To: NSW Planning & Infrastructure *30/04/2014*

Re: Abalone Farm proposal – Pindimar NSW

From: Concerned landholder & parent

Ph:

In relation to the proposed land based Abalone Farm at South Pindimar in NSW, put forward by Austasia Leefield Pty Ltd, please accept this as my submission AGAINST the proposal on several key issues.

Background & Introduction:

I am 43 years of age and a co-landholder of two non-urban blocks of land in South Pindimar.

Back in 2011 we were introduced to this beautiful and highly unique piece of paradise that borders both the Port Stephens and Great Lakes Shire councils.

Having two young boys, this is a rare location where they can be kids, ride bikes, swim in pristine safe waters and socialise with other kids in a safe and community focussed location. It is as stated, truly unique and is cherished by many.

The thought of an Abalone Farm, with its potential risks as stated by the proponent in the EA and in recent news articles, is simply not worth risking the special unspoilt qualities this area is renowned for. The proposed processes for this land based project is simply unacceptable in an estuary location, not just in the waters of Port Stephens, but Australia wide.

My submission against this proposal raises more questions about the accuracy of the proponents responses to the EA, lack of evidence of several key issues questioned by the Director General, shows the proponents contradictive responses and highlights too many times that the ‘she’ll be right attitude’ is rampant throughout the submission. There appears to be too many statements including ‘possible’, ‘limited’ and ‘rare’ in many responses of the EA by the proponent. This openly states that there are significant plausible risks with associated with this development that the proponent cannot discount.

Whilst longwinded, I have submitted my concerns of the EA responses in numerical order as read from Appendix 3, 5, 6, 7 & Appendix 11, the 32 page EA review assessment.

I have also attached recent news articles where the proponent openly admits that damage will occur to flora and fauna during and after construction of the project,

something that is simply not acceptable in this area already strained by water quality issues.

Please – contact me if you have any further queries reading my submission against this proposal.

Thank you for your consideration of my submission against this proposal,

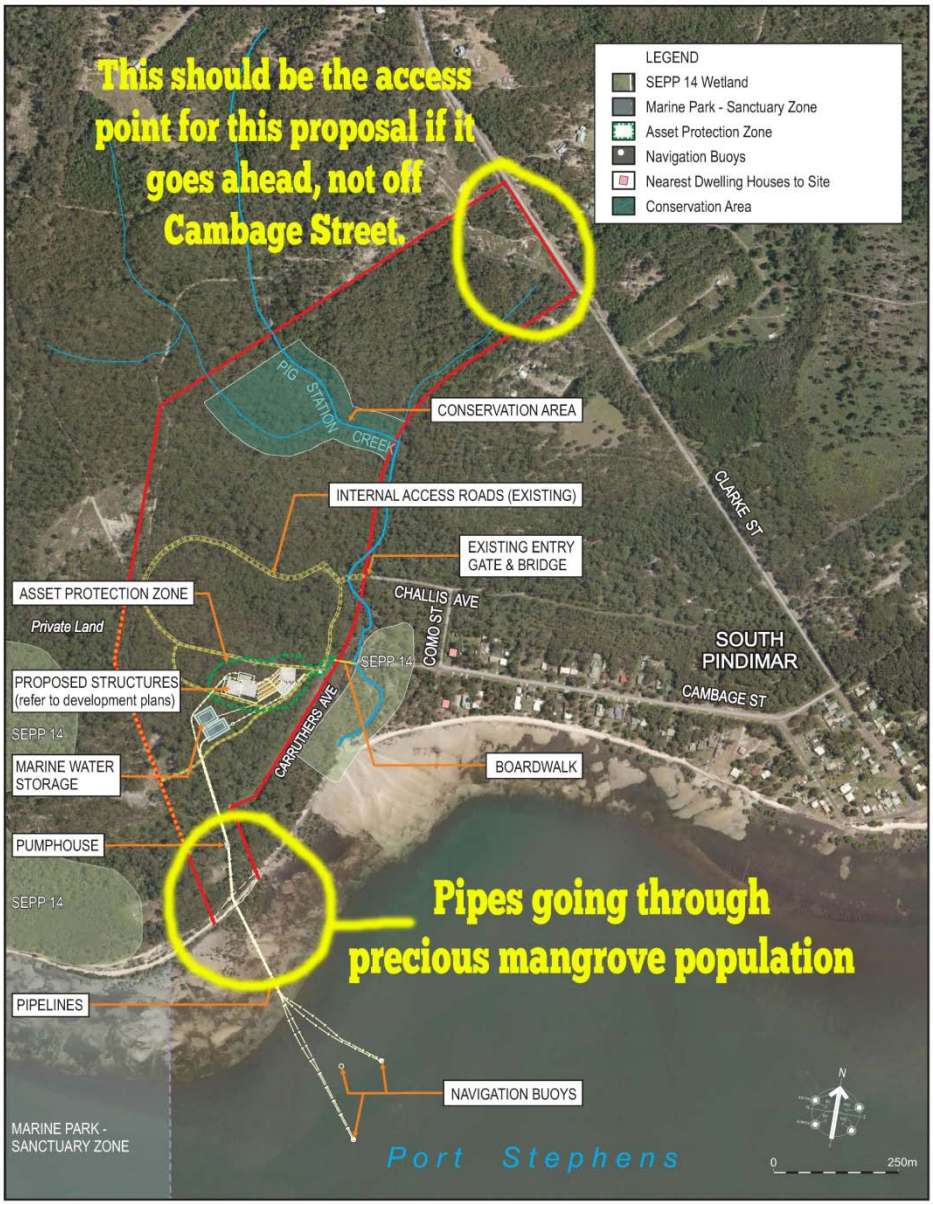
Appendix 3 Objections:

I have inserted an image below from Appendix 3 of the EA, showing the location of the proposed development in respect to the waters of Port Stephens and the village of South Pindimar.

