I wish to present my arguments against the Dunmore Lakes project Modification 2 with regard to statutory conditions, the loss of the Bangalay Sand forest EEC and impacts on the neighbouring Littoral Rainforest, a critically endangered community under the EPBC Act.

Firstly this modification proposal does not comply with conditions that the first modification proposal was approved under. The proposal is within the Minnamurra catchment and not the Rocklow catchment, the proposed area of 5B is within the NSW Coastal Management Zone and will affect two EEC’s. 5A is extremely close to the Minnamurra River itself and will abut the Old Minnamurra tip site. The old tip site is experiencing a toxic bloom and pit 5A may well disturb the groundwater and cause severe pollution into the river. These parameters were not a feature of the original approved development and as such this new proposal should not be assessed under the section 75W approval pathway as this is essentially a new development application. Furthermore the environmental assessment (EA) did not arrive to the DPIE by the nominated date of 28th February 2019 to be within the timeline of assessment under Section 75W. As the EA arrived sometime in April 2019, the application should be dismissed and a new development application with a full EIS be undertaken.

The occurrence of bangalay sand forest within the Minnamurra catchment has been fragmented due to clearing for residential and agricultural purposes and exists within small margins to the western side of Minnamurra river with some still existing on Minnamurra spit. although this population is under key threatening processes such as weed invasion, loss of vegetation structure and a variety of human disturbances. The Departments report states that this EEC covers a land mass of 6300 Hectares from Sydney to the Victorian border, inferring that the 4.5 Hectares slated for removal in Stage 5B is proportionately insignificant. However, the NSW scientific committee in their determination identified that NSW has potentially only one quarter of this communities’ distribution remaining since Pre-European times and they concede this is most likely an over estimation, the situation is probably far worse. This committees’ final assessment concludes that this EEC will most likely become extinct if the factors threatening its survival are not ceased, land clearing being the number one factor.

The Departments report identifies that under the Biodiversity conversation act 2016 it is allowing this proposal to be offset by retiring 71 ecosystem credits for the removal of the Bangalay sand forest or alternatively paying into the Biodiversity conservation Trust. There is mention of investigations into 2 Biodiversity stewardship sites, however there is no guarantee of success of securing these sites and this does not alter the reality that there will be a net loss of this EEC regardless of the outcome. Under the current Biodiversity Conservation laws in NSW, according to the report,” Restoring the balance in NSW native vegetation law” by the Environmental Defenders Office, since the introduction of the current legislation, land clearing has increased 13 fold annually and Biodiversity is at risk in 9 out of 11 regions in NSW. Additionally, offsetting does not guarantee “like for like” and as has previously been discussed, there is a paucity of bangalay sand forest remaining in NSW rendering any real offsetting almost impossible. This is certainly an untenable situation and highlights the great value of this mature stand of Forest in 5B.

I would like to turn to the loss of tree hollows from Stage 5B , 38 hollow bearing Bangalay trees and 4 hollow bearing stags are identified as requiring removal. Considering the very small stand of bangalay remaining in this location these hollows represent critically important habitat for local faunal and bird species. The adjoining Littoral rainforest to the south and west and swamp Oak forest to the east do not produce tree hollows as they do not drop limbs and will not be an adequate substitute. The competition for hollows would be extraordinary as the Bangalay sand forest has been reduced in this location over the last two hundred and considering it takes approximately 150 years to create a hollow, it stands to reason that this loss of so many hollows in such a small location would have severe adverse impacts on the local wildlife. The report states that the applicant will retain hollow bearing logs after being cut down and install nest boxes on neighbouring trees which I assume they are referring to Littoral species or retained Bangalays on the adjoining property. However according to a report by the Victorian department of environment, nest boxes are not a long-term solution to natural hollows as they typically only last 10 years, whereas natural hollows may exist for over 100 years. They require constant monitoring to ensure they haven’t decomposed and have appropriate positioning. They are not a replacement, like for like for natural hollows and cannot be considered as such.

The White Bellied sea eagle that is known to be nesting in the vicinity of 5B will greatly be affected by the loss of these Bangalays, although the report states the nest is not located within the 5B zone, these trees would play a large role for the day to day activities of this species such as Perching and feeding. Sea eagles do not exclusively eat marine species and additionally subsist on terrestrial birds and mammals. The environmental assessment done by Niche surveyed this species over a few days in a 6-month period, doesn’t qualify as adequate to determine the role that these trees play in the activities of this bird.

Furthermore, I would like to discuss the loss of the Bangalay sand forest on the adjoining health and sustainability of the Littoral Rainforest to the south and west of 5B. Removing the bangalay sand forest will remove tree cover and protection from winds. Additionally, the 5B dredge pond will abut the edge of the Littoral rainforest causing disturbances to the hydrological processes and soil structure. The height of the bunds as noted in the departments report will be of sufficient height to mitigate a 1 in a 100 year flood event, however this will undoubtedly have an adverse effect on water movement in the Littoral rainforest due to the substantial size of the bunds, the report sates between 5.5 and 6 metre AHD.

Climate change impacts will further exacerbate these adverse effects on the Littoral rainforest due to the predicted severity of storms which we are already experiencing.

Lastly, I would like to offer my experience as a long time landcarer attempting to recreate a littoral rainforest at Bombo Headland. The complexity of this ecosystem requires a substantial length of time to be become self-sustaining and one lifetime will certainly not be enough. Bangalays can live as long as 500 years and to remove these ancient trees and their accompanying ecosystem would be an absolute tragedy.

I implore the IPC to reject this proposal on the grounds I have outlined today in addition to the many other arguments put forth by other contributers.

Yours Sincerely

Tanya George