



PCU53147

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Minister for Planning & Infrastructure

8 May 2014

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Submission, MP 10 0006 Abalone Farm, Pindimar

Department of Planning
Received

9 MAY 2014

Scanning Room

Dear Minister

We have many objections to this latest proposal for a land based abalone farm at Pindimar. Several of them are the same as those that came under strong criticism by the Chief Justice of the Land and Environment Court, leading to withdrawal of the original DA..

The current proposal's threats to our environment have been increased because of the doubling of the abalone production, with the possibility that it may be increased further. We believe that the conditions are unfavourable for successful production and do not warrant the very obvious adverse impacts .

Our concerns were presented to the Department in a letter dated 1 August 2012. This was before the release of the EA, but we see very little in the EA that effectively resolves our concerns. We have enclosed a copy of the letter.

Because of the massive amount of documentation that has been presented in this exhibition, we have limited our responses to the Appendices which, we expect, would contain more detail. We feel that more time should have been allowed for the exhibition. We have made no donations to political parties.

Appendix 1 DIRECTOR GENERAL'S REQUIREMENTS

The following are areas in which we feel the DG's requirements have not been fulfilled :-

1. Providing an adequate description of the environment

The applicant wrongly describes the surrounding areas as being zoned 1 (a) Rural. The area directly opposite in Carruthers Av is Non-urban Residential. The adjoining SEPP Wetlands are also subdivided as Residential.

2. Risk Assessment

- The full extent of commercial and recreational activities in the area has not been indicated, eg, commercial and recreational fishing and crab trapping, oyster farming, prawning, swimming, snorkelling, canoeing
- A survey of outgoing tidal flow has been given, but there is none on the incoming tide, which will be more damaging in effluent dispersal.
- Too little attention has been given to the fact that this will be the first project of its kind in NSW and probably Australia :- in an estuary, between two SEPP Wetlands, adjacent to a Marine Sanctuary, high water table, sea level rises, foreshore erosion, extreme bushfire risk, massive expenditure of energy
- The many other risks are outlined below.

3. Water Quality

Too little attention has been given to the slow flushing rate in Port Stephens during floods, resulting in the intake of unsuitable water.

The slow flushing rate will also allow the build up of pollutants from the discharge pipes.

4. Surface Water and Groundwater Impacts

The potential impacts from run-off on the SEPP Wetlands and the shallow water table has not been adequately considered.

5. Alternatives Considered

- a. The alternative to use Challis Av as a direct access to the site has not been fully considered. The tree removal required would be relatively minor compared to the extensive removal at the building site.
The use of Challis Av would avoid the loss of amenity in Pindimar urban area, as described below.
- b. The offer to provide a Conservation Area as an alternative to the large scale loss of habitat from removal of vegetation for building construction and fire defence lines is not viable. The two habitats will be completely different to each other.

6. Components and Stages of the Project

These have not been clearly defined. The original proposal indicated that construction would occur over three years.

The current proposal gives no comparative details, even though there will be double the amount of abalone production.

7. Plans of Proposed Building Works

There should be a Landscape Plan for aesthetic reasons and the fact that one of the fire controls is to keep the buildings clear of flammables and overhanging canopies.

8. Cumulative Impacts

There could be severe cumulative impact from build up from the discharge pipes into Pindimar Bay, where the big eddy is shown on the tidal flow map.

The effects could extend further into the Port because of slow flushing rates.

The inlet pipes are deeper than the outlet. The effluent could flow down to the inlet, particularly at slack tides.

9. Detailed Contingency Plans

Far too little information on rescue of trapped turtles, porpoises, etc.

No plans for rescue of smaller wildlife, except that they will pass through the system and be discharged through the outlets !

The response given for rescue of koalas from the holding tanks is that koalas don't drink salt water.

Apparently no plans for the clearance of marine growth inside the pipes.

There is no contingency plan for the fire threat to the large holding tanks that are outside the fire defence lines.

Insufficient fire protection for the only fill-up hydrant for fire fighting trucks.

No contingency plan for fire breaks at the heavily timbered and only entry in Challis Av or at the emergency evacuation boardwalk.

10. Design and Farming Methods

Broodstock / Wild abalone The proposal assumes there are no native abalone nearby, which is unproven. It is an exaggeration to say that the nearest are 10 km away.

Requirements are also that details of who collected the abalone, and where, are to be provided.

OTHER EXAMPLES OF NON-CONFORMITY WITH THE DGR'S WILL BE FOUND IN THE FOLLOWING COMMENTS ON THE APPENDICES :-

Appendix 4 ACID SULPHATE SOIL PRELIMINARY ASSESSMENT

Inconsistencies in the extent of the ASS assessment:- *“a band of potential acid-sulphate soil....was detected 1.4 m below the sediment surface in the inter-tidal section of the pipe route”* .On the other hand :-

“the same map indicates a high probability of acid sulphate soil materials in the intertidal area at or near the ground surface in the intertidal area and high probability of acid sulphate soils subtidally” .

And :- *“This sandbar has been sampled and contains PASS one metre below ground surface”*.

Samples were not taken for the final 15m before the pipes emerge into the sub-tidal zone, which, according to the ASS Risk Map seems to be the highest risk zone if there is any disturbance to the bottom sediments. Such disturbance could be taken to be from discharge from the pipes and gouging around the pipes by the current.

A trench 900 mm deep and 4.6 m wide will be dug through the whole intertidal area and through a wide stretch of mangroves. The 4 large pipes of outer diameters of 630 mm will be laid in the trench, leaving only 270 mm sand depth above the pipes. This is insufficient in an area of foreshore erosion and shifting sandbars (as indicated in the Assessment).

We dispute the claim that there will be need to trim only two mangrove trees and to remove an unspecified number of seedlings. Does the “trimming” include the root damage across the wide 4.6m trench that is completely under the canopies of the mangroves as shown in the aerial photos?

There is uncertainty as to where the pipes will be passing through the mangroves because they have to be moved because of the aboriginal shell midden (not to be confused with the original midden). There is uncertainty on the extent of the midden.

The Assessment is certain that *“There will be no anticipated disturbance of acid sulphate soils”* but *“where there is neutralising agents will be employed”*. Considering the large amount of sediment to be removed and the uncertainty about the extent of the acid sulphate soil, what guarantee is there that the neutralising agents will not cause as much damage to the micro-organisms, etc, as the excavation?

