

Appendix D

Community Consultation

Community Consultation Plan

Cleary Bros has prepared a community consultation plan, structured in the following manner:

1. Prepare and distribute a four-page leaflet to provide preliminary information to the community including a brief project outline and requesting feedback with respect to any matters which the community wishes to be considered in preparation of Cleary Bros' development proposal.
2. Meet with key community groups to give a more detailed explanation of the proposal and to encourage further feedback on issues the groups consider that Cleary Bros should review in preparing its development proposal.
3. Distribute the completed environmental assessment to key community groups following initial review by the Department of Planning. Invite the groups to provide feedback to Cleary Bros on any issues they consider require further information from Cleary Bros or its consultants beyond that provided in the environmental assessment.
4. Arrange follow up meetings between key community groups, Cleary Bros and its consultants where necessary to respond to any issues raised as part of Step 3 above.
5. Public exhibition by the Department of Planning of Cleary Bros development proposal.
6. In the event that the Minister approves the proposal, establish a community consultative committee to meet regularly during the course of the sand quarry extension.

Implementation of the Community Consultation Plan

1. The information leaflet was distributed in April 2006. Cleary Bros contracted Walker Distribution to deliver the leaflet on its behalf to all residents in the Gerroa area and received advice that 416 leaflets were distributed. A letter from Walker Distribution outlining its delivery verification processes is included in this appendix.

Responses included:

- a letter of support from one resident (S. McGrath)
- a marked up copy of the distribution leaflet (submitted anonymously)
- a letter criticising certain aspects of the proposal (W. Holder)

2. Initial meetings were held with the following key community groups:

- Gerroa Community Association
- Kiama and District Chamber of Commerce
- Berry Chamber of Commerce
- Jerrinja Local Aboriginal Land Council
- Gerroa Environmental Protection Society

As a result of this process, Cleary Bros has received written submissions from:

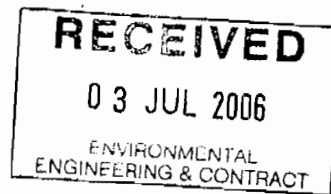
- Gerroa Residents Association
- Gerroa Environmental Protection Society
- Kiama and District Chamber of Commerce

A copy of these submissions is included in this appendix together with correspondence sent to two of the groups. Issues raised by the submissions have been addressed in the environmental assessment.

3. Copies of this environmental assessment have been prepared for distribution to key community groups for their review accompanied by a request for feedback to Cleary Bros regarding any issues where they consider further information may be of assistance.

It is anticipated the public exhibition of the environmental assessment will proceed during this period of review.

Cleary Bros will invite community groups to attend meetings with the company and its consultants during the exhibition period and beyond.



PO Box 275
KIAMA NSW 2533
Ph: (02) 4232 3844

28 June 2006

Mr Bob Elvy
CEO
Cleary Bros
PO Box 210
Port Kembla NSW 2505

Dear Bob,

It was good to meet with you on May 22nd to discuss your Sand Mining extension project.

From our discussions and the material you left with me, it certainly seems that your application to extend the mined area to the new boundaries your map showed is very much in keeping with our Chamber's interests in promoting sustainable Economic Development in the region. Such developments will create and maintain employment opportunities for residents in the region and, provided they comply with all the necessary environmental requirements, are essential to sustaining local economies.

As Chamber President, I am happy for you to use this statement in support of your Application and would welcome receiving any additional information on the progress with this and any future developments you may plan to undertake at Gerroa.

Good luck with your application

Yours Truly

A handwritten signature in black ink, appearing to read "Bruce G Johnston", written over two horizontal lines.

Bruce G Johnston
President

Gerroa Community Association

PO Box 4000
Gerroa NSW 2534
ABN 15131869938

31 May 2006

Mr Graeme Granger
Technical Manager
Cleary Bros (Bombo) Pty Ltd
PO Box 210
Port Kembla NSW 2505

Dear Mr Granger

Thank you for the opportunity to meet with you and your associates recently. As promised I will attempt to set out in this letter the concerns felt by the GCA in regard to the proposed sand mining extension at Gerroa.

