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Mr Craig Knowles, MP
Minister for Infrastructure and Planning
Minister for Natural Resources
Level 33, 1 Farrer Place
Sydney NSW 2000

Dear Minister

Draft amendments to *SREP 17 – Kurnell Peninsula*

Regional Environment Plan 17 for Kurnell Peninsula is long overdue for revision. In the 15 years since its publication, it has been largely ignored as a planning instrument, especially in regard to the issue of sandmining. And, as the activities relating to sandmining have such a significant influence over the state of the Peninsula, this is no small failing.

Sutherland Shire Environment Centre welcomes the move to update *SREP 17*, however it will here record its concerns over DIPNR's draft amendments.

Phasing out sandmining on Kurnell Peninsula

The letter from Director General, Jennifer Westacott asking for comment on scoping the *Draft Amendment to SREP 17* makes no mention of the biggest issue of all – the phasing out of sand extraction. The 1989 Plan at least called for a phasing-out, though, to its lasting detriment, didn't specify when.

The *Kurnell Land Management Framework (KLMF)* says phasing out of sand extraction "would require identification of an economically viable and environmentally alternative sand supply source for the Sydney metropolitan area" (p.21). Such procrastination is not necessary:

- (a) Kurnell has never supplied *all* of Sydney's sand needs – just over half of Sydney's sand supply has come and is coming from other sources.
- (b) A number of "alternative" sources have already been identified – why are no steps being taken to make them functional?
- (c) Many cities around the world manage to build and thrive without access to resources such as Kurnell Peninsula. The forces of the market should be allowed to operate. By no means should the finding of "alternative" sources be made an excuse for indefinitely delaying the phasing-out of sandmining at Kurnell.

In fact, this procrastination has been devastating for the Peninsula. Urgent phasing-out is imperative because very little sand is left. At several points in *KLMF* there is repetition of the "requirements", that "A timeframe for ending some extraction on the Kurnell Peninsula must be determined as a matter of priority" (p.30). But there is not a hint anywhere in the document as to when or what provisions could be laid down.

New sand extraction

Mention is made in the letter of "new sand extraction" - DIPNR will only prevent new extraction if it is "not time limited". Aside from the gaping loophole sandmining operators would find in a requirement such as this, the question must be asked – does DIPNR know

how much commercially viable sand is actually left on the Peninsula? A widely accepted estimate is that 84% of dune sand had been removed from Kurnell Peninsula by 1998. However, operators on Holt and Breen land are trucking out sand around the clock, the sand of the Heritage-saved dune is unavailable as is the hotly disputed Rocla dune sand. The miners are strongly exploiting the below-surface sand.

New sand extraction must not be permitted. Sand must be left on the Kurnell Peninsula in sufficient quantity for use when need or emergency arises:

- (a) for “rehabilitation of sand-excavated areas”;
- (b) for repair of washaway areas, as following the 1994 storms;
- (c) for filling holes created by below-surface mining;
- (d) for covering landfill operations (at least one metre of sand is required);
- (e) for repairing storm erosion of Bate Bay beach.

Permitted land uses for mined areas

The DIPNR letter also suggests “limited residential uses on land previously subject to sand extraction”.

We are very concerned that this will open up the Peninsula to highly inappropriate development that is not at all sympathetic with the natural, cultural and historical significance of the area.

Australand proposes building 500 dwellings in the sandhills area. DIPNR stripped Sutherland Shire Council of its consent powers when it tried to stop this development. Those powers have not yet been returned to Council. Until they are, we fear that DIPNR will grant “limited residential use” for those 500 dwellings. We fear too that consent for this development will lead to consent to Sharks International’s proposed residential development on sensitive Woollooware Bay (adjacent to the Ramsar wetlands of Towra Point).

Rehabilitation of mined areas

How rehabilitation occurs is of vital importance. Hundreds of hectares of land have been devastated, leaving a ruined wilderness, denuded of vegetation-cover and pock-marked with deeply excavated holes. The sandmining operators want to fill-and-cover their devastated areas with dumped construction debris and call it ‘rehabilitation’.

Landfilling of mined sites is entirely questionable. The only such fill-material that should be considered is sand itself, ideally, Kurnell sand. Breen is the only sand miner who has a DA to carry out landfill activities, but this DA was not accompanied by an EIS; it can be challenged on grounds of, for example, damage to the groundwater table subsequent to approval of the DA.

Filling excavated sites with non-sand materials whether construction debris or even VENM brought from outside the Peninsula must not be considered to be ‘rehabilitation’. It is now known that contamination occurs through use of imported fill-materials, and this means that past and current land filling is impacting negatively on Towra wetland.

Quite alarming is the statement in *KLMF* that “Identification of appropriate land uses for quarried sites is important to allow operators and landowners to pursue appropriate post-phase-out activities” (p.22). This is worse than SREP17 injunction that ‘rehabilitation’ should at once follow phase-out. The full responsibility for ‘rehabilitation’ should be demanded of the sand miners.

Rehabilitation should take the form, broadly speaking, of levelling the mined sites, including the filling of the many deeply excavated holes. To do this will require using a great deal of sand – *which is why no more sand should be removed from the Peninsula*. When a site is satisfactorily levelled, it must be stabilised with vegetation indigenous to the Peninsula.

DIPNR now has the opportunity to make SREP 17 the strong, clear plan of management that will ensure a sustainable future for the Kurnell Peninsula. The area is the 'Birthplace of Modern Australia' and, therefore, should be restored to a place of national pride, not left as the shattered landscape procrastination has led to.

SSEC looks forward to receiving comments from DIPNR regarding this submission.

Regards

Josephine Pajor-Markus
Executive Officer