TO HAVE NATIVE PLANTING FOR PROVISION OF SHADE  
 SPECIES EUCALYPTUS ROBUSTA or EUCALYPTUS PILLULARIS



1 PROPOSED LOT 4 SITE PLAN  
1:1000



DEVELOPMENT KEY PLAN



**acroplan**  
planning+engineering+design

AcroPlan Pty Ltd  
 PO Box 398 MAITLAND 2320  
 t: +61 2 49 342 933  
 f: +61 2 49 342 956  
 e: develop@acroplan.com.au  
 w: www.acroplan.com.au

CLIENT  
**Andrew Tindale**  
 PROJECT  
 TOURIST FACILITY & ASSOCIATED FOUR (4)  
 LOT SUBDIVISION  
 LOCATION  
 No. 686 Marsh Road, Bobs Farm, NSW, 2316

DRAWING TITLE  
**Lot 4 - LOT 4 SITE PLAN**  
 SCALE  
 1:1000  
 DATE  
 22/04/2014  
 DRAWN BY  
 SAH  
 PROJECT No.  
**10159**  
 DRAWING No.  
**DA35**

The Miniature Animal Farm is located approximately 140m away from the proposed sand mine.

## Vibration

In the EIS vibration on surrounding properties is assessed.

The nearest receivers to the proposed sand mine are located approximately 120 metres to the north-west of the site, at the western end of the pit and approximately 60 metres to the north-east of the site, at the eastern end of the pit. Based on the vibration levels provided in **Table 11.34**, it is unlikely that there would be any vibration impacts generated by the excavation plant that would give rise to annoyance or structural damage at any of the nearest receivers.

---

arsall Lander Pty Ltd

---

Vibration monitoring would be undertaken in the unlikely event that any works were to be carried out within 50 metres of residences where vibration may be generated by equipment, beyond 100 metres there is a low probability of annoyance for all activities.

Here it states that a distance is needed of 100m is needed to achieve a “low level of probability of annoyance for all activities”.

The vibration report does not reference the close proximity of the mine to the miniature animal farm. The effect of vibrations on animals with people walking around with them is unknown. **Certainly these impacts have not been addressed in the EIS.**

Even if it did the term “low probability” means that even the surrounding cabins have a chance of disturbance from vibrations.

There is no doubt that vibrations will have a negative effect on an animal establishment located that close to the mine.

## Air Quality

In the EIS air quality receptors were located as below.



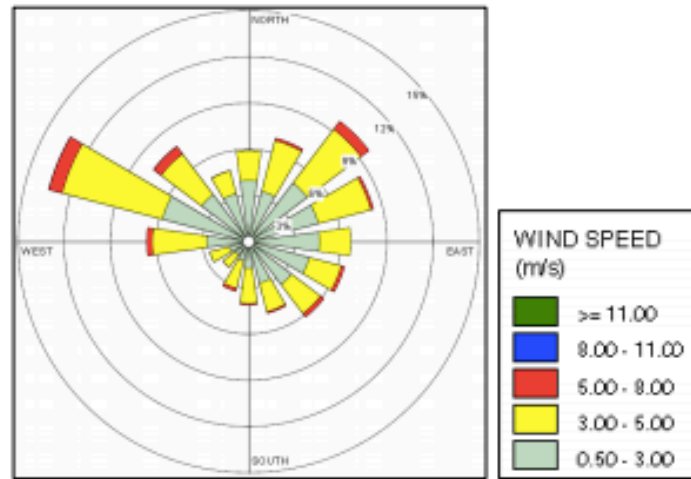
**Figure 112-2 - Sensitive Receptor Locations as Modelled**

**The closest air quality receptor to any of the development is approximately 300m PAST the Miniature Animal Farm.**

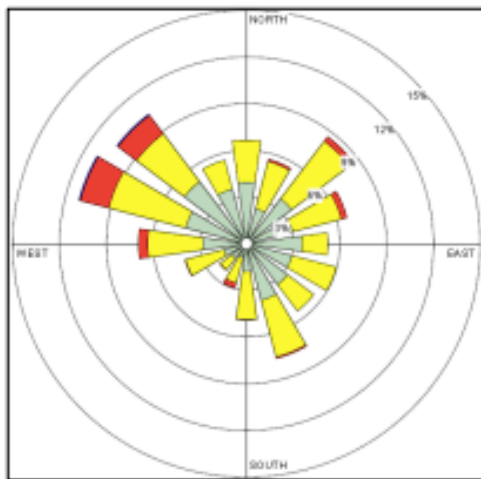
It would be impossible to believe that multiple excavators, trucks and other equipment within 140m of the Miniature Animal Farm will not be blowing vast amounts of exhaust and dust onto staff, guests and animals.