Appendix 5 BIOSECURITY & DISEASE MANAGEMENT PLAN

This plan outlines about 24 pages of risk areas and necessary controls, from footbaths to removal of dead abalone. Strict control on staff movements, changing clothes, cleansing procedures that have failed to prevent infection even in hospitals.

Even with the best of intentions and assurances that safety measures will be in place, it will be impossible to prevent the spread of disease, especially from single cell organisms.

This has been shown in failed abalone farms in other states where the conditions are more favourable than in Port Stephens.

Appendix 6 ANTICIPATED STOCKING RATES

The rates seem to be impressive but are conditional on optimum conditions being maintained :-

- extreme bio-security and disease management problems,
- maintaining purity of water intake even with the slow flushing rate in Port Stephens, including at flood times and when the tidal flow diagram shows that the eddy in Pindimar Bay will carry the effluent from the outlet pipes to the inlets.
- Maintaining water temperature by refrigeration, with great expenditure of energy.

It is interesting to note that the abalone will be grown to 80-90 mm shell size when the legal size for the taking of wild abalone is 110 mm. Only two are allowed to be taken at a time. Records have to be kept of who took the abalone and where from.

We are told that 24 native abalone per year will be obtained, presumably to maintain breeding viability. At the same time we are told about the fertility of abalone and the survival rate in farm conditions. If the figures are correct, the abalone farm will handicap the commercial harvesting of native abalone.

Appendix 7 ANTICIPATED CHEMICAL AND PHARMACEUTICAL USE

About 20 different chemicals are to be used in an attempt to maintain viable production and to protect the environment.

The "Safety Phrase" for the chemicals/pharmaceuticals ranges from ' *keep locked up, keep away from food, do not breathe dust, avoid contact with skin and eyes, take off immediately all contaminated clothes, wear suitable protective clothing* '. 64 safety measures altogether.

The fact that only small amounts will presumably be kept is an indication of the potency of the chemicals.

Appendix 8 EXISTING NORTH-SOUTH PINDIMAR BOARDWALK

The proposed boardwalk is to be of the same design. Being of wood, it is unsuitable for a bushfire emergency evacuation, which appears to be its sole function.

It is apparently opened by "break glass, obtain key" method. Has approval been given for its structure, being outside the development site, and was the community consulted?

Insufficient consideration has been given to the fact that boardwalk is to be built in a SEE Wetlands and fish breeding area.

Appendix 9 RECORD OF MINISTERS' OPINIONS

NSW Environmental Protection Agency

Issue 31

The EPA raised concerns about insufficient settling time for wastes, in particular nitrogen waste and nutrients.

The applicant does not address these specific issues, but instead claims to be using “*best practice protocols*” of Henderson and Bromage (1988) to be able to remove 85 to 88%, although “*to be conservative*”, a figure of 80% is utilised. A 20% discharge of pollutants in this estuary is far too much.

Issue 38

The EPA wanted to be sure that the two settling ponds are to be used alternatively so that cleaning/maintenance works can be conducted.

The applicant’s response is that this is likely to occur only on rare occasions, once or twice a year. Surely this is insufficient, taking into account all the other risk controls that are necessary.

Issue 46

EPA queried potential “*marine vessel and anchor collision*” (with the pipes).

The applicant replies that the pipelines will be below the seabed. The truth is that the whole sub-tidal section of the pipes + their supports will be above the seabed. There could also be anchor collision with the warning buoys.

Issue 47

EPA is concerned about the discharge of nutrients onto nearby Posidonia seagrass.

The applicant disputes this despite his current flow map showing otherwise and this is only on the outgoing tide. An incoming tide flow chart would show a more adverse result.

Review of Effluent Quality

EPA requested reviews of effluent quality at other abalone farms.

The applicant does not oblige, instead relying on “*sound scientific principles and modelling*” (no details given). The fact is that there are no similar type abalone farms in NSW and probably the whole of Australia. The whole project is experimental.

However the applicant does refer to 3 abalone farms in South Australia and makes the comment that “*the SA farms discharge seawater above the high water mark*”. This would no doubt mean that these farms must be discharging much cleaner water than what is proposed at Pindimar.

The applicant’s own aerial “photo” of the water currents around the discharge and inlet pipes shows that the effluent will move in a large eddy to the extent that it could be sucked into the inlet pipe, along with countless marine life, even with screening.

As well the “photo” is of an outgoing tide; it would be so much worse with an incoming tide.

The discharge pipes are at a higher level than the intakes. Effluent could drift down to the intakes, particularly at slack tides.

Also, the fact that there was “*virtually no detectable increase*” in inorganic and organic nitrogen levels at the Streaky Bay farm cannot be used to draw the same conclusion for Pindimar. The applicant admits that there are “*significant differences between the mentioned farms and the proposed farm*”, then goes on to say how clean the effluent is from these SA farms, followed by a claim that the effluent at Pindimar will be cleaner. What special processes will be used at Pindimar that are not being used in South Australia? It is very unconvincing.

Great Lakes Council

The Senior Ecologist explained in his letter of 25 January 2010 the need to update the reports on the proposal because of the *“potential to cause a significant or unreasonable ecological impact or loss of habitat for biodiversity and threatened species”*.

While we have been supplied with some up to date information , there is still too much reliance on indirect and non specific reference to remote authorities, long bibliographies, incomprehensible technical language.

Appendix 13 Statement of Effects on Threatened Flora and Fauna

This survey is very extensive and very revealing of both the real and the potential impacts of this proposal on local flora and fauna.

It is disturbing that the attitude of the report seems to be that nothing needs to be done unless the species will be made extinct in the area. The Director General's Requirements are not directed only to threatened species and to protected species, but to general “populations or ecological communities and their habitats.”

Threatened Flora

“no threatened species were recorded”, but in the next sentence, *“suitable habitat of varying quality was found for 18 of the 26 species...”* This suggests that the survey was inadequate, also shown by the fact that the study area contained three Endangered Ecological Communities :-

- Swamp Mahogany – Paperbark Forest
- Saltmarsh
- Swamp Oak Forest

“Two of these communities....will be directly impacted by the proposal”.

Threatened Fauna

Five were detected in the study area. Koala were added after *“secondary evidence”*

It was found that there is suitable habitat on the site for 51 other species. No indication is given on how many habitats will be threatened by the removal of 65 trees and other vegetation.

An unrealistic alternative put forward by the report is to be aware of all the nesting hollows and habitats and to provide nesting boxes. We are sure that this is not the kind of alternative that the Director General would expect in his requirements on alternatives.

