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MINNAMURRA NSW 2533

Dunmore Lakes Sand Extraction Project | Modification 2

I wish to object to the above on the following grounds:

Flora and Fauna: My husband and I visited the 5B area and counted the number of trees that will be affected by this project. The proposal involves the cutting down of 80 trees, many of which have hollows in which birds and mammals nest and breed.

No matter what time the site is visited there is a cacophony of sound from the hundreds of birds that call these trees home. Included amongst the trees growing on the site is a Kurrajong, which is very rare for this area. Further the Bangalays and Old Man Banksia that are listed for removal are part of a Bangalay Sand Forest which is a critically endangered ecological community. The report states that 3.5 hectares are in medium to moderate condition. It also states that the biodiversity impact is medium to high. It further states that no threatened flora will be impacted by the sand mining (p iv Niche report App F) and yet 2 paragraphs earlier (p iii Niche report App F) the report states that Endangered Ecological Community, being Bangalay sand forest in good to moderate condition will be removed. These statements are not compatible.

Niche's comments on the biodiversity impact should be a good reason not to remove the Bangalay sand forest and not approve the project.

In the IPBES' 2019 Global Assessment Report on Biodiversity and Ecosystem Services: 25 per cent of species in plant and animal groups are vulnerable. It goes on to state that around one million species "already face extinction, many within decades.

It is the removal of habitat, the cutting down of endangered vegetation and the removal of nesting opportunities that is leading to this demise of our species. In fact a World Wildlife report states that 10 million animals die each year because of clearing and loss of habitat.

There is also a hollow tree in 5A – another potential breeding site.

The report says that this removal will have a 'moderate physical impact'. I do not believe that the removal of vegetation so crucial to the local flora and fauna is 'moderate'

It is highly likely that many species may have been missed because of the short duration on the species survey. The Australian Wildlife Conservancy which I have long supported do biodiversity surveys on their sanctuaries over a minimum of 2 weeks some for much longer and usually several per annum.

No survey work was undertaken during the breeding time for owls or the Sea Eagle which has a nest in one of the trees that will be removed. This nest has been sighted by my husband and I plus a number of locals.

Another species which will be impacted is the Grey Headed Flying Fox which will soon be extinct, owing to continual removal of its habitat. It is this 'nibbling' away at the edges which results in the complete removal of important habitat.

Paying money into a diversity fund does not help the fauna that are living on this site and which are dependent on the vegetation which is going to be removed under this proposal. It does not remediate the impact on this particular area.

The Bangalays take 150 years to develop nesting hollows and with Stage 5B being left as a lake, there will be no opportunity for them to regenerate. The report says that nesting boxes will be used to replace the hollows. The report provides no information on who will monitor the nesting boxes and replace them as and when necessary.

Should this be approved, which I hope it will not, could it be conditional on the hole being filled with VENM which would allow future regrowth of native vegetation. Also an offset being permanently created immediately adjacent to the site to protect an equal or greater amount of native vegetation to that which is being destroyed.

- **Environmental impact.** Further to my comments above, I do not accept the statement in the report that the mining will have limited environmental consequences. It will change the whole ecology of the area, especially in 5B. A lake hardly replaces the vibrant ecological community which exists at present.
- **Traffic impact.** The submission for the sand mining states that the mining is not expected to result in any negative impacts to other road users. This is not the case.

When I turn to the south from my drive I have to take great care as there is a blind spot between the Minnamurra River and my gate. I have to move further down Riverside Drive to a spot opposite the tip and wait for the traffic to emerge from the blind spot before turning. The point at which I wait is where the trucks will be turning into 5A. This will further complicate my turning south as the trucks will be in the way, covering from sight any traffic travelling south along Riverside Drive. None of this was covered in potential traffic impact assessment. The line of vision from my drive down the highway will be very small due to the turning trucks and as a result could lead to traffic accidents.

In addition the number of trucks travelling along the western end of Riverside Drive will increase dramatically from virtually none at present to a flow of 'Double Bs'. Zoning The zoning in the area is RU2 which is rural and does not permit mining and extraction. In the southern area the zoning is E3 – Environmental Management. I do not believe that this zoning should be overridden when there are other sites in the area available for sand mining (see below)

- **Legislation covering the Application.** The original application by DSS was approved under Part 3A, since repealed and subsequently under Section 75W 1979 NSW Environment Planning and Assessment. Since then new legislation has been passed incorporating the Coastal Management Act. This is a totally new project in a completely different area. In fact the land does not even belong to Boral but is being 'rented' off the owner for sand mining. I believe that this proposal should be assessed as a new project under current legislation and not as a transitional Part 3A project.

The proposal is to leave 5B as a lake whereas the Coastal Management Act requires the land to be rehabilitated. This lake would result in high evaporation especially as the weather becomes warmer due to global warming. This is a terrible waste of a limited resource.