Please note the yellow text and circles on this image...

Objection 1: You will notice that the pipes intended to be used will be going straight through a series of already limited mangroves on the publicly used and owned shores of Port Stephens.

These mangroves WILL be directly affected and jeopardised by the location of these pipes, and any clearing of Mangroves, in particular in QLD & NSW, is strictly prohibited as stated by the attached link to Mangrove Watch Australia who state *"the clearing of mangroves in Queensland and New South Wales is prohibited."*



Below: The fragile mangroves that pipes will suffer or be destroyed by the pipes proposed by the Abalone Farm. These mangroves play a very important role in protecting the coastline of Pindimar during adverse conditions. There are not a lot of them left, so I feel we need to protect them against all costs. That includes ensuring construction or dredging near them DOES NOT OCCUR.

2/ Pipes will directly affect the rare species of Sea Grass that are prominent in the Pindimar area of Port Stephens waters. Dugongs have been known to occasionally frequent the Pindimar and Port Stephens areas, as they do occasionally in estuarine waters. *(Dugongs are considered occasional visitors to NSW coastal and estuarine waters (Allen et al 2004)*

The proponent has recently admitted in a news article that *"The proponents of a multi-million dollar abalone farm at Port Stephens say the risk posed by chemicals or escaping larvae are minimal* ***but seagrasses will suffer****".*

(http://www.farmingahead.com.au/News/agricultural/05/04/2014/209800/abalone-farm-proponents-say-they-ll-focus-on-biosecurity)

It's not only the occasional dugong at risk, as stated in 'Wildlife Australia' magazines article 'Australian pastures of the sea' inside the Autumn 2014 edition of Wildlife Australia. Extracts from this article found on pages 18,19 & 21 include the following..

a/ "Seagrass meadows are major foods for a number of big animals. An adult green turtle eats about two kilograms of seagrass a day and a dugong about 28 to 40 kg.

Turtles crop the leaves, whereas dugongs prefer to dig up and consume the whole plant, roots and all. Water birds such as black swans eat 1.8 to 3.6kg of seagrass a day. It's not just the plants that provide food; decomposing seagrass feeds plankton and provides detritus which feeds crabs, prawns, sea cucumbers and even corals".

b/ "Despite their ecological importance and economic value, seagrasses are poorly protected and have been declining globally over the past few decades at a rate of 110 sq klm a year, equivalent to two soccer fields an hour. Australian seagrass losses are just under 50 sq klm a year – close to half the global total. These disturbing figures place seagrass meadows among the most threatened ecosystems on earth. Multiple stressors are the cause of this decline. Some are natural due to storms, but most are the result of human activities. The most widespread and pervasive impact is reduced water quality and available light."

From paragraph a/ I can confirm, by way of photographs below, that these turtles, crabs, prawns and black swans do reside in the area where these pipes will be laid, right on top of their food source:

Photo1: Soldier crabs and other species are very active at low tidal conditions.

Photo 2: Sightings of endangered turtles, both adult and juvenile are common in Pindimar. For example and as attached, in an article from April 22, 2011 in 'The Herald', rescued and released turtles have been tracked directly to the Pindimar area. Presumably, Crabby the turtle would have been there to enjoy the quality of seagrasses available in the area. *See page 6 for photo.*

(*http://www.theherald.com.au/story/474615/green-turtle-stays-close-to-port-stephens/#slide=1*)

NEWCASTLE HERALD
WEBSITE OF THE YEAR
Monday April 28, 2014

Green turtle stays close to Port Stephens

By JANEK SPEIGHT Aug. 22, 2011, 10:32 a.m.

TAGGED: Crabby's release. Her signal has been picked up along beaches off Pindimar and Corrie Island.

Photo 3: Black swans and other water birds are commonplace in Pindimar, and are seen traversing the area where the Abalone Farm is proposed, then up to North Pindimar and back again. These black swans are only located amongst the shoreline of Pindimar and amongst the mangroves in adverse conditions. Sometimes seen in flocks of 50 birds or more, their protection in their native habitat is paramount.

Photo 4: An example of a recreational anglers success in catching prawns right on the corner of the bay adjacent to the proposed Abalone Farm in 2013. Repeating this catch is something that will directly jeopardized if this proposal was to go through.

Objection 2: In a recent news article, found at this following link, http://www.abc.net.au/news/2014-04-05/abalone-farm-proponents-say-they27ll-focus-on-biosecurity/5368490 ,the proponents have openly admitted that **"*the risk posed by chemicals or escaping larvae are minimal".***

Minimal? Minimal also states that the risks are possible, the risks are plausible, and not least, the risks are probable. Being admitted publicly by the proponent is a startling admission of guilt as to the potential risks involved. One would like to think that if this proposal were to be successful, that there would be NO RISKS, 100% assured NO CHANCE WHAT SO EVER of any contaminate, chemical or discharge from this land based Abalone Farm affecting the Port or Pindimar area.

Clearly, this is not possible by their own admission, and the project should be rejected. There has been no assurity offered to the concerned community, as they obviously cannot offer it. It's simply not worth the risk.

Objection 3: The stated address of 180 Clarke Street for this development, and as showed on the map on page 3 is misleading. Given the fact that the proponents want to use the tiny, narrow, light traffic only road of Cambage Street to access the site is ridiculous and dangerous.