Appendix 14 PROJECT PROFILE ANALYSIS (SEPP 62)

- the two affected SEPP 44 Wetlands should also be included
- when asked about fresh water availability, the applicant's response is *“will not utilise fresh water for aquaculture”*. He was obviously meant to comment on availability of water for fire control, cleaning, kitchen, etc
- PPA refers to need for permit to disturb mangroves and seagrasses, but response is simply that only small areas and some trimming will be involved.

- PPA required buffer distances from watercourses. Applicant :- *"No watercourses within close proximity"*. The creek and one of the SEPP 44 Wetlands adjoin the site and the other Wetlands is in close proximity.
- Adjacent land use. The applicant describes it only as "1(a) Rural, but his own plans clearly show that the properties on the other side of Carruthers Av and even in the Wetlands area as Non-urban Residential."
- Potential for conflict with neighbours. Applicant speaks only of the distance to the nearest dwelling (ignoring the one recently approved by Council) and also ignoring doubling of traffic, noise, increased road maintenance, property devaluation, urban run-off, pollution of the Wetlands and all the recreational activities that occur in the threatened waters, etc.
- Feed management (enclosed shed, low humidity, cool). Applicant's only response :- *"will be kept enclosed within the Facility Shed"*.
- Recirculating Water Management. Details of storage capacity was required. Applicant's response is N/A. Apparently there will be no recycling.
- Potential to affect groundwater. Applicant acknowledges the groundwater is within 3 m of surface but anticipates no adverse effects because of poly linings of the Settlement Ponds. The ponds are also outside the bushfire defence lines. Ignores all other potential pollution from site run off.

Appendix 15 ABORIGINAL HERITAGE & ARCHAEOLOGICAL ASSESSMENT

Presence of the aboriginal midden was one of the many reasons why the previous DA was withdrawn at the L & E Court.

The current DA proposes to move the water pipes further west, but in doing so there is the possibility of disturbing other relics in what is described as a "shell midden". The extent of the midden is unknown. This will surely affect the positioning of the pipes which, in turn would affect which mangroves will be dug up, damaged and removed.

The report describes the situation as follows :- *"The midden area is highly valued by the aboriginal community today and was in the past. Its outlook, landscape feature and resource attributes readily evoke a sense of use, purpose, attachment and place"*.

Despite this, it is concluded that "there are no areas of archaeological or cultural value within the relocated development footprint". This cannot be said of the area in which the pipes are to be laid in the foreshore area, where the remains of the midden can be seen in the eroded bank.

Of the 6 on site study areas, it is considered in the report that two may have archaeological evidence.

To add to the confusion, a letter from the Office of Environment & Heritage to Len Roberts, the author of this archaeological report, shows *"7 aboriginal sites are recorded in or near the above location"*, but *"0 aboriginal places have been declared in or near the above location"*. We wonder why there has been no declared interest in these 7 sites, considering the level of interest in the Pindimar middens, as claimed.

Appendix 16 AQUATIC ECOLOGY ASSESSMENT

Key Points From the Assessment

- Pipeline will pass through 70 m of "sparse" mangroves. Aerial photos show it is not sparse.
- Extensive sand movement due to waves and tides
- Many fish use the habitat for feeding. 43 were caught in Pindimar Bay
- Large scale decline in seagrass meadows

- Most fish are caught in sea grass meadows
- Posidonia australis- the most susceptible to anthropogenic disturbance
- % cover for posidonia along the route of the pipeline :- 70-85 %. Posidonia exist to 3m.
- Posidonia has been shown to take many years to recover
- Shading has been shown to impact on sea grasses. It will result from the elevated pipes and their supports over the whole sub-tidal area
- A claim that there are no oyster leases in the vicinity, which is wrong. No regard for other commercial and recreational activities.
- Pipe outlets will be 415 m from the Sanctuary. The current flow “photo” shows that the effluent will certainly reach the sanctuary. It will be worse on incoming tide. No mention of the other sanctuary which stretches across the whole width of the Port.
- “any individuals (marine creatures) that are entrained (sucked into the pipe) are likely to be returned to the estuary via the outlet pipe” ! We will add that they will most likely be dead by then. What will be done with the ones not “likely” to be returned
- Nothing has been said on how the insides of the pipes are to be kept clear of crustacean and other growth
- The only solution given for the safeguarding of protected pipe fishes and seahorses during the pipe laying is to “usher” them away. There will be nothing to protect them after the pipes have been laid. The theory is that all the susceptible wildlife will be able to swim faster than the water that is being drawn in ! This would not apply to fish larvae, sea slugs and a whole range of micro-organisms, etc.
- “it is recommended that monitoring of the locations sampled is repeated on at least one more occasion prior to the pipeline being constructed”. This is the best indicator of the doubts surrounding this report and it will be too late by then.

Appendix 17 STORMWATER MANAGEMENT PLAN

The uncertainty about the stormwater proposals is highlighted by the following statement from this report (pg 21) :- *“As there is no site specific data available to calibrate the rainfall run off model, model parameters were selected to achieve an expected average annual run off coefficient for a catchment in the Port Stephens Region that comprises shallow topsoil with underlying conglomerate rock. Due to the minimal top soil cover and shallow bed rock, the conglomerate soil type would be considered a low permeability soil”*

All run off from the site will be directed into a swale that is to be built along the southern section of the property and very close to the SEPP 44 Wetland. The swale is to *“collect and treat all runoff....It is expected that the majority of runoff....will infiltrate from the swale into the underlying sandy soils”*. We point out the references to the minimal top soil, the shallow bed rock, the conglomerate soil type with low permeability, all of which place doubts on the existence of sufficient sandy soils to absorb what would be a very large volume of run-off.

Appendix 18 PRELIMINARY ENVIRONMENTAL RISK ASSESSMENT

SOILS. Erosion, pipeline placement sedimentation of waterways. No response from applicant

Acid sulphate soils Applicant agrees there is a *“high probability”* of ASS near ground surface. Ignores that tests show that it is definite.

MARINE WATER QUALITY Applicant:- *“potential”* for increased nutrient levels, but not *“likely”* to affect human health. Ignores that marine flora and fauna will also be affected and the evidence that 20% of nutrients could be discharged into the port.

Farm chemicals *“very small volumes proposed”*. But there will be a large number of them. Small volumes could be an indicator of their potency.

IMPACTS ON COASTAL PROCESSES

Pipelines, scouring of seabed No comment from applicant.