The wind direction modelling provided by the EIS shows that many times will have the wind blowing these poisonous substances over these people and animals regularly.

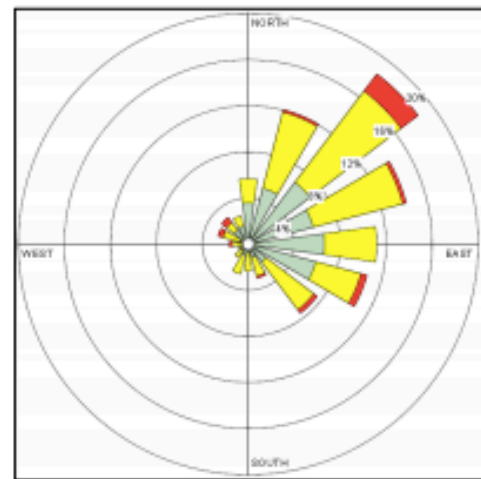




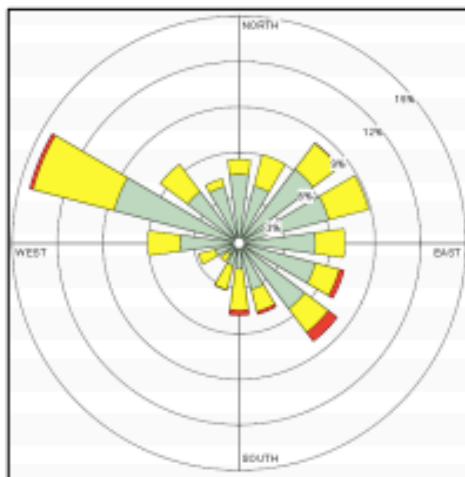
**Annual (Calm – 0.39%)**



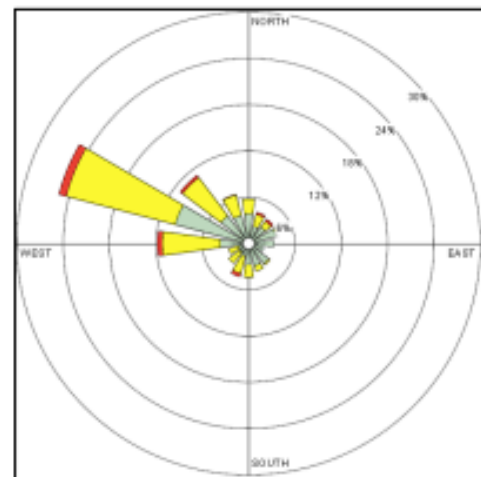
**Spring (Calm – 0.37%)**



**Summer (Calm – 0.05%)**



**Autumn (Calm – 0.77%)**



**Winter (Calm – 0.36%)**

**Figure 12.7 - Site-Specific Wind Roses by Season for 2013 [TAPM]**

Note: None of these issues are addressed in the EIS for this property.

## **Social Impacts**

The Miniature Animal Farm was expected to be another key element to Port Stephens Tourism. Though in of itself it would not drag a great number of people into the area, at the very least it would add a days stay to visitors coming to the region for at least 2/3<sup>rd</sup> of the expected visitors. Especially in conjunction with the Shark and Ray Tourist Centre.

With an expected 100,000 visitors and if 2/3rds were to stay another night because they undertook this activity then the cost to the community would run to

$$100,000 \times 66.6\% \times \$234$$

$$= \$15,600,000 \text{ per annum}$$

## **Expected Loss of Jobs**

The Miniature Animal Farm was expected to hire:

1	x	Manager
3	x	Receptionists
3	x	Animal Attendants
6	x	Casual

Meaning a loss of 7 full time and 6 casual jobs.

## **Loss of personal Income and Investment:**

Based on projections I personally would be losing an expected \$150,000 in income as I cannot develop this project. More importantly the value of the property would increase significantly with the thriving Tourist business located on it.

With a sand mine operating right next to it the value of the property would be zero! Even the proposal of the sand mine makes the property's value zero!

**This proposed Miniature Animal Farm could not proceed if the sand mine goes ahead.**

## Impact On Bobs Farm Region

Whilst I acknowledge that mining and its extractive industries are necessary, there is no doubt that if this sand mine was located next to suburban Sydney there wouldn't be a question of it going ahead.