This is the road our children feel safe on with 'very limited' traffic, no trucks and all direct traffic for the village, so the drivers acknowledge children are about, walking, playing, riding bikes, walking dogs or carrying a kayak down to the pristine waters edge.

Introducing several visability limited truck movements per day not only increases the risks to our children and the aging population at Pindimar, it will also greatly affect the road surface that took Great Lakes Council so long to actually surface with bitumen. The neighbouring village of Bundabah has only just had its roads sealed for the first time late in 2013, after years of hard fought campaigning to Great Lakes Council. We know GLC have a very limited budget already, and doubt that the regular potholes, road warping and declining condition in this area would be repaired quickly due to these truck and heavy machinery movements.

If the proponents want this to go ahead, I totally object to any unnecessary use of Clarke Street, Cambage Street, Como Street or Challis Avenue by vehicles associated with this Abalone Farm. The entrance should be from their address, 180 Clarke Street.

Any extra travel past the locality of 180 Clarke Street for the purpose of this Abalone Farm greatly decreases the safety of the village, the people and what infrastructure we have there. Knowing that some trucks will be bringing in brooding stocks, imagine the catastrophic results if the as yet 'untested' brooding stocks were to somehow come into the waterway or creeks off Cambage Street?

Keep the trucks well away from Cambage Street and the waters edges, 180 Clarke Street is an appropriate entrance, not Cambage Street.

Appendix 5 Objections:

Objection 1: As stated in the Biosecurity and Disease Management Plan, the proponents state on page 1 of 46 in the introduction, paragraph 3, "Whilst rigorous systems are put in place to enhance disease prevention, this farm recognises the importance of disease management, given that ***there is always the risk of disease presenting in farming systems***".
If there are ANY risks, there shall be no risks taken with this development.

I am opposed to risks such as those disclosed in the following extracts,...

a/ Paragraph 2 of page2: **Monitoring of marine exotic organisms**

A1. A subset (150 or 2%,whichever is less) of all potential abalone broodstock must be inspected on arrival at the aquaculture site for the presence of attached marine exotic organisms and the results of these inspections recorded in a logbook. The person conducting this specialized inspection should be aware of, and familiar with the identity of exotic species that may be a threat or be of interest to the department. Specialist equipment may be required including magnifying systems and lighting.

This inspection rate of *'150 or 2% whichever is less'* is not satisfactory inspection and testing of brooding stocks. The proponents have discussed risks, surely 100% of ANY brooding or other stock introduced to the proposed Abalone Farm at Pindimar would eliminate 'any risk' from introduced stocks? Obviously the time taken to inspect and certify every brood introduction would be a costly exercise, but when facing risks, there should be no limit to the expense to ensure the process is 100% risk free.

Objection 2: Paragraph 3 of page 2: **New broodstock quarantine**
"On arrival, all batches of "new" abalone must be quarantined from any other farm stock for a minimum period of 8 weeks" and "On arrival at the broodstock shed, all newly collected broodstock should be immediately inspected (with a subset being inspected by a staff member familiar with exotic pests as per A1) and any stock with injuries or other serious afflictions culled".

A far better option to 'totally' eliminate the risk of having diseased or infected stocks enter the facility at all is to have them inspected prior to being brought to the facility. For example – it would be highly beneficial and greatly reduce risks if ALL stocks brought to the farm were to be inspected, and certified as meeting all relevant standards by an independent and NATA (National Association of Testing Authorities – http://www.nata.com.au/nata/) Laboratory ***BEFORE*** entering the facility.
Initial testing of brooding stocks at the source of supply should also occur prior to being independently tested by a NATA Accredited Laboratory.

The proponent discusses a 'laboratory' for the farm at Pindimar under *"Diagnostic Techniques and Monitoring"* and they state *" Disease diagnosis begins on the farm. The two diseases of highest concern are Perkinsosis and AVG. It is important that farmers are able to recognise suspicious visual signs for early detection. Suitable equipment including water quality test kits and meters (DO, temperature, pH, KH,GH, nitrates/nitrites/ammonia), a microscope and a dissecting kit, can aid in the diagnosis of disease. Further laboratory diagnostic testing is often required to determine the cause of morbidity and mortality. Early disease detection can allow the consulting veterinarian to advise on management, treatments and further investigations where necessary. As a result, farmers can quickly begin a response without delay".*

Is this laboratory going to be NATA Accredited? NATA accreditation provides a means of determining, formally recognising and promoting the competence of facilities to perform specific types of testing, inspection, calibration, and other related activities.

Accreditation is distinct from certification, which focuses on an organisation's overall compliance with systems and products standards rather than technical competence.

Facilities accredited by NATA become members of the Association and are entitled to further benefits such as access to on-line resources, discounts on various training courses and access to NATA Endorsement Materials.

NATA's accreditation is based on a peer-review process made possible by some 3000 volunteer experts who assist with the assessment of facilities and sit on NATA's various technical committees. To maintain accreditation, facilities must be re-assessed regularly.

The criteria for determining a facility's competence are based on the relevant international standard (eg ISO/IEC 17025, ISO 15189, ISO/IEC 17020) and include: the qualifications, training and experience of staff; correct equipment that is properly calibrated and maintained; adequate quality assurance procedures; appropriate sampling practices, and so on.

Facilities can be private or government owned, and can range in size from one-person operations through to large multi-disciplinary organisations. Field operations and temporary laboratories are also catered for.

NATA currently operates a range of accreditation programs, and can tailor its service to meet the needs of particular organisations.

If the laboratory and testing procedures are not going to be NATA ENDORSED, then all test results obtained are essentially ‘useless’ and not legally binding when and if inspections are undertaken by the likes of the D.P.I & E.P.A. The proponent does not mention accreditation requirements of its own laboratory, or its sub contractors, and this needs to be clarified.