To start I reproduce a copy of a letter sent to the Kiama Independent, which was, regrettably, not published in this week's edition:

“The Gerroa Community Association, at its meeting on Monday, discussed the proposed Cleary Bros development at Seven Mile Beach. The Association has a number of concerns about what is going on. Firstly we are not satisfied with the strategy adopted by the company of separating the two major proposals, the sand mining extension and the golf course and resort complex. They are inevitably linked and must be discussed together. Cleary Bros has two separate teams responding to these proposals and up till now we have only been able to talk to the sand mine team.

The failure of Cleary Bros to adequately distribute information material to Gerroa residents makes it difficult for us to consider this material in the time available. The EIS for the sand mining proposal is due in June and up till yesterday many residents had still not seen the brochure produced by the company.

The information supplied is scanty and obviously and understandably, slanted towards the company's strategy. As a result it does not adequately address many serious issues raised by residents and other concerned people. The Association, as a body, does not profess to be an environmental expert, but feels strongly that these issues need to be discussed between experts in an open and competent manner.

In view of this, the reported inability of Cleary Bros to meet with representatives of the Gerroa Environmental Protection Society (GEPS) for five weeks must be of great concern. Whilst the Gerroa Community Association may not eventually agree with all of the GEPS points of view in this matter, we do recognise their expertise. We also recognise and appreciate the excellent work they have done in our community, not the least of which is the restoration of Baileys Island (a Cleary Bros environmental disgrace which will not be quickly forgotten in Gerroa).

Our Association does not readily accept the testimony supplied by environmental consultants in the employ of the company. We believe it must be subject to rigorous examination and questioning by independent experts. We would therefore, welcome the outcome of any serious discussion between Cleary Bros and GEPS or other appropriate bodies. It would enable us to make an informed

decision as to our attitude to the sand mining application. At this time we are poorly informed, under time pressure and inclined to think we are being snowed.”

This letter sums up the feeling of those present at our last meeting on 22 May. As I explained to you, the GCA represents a large proportion of the residents of Gerroa. It is a group of active residents who put their time and effort into speaking up for Gerroa and watching over its interests. We are made up of people of every status, every political persuasion and every level of economic means. What we have in common is a real concern for the welfare of our community and our residents. Naturally, in a group such as this, opinions as to the desirability of your proposal vary, but we are generally agreed that much more information is needed to help us decide where we stand as an Association.

Here is my summation of the issues after conferring widely:

- The separation by Cleary Bros of their two proposals, making it difficult to discern linked and flow-on effects. I have mentioned to you the suggested building of units by the “resort” team in an area used by the “sand” team as an example of high quality restoration. There is a suspicion that we face a ‘divide and conquer’ policy here – allow the sand mining and the resort follows as a ‘logical’ part of the restoration. A particular concern here to residents, is the question of shortage of infrastructure if the resort should go ahead.
- The failure to communicate adequately. You have promised to do a better job in future.
- This is a Coastal Zone and is entitled to special consideration under State Planning Policy. What is Cleary Bros’ reply to the proposition that coastal zones are entitled to this protection?
- We have been made aware that this area is designated ‘High Conservation Value’ and as such the Kiama Council prohibits development. Cleary Bros obviously dispute this designation. Why do you challenge the Council’s policy on this matter (other than for the obvious commercial reasons)?
- Some environmentalists in our community have claimed that the area contains endangered species of flora and fauna and also important fauna nesting habitats. Cleary Bros published information to the residents of Gerroa ignores or downplays these issues. What is the truth?
- We live on the Crooked River and appreciate its amenity. We would be concerned if the proposed works affected the quality of the river or Blue Angle Creek. Here again the environmental issues raised over the resort development intrude inevitably. Putting in ponds where none existed in the natural environment could materially affect the hydrology of the area. Your brochure ignores this issue.
- The map provided suggests that the extended quarry will be visible from Crooked River Road. That would be completely at odds with environment enjoyed by us. The delightful bushland drive along the ‘Sand Track’ would be severely diminished by the imposition of a sand quarry, which could never be described as scenic. What will you do about that?
- The area is reputed to contain Aboriginal Heritage sites, again a matter ignored by the published information. Are there such sites and if so, how will they realistically be preserved?

I trust that this information is helpful to you.