The fact that the 180 trucks a day would rumble by a 100 year old primary school should be enough of a reason to refuse the submission.

Plus the fact that all adjoining landowners bought property's without the knowledge that a sand mine would be going ahead in the region. The impact on property values has not been addressed in the EIS but it is clear as day that a 10 million tonne sand mine as a neighbour is going to have a negative impact on the proposal.

I have been involved in Tourism for 20 years.

Bobs Farm is an emerging Tourist Precinct. The proposed Sand Mine is directly located next to Port Stephens Go Karts and the Shark and Ray Tourist Centre. It is within a couple of kilometres of Murrays Brewery, Cookabarra Restaurant, Cockatoo Cabins and a Pet Motel.

Though the proponent may be able to show in some of these areas impacts are "negligible", what they haven't addressed is the killing off of the area for future tourist activities, including my 4 lots of tourism activities.

Every Tourist facility relies on word of mouth for a large part of their business and all of their profits.

The general impression of people who used to guide people to these tourist facilities will change to a negative view because they will believe the mine to be noisy and dirty. Instead of recommending the Shark and Ray Tourist Centre the general attitude will change to one where people can't recommend the attraction out of concern about the mine activities happening next door or down the road.

The negative impact of a mine on Tourism in the area is bound to be huge. As demonstrated in this submission, just the proposal has stopped 3 tourist activities going ahead.

**The mine will stop tourism in its tracks in the Bobs Farm region.**

## Conclusion

The proposed Sand mine unfortunately already impacts adversely, just by being proposed, on my properties.

I have pre-existing approvals that must give me rights over a yet to be approved development.

Development on Lots 2,3 and 4 certainly cannot go ahead if the mine were to go ahead. It would be financial suicide. If the concerns over the vibrations and lowering of the wetlands are real then Lot 1 and the Shark and Ray Tourist Centre would likely fold.

Cost to the Community:

Loss of Tourism Income:

Lot 1	\$8,500,000
Lot 2	\$2,490,000
Lot 3	\$3,690,000
Lot 4	\$15,600,000
Total	\$30,280,000 per annum

Loss of Jobs

	Full Time	Casual
Lot 1	5	15
Lot 2	8	15
Lot 3	12	10
Lot 4	7	6
Total	32	46

There is no doubt there will also be Downward pressure on the property values of surrounding properties with the introduction of the mine. As this affects 4 properties on my site the cost to me personally is huge.

The main concerns over this development are:

- 1) Lack of consultation.
- 2) Total disregard by the proponents to acknowledge the pre-existing approvals on Lots 2,3 and 4.
- 3) Potential affects on the wetland.
- 4) Vibration affects on Lot 1,2 and 4 and guests, animals and workers.
- 5) Vibration impacts on the sharks and rays.
- 6) Noise impacts on Lots 2,3 and 4.

- 7) Air quality on Lots 2, 3 and 4.
- 8) Disruption to wildlife and the ecology
- 9) Creation of a wildlife island and destruction of an existing wildlife corridor
- 10) The incompatibility of a sand mine next to Eco-resorts.
- 11) Costs to the community.
- 12) Adverse impact on Tourism to the Port Stephens area.
- 13) Personal Loss of Income.
- 14) Loss of value to Lots 1,2,3 and 4.
- 15) Loss of synergy and resultant increase in business that would have occurred between the accommodation and the Shark and Ray Tourist Centre.

Once notified by NSW Land and Planning of the proposed Sand Mine I have had to place all projects on hold until the Sand Mine decision is made.

**Any approval of the Sand Mine will result in the abolishment of any further development on any of the properties.** Needless to say I have already spent a lot of money and time just to get to this stage.

I oppose this proposed mine, not because I am against mining per say, but because no regard has been given by the proponents to my assets, livelihood and home. I contacted Bob Lander of Tattersall Lander on the 19<sup>th</sup> December and sent through the approved plans and proof of commencement on the project in case they were not aware of this situation but as of the date of this submission have not had a response.

A copy of the draft submission was sent to Bob Lander on 16<sup>th</sup> January 2019. No response to that either.

I implore NSW Land and Planning to consider that the cumulative impacts of all I have listed above will ruin me financially and impact the community on a far greater scale than benefits will be received from the sand mine.

Yours sincerely

Andrew James Tindale  
15/01/2019