Also, any instrument used on site to measure quality or environmental processes should be calibrated by a NATA Accredited Laboratory. The use of electronically data logging equipment should be utilised when and where possible instead of manual daily ‘readings’ by staff to eliminate human error.

Objection 3: Disinfection Protocols

a/ The proponent states that *“C1. For the purposes of disinfecting wet suits, gloves, abalone tools and other associated equipment, there are a range of suitable disinfection techniques. Prior to any disinfection, organic material that is without biosecurity implications should be removed and appropriately disposed of at an appropriately licensed landfill such as the Port Stephens Bedminster composting facility, before applying the disinfectant to the equipment”.*

ANY affected tools, abalone, instrument, clothing etc should not be allowed to risk other areas by being allowed to be taken off site. More traffic for Cambage Street,

with a bio-hazard on board, that is unsatisfactory. Appropriate measures should be in place so there are NO RISKS of any infections or diseases being present, EVER, on the proposed site. It is becoming obvious they cannot offer a risk free environment, so again this is why I totally object to the entire proposal.

b/ The proponent states that "*C2. The common disinfectants are listed below.*
(i). A solution of Calcium hypochlorite Ca(OCl)2 prepared daily at a minimum active concentration of 7g/litre. When using Calcium hypochlorite or Virkon™ the exposure (contact time) shall exceed 10 minutes applied by immersion.
(ii). Virkon™ powder at a concentration of 20g/litre or equivalent.
(iii). Disinfection of equipment using commercially available cleaning products such as Truckwash™, Napisan™ or equivalent requires longer contact periods and product directions must be followed".

The solution "*Calcium hypochlorite" and or "Virkon", "Truckwash" and 'Napisan'* are **NOT LISTED** in appendix 7 for *"ANTICIPATED CHEMICAL & HARMACEUTICAL USE WITHIN THE FARM".*

Whilst I accept these are not 'toxic' to the environment chemicals, for something so important in the process of having a disease free environment, I find it staggering they did not included it in their list of chemicals used on site in appendix 7.
What else *'have they'* missed?

Appendix 6 Objections: Abalone Production Model

Objection 1: The proponents estimate that stocking rates will produce up to 60 tonnes per year. There appears to be no safe guards for the community and environment in place to ensure that the 60 tonnes per year estimate is made to be this farms MAXIMUM possible output.
With greed takes over common sense in mind – what steps are in place to ensure that the designed processes are not exceeded by AUSTASIA LEEFIELD PTY LTD in the future? If this proposal is accepted, safeguards like this need to be made law upon the owners of the farm.

Objection 2: The proponent plans to grow 'Blacklip' abalone species. There are other species of Abalone that are not subject to diseases like AVG (abalone viral ganglioneuritis), for example the *'Diversicolor abalone orJjiukong abalone'* as stated in the Manual of Diagnostic Tests for Aquatic Animals 2012 found at this link:
(
http://www.oie.int/fileadmin/Home/eng/Health_standards/aahm/current/2.4.01_INF_ABALONE.pdf)

If there is a species available for farming that doesn't pose disease risk to Port Stephens and Pindimar, that species should be targeted obviously.

Appendix 7 Objections: ANTICIPATED CHEMICAL & PHARMACEUTICAL USE WITHIN THE FARM

Objection 1: I note on the table of chemicals nominated for use within Appendix 7 that, as stated in my objections in Appendix 5, that some chemicals are described to

be included for use on the farm, but not included on the list. I don't honestly think the proponent is being 100% honest in this submission, and it needs to be investigated further. Notably, the inclusion of *Calcium hypochlorite* is missing? What else is missing?

Objection 2: I am against the use of any chemical for manufacturing processes like this is an area where the water table is known to be quite shallow.
During a 'king tide' and after considerate rainfall, I have personally witnessed the water table to be within a 'spades depth' of the surface at one of my blocks of land off Cambage Street. This block is situated 150m away from the nearest coastal edge (similar to the proposed Abalone Farm). Despite claims of how deep their tanks are planned to be, in the instance of heavy continuous rainfall combined with a 'king tide', the threat of tanks and chemicals over flowing into the ground, and onto the water way potentially carrying virus like AVG with it appear to be quite real.
A chemical free process or limited use of any chemical would be further acceptable if the inspection and certification of any incoming stocks are performed off site.

Objection 3: I take note of the small '*' on the chemical table which highlights *"*Substances which may be utilised within the marine water stream".* Out of the 20 chemicals listed (and not including the chemicals they have omitted), only 7 are noted as being able to be used within the marine water stream. Doesn't that appear to be a high number of chemicals ***not suited*** to be mixed with the water being pumped into or out of this development? This is simply not good enough, this plants chemical use and interaction with a shallow water table and susceptibility for overflow makes this proposal unworkable with protecting the environment.

Appendix 11 Objections: Review Assessment of EA – Response to s75H(2) review assessment.

Note: Where there is a number at left, I am referring to the Issue number from Dept Planning & Infrastructure:

(4) Plans and Maps; Objection 1: Last paragraph of page 3, referring to Appendix 22: *"The report has found that the proposed Abalone Farm is located in a high bushfire risk area with no direct, safe vehicular/pedestrian access to the 'safer place' provided by the South Pindimar Village".*
This leads me again to challenge the use of Cambage Street as the main entrance to the farm. It should be accessed Via the boundary of 180 Clarke Street Pindimar on Clarke Street. In case of a bush fire or fire at the facility, the nearest fire service, being the Pindimar / Tea Gardens Bush Fire Brigade at North Pindimar, could access the site quicker, rather than having to go all the way down Clarke Street, onto Cambage etc etc.