Yours sincerely



James Doak
President

Walker Distributions
38 Newing Circuit
Kiama Downs NSW 2533
Phone/Fax 42 378 630

Walker Distributions

Mr Graeme Granger
PO Box 210
PORT KEMBLA NSW 2505



Dear Graeme,

I am writing this letter to you in response to queries raised by Christina over the delivery of your brochure concerning the Cleary Bros proposed golf course.

I can assure you the brochures we received were delivered by my 2 subcontractors Ian and Sharlene Subbie. They have been delivering advertising brochures to letterboxes in Gerroa for me for 5 years and are a very reliable couple who reside in Gerroa.

They have heard through locals that some residents feel they should have been informed in a more formal way ie: an addressed letter of the upcoming proposal.

There was also an article in the local newspaper stating that some people thought that there wasn't enough information on the flyer that they received in the mail.

I do letterbox checks of delivery areas to ensure brochures are delivered but of course I am unable to look inside letterboxes or touch people's mail.

There are letterboxes in Gerroa that do not accept unaddressed mail and some that go so far as placing bricks in their letterboxes. There are others that do not clear their letterboxes on a regular basis.

There were some brochures left at the post office for those that did not receive a brochure due to reasons listed above.

I hope your project is successful and that we may be of assistance to you in the future. We do offer the service of delivering addressed mail.

Yours sincerely

Judi Walker

From print to post letterbox distribution

PERRAM & PARTNERS

PLANNING AND ENVIRONMENTAL CONSULTANTS

T W PERRAM & PARTNERS Pty Ltd
ACN 072 135 436 as trustee for
Perram & Partners Trust
12 Clanwilliam Street
EASTWOOD NSW 2122

21 June 2006

Mr James Doak
President
Gerroa Community Association
PO Box 4000
Gerroa NSW 2534

phone: 02 9874 6773
fax: 02 9804 0444
mobile: 0412 023 970
email: tperram@bigpond.net.au

Our Ref: 102L15

Dear Mr Doak

RE: EXTENSION OF CLEARY BROS GERROA SAND QUARRY

Thank you for your letter of 31 May 2006, addressed to Cleary Bros, summarising the views expressed at your Association's meeting on 22 May regarding the proposed sand quarry extension at Gerroa. Cleary Bros has asked me to respond to you on the company's behalf.

Your letter indicates a number of matters of concern to members of the community. At the present time a draft environmental assessment for the sand quarry extension is nearing completion. The matters raised in your letter relevant to the sand quarry proposal have been considered in reviewing the draft assessment report, to ensure that the issues are addressed.

Issues that you have raised relating to another application that the company has been considering have been referred to the personnel dealing with that matter.

On completion of the environmental assessment for the sand quarry and its pre-exhibition review by the Department of Planning, Cleary Bros will be pleased to make a copy of the document available to your Association. The company would appreciate an opportunity to meet with you after your review of the application to consider any further issues that you may wish to discuss.

Yours Faithfully
for Perram & Partners



Terry Perram
Principal

Gerroa Environmental Protection Society

Submission for Cleary Brothers sand quarry consultative meeting 15/05/06



Coastal forest earmarked to be cleared for the Gerroa sand quarry

The proposed quarry extension site consists of old growth Bangalay sand forest, dune Blackbutt forests and cleared farmland behind Seven Mile Beach.

Proposed expansion of Gerroa Sand Quarry - 2006

The Gerroa Environmental Protection Society does not support this sand quarry development because:

- it falls within the coastal zone and will require the clearing of a significant area of old growth coastal forest. Coastal Policy SEPP 71 has an aim to protect and preserve native coastal forests. (appendix 1)
- it will require clearing within a designated High Conservation Value Area protected in Kiama's Local Environment Plan. Clearing in HCV areas for sand quarrying is prohibited under this Plan.
- it will require destruction of an Endangered Ecological Community (Bangalay sand forest) and may impact on adjacent Endangered Ecological Community (Swamp sclerophyll forest on coastal floodplains) (appendix 2)
The Bangalay trees in this Community are very large old specimens with many nesting hollows, which provide important breeding habitat for greater gliders and other wildlife. They are an important seed source for the ongoing propagation of the species in the area.
- the quarry site will be visually prominent, particularly at the northern end. The narrow site is wedged between Crooked River Road and Blue Angle Creek and would be impossible to effectively screen from the road.
- it will require the unacceptable destruction of significant aboriginal archaeological sites.
- it will add to the cumulative loss of biodiversity and habitat due to impacts of a number of developments in Seven Mile Beach area. Particularly the loss of habitat for fauna and Endangered Ecological Communities and Species.