FLOODING , Including from sea level rise , Applicant :- Farm buildings are *‘significantly above Flood Planning Level’* . No RLs shown on plans. Pumphouse is already below water table.

AQUATIC FAUNA Harm from construction *“Threatened species likely to be present, eg seahorses”*. Seahorses are definitely present. This issue is not confined to threatened species.

Entrainment of marine organisms into pipe inlets. No comment by applicant This is a very big issue.

AQUATIC FLORA Harm from pipeline construction Applicant concedes that pipelines will be laid in seagrasses; claims that they are not threatened. The main seagrass threatened, posidonia, is the one that has a very slow regrowth. The applicant’s concept of “threatened” seems to be “made extinct”.

AQUATIC FLORA AND FAUNA Artificial habitat *“Artificial structures known to increase species diversity”*. The applicant’s own photos show that at the depths the pipes are laid, there is little or no seagrass growth and it has already been conceded that fish mainly inhabit seagrasses.

WILD ABALONE POPULATIONS Impacts from disease *“closest wild abalone population approx 10 km”*. No evidence provided.

Removal of broodstock *“only small numbers to be harvested”*. This would be because only small numbers are allowed (2). Minimum size allowed is 110 mm. The abalone in the farm will be harvested at only 90 mm. No references to where they will be obtained and by whom.

Escape of viable larvae *“4 in 1,000,000 chance of larvae survival”* It is impossible to predict such figures and it shows how unfavourable the farming conditions are. The low survival rate would largely be because of transmittable disease.

IMPACTS ON OYSTERS *“Low risk. AVG not known to affect oysters”*. But perkinsus apparently does. In other reports the applicant shows that he is under the misconception that there are no functioning oyster farms in the region.

TERRESTRIAL FAUNA Harm to from construction Applicant admits that threatened and migratory species are known to occur on site and that *“some vegetation”* will be cleared. This includes 65 trees. His alternatives are unacceptable, including the offer to provide a conservation area in which the habitats would be very different to the area to be cleared.

Drowning of animals in Settlement Ponds *“Ponds will hold salt water only. Measures proposed to prevent koalas drowning”*. Animals can drown in saltwater, too. Is there no protection for the other animals?

SENSITIVE ECOSYSTEMS Sanctuary zone : *“Pipes significantly separated from Sanctuary Zone”* We dispute this. Prevailing winds and currents will direct effluent to the Sanctuary, especially on incoming tide. Applicant’s “photo” shows only outgoing tide.

BUSHFIRE HAZARD Threats to human safety "*Site is bushfire prone*". No mitigating provisions provided.

POND COLLAPSE "*Ponds will contain saltwater only. Site is already somewhat influenced by salt spray.*" A ridiculous statement. The salt water will also cause more damage to the Wetlands than fresh.

OTHER TRADES AND USES OF THE PORT Impacts on health "*No oyster leases in close proximity. Priority oyster leases nearby*". This is a complete contradiction. The lease is nearby and downstream. No references to other uses of the area (commercial/recreational fishing and crab trapping, prawning, snorkelling, canoeing, swimming, yachting).

Impacts from pathogens "*AVG not known to affect oysters*". But perkinsus does.

Commercial, recreational fishing "*Potential for conflict between pipes and anchors/deep nets*". And also with the buoys.

AMENITY Noise impacts on nearby residents- pumps, vehicles "*No impact due to separation and burial of Pumphouse*" No response to separation from "nearby residents" and from those who regularly walk along the beach and Carruthers Av.

Visual "*Pipes buried at foreshore and intertidal area*". There is a real likelihood that the pipes will be exposed by the acknowledged shifting sandbanks, and obvious and continuing foreshore erosion. The tops of the pipes will be only 270 mm below the surface over the whole intertidal area.

Traffic "*Only low traffic volumes likely*". There appears to have been no adequate survey of existing traffic. We believe that the traffic will be more than doubled and that the service vehicles will be larger than indicated (trailers).

HERITAGE Aboriginal "*Pipes designed to avoid potential midden*". The truth is that the pipes have been moved from one midden, but have been brought close to another midden, a "shell midden", the extent of which is not known.

ACCESS Along foreshore "*Pipes buried within foreshore and intertidal area*". Foreshore erosion, is clearly evident and becoming worse, as well as the shifting sandbanks, acknowledged by the applicants + rising sea levels, will expose these pipes, creating greater erosion.

Reductions on boating access from pipeline "*boats usually do not anchor in seagrass*". The Marine Fauna survey states that fish are more likely to inhabit and be caught in seagrasses.

"*hazard likely to be inlet screens*". We are not sure what this means, but if it entails damage to the screens and therefore even greater hazards to marine fauna, the risk cannot be taken.

"*Existing navigational markers encourage boats to avoid area*". There are no existing markers in the area and any proposed ones could be a hazard in themselves.

SOCIAL AND ECONOMIC Property values. Impacts on "*Farm significantly separated and screened from village*". The farm is not "significantly separated" from the Non-urban Residential section directly across the street from it ! In fact , the Wetlands area is also subdivided as Residential (see 'Subject Site' Plan). These facts have also been ignored in other documents which claim that the whole area is 1 (a) Rural.

We believe there is also a dwelling to the west, adjacent to the proposed farm, and recently approved by Council, that could be affected.

Property values are not just affected by visual considerations. All of the issues we have raised in this submission will have a detrimental effect.

Appendix 19 DILUTION AND TRANSPORT OF DISCHARGED MATERIAL

- This report begins by saying that Australia's waters are infertile, particularly in NSW. This is used to support the case for discharge of nutrients from the abalone farm. However, the report then states :- *"It is commonly understood that human population growth in the coastal catchments of NSW has caused nutrient loading of estuaries and lagoons to be increased beyond natural levels. The concern is that such eutrophication might cause changes in estuary ecology (Webster and Harris 2004) that are deemed to be undesirable"*.