(6) Broodstock / Genetics: Objection 2: The proponent has stated *"Previous studies have indicated that the risk of a spawning event leading to larvae escaping, maturing and spawning again in the wild is less than '4 in a million'. This holds true regardless of the source-location of broodstock, either within or even outside NSW*".
What study is this relating to? No proof of this in the EA.

(6) Objection 3: The proponent has stated *"With regard to disease risk, **Section 5.3** of the EA and **Appendix 5** (Biosecurity & Disease Management Plan) addresses risks associated with disease within the farm".*
What about outside the farm? What about the waters of Port Stephens and the health and safety of Pindimar and surrounding area residents? This needs to be clarified.

(7) Marine water quality impacts: Objection 1: The proponent has stated *"3. The overall impact on background levels of nutrients within the Port is addressed; and the mitigation measures explanation has been revised".*
So where is this revision? They have not answered the question put to them by the D.P.I?

(8) Objection 1: The proponent has stated *"In particular, the figures now also illustrate the ammonia concentration in the vicinity of Posidonia australis seagrass beds. A detailed explanation as to how the plumes are diluted before reaching the seagrass beds is provided".*
So this seems contradictory – is there elevated levels of ammonia concentration in the vicinity of the seagrass beds or isn't there? If so, if the levels are expected to be elevated from natural causes, they would be polluting directly from the farm, and further harming seagrasses. Any pollutant or discharge of anything but 100% of what they pump out of the Port is not acceptable to the community.

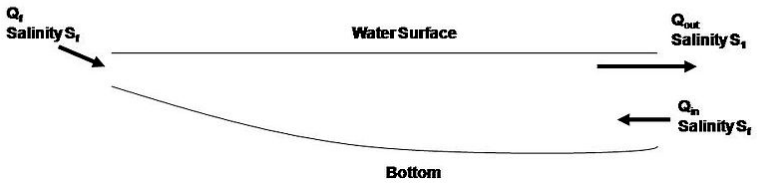
(**10) Chemicals: Objection 1:** The listed amounts and types of chemicals is not accurate, with at least 3 being omitted on the list found. In appendix 5 the proponent has stated " "*C2. The common disinfectants are listed below.*
(i). A solution of Calcium hypochlorite Ca(OCl)2 prepared daily at a minimum active concentration of 7g/litre. When using Calcium hypochlorite or Virkon™ the exposure (contact time) shall exceed 10 minutes applied by immersion.
(ii). Virkon™ powder at a concentration of 20g/litre or equivalent.
(iii). Disinfection of equipment using commercially available cleaning products such as Truckwash™, Napisan™ or equivalent requires longer contact periods and product directions must be followed".
The proponent has failed to disclose *Calcium hypochlorite, Truckwask & Napisan.*
What else have they forgotton or are possibly withholding information on?

(10) Objection 2: The nearest NSW Fire Brigade 'Hazmat' team are based in Newcastle, over 60 minutes away. I am greatly concerned that a 'spill' of either chemical or infected animal agent in the waterway and or groundwater will be 'long gone' by the time an appropriate emergency response team, like the Hazmat crews' have a chance to arrive. Where is the proponents assurity to the community that an accidental spill will never, ever occur?

(11) Marine Flora and Fauna: Objection 1: The proponent has stated that *"Notably, habitats in the vicinity of the proposed pipeline supported relatively low numbers of species and individuals of benthic organisms".*
If levels are as they say already *'notably low'* why risk a total wipe out of what is left?

(11) Objection 2: The proponent states *"This benthic survey provides baseline data that will form the basis of future assessments of the pipeline on populations and benthic biodiversity".*
So by the proponent stating *"to monitor potential impacts"* confirms the community's fears that this farm has the potential to impact on the residents quality of life, and the quality of the greater Port Stephens area and activities. Any 'potential' should be seen as a risk. Why take the risk – it's simply not worth it.

(12) Objection 1: The proponent states *"With regard to fish species, the Aquatic Ecology Assessment (**Appendix 16**) noted (with reference to previous surveys undertaken by others), all species caught within Pindimar Bay close to the subject site were typical of NSW estuaries".*
The location of the proposed Abalone Farm, along with its application to pump both 'water in and out of' as part of its design process is not suited to 'an estuary' environment with low residence time.



Refer to: http://en.wikipedia.org/wiki/Estuarine_water_circulation

Given that the area where the pipes are planned to go, the low depth at 'the drop off' and frequent very shallow high tides offer little if any complete 'wash out' or 'circulation' of the shores and outer edges of the drop off some 100m from the shore line of Pindimar. The plumes of excess Nitrogen from the effluent output of the proposed farm have already been noted as being approximately 1000kg nitrogen into an already polluted port of which the sea grasses are already showing strain off.
The proponents have previously set up an experimental model of the proposed farm which was used and installed at the North Eastern tip of the Port Stephens peninsula. This system pumped water and out directly into the ocean, and not in an estuarial location like they have proposed to do.
The location of the pipes, combined with the proponents self admission of 'possible' risks of increasing amounts of nitrogen pollution to the estuary simply isn't acceptable in an estuary environment.

(13) Objection 1: The question asked of the director general to the proponent has not been answered. Their response *of "It is recommended that an appropriately designed monitoring programme be implemented to test this prediction"* is beyond a joke. They seemingly do not have an accredited model of monitoring programme noted anywhere in their submission to test this 'prediction'. It would appear this is a big 'stab in the dark' on their behalf.