High conservation values of the Seven Mile Beach area



Seven Mile Beach is one of the largest and most scenic beaches in NSW. The ecosystems associated with the beach have high conservation values and support rich coastal forests and wetlands, which are habitats for at least five Endangered Ecological Communities, three Endangered Species of fauna and a unique confluence of beach, dune vegetation, littoral rainforest and freshwater wetlands. (appendix 2) This natural complex is unique at a regional and state level.

This area has suffered from neglect and poor planning resulting in significant coastal clearing and cumulative losses of scientifically important vegetation communities and species. Foys Swamp, which is part of the largest coastal freshwater wetland complex in NSW, has been drained and modified. Approximately 80 hectares of coastal forest has been cleared by Cleary Brothers in the last twenty years. (appendix 3) A sand quarry, garbage tip and sewerage treatment plant have all been permitted within this forested coastal strip.

Visitors come to enjoy the quiet solitude of Seven Mile Beach because it's a tranquil natural place. Good planning recognises these values and protects them. Our local Council planning instruments do not permit such a development in this area for this reason. We believe that this sand quarry extension and the adjoining proposed tourist resort and golf course will continue this history of uncoordinated planning and environmental losses if they are approved.

Concerns about the consultation process

The Gerroa Environmental Protection Society is a major stakeholder in the Gerroa/Seven Mile Beach area. We have been actively working to promote the environmental values of the area for the past twenty years and have recently planted 20,000 trees in a land care rehabilitation program on land that was cleared by Cleary Brothers in 1986 and what is now the Gerroa STP site.

We are disappointed that Cleary Brothers was unable to meet with our Society to discuss this submission as formally agreed on 15th May and we hope that they will follow up this submission with a consultation meeting so that our concerns can be fully aired.

An A3 information leaflet, distributed by the company to Gerroa residents as part of the consultation process was, in our opinion, misleading and biased in the information it provided to the community. In the leaflet the company stated that *there will be no net adverse environmental impacts to the site* and they illustrated the quarry site with a photo of cleared farmland. (appendix 4) The leaflet failed to mention that about half the site required clearing of old growth coastal forest and an Endangered Ecological Community. It didn't acknowledge that a large part of the site falls within a designated *Area of High Conservation Value* in Kiama's Local Environment Plan. It also didn't inform residents about significant Aboriginal archaeological sites or the visual impacts of the proposal. The company invited residents to comment on the application based in this inadequate information.

In any objective consultation process residents need to be fully informed as to the impacts of the development in order to make informed comment. Information shouldn't be slanted in such a way that the issues are misrepresented or glossed over.

We have no faith in the ability of this company to engage in a fair, informative, unbiased consultation process and we believe that the community is being disenfranchised due to this lack of independence and objectivity in this process.

It seems self evident that the protagonist for a development has a vested interest to present the community response to its development in the most favourable light. We ask why there is no independence in this consultation process and question how such a process could have any validity?

Matters relating to the Kiama Council Local Environment Plan and State Coastal Policy SEPP 71

Kiama Local Environment Plan

In determining this application we believe that the provisions of the Kiama Local Environment Plan should be considered. These provisions provide background for a number of the issues in the assessment requirements proposed below.

We would like to draw attention to the provisions relating to Areas of High Conservation Value and Rural A zone:

- *Development on an Area of High Conservation Value is prohibited other than for the purposes of a public road, care giving services, cottage industries carried out in association with a dwelling, the regeneration of native forests, removal of noxious weeds and development allowed in clause 8 (Dwellings)*¹

About half the quarry site falls within a HCV area. As quarrying is prohibited in AHV areas the application should be rejected.

- *“Council must not consent to development on land adjoining a HCV area if Council considers that, because of the proposed development, the objectives of the area will not be met.”*²

An assessment of the impacts of the proposed developments on the integrity of the adjoining HCV areas needs to be included in the assessment requirements. In particular on adjacent Endangered Ecological Community (Swamp sclerophyll forest on coastal floodplains) to the west of the quarry area and along Blue Angle Creek.