This shows not just concern about nutrients changing the ecology, but that even if it is true that NSW's waters are infertile, the "nutrient loading of estuaries" should not be increased beyond natural levels

- 30% of the food will not be eaten
- 1.43 tonnes of Ammonia produced per year
2.07 tonnes of Nitrogen, and if removal of particulates fails, 4.56 tonnes
0.55 tonnes of Phosphorus; can become 0.92 tonnes, for unexplained reasons
- The farm will produce 5% of the total nitrogen from the whole of the Karuah River catchment.
- *"Nutrient concentrations are observed to be highly variable"*.
- *"A large scale eddy acts to entrain water from the outlet location towards the strong outflowing tide" :-*
 - a. The modelled currents (Figure 4) clearly shows the eddy taking the discharge to the inlet pipe.
 - b. If the tide is as strong as claimed the eddy would not be as large
 - c. The model shows that the discharge also reaches the shores of the Bay.
 - d. The Sanctuary should be indicated on the model. The eddy is shown reaching to where the eastern section of it would be.
 - The report has not included a diagram for the **incoming** tide. If it had, it would show an even greater discharge of effluent into the Sanctuary and the inlet pipes.
 - *"Dominant winds are from the west-north-west (giving them an off-shore component)"* It is because these winds are off-shore that they have less effect on the current in these in shore areas.

We have been observing the wind patterns for many years. The most dominant are the south west, south and south east, largely because Port Stephens is wide. The evidence of it is in the large amounts of seaweed that are deposited on the beach after these winds, also shown by the erosion of the foreshore.

Appendices 20 and 21 NOISE ASSESSMENT 2003 & 2011

- It is hard to understand how *"The original model is considered to be representative of impacts associated with the current proposal"* when production of abalone is to be doubled (at least), involving more trips from heavy vehicles, more staff vehicles and more use of generators, water pumps and refrigeration plants.
- It is not surprising that the Department required that the studies are *"contemporary at the time the environmental assessment is lodged"*. Hence, we are provided with an assessment (3 years old) which states that the noise assessment is the same as for the original DA, despite double production.

- The only change appears to be the addition of another noise monitor (at the far end of Cambage St, away from the main source of the noise). The previous one was in Cunningham St, even further away and not in a street to be used by the abalone farm vehicles.
- One of the criteria for placement of the noise monitors is *"in such a way as to facilitate secure and safe access to the monitoring equipment"*, which could result in inaccurate and inappropriate readings.
- Predictions of *"Construction noise levels at sensitive receivers adjacent to the development site"* are necessary. Readings must be no more than 44 dB. No information is given on where the sensitive receivers would be, or how many. Readings as low as 21 dB are claimed. This is very unlikely because the 2003 assessment gives examples of the noise levels of some of the construction equipment, as follows:-

Bobcat : 114 dB Generator 117 dB Delivery truck 95 dB
(Cooling system, 91 dB Water pumps 88 dB)

The delivery trucks would be of particular relevance in monitoring of noise levels in the streets.

"In all cases, traffic arising from the development should not lead to an increase in existing noise levels of more than 2 dB" (Road Traffic Noise Criteria).

The monitoring results claimed for Cambage St are 38.1 dB (day) and 38.7 dB (night). They are not a true indication of existing traffic noise because the monitoring was *"dominated by environmental noise sources including birds and barking dogs"* and also bats. (Table A1). Apparently there were no passing trucks at 95 dB. Perhaps the monitor was in an unsuitable place.

It is surprising that a reading was obtained for the traffic on the far distant highway and over the hill, but there is none that is clearly for local traffic.

It is inconceivable that the increase in the noise levels would not be more than 2 dB.

- The 2003 assessment states that the overall construction period for the project will be 3 years. For construction periods beyond 26 weeks the allowable noise level is lowered to 38 dB. This, too, has been omitted from the 2011 assessment.

Appendix 22 BUSHFIRE PROTECTION ASSESSMENT

The critical nature of the bushfire risk is established in the following statement :- *"The proposed development precinct is located within a high risk area with access to the facility provided by gravel roads which do not provide a safe means of escape for the operators of the Farm or attending fire-fighters"*.

- The key point is that access to the facility is not safe from bush-fire. Photos 1-3 show the tall trees, undergrowth and narrow track at the only road entry (Challis Av). Access across the creek is by wooden bridge. Why is there a gate across a public road for private purposes?

None of the proposed safety measures will alter the fact that fire-fighting vehicles may never reach the abalone farm, let alone the other properties that may be threatened. There will be no clearing of trees in this area for defensive zones. Far too many trees are being removed as it is.

- The only emergency evacuation will be via the boardwalk. The foreshore “safer place” has been ruled out by the RFS.
- The boardwalk will be built across a SEPP Wetlands, in an unmade section of Cambage St, or alternatively, through a Non-urban Residential zone. We don’t understand how this can occur without proper and separate notification to the community.
- The boardwalk will be kept locked up for private purposes, using a “break glass” procedure. There may be vandalism of the equipment.
- Defendable Space widths (Attachment A)
 - a. Virtually no DS for the Static Water Supply, the only point for filling the fire trucks.
 - b. The DS to the “egress link” and emergency exit is far too narrow.
 - c. The two large saltwater ponds, which are elevated, are well outside the DS.
 - d. No details of DS for the Pump house and the Boardwalk (emergency exit).
The aerial photos show thick vegetation in all these undefended areas.
 - e. No site boundaries are shown on the DS map to ensure that adjoining properties are not expected to provide DS for the abalone farm.
- Calculation of Defendable Space (Table 1)
There is considerable confusion on this.
The Table shows that the north, south and east widths, determined by calculation, are 16 m, but the recommended width is 20 m.

The west and north west calculated widths are 20 m, but the recommended is 30 m.

This is followed with a statement that “*all of the Defendable Space setbacks exceed the minimum ‘flame zone’ setback widths...*”, and :- “*The following construction standards are therefore recommended*”.

Why would they be recommended if the DS widths already exceeded the standards?

- The safety measures include maintaining clear spaces, pruning of trees, separation of canopies. There should be a Landscape Plan to give a clear indication of proposed vegetation near the buildings and also for aesthetic and environmental reasons.

Appendix 23 VISUAL IMPACT ASSESSMENT

The assessment is made up of 8 photographic viewpoints :-

Four are from the southern shore of Port Stephens which is not affected by this DA, at least not visually. They are all taken from beach or water level and not from the high rise buildings or the escarpment above.

There is another long range view from the foreshore at Cunningham St. It is not even directed to where the abalone farm buildings will be, despite the comment “indicative location of proposed buildings”.

Another photo is of Challis Av, looking towards the proposed road entry. It is well north of the proposed buildings and not looking towards them. There are no residences in Challis Av. The only purpose of the photo is to show landscaping that, it is said, will be preserved, but which will be a fire risk.

The other two photos are of Cambage St, one from each end. The photo from the western end shows none of the houses, even though these are the closest to the proposed development, apart from the one recently approved by Council, to the west.

