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The Director,
 Resource Assessments,
 Planning and Environment
 GPO Box 39 Sydney NSW 2001



29th January 2019

Re: Application No SSD 6395
Bobs Farm Quarry
Bobs Farm Sand Mine Project

Property: LOT 254 DP753204, LOT 51 DP1015671, LOT 10 DP1071458

3631 Nelson Bay Road, Bobs Farm

The Soldiers Point Community Group Inc (SPCG) objects to the Bobs Farm Quarry/Sand Mine Project on the basis that the proposed development does not satisfy the objectives of ecologically sustainable development.

Not only will the mine be environmentally destructive within its boundaries, it will add to the overall habitat fragmentation and by the introduction of any new factor, the artificial lake, will upset the environmental balance.

The Environmental Impact Statement (EIS) prepared by AMMOS Management Pty Ltd dated November 2018 undermines its own justification for the project by revealing the extent of environmental damage which will result from the removal of 750,000 tonnes of sand a year from above and below the water table in an area of old growth forest on ancient sand dunes.

The NSW Scientific Committee, established by the *Threatened Species Conservation Act*, (TSCA) has determined that clearing of native vegetation is a key threatening process, contributing to, among other negative impacts, loss of biological diversity, loss of local populations of individual species, fragmentation of habitat, expansion of dryland salinity, riparian zone degradation loss or disruption of ecological function and changes to soil biota.

Any assessment of the public interest in the project going ahead must address the public interest. It is therefore essential that in assessing the project and the supporting documentation, the Department of Planning must take a critical and sceptical approach, and where necessary seek independent third party expert advice on any questionable claims.

We note that Port Stephens Council has found issues with the quality of at least one report:

'A significant amount of inconsistencies and inadequacies were noted throughout the Environmental Impact Statement (EIS) (Tattersall Lander 2018) and Biodiversity Assessment (Wildthing 2018) in relation to biodiversity values for the proposed development.'

(Council letter to the Department of Planning dated 14 January 2019 p.1)

Justification for the Proposal.

Although the EIS lists 15 different types of sand may be extracted, it is only *suggested* that unspecified amounts of the higher quality sands may be produced depending on the processing techniques used.

So what is so important that the proponents are prepared to destroy the natural environment for the extraction of sand not particularly essential for the production of materials to boost the Australian economy? Will the building trade suffer if this sand mine fails? It seems that only the proponents will benefit from this trade off.

Is this sufficient to justify the degradation of 25.90 hectares/64 acres of key habitat with the potential to impact *Groundwater Dependent Ecosystems* (GDE's) through changes to groundwater levels; increased spread of noxious weeds; increased spread of pest fauna species; edge effects; increase in noise from machinery; increase in artificial lighting.

The long term effect of creating an artificial lake by excavation and dredging within the ecological corridor has not been addressed. At its widest point, 680m, will result in a reduction in the function and quality of the ecological corridor.

Evaporation from such a large permanent lake (estimated to be 506ML per year, which is expected to require a new groundwater licence) must also be a significant issue. We question if in the long term this rate of evaporation is consistent with an ecological sustainable development.

The creation of a large body of exposed groundwater with a class 3 /4 Acid Sulphate Soil area, with no management plan, cannot satisfy the intent or requirements of the NSW Planning and *Environment Standard Secretary's Environmental Assessment Requirements* (SEARs) nor clause 7.1 of the Port Stephens Local Environment Plan (LEP)

We believe that creating of an artificial lake is inappropriate because of the risk of destabilising the sand dune system and enabling contamination of the water table.

Excavation creates a risk of exposure and oxidation of acidic sulphate soils with acidic run-off into the water table disrupting biodiversity. We believe the risk of contamination outweighs any benefit of sand extraction. And puts local residents and school children at the near by Bobs Farm School at risk.

Remediation of the site has not been addressed. The proponent has even suggested the 'lake' could be used for other activities. This is fanciful.

Evidence of mining activities permitted to quarry below RL at the Diemar Road Quarry, Salamander Bay, Port Stephens, has resulted in the now abandoned contaminated quarry becoming the responsibility of the local Council/ratepayers to fence it in order to protect the general public.

How can such degradation of the natural environment ever be remedied?

How is this 'lake' to benefit the public? Who will be paying for the boundary fence to keep unsuspecting creatures from falling in?

We also submit that the very significant greenhouse gas emissions from the truck movements associated with the mine must be considered against Sustainable Development principles.

The EIS admits that there will be significant emissions but notes that they are below a reporting requirement threshold (p.449) and suggests that they are trivial compared to Australia's total emissions. We submit that as concerns about climate change and the effect of emissions continues to grow, it is no longer acceptable to dismiss this issue so lightly.

Suggestions that the long term effect on the corridor will be minimal due to site rehabilitation are not credible when a very large lake will remain in perpetuity, providing a permanent 'barrier' to wildlife movements and gap in habitat. The EIS admits that the ecological corridor, 1.5km wide at the mine site, will be reduced by 600m. Proposed mitigating measures include a 15m wide vegetated buffer (p66) which is clearly unlikely to have more than a token effect.

The EIS emphasizes the proposed 'progressive' rehabilitation of mined areas, such that 'no more than three hectares be exposed at any one time' (p62). This obviously can't be the case once the wet mining phase commences there will no longer be any rehabilitation of the large flooded areas which will presumably remain in perpetuity.

The progressive rehabilitation is cited as a mitigating factor in relation to several adverse impacts including air quality (dust) and wildlife habitat loss.

Conclusion:

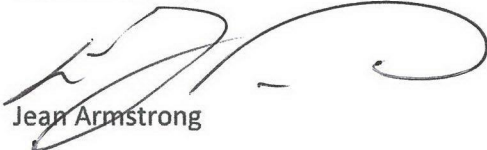
There can be no doubt that this mine, if allowed to go ahead, will be environmentally destructive and add to overall habitat fragmentation of the area. The creation of an artificial lake which may become contaminated due to acidic run-off is unacceptable. The potential health hazards to the community and eco-system cannot be justified.

The proponents have not considered their responsibility to mitigate these unacceptable impacts upon the ecological community and have not considered their responsibility to remediate the land.

We therefore ask the Department of Planning to take a critical approach to the claims made by the proponent.

We believe the development will have a significant effect on the environment and, in the interests of the wider community, ask the Department of Planning to refuse this application.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jean Armstrong', with a large, stylized flourish extending to the right.

President: Soldiers Point Community Group Inc.

The Soldiers Point Community Group have made no political donations

Please acknowledge this submission.