- Consent to Development in Kiama’s Rural “A” zone requires consideration of the *“cumulative impact of the development on surface and ground water and on the physical and biological functions of watercourses and riparian corridors.”*³ Consent also requires consideration of *“the cumulative impact of a series of developments proposals”*⁴

An assessment needs to be made of the cumulative impacts of the two current proposed Cleary Brothers developments: the tourist resort/golf course and this sand quarry extension on the Seven Mile Beach environment. This should be considered in relation to other developments so that a picture of ongoing cumulative losses can be understood and impacts better managed.

¹ Kiama LEP 1996 - 37 (2) Areas of High Conservation Value – Development

² Kiama LEP 1996 - 37 (5) Areas of High Conservation Value – Development

³ Kiama LEP 1996 - 12 Rural 1“A” Zone - Development

⁴ Kiama LEP 1996 - 13 Rural 1“A” Zone - Consideration of Natural Environmental Attributes

Coastal Policy SEPP 71

The following Aims of the Coastal Policy are relevant in assessing this application:⁵

- (d) *to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge,*

The development will require the destruction of two significant Aboriginal archaeological sites

- (g) *to protect and preserve native coastal vegetation.*

The development proposes to clear a significant area of mature coastal forest

- (j) *to manage the coastal zone in accordance with the principles of ecologically sustainable development.*

The development proposes to clear an Endangered Ecological Community and is part of an ongoing quarry development, which has caused clearing of 30 hectares of coastal forest including two Endangered Ecological Communities. This has had a severe impact on the ecological sustainability of these vegetation communities in the Seven Mile Beach area. (appendix 2 and 3)

- (k) *to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area.*

The development will result in clearing of tall scenic forest adjacent to Crooked River Road and replacing it with a quarry. It will extend the existing quarry along a very large section of this scenic road and because of the constraints of the quarry site to the north it will be highly visible to the road.

This application falls within the coastal zone and will need to be evaluated against the above aims. We have indicated a number of issues relating to these aims in the assessment requirements proposed below.

Issues to be addressed in the environmental assessment requirements.

We propose the following issues be considered as part of the environmental assessment requirements for the sand quarry.

Assessments need to be made relating to:

- impacts on Endangered Species and Ecological Communities including green and golden bell frog, regent honey eater, swift parrot, Bangalay sand forest and Swamp sclerophyll forest on coastal floodplains. (Threatened Species Conservation Amendment Act 2002) (appendix 2)

⁵ NSW Coastal Policy SEPP 71 - Part 1 preliminary – 2 aims of Policy

- impacts on the designated High Conservation Value Area identified in Kiama Council's LEP within the quarry site. Also impacts of the quarry on adjoining HCV areas. (Kiama Council LEP)

- cumulative impacts of both developments (sand quarry and tourist development) on the Seven Mile Beach environment in relation to biodiversity losses from sandmining and other developments at Seven Mile Beach. (Including previously cleared Endangered Ecological Communities and Species, coastal forests, wetland complexes, previously rehabilitated areas, and riparian areas of Blue Angle Creek and Crooked River. (Kiama Council LEP)

- the bulk, scale and size and location of the development in relation to the natural scenic quality of the surrounding area, and an assessment of how it protects and improves the natural scenic quality of the surrounding area (Coastal Policy aim)

- the change in amenity of the area, resulting from the size and location of the proposal, from a rural, recreational and natural environment, to an industrial and commercial site

- how the developments meets the principles of Ecologically Sustainable Development (Coastal Policy aim)

- how the development impacts on the preservation of native coastal vegetation,(Coastal Policy aim) including the regionally rare zonation of vegetation linking the beach with the wetland vegetation.⁶

- the need, at a regional and state level, to destroy and modify the natural environment in order to win the resource.

- the hydrological impacts on Blue Angle Creek and surrounding wetlands and vegetation, and an understanding and assessment of the threat posed by acid sulphate soils.

Howard H Jones
 Secretary Gerroa Environmental Protection Society
 PO Box 71 Jamberoo 2533

⁶ Study on lot 22 Crooked River Road for Kiama Council by Dr Ros Muston

Appendix 1

Coastal forest located in the proposed quarry site.

These forests will be cleared if the quarry is approved.