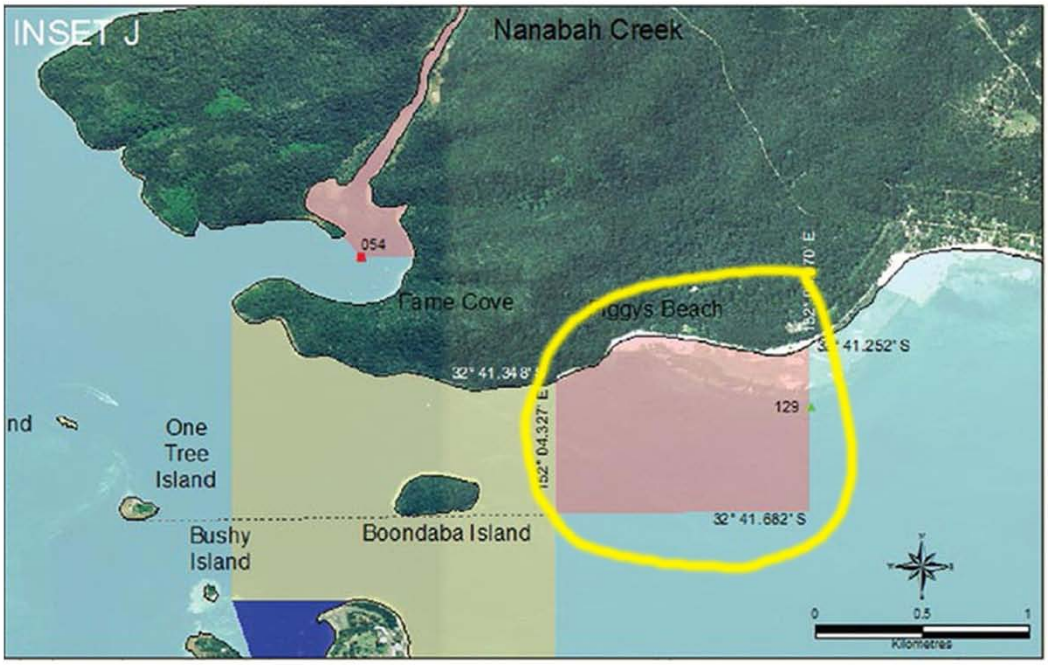
(14) Objection 1: The importance of all Plankton species have been totally ignored by the proponent, and the inefficiency and inability to correctly monitor the intake pipes at a depth of 15-20m really shows that this Abalone Farm WILL directly affect the aquatic nature of Pindimar & Port Stephens. Plankton are drifting organisms in aquatic environments, including marine and fresh water. They are the base of the food web in these environments and cannot swim against currents, like that of being sucked into a pipe at a nominated rate of 1.3m per second. Plankton like so many other aquatic creatures simply don't have a chance against these pipes. No plankton means no food for a variety of water life – THIS IS UNACCEPTABLE!
Refer:
http://thesciencebeat.pbworks.com/w/page/32949288/Plankton%20vs%2C%20Phytoplankton

(15) Objection 1: The proponents failure to address or acknowledge the high presence of dolphins, and even more importantly, the tourism dollars that Port Stephens remunerates each year is staggering. Port Stephens Tourism, charter operators, shuttle bus services and Newcastle Regional Airport are reliant on a percentage of dolphin watch tours that reaps millions of dollars annually to the Port. The fact that the proponent had to have this clarified by their assessment team, Bio-Analysis Pty Ltd, shows they really haven't thought hard about the consequences of their actions, of which in their own words, is a possible risk.

Objection 2: Appendix 16, a report by Bio-Analysis Pty Ltd, (https://majorprojects.affinitylive.com/public/b6f4ab57f0b358111f1909d61eeeaf5a/Appendix%2016-%20Aquatic%20Ecology%20Assessment.pdf) appears to offer very brief and insufficient answers to the question posed about the welfare of dolphins, with Bio-Anaysis final statement regarding the effects on dolphins from the Abalone Farm as being quote *"The proposed abalone farm is **unlikely** to interfere with any local dolphin population".*
Unlikely? To the average person this would require a simple 'yes or no' response. This states that there is still a potential hazard to dolphins which needs to be answered as a 'yes or no' response to remove any ambiguity and ultimately protect the dolphins of Port Stephens.

(16) Marine Parks – Objection 1: I find the thought of building this development, or for anyone to even consider it this close to a marine park is incomprehensible!
As attached on page 16, the distance between the proposed pipelines and the very close proximity of a gazetted marine park is too close for comfort.
From the marine parks website, they state *"The park's diverse marine life includes many species of dolphins, turtles, fish, invertebrates, seabirds and seaweeds along with threatened species such as the Gould's petrel, little tern, grey nurse shark and green turtle". Refer: http://www.mpa.nsw.gov.au/psglmp.html*

So Marine Parks NSW have confirmed there are threatened species in the designated Marine Park. The pipes and risks associated with the 'possible' contaminates are a real threat to these species. IT'S NOT WORTH THE RISKS that the proponents have admitted are very possible and this fact cannot be discounted.



Objection 2: I would like to highlight a statement in the Bio-Analysis report regarding this project, from paragraph 3, page 38 of the report found at the following web address:
https://majorprojects.affinitylive.com/public/b6f4ab57f0b358111f1909d61eeeaf5a/Appendix%2016-%20Aquatic%20Ecology%20Assessment.pdf

"Whilst most fishes within the seagrass habitat will be able to avoid any impact from the laying of the pipeline footings, ***one family of fishes, the Syngnathidae, needs to be considered as they are a protected family of fish under the NSW Fisheries Management Act 1994 (FMA 1994). The family includes the pipefishes and seahorses, which are common within the seagrass habitats of the estuary.*** *Syngnathids are reportedly highly vulnerable to human impacts, due to low rates of reproduction and their sedentary nature (Vincent et al., 2005). There is a risk that pipefish and seahorses may be crushed or injured as the footings are placed onto the bottom".*
The pipes ARE going to be a risk to marine life – it's there in black and white!