- *"Of paramount interest to the MPA is the potential impact on water quality".* We have already commented very fully on this issue, but would like to add that the water quality will be affected not just from what is discharged from the pipes, but that it will be into an estuary with a slow flushing rate. The cumulative effects are unknown. It is complicated by the fact that floodwaters will be drawn into the intakes, as will effluent from the discharge (clearly shown in the applicant's tidal flow map). The map shows only the outgoing tide. The polluted area will be much worse with the incoming tide.

- *"Arrangements that have been made for the making good of any damage to the marine park".*

We believe a very heavy indemnity has been placed on the Pearl Farm. The impacts from the Abalone Farm will be worse. An even greater indemnity should be imposed.

Appendix 26 COMMUNITY INFORMATION NOTICE

- *"From the port the pipes will not be readily visible"* In other reports the applicant says the pipes will be completely submerged, either by sand or water. He has also conceded that shifting sandbanks are common in the area. Pipe depth will be only 270mm, less when they emerge into the sub-tidal zone. Gouging of the sand and acid sulphate soil will be inevitable.

- *"It is unlikely that any farm structure, including the pipes, will be visible from anywhere outside the site".* Once again there is uncertainty in the applicant's statements. This claim would surely not be the case with the views of the buildings, the pipeline and the pumphouse from the public street, Carruthers Av, which runs beside the site for a long distance. The boardwalk would also be visible from the end of Cambage St and it will be a blot on the surrounding Wetlands.

- *"It may enhance the Port's 'green' image by introducing a novel, low impact and sustainable enterprise into the community".*

The green image will not be enhanced when it is clear that removal of 65 trees and other vegetation will destroy so many native habitats, with similar marine impacts.

The only novel impact is that this will be the only project in Port Stephens and NSW to pump out 50 megalitres per day of pristine water and to return the same amount, of polluted waste.

By no means is this a low impact and sustainable enterprise. If this is a reference to the height of the buildings, it is because the buildings are comparatively low that there have to be more of them and/or to be of greater area, meaning even more abuse of native flora and fauna. Abalone production in these circumstances is, by no means "sustainable".

There will be no "low impact" from the enormous energy costs through 24 hour operation of massive pumps, together with generators and refrigeration plants. Even the salt water has to be refrigerated.

The doubling of the abalone production will not have a low impact on the viability of the commercial harvesting of wild abalone. It will make the "serious decline" of the wild abalone worse. The serious decline in NSW is clear evidence that the additional difficulties associated with "artificial" production make such production unfeasible.

"WASN'T THIS FARM PROPOSAL 'DEFEATED' BEFORE?"

The applicant's response to this is that he *"had concerns about the personal financial implications of the legal proceedings and couldn't immediately produce requested documents, and it was agreed to withdraw the proposal"*.

We attended the Court hearing and gave evidence. It was very clear that the Chief Commissioner was critical of such aspects as building layout, inadequate structure of the holding ponds, undefined positions of the pipes and failure to produce requested documents after years of preparation. It was apparent that he would refuse the DA.

As for the "*financial implications*", there appeared to be no limit in the courtroom to the financial resources available to the developer. There was more than adequate legal and technical representation from the two Councils and from the developer's own representatives.

On the other hand, there were severe financial restraints for our local community, assisted by the Environmental Defender's Office. The resources of the EDO have since been cut back by the State Government, which is completely unreasonable.

"THE BYPASS (OF) COMMUNITY INPUT"

- We have no knowledge of a "*community feedback*" that was held during the design and assessment phase.
- We also did not receive notice of the recent feedback session held in the North Pindimar fire station. We found out at the last minute from a neighbour.

Appendix 28 FISHING GROUNDS SURVEY

The survey is simply a map of the surrounding part of Port Stephens. There are no indications of who has been notified to provide feedback. .

The Marine Sanctuary, near the inlet and outlet pipes, is very indistinct on the plan. There is a "See Inset" notice for the sanctuary, but the number of the inset and the inset itself has been omitted.

Just the edge of the other Marine Sanctuary is shown. It is a short distance downstream and stretches across the whole Port.

The applicant asks the recipients if they have information on commercial and recreational fishing grounds. There is no indication that any responses have been received.

The "fishing grounds" and activities conducted in the area are :-

commercial and recreational fishing, oyster farming, crab trapping (commercial and recreational), scuba diving, recreational prawning. A Pearl Farm has been approved, just out from the pipes. It is a popular area for swimming, especially for children. The local yacht club regularly conducts races where the pipes will be and the map shows that the three navigational buoys and pipes will be in direct line of large ocean going yachts that access the recognised anchorage in Fame Cove, as shown on the map.

Appendix 29 COMMUNITY CONSULTATION RESPONSES

The names of the respondents have been obliterated, so it is difficult to make specific references. A brief outline of the responses is as follows:-

- Myall lakes Aquatic Club. Writer has no objections, but has not put it before a meeting of the Club. Expects "*severe restrictions*" to be placed on the DA.
- Transgrid (Newcastle) . "*Has no assets in the Pindimar area*". No further comments. Why, therefore, were they contacted?

- Letter from an unknown recipient who finds *"the writing very hard to read"*, with no further comments .
- A *"Good afternoon"* message to an unnamed person from an unnamed writer, indicating that the site plan is being refined and that some changes will be made. No further details.
- A whole page of nothing but City Plan Services contact details and a disclaimer.
- 10 major issues and sub-issues in objection to the proposal.
- 11 objections, inquiries and requests.
- 19 objections and requests.
- 6 leading questions on issues of concern.

It can be seen from the above, that there was only one respondent who registered a "No objection", but not on behalf of all club members he was representing.

Four respondents raised a total of 46 objections and concerns.

Our enclosed submission was not included with the above because we had sent it to the Minister rather than the Applicant. We believe this was more appropriate and of assistance in the compiling of the DG Requirements. We raised 22 objections.

The arguments against this project are overwhelming. We hope we will be of assistance to you in your determination.

Yours sincerely

Bruce Berry.

Judy Berry




1 August 2012

Mr B. Hazzard , MP
Minister, NSW Planning & Infrastructure
Level 33, Governor Macquarie Tower
1 Farrer Pl
Sydney NSW 2000

Proposed Pindimar Abalone Farm – Feedback

Dear Minister

We are surprised and disappointed at this further attempt to build an abalone farm at Pindimar.