Appendix 2

The most of the vegetation at Seven Mile Beach comprises Endangered Ecological Communities. This is because the ecosystems which provide habitat for these communities is extremely rare in NSW

The Endangered Ecological Communities comprise

1. Littoral Rainforest SEPP26
2. Bangalay Sand Forest
3. Freshwater wetlands on coastal floodplains of the NSW North Coast, Sydney Basin and SE Corner bioregions (eg Coomonderry. Reed/sedgelandss assoc with ephemeral or semi-permanent standing water).
4. Swamp oak floodplain forest of the...(ie glauca, m. ericifolia, m. stypheloides... forest/scrubs surrounding floodplain wetlands lagoons eg: around Coomonderry Swamp and Blue Angle Creek)
5. Swamp sclerophyll forest on coastal floodplains..(ie: robusta, glauca, bangalay..forest/scattered trees fringing wetlands/ semi-permanent standing water



Swamp sclerophyll forest on coastal floodplains.

Endangered Ecological Community adjoining the proposed quarry site.

Appendix 3

Clearing of coastal forest for the current Cleary Brothers quarry site in 2002.

This clearing will continue if the proposed quarry extension is approved



Appendix 4

1. Cleary Brothers community consultation information leaflet stated the quarry site was to be located in cleared farmland and timbered land. However only the image of cleared farmland below was used to illustrate the site to residents. It conveys a benign, environmentally neutral development.



2. The photograph below is also of the quarry site. It was taken by Gerroa Environmental Protection Society to illustrate the coastal forest, which will be cleared if the quarry gets approval.



To convey an informative image of the quarry site to residents both of these images would be necessary. Cleary Brothers only used the photo of the cleared part of the proposed site.

PERRAM & PARTNERS

PLANNING AND ENVIRONMENTAL CONSULTANTS

T W PERRAM & PARTNERS Pty Ltd
ACN 072 135 436 as trustee for
Perram & Partners Trust
12 Clanwilliam Street
EASTWOOD NSW 2122

11 May, 2006

The Secretary
Gerroa Environment Protection Society
PO Box 71
JAMBEROO NSW 2533

phone: 02 9874 6773
fax: 02 9804 0444
mobile: 0412 023 970
email: tperram@bigpond.net.au

Our Ref: 102L14

Dear Sir

RE: EXTENSION OF CLEARY BROS GERROA SAND QUARRY

Thank you for responding to my letter of 8 May 2006 with your emailed list of matters that the Gerroa Environment Protection Society would like to see addressed in the environmental assessment for the proposed extension of Cleary Bros' Gerroa sand mine. I note your email indicated the response to be preliminary and in this regard urge you to forward any additional matters that upon reflection, the Society considers should also be addressed in the assessment.

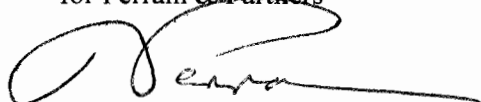
I will briefly respond to the opening paragraphs in your emailed list that referred to the consultation process itself. Cleary Bros is consulting the community in a number of ways as follows:

- distributing a brochure to letter boxes in the general area;
- sending letters to public authorities;
- arranging direct and more detailed consultation with key interest groups;
- distributing a copy of the environmental assessment, when complete, to interest groups with an invitation for further discussion;
- ongoing consultation with the community after the assessment phase is complete.

The purpose of the brochure distributed by Cleary Bros last month was to advise of the proposal and seek advice of any matters of interest or concern to residents. Detailed discussion of particular issues is beyond the scope of that document, but will be fully addressed in the environmental assessment.

The matters contained in your emailed list will be addressed in the environmental assessment. Should you so desire, Cleary Bros would be pleased to arrange a meeting with key representatives of the Society following the return of Dr Kevin Mills from overseas.