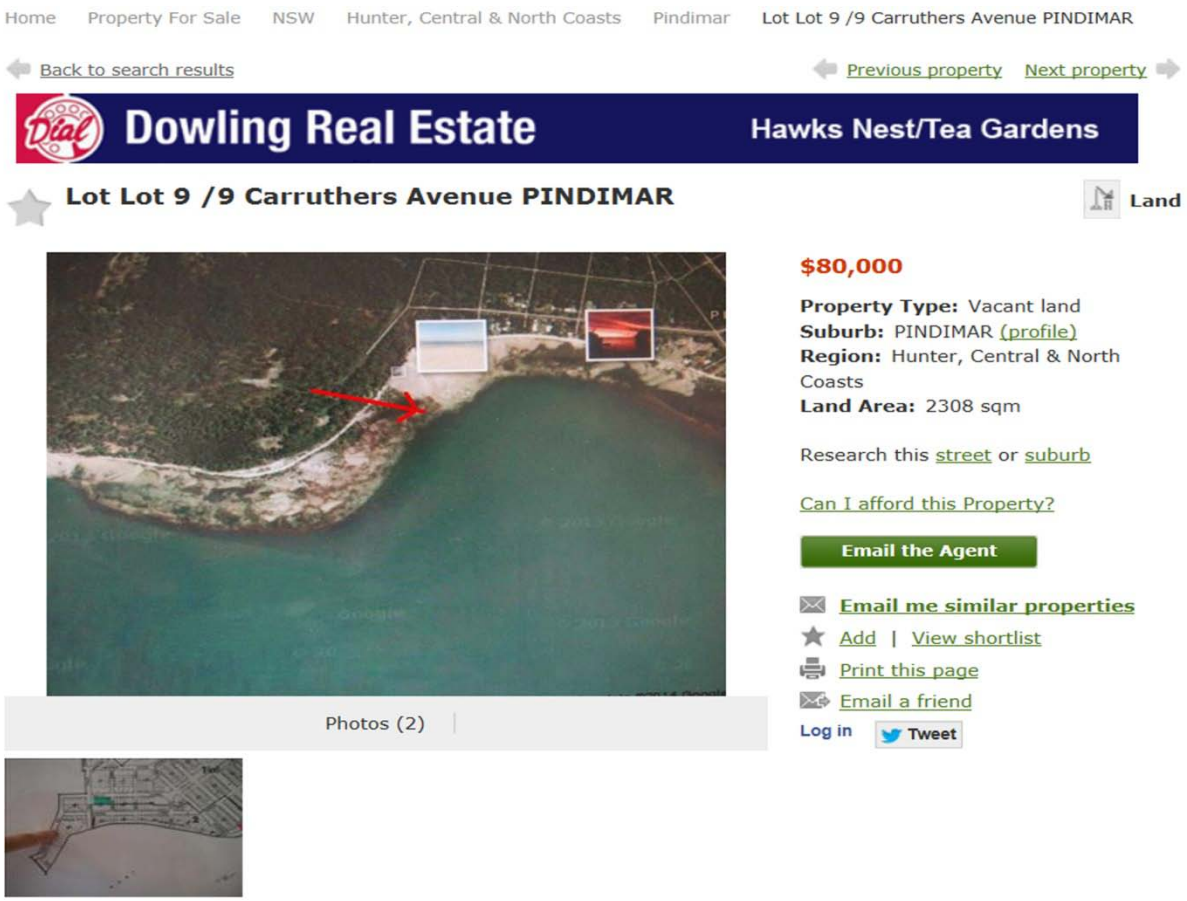
(17) The loosely used 'jargon' throughout the proposal reflects on the professionalism of this whole project – mostly ill thought out procedures and policies with a 'she'll be right' attitude. Ambiguity is rife throughout this proposal, with definite 'yes or no' responses collected or offered so far.

(18) Objection 1: The proponent has not made any attempt to highlight whether recreational fishermen will be allowed to fish from the publicly owned shoreline in the vicinity of the pipes, nor has there been any plans or procedure submitted in the case of a vessel becoming stuck and possibly damaging the pipes and / or any safety measures in place putting aquatic life at risk of being sucked into the farm. For public safety and the welfare of recreational fisherman, this needs to be addressed further.

(19) Terresrial Flora & Fauna – Objection 1: Whilst vegetation offset has been discussed in detail by the proponent, there has been NO offset offered for the area used and potentially affected in the waters of Port Stephens? This needs to addressed with greater importance than the land based revegetation plans.

(20) Visual Impact – Objection 1: What about the visual impact of heavy trucks, machinery and the like for the residents of Pindimar? What about Bundabah & North Arm Cove residents? They haven't been included in this proposal or even given any consideration to possible impacts.

(23) Noise – Objection 1: The amended figure shown does highlight 'dwellings' as such, but does NOT show existing blocks that are currently Rural Blocks, Zones RU1 or RU2. That means building of a 'dwelling' is not currently legally possible. HOWEVER, the block pictured below at Lot 9/9 Curruthers Ave Pindimar, and other non-urban blocks between it and the first dwellings on Cambage Street WILL be affected by noise from the proposed Abalone Farm. The NSW Dept of Planning have been in consultation in 2013 & 2014 to try and have these non-urban blocks at Pindimar rezoned allowing many 'mum and dad' investors like myself to realise our dreams of building on our blocks one day.