- **Stage IV.** Boral pushes hard, as a reason for the sand mining to go ahead – the employment opportunities created. They also highlight that there is an alternative to sand mining in this region and that is Stage IV which already has approval in place. Stage IV has been rejected by Boral due to the necessity to move infrastructure that goes through Stage IV. Relocation of the infrastructure would provide more jobs than just sand mining. This could be a win-win. More jobs are created and there would be no need to disturb a sensitive environmental area.
- **Operating hours.** The report states that the operating hours will be 5am to midnight. This is going to totally impact on the peaceful enjoyment of my home and property and no doubt that of my neighbour, Tony Peterson. The hours of operation should be the same as those stipulated by Council for building work – 7.00 to 5.00 on weekdays and 7.00 to 12.00 on Saturdays with no work on Sundays. There is a reason that the area is zoned RU2 with sand mining not permitted. There are other people in the area whose enjoyment of the tranquillity should be taken into account. The area is **NOT** a quarry where the 5am to midnight operating hours could proceed with no impact on other people.
- **Noise** One of the impacts will be noise. For Stage 5A there will be one pump which will impact on anyone above as noise rises especially in the early morning and at night. When Stage 5B starts there will be 2 pumps operating, one on 5B and another on 5A to boost the flow of the slurry to Dunmore quarry. At this stage the noise will be rising from 2 directions to impact on both my neighbour and myself.

The noise will be particularly noticeable when the bulldozers are stockpiling the topsoil and later when the VENM is brought into 5A and bulldozers are being used to spread it.

No monitoring was done of noise level impact on my property, 431 Riverside Drive or that of my neighbour, 71 Fig Hill Lane. The report simply stated that 71 Fig Hill Lane is an abandoned property with no DA. A bit of thought would have led to the conclusion that a valuable property such as this would not be likely to stay abandoned for ever and that noise monitoring should be undertaken for this property as well as my own.

- **Pollution/Dust** I am concerned about pollution from the trucks turning from Riverside Drive into the site of 5A. In addition there is the potential for pollution from the two diesel pumps pumping the slurry to Dunmore Quarry.

There is also likely to be a lot of dust created when the topsoil is being removed and banded as well as when the sand is extracted. The report states that emissions *would be approximately 1% of that from the neighbouring hard rock quarry operation*. The quarry is 1-2 km from the site so the emissions from the quarry would be a lot lower where we are than at the quarry itself. The report makes no mention of measuring the quarry emissions at the actual proposed sand mining site so that the comparisons are comparing 'apples with apples'.

- **Flooding** Flooding impacts need to be assessed during king tides which have major impact at times of high rainfall. A few years ago the section of Riverside Drive between Fig Hill Lane and the Minnamurra bridge was completely closed due to the combination of very high rainfall and a king high tide.

- **Acid Sulphate Soils** From the Shellharbour Local Environment Plan 2013 map on https://www.legislation.nsw.gov.au/maps/eccdda08-dafb-4d5b-fc5d-f53a3ee26076/6900_COM_ASS_026_010_20130114.pdf it would appear that both 5A and 5B contain acid sulphate soils. The report highlights the probability of ASS but does not appear to have fully addressed how this will be managed. Boral should be required to do more investigative works BEFORE mining rather than coping with ASS after mining.

The Shellharbour Council management plan for acid sulphate soils states the importance of managing this if the water table is lowered. Boral plans to pump the sand as slurry to Stage 2 for processing and then pumping the water back to the site. Every time this happens some water will be retained with the damp sand in Stage 2. As a result the water table will be lowered. There is no mention of this in the report or a calculation of how much water will be retained in the damp soil and the resulting impact on any acid sulphate soils

- **Community Consultation** The report says that extensive community consultation was undertaken. 71 Fig Hill Lane is going to be more impacted than anyone other than Dunmore House. However they were not even notified that this sand mining was planned and it came as a great shock when I mentioned it to the owner during an accidental encounter.
- **Conflicting information.** 2 different sets of climate figures have been used in this report showing different climatic measurements. This along with other inconsistencies should raise questions and ensure the report is subject to peer review.
- **Conclusion.** On the basis of the comments above and other comments from concerned members of the public, in particular with regard to the impact on the Kiama tip opposite 5A, I would ask the NSW Department of Planning and Environment to reject this proposal and not override the RU2/E3 zoning to permit sand mining in this area.

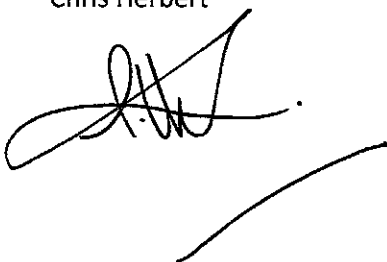
Remember, eating away at endangered habitat, a little bit here, a little bit there, is destroying Australia's native species. Australia has the highest extinction rate of any country in the world and it is caused by activities such as these up and down the Eastern coastline and hinterland.

I further ask you to take into account the problems I will have travelling south from my property when trucks are turning into 5A.

I have never made a political donation to any party

Sincerely

Chris Herbert

A handwritten signature in black ink, appearing to be 'C. Herbert', with a long horizontal flourish extending to the right.