Yours Faithfully
for Perram & Partners



Terry Perram
Principal

PERRAM & PARTNERS

PLANNING AND ENVIRONMENTAL CONSULTANTS

T W PERRAM & PARTNERS Pty Ltd
ACN 072 135 436 as trustee for
Perram & Partners Trust
12 Clanwilliam Street
EASTWOOD NSW 2122

8 May, 2006

The Secretary
Gerroa Environment Protection Society
PO Box 71
JAMBEROO NSW 2533

phone: 02 9874 6773
fax: 02 9804 0444
mobile: 0412 023 970
email: tperram@bigpond.net.au

Our Ref: 102L13

Dear Sir

RE: EXTENSION OF CLEARY BROS GERROA SAND QUARRY

Perram & Partners is currently preparing an environmental assessment for the proposed extension of Cleary Bros' Gerroa sand quarry in Berry Beach Road. The proposal has recently been declared a project to be determined by the Minister for Planning under Part 3A of the Environmental Planning & Assessment Act, 1979.

I understand that Cleary Bros has endeavoured to arrange a meeting with representatives of the Gerroa Environment Protection Society to discuss the proposal, to be attended by the company's flora and fauna expert, Dr Kevin Mills. Unfortunately the Society has not been able to make time available for a meeting prior to Dr Mills' departure overseas at the end of this week.

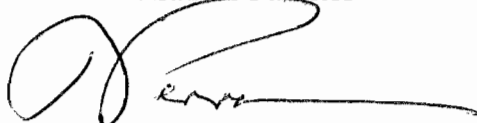
Consequently I am writing to ask if you could advise of any matters the Gerroa Environment Protection Society would like to raise for consideration in the environmental assessment.

I have enclosed for your information a copy of the brochure recently distributed to letterboxes in the Gerroa area. The preliminary assessment for the proposal may be referenced at the Department of Planning web site as follows:

http://www.planning.nsw.gov.au/asp/pdf/05_0099_preliminary_assessment.pdf

Should you have any questions please give me a call.

Yours Faithfully
for Perram & Partners



Terry Perram
Principal

Cleary Bros (Bombo) Pty Ltd
PO Box 210
Port Kembla NSW 2505



Dear Mr Terry Perram
Regarding your letter to the Gerroa residents on the sand mine extension

26/ 5/ 06

I am against the proposed extension of the sandmine into section of the CB land for the following reasons. In the CB leaflet dated 7 April 2006, that incidentally I needed to obtain from a friend as it was not delivered in amongst the mass of junk mail that the few Gerroa residents that received it states, "that there will be no net adverse environmental impacts to the site."

I totally disagree with this statement for the following reasons:

- The northern end of the sand mine would be visible from the road and therefore this region would lose some of its visual amenity. Even if barriers were to be erected the loss of visual amenity still would be very significant for all that live or holiday here. Add to that loss the fact that many local businesses rely heavily on tourism to be economically viable. Even when viewing this loss of visually amenity from this perspective it must ultimately significantly effect local businesses
- While some of this mine would be located on previously cleared land a significant section of mature endangered Bangalay trees would need to be removed. Add to that the significant loss of nesting hollows that these and other mature trees provide then this loss must be viewed as a very significant environmental loss.
- It's hard to conceive how all of the recognized Aboriginal archaeological sites that are contained in this narrow strip of land can be totally protected while it is mined.
- The cumulative loss of habitat due to clearing of native forests, the digging of drainage trenches in Foyes swamp and the necessity of closing off of a significant section of Blue Angle Creek must have a very ecologically effect. Add to that all the other net losses of other developments outside of CB control around this sensitive coastal zone eg a Caravan Park, a sewerage treatment works, a rubbish tip and we have something that shouldn't be added to. Although if CB's were to have their way a very large tourist development would also be located very nearby which would undo the very thing this company wishes to show off as a "rehabilitated lake foreshore"
- I feel that fish kills in the Crooked River in periods of high rainfall when the river is closed off to the ocean may well be due to leaching of the mining of these acid sulphate soils in the current sandmine. If this is the case then moving the sand mine within a closer distance of Blue Angle Creek must impact on fish in the river far more.
- Radiation that is released when sand mining occurs.
- The safety and road damage created by large trucks used to transport the sand.

To conclude the jobs created by this sandmine may well be overshadowed by the job losses if the tourism drops due to the industrial look of this mine lease extension. Both on a local and national scale. The international tourists that frequent this area on their own or in the locally based surfed school. A large amount of their promotion is that their guests will be staying in a non-commercialized zone. The owner of this business has told me that he feels that the proposed extension of the sand the proposed tourist development and mine will ultimately impact on his business.