Most of our issues are the same as those raised about the previous abalone farm which were so extensively upheld by the Chief Judge of the L & E Court that the applicant had to withdraw the DA . The issues remain unanswered.

The only changes we see are that this DA will be far more detrimental to the environment because the production of abalone will be double that of the previous DA and that the developer plans to build a structure across a designated street and a SEPP 14 Wetlands.

City Plan Services has described the Department of Planning & Infrastructure as a “stakeholder” and also as the “approval authority”. This suggests that there is a conflict of interest. In addition, we are told that the Department has advised the applicant on the presentation of the proposal. What is the nature of this advice?

1. Missing Details From the Exhibited Documents

a. Wetlands

There are strict controls on protection of designated Wetlands (SEPP 14). This one adjoins the proposed site or runs through it. Why isn't it shown on the plans? The raised salt water tanks will threaten the whole of the Wetlands, especially during the flushing of them, as will general run off from the site. Under SEPP 71 (Coastal Protection), even stormwater that is discharged into an estuary or creek must be taken into account. This would include the Wetlands.

There is also another Wetlands on the other side of the development site.
It is bad enough that the abalone farm across the road will deter the water birds in the Wetlands.

b. Wildlife Protection Refuge

This is at the entry to the site in Challis Av and has been declared by National Parks & Wildlife. It will be affected by all the extra traffic and other activities on the site. Not shown on the plans.

c. The Creek

It runs beside the site and through part of it. It feeds the Wetlands. It is a known fish breeding area. Not shown on the plans.

d. Outlet / Inlet Pipes

These will extend up to more than half a kilometre into the Port, through mangroves and weed beds and acid sulphate soils, but it is not clearly shown where.

Why is it that only two pipes are shown on the plans when there will be four? How will they be kept clear of crustaceans, marine growth, ingested jelly blubbers, etc? Will the maintenance, if it is possible, disturb more acid sulphate soil?

If the pipes are laid above ground they will be an eyesore during lower tides and a boat hazard during higher tides. If laid underground there will be disturbance of acid sulphate soil.

e. Shoreline not defined

None of the shoreline in the vicinity of the site is shown, including where the pipes will be placed, yet it is shown elsewhere, where it is of no relevance. Why is this?

f. Mangrove Area and Threatened Trees

There is extensive mangrove growth along the shore that should be shown on the plans. Mangroves were named in the recent foreshore survey as the main protection against erosion of the shore. Old growth large trees on the shore may also be threatened by installation of the pipes. There is already severe foreshore erosion in the area. It is recognised as a tree "graveyard".

Mangroves indicate the presence of acid sulphate soil.

g. Marine Sanctuary

It is not surprising that plans do not show the sanctuary because it is just metres away from the pipes. All four pipes will threaten the sanctuary by sucking in fish, oyster, turtle spawn, etc, and also by discharging effluent into it.

There is another Marine Sanctuary further downstream to the east. It covers the whole width of Port Stephens.

h. Trees to be Removed

No details are shown on trees to be removed or affected because of building construction, access roads, and the laying of the pipes. The whole of Pindimar is covered by Tree Preservation Order.

Already, trees have been removed in the area, presumably without permission. Even in Rural Zones trees are protected under the Native Vegetation Act 2003 and the Catchment Management Authority. Can the applicant produce any permits for the removal of these trees?

The site is also adjacent to an Old Growth Native Forest, which is also not shown on the plans.

2. Notification

Considering that not all of the residents in the immediate vicinity have been notified of the proposed abalone farm, what other groups in the Port that will be affected by the proposal have been notified, such as fishing clubs, oyster farmers, tourism operators, RMS, Parks and Wildlife, local Land Councils, Dept of Fisheries?

3. Access Road

The address of the site is 180 Clarke St (wrongly described on the plans as Carruthers St), but the access will be through Cambage St, the only constructed road in the immediate area.

It is obvious that the residents in this street will have to put up with increased traffic and property devaluation, while the developer saves money by not having to construct his own road. It is estimated that properties in Cambage St will be devalued by about 20%.

4. Other Abalone Farms

.....have failed in South Australia, Port Phillip Bay, South Head, even though the water conditions are better than in Port Stephens, especially during flood times. Can the developer name any abalone farms that have been approved on the NSW coast and, in particular Port Stephens, and if so, have they been successful, have been land based and also situated in estuaries?

5. Essential Surveys

Independent studies of sea grasses, marine wildlife, tidal currents and prevailing winds, acid sulphate soils, native vegetation, aboriginal heritage, etc, will be necessary and should have already been carried out by the developer/applicant. Has this been done or will it be done? If not, why not?

Other essential surveys or documents:- Bushfire Management Plan, Rehabilitation Plan, Traffic Management Study, Noise Impact Study, Damage to roads levy.

6. Effects on Pindimar Bay

The shoreline of the bay is privately owned above mean high water mark by local residents.

Wind and water conditions regularly deposit large amounts of seaweed on the beaches. Effluent from the abalone farm would be even more readily washed up on the beaches, as would dead seaweed and other marine life that have been affected by effluent.

There is also the likelihood that because of the prevailing on-shore wind and water currents, the effluent from the discharge pipes will be carried to the inlet pipes.

A very large indemnity was placed on the proposed Pearl Farm in Port Stephens against potential litigation. It should also be required for this Abalone Farm.

7. Restrictions on Excavation, Obstruction and Reclamation of Beach

Property owners along the beach are not allowed to carry out these activities on the beach. Why should this developer be allowed to either excavate for his large pipes or lay them across the beach, especially where there are acid sulphate soils?

SEPP 71 states that DAs in coastal zones must take into account the retaining of "*pedestrian access to and along the coastal foreshore*". The four large pipes will obstruct public access along the foreshore.

There are clear indications in the immediate area that the pipes, as laid in the manner shown on the Site Plan, will create foreshore erosion, as acknowledged by the recent Foreshore Erosion Survey. Perhaps this is one of the reasons why the developer has not indicated where the foreshore is. Already there is large scale erosion in the area.

8. Eutrophic Effects

One of the many unanswered issues from the previous abalone farm DA was that B. Maguire

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from the Fisheries WA Research Division raised “*concerns about eutrophic effects of effluent from aquaculture facilities on natural environments that receive the effluent*” and that authorities may take an interest. Associated with this is :-

9. Abalone Mortality Rates

Bans have been put in place on the taking of native abalone because of depletion in numbers because of disease.

Large scale underestimation of mortality rate at abalone farms ,as much as 92% (Australian Bight Abalone Management).