Objection 2: The close proximity of the farm to residences will negatively impact on land and house values. Renowned for it's easy going, non urbanised and non industrialised community spirit, this Abalone Farm goes against the grain for a high majority of residents and what Pindimar means to them.'
PLEASE – Have some commonsense and DO NOT approve this development. Pindimar will NEVER EVER be the same if it does.

(24) Traffic – Objection 1: The roads of Pindimar were never designed for regular use by heavy vehicles but instead designed for a light flow of 'residential' traffic only. If this proposal were to go ahead, the entrance should be at 180 Clarke Street, not off Cambage Street amongst concerned residents.

(28) Bushfire Zone – Objection 1: This proposal is indeed in a high risk bushfire zone. With limited access for emergency vehicles, a serious lack of dedicated emergency personnel and equipment in the area and in the case of a chemical emergency, the nearest Hazmat unit is in Newcastle, some 1.5 hours away.
It's a no brainer – the area is lacking sufficient emergency response services if a fire or other disaster occurs at this farm. Best to avoid all potential hazards to the innocent community and Port Stephens, and reject this proposal.

(29) Objection 1 : The proponents have never offered any guarantee to the community of this project being 100% safe to them and the users of Port Stephens. Is there some sort of financial assurity they are bound to supply the community if the worst should occur?

(33) Pollutant Controls – Objection 1: The proponents and the EPA have not offered a solid answer to the question. Their response of *"M. Howat (EPA) advised via email on 16 June 2013 that the amended diagram appears to satisfy the EPA's requirements in relation to this query"* offers more ambiguity rather than a more decisive 'yes or no'. The credibility of a high amount of responses thus far in this EA from the proponent is questionable to say the least. Factual information and direct, accurate responses to the question posed has been seemingly side stepped and clouded by irrelevant information.

(34) Objection 1: The proponents have stated *"the Settlement Ponds would still remove around 80% of particulate waste before discharge to the Port".*
This is admitting that there WILL be 20% particulate waste entering the Port. 20% of any particulate waste over time is 20% more than what the Port has ever experienced. 20% is a lot over a period of time and commonsense says it will have an effect in the long run. If they cannot removed 100% of particulate waste, then they should be focussed on other measures of disposal rather than taking the easy and risky option of dumping into the pristine waters of Port Stephens.

(35) Objection 1: The proponent states *"The majority of carbon within the water column would be filtered out through the use of swirl separators* ***and other means*** *before water reaches the Settlement Ponds- accordingly there will be negligible carbon added to the Settlement Ponds".*
This "other means" needs to be clarified and discussed further.
Further, regarding the cleaning of settlement ponds they also state *"the farm does not place any reliance on this process as part of its water treatment train".*
I can't understand they would bother with an ambiguous 3 paragraph statement if the process won't be relied upon? It doesn't make sense.

(36) Objection 1: The proponent states *"Abalone only excrete Nitrogen as Ammonia and the surface area to volume ratios and low water residency time within the farm/ Ponds (compared to a STP)* ***leaves little opportunity*** *for bacteria to convert the Ammonia to Nitrate".*
A 'little opportunity' means there is a possibility. I believe this is ambiguous and needs further clarification.

(37) Objection 1: Regardless of the proponents explanation, there should be NO disposal of any waste product into the Port Stephens waters.

(39) Objection 1: The proponent has previously described a 2hour settlement period in the ponds. But here they *state "The ponds will be continuously releasing water to the Port".*
This requires clarification.

Objection 2: The proponent admits that there is a of risk of marine water overflowing during "intense rainfall".
Any risk is too much of a risk where the safe operation of this farm is so reliant on mother nature, and gives another reason for this proposal to be rejected for good.

(40) Modelling and prediction modifications – Objection 1: Screen filters and Swirl separators mentioned have a stated wide range of efficiency from 50-95%.

They do not declare what type of swirl separator system they intend using which at worst case could offer just 50% efficiency. This is not good enough offers an ambiguous response to an important query.

(42) Objection 1: The proponent states *"This is to consider that concentrations **might** be intermittently higher at this or that local position from time to time" and "A more detailed discussion on the **potential for impacts on seagrasses** is provided"* "Might" and "Potential" again offers an ambiguous response to a serious environmental risk. They cannot seem to commit to a definite answer on so many queries.

(45) Discharge pipeline installation options – Objection 1: The proponent has stated *"Alternative techniques considered but disregarded include micro tunnelling, trenching through the seagrass beds and horizontal direct drilling".*
Micro tunnelling would be a better option to help assist in preserving the already fragile sea grasses in the location. Obviously they are going for the cheaper alternative at the expense of the flora and fauna.

(56) Port Stephens Council – Objection 1: This proposal is in a protected zone. This is a protected zone for a reason and rules should not be 'bent' to satisfy corporate greed at the expense of the environment.

(57) Objection 1: The proponents states that *"These assessments conclude that the proposal **is not likely** to have any significant impacts on water quality or the marine environment **generally**".*
"Not likely" and "generally" are ambiguous responses to this query and should be investigated further. Again, this should be either 'yes or no'.

(58) Objection 1: There have been too many ambiguous responses by the proponent who has 'passed the buck' on this one also. Throughout the entire EA & application, there is no evidence of a real understanding or undertaking showing cause for concern for the many tourism business who rely on 'the best' water quality to achieve favourable business for Port Stephens tourism. They really don't seem to care by offering ambiguous responses continually.

- SUBMISSION CONCLUSION -