Regards

Warren Holder
15 Burke Pde
Gerroa NSW 2534

Natalie Pero

From: Sue McGrath [sue@scbaccom.com.au]

Sent: Monday, April 10, 2006 10:00 AM

To: Natalie Pero

Subject: Cleary Bros

Terry,

The manner in which Cleary Bros care for their property is proof of their sensitivity towards the environment. It is a credit to them.

I see no reason to oppose their proposal.

Regards,

Sue McGrath

Sue McGrath

South Coast Boutique Accommodation

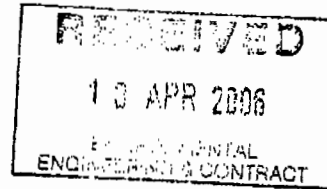
P.O. Box 158,

Berry

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Special Properties for Special People



7 April 2006

Dear Neighbour,

**Proposed Extension to Gerroa Sand Quarry:
Balancing the needs of the Illawarra community with the creation of
more wetland areas**

Finally!! *any hole dug that fills with water is now called wetland??*

We are writing to advise you that Cleary Bros is proposing to extend the sand quarry beside Crooked River Road at Gerroa and invite you to comment on this proposal.

And what about the resort??

Background

Cleary Bros has been extracting sand from the company's land at Gerroa for about 50 years. Over this time, a pond has been created as the quarry has been progressively extended.

The southern end of the pond has been rehabilitated as a wetland, creating habitat for a number of native flora and fauna species. Monitoring by the company's ecological consultant over several years has shown the value of this constructed wetland for native waterbirds and many other species (see Photograph 2).

The most recent extension to the sand extraction area was approved by the NSW Planning Minister in 2003, permitting the company to continue extracting sand in a limited area of former farming land.

Reason for Application

Except for a small amount of sand remaining under the existing stockpiling and loading area, the 2003 extension to the quarry will soon be exhausted; this sand will not be accessible until the closing phase of the quarry.

An extension of the sand extraction area will allow the company to continue the supply of building and construction materials (at reasonable cost) to the South Coast community, providing employment and a significant contribution to economic prosperity within the Illawarra Region.



Proposed Extension and development of more wetland area

The application by Cleary Bros proposes to extend sand extraction operations onto the company's land to the north of the current sand quarry. The area proposed for extraction is cleared farm and timbered land.

Meaning?



Photograph 1: Shows farmland to be quarried for sand.

Keep farmland for food

The environmental assessment is in the process of being finalised and is expected to be completed next month. We are confident, based on initial investigation, that there will be no net adverse environmental impacts to the site. Progressive construction of the pond foreshores will provide more wetland areas similar to the existing area shown in Photograph 2.

product

*who
is
conducted*

*his
investigation??*



Photograph 2: Shows completed section of rehabilitated lake foreshore

And will these trees be replaced by resort units?

Key environmental features of the project include:

How can you call a hole you've dug?

- 100,000m² of additional planted areas will be created and will include forest and wetland communities and habitats.
- 124,000m² of additional constructed wetlands will be created including shallow and deep water zones.

has fill with wa

*water holes on the
90/5 ...??*

Why not extract the sand at the mouth of the Shoalhaven?



The location of the extension is shown on the plan attached. The proposed extension is intended to provide approximately 10 years of sand resource at current extraction rates. We do not expect changes to the current method of sand extraction or to the market-dependent rate of extraction.

Balancing the needs of the local construction industry and the wider Illawarra community with the rehabilitation and environmental protection of the quarry site is a sensitive task to which Cleary Bros is firmly committed. We welcome your comments on the proposal.

As firmly committed as you were to preserving the trees on Bailey's Island??
Your comments invited

Further information on the proposal can be found at the NSW Department of Planning's website: www.planning.nsw.gov.au/asp/register or by telephoning Mr Terry Perram on 4255 2105 between 8.00am to 5.00pm.

Please put your comments on the proposal in writing to:

Cleary Bros (Bombo) Pty Ltd
Attention: Mr Terry Perram
PO Box 210
PORT KEMBLA NSW 2505

Or email to environmentalengineering@clearybros.com.au

Sincerely,

CLEARY BROS (BOMBO) PTY LTD

Why has it taken community outrage for you company to finally start "Consulting" with the community??

There is no need for another golf course in the area.

- a lake??



Proposed Additional Extraction Areas