“animal growth to two thirds the length and one third of the weight initially predicted”.

Problems in cultivating the algae which is the natural diet of abalone, resulting in the need to feed them with pellets. And:-

10. Perkinsus Parasite

This, too, was previously unanswered. The parasite has infected native abalone, leading to the ban on commercial and recreational taking of them.

There is no guarantee that the virus does not infect oysters, as reported by WA Fisheries. It is impossible to filter it out because it is a single cell. There are oyster leases in close vicinity of the proposed farm, despite previous claims that there are not. The abalone farm would deter the re-activation of vacant leases.

11. Abalone Viral Ganglioneuritis.

Extreme measures are also necessary to prevent spread of this disease, eg, removal of all organic matter from inside and outside vessels, equipment that has come into contact with abalone to be soaked in soapy fresh water for 30 minutes and then rinsed. (‘Biosecurity Control Measures’, Victorian Department of Primary Industries, 20/07/2012). How will the developer guarantee compliance with these measures?

12. Filtration System

Also unanswered previously :- “How can the filtration system be considered to be efficient when only 80% of the food is consumed, when the system will filter only another 80% of the discharge and when the discharge is 250000 litres a day”? Not only is this an adverse reflection on the filtration system; it also indicates the deficiency in the feeding process.

What will be done with the filtered sediment and the abalone viscera (meat and gut)? Severe restrictions apply to its disposal.

13. Previous Proposal

As we have already explained, objections from the local residents to the previous abalone farm led to strong rejection of the DA from the Chief Justice of the L & E Court and the withdrawal of the DA . In what ways does the developer believe that his DA will be an improvement on the previous one?

Does the applicant/developer dispute that, because this project will produce 60 tonnes of abalone per year, whereas the previous DA was for only 30 tonnes, there will now be a much worse impact on the environment and the amenity of South Pindimar? If not, why not?

14. Building Elevations

No dimensions are shown on the plans. No site boundaries shown on the elevations or “views”.
 No details of accommodation, kitchen, bathroom medical facilities, safety features, etc, except “Facility Shed”.
 No access roads shown. Inadequate access to the buildings.
 No details of rainwater catchment, stormwater drainage or sewerage disposal.
 No windows. No ventilation or natural lighting.
 The “Legend” on the Site Plan lists several features that are to be indicated on the plan, but none of them are shown on it.
 The elevations are simply artist’s impressions and appear to be out of proportion.

15. Header Tanks

Also no details on what the header tanks and other tanks are made of. Also the pipes. This is critical because of the adjoining fragile Wetlands areas. Properties within 100m of SEPP14 Wetlands are classified as “sensitive coastal location” (SEPP 71), with severe implications on run-off from development sites, including storm water.

16. Relative Levels

We question the levels as shown on the Site Plan and Section Z-Z. The FFL of the pump house on the Site Plan is shown as -0.5 , while on the Sec Z-Z it is -2.00, in other words, 2 m below Mean High Water. Apparently the developer’s representative said at the meeting with local residents that the FFL is – 4, which is far below the water table. What is the explanation for these contradictions? Either way, it will be necessary to excavate for this very large pump house (10 m by 8 m), which means probable exposure of acid sulphate soils on the brink of the Wetlands.

What is the true floor level of this large pump house that is indicative of the massive amount of water that will have to be pumped through it, the noise that will come from it and the very large expenditure of energy?

It is impossible to tell what other inconsistencies there are in the levels because of the absence of detail. What is certain is that the levels are very critical in this Wetlands area of high water table, together with the proposition that sea levels are apparently rising. The Sec Z-Z seems to indicate that the FFL’s are not high enough.

17. Volume of Discharge

There will be a 36 megalitre discharge of effluent per day, based on the 180 tonnes of abalone production over the three year years of growth. Retention ponds would need to have a capacity of 108 megalitres. No capacity details have been supplied by the applicant.

The current proposal is based on production of 60 tonnes per annum, as compared to the previous 30 tonnes. Previous capacity requirement was said to be 250000 litres per day. There seems to be some discrepancy in the figures.

What is the applicant’s current calculation of the total required volume, the capacity of the retention ponds and the daily discharge volume?

Not only will there be large energy costs in the pumping of this massive amount of water, there will also be great expenditure on refrigeration of the water.

18. Footbridge

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This is shown on the Site Plan, leading from the development site, across Carruthers Av, over the creek and also the Wetlands, to Cambage St. There is no footbridge there at the moment.

How can this be allowed when it will be completely outside the development site and would involve unauthorised construction in a Wetlands area and also obstruction of Carruthers Av? Or does the developer envisage an overhead bridge?

This is the second occasion when attempts have been made by developers to exploit the Wetlands. On the first occasion there were attempts to fill them in. It was disallowed after complaints from the community.

There is an existing bridge across the creek at entry to the site from Challis Av. We question whether permission was obtained for it.

Why does the footbridge appear on these plans, when it would require separate application? Has permission already been granted without prior notification to the community?

19. Midden

It is shown right at the eastern corner of the development site, on the beach. It seems to be another reason why the developer has not shown where the shoreline is in this area. Is the developer suggesting that it is only in this midden that aboriginal relics can be found?

Can the developer guarantee that there will be no disturbing of other "middens" during his excavation for the pipes, if this is what is to occur? How has he established the existence of the midden and why wasn't it shown on the plans for the original DA?

20. Local Employment

Workers at the farm will be predominantly indigenous. Has this agreement been reached to make it less likely that there will be indigenous intervention if their historical relics are found on the site? How many workers will there be and how many of these will be from the local community?

21. Future Development

Can the developer / applicant dispute that the proposed development, as well as detrimentally affecting Cambage St, will make it less likely that property owners in non-urban areas such as Carruthers Av and Challis Av will be able to develop their properties? If so, in what way?

22. Public Interest

In view of all these unacceptable environmental impacts and other issues that have not been addressed, as well as the fact that the project appears to be financed by foreign money, and that the end product, abalone, will be mainly going to foreign markets, can the developer and applicant assure us that the project is in the public interest?

A spokeswoman for City Plan Services has said that Pindimar is one of the best places in NSW for an abalone farm. She gives no reasons why. If she is correct, why is it that there are no native abalone in the area? We insist that if there are any, they will be under great threat from this proposed DA.

We hope that all these matters will be convincingly addressed in the DA and in the final decision.

Yours sincerely

Bruce Berry



Judy Berry

