

January 24, 2019

Environment Protection Authority
Attn: Richard Hook

Re: Yumbah's response to EPA s22 Notice - Application number 1003316

Dear Richard,

I wish I had been able to know what was going to be in the facilitators report earlier and the second request for information from Yumbah. I had already given three weeks to researching and writing this document and now some of it is not required. I just physically cannot re-do it. I do not have the energy or the time so I apologise but I'm sending it as is. This whole process has nearly broken me. At a time when we are building a new home I should be feeling excited and enjoying it, instead I am fighting and running a challenge against Yumbah being built and destroying our dream. We still haven't finished and moved in and have no idea of how much money we will have lost. Heartbreaking.

Please find detailed now objections to Yumbah's Response to Stakeholder Submissions on EPA and environmental matters, following the recent community consultation.

Please forgive in advance but we are feeling extremely angry and upset at the majority of the glib, unproven, and based on supposition only answers given by either Yumbah themselves, or more likely the people they have hired to do so, who by way of some of their answers have not even seen the location, and are only viewing the Dutton Way (inaccurately...) on a map.

The huge volume of data to sift through, along with the vast amount of technical and scientific information is staggering and we feel like we are drowning in it. We doubt very much that we will have much effect in what we believe not correct but felt the need to at least try.

We put our trust in the EPA and their staff to determine the accuracy of their assessments and can only hope that we can prevent this huge industrial abalone farm from ruining this fertile land, and upsetting and disrupting the lives of so many people in this place they call home.

AIR QUALITY – DUST

Yumbah state "There is no risk of impact to the air quality associated with dust during operation".

Would you please ask them how they plan to achieve a dust free zone outside of the construction zone?

Would you please be able to advise, prior to approval, how a CEMP without ANY detail can assure this is possible?

How can approval be given without the knowledge and understanding of problems and solutions PRIOR to this being received?

We believe the residents should all be considered as stake holders also. Their lives and lifestyles are the ones being the most impacted. And as stake holders we deserve this information before approval.

They even state – ‘they will put up wind fences’ Do they truly expect us to believe that will make one iota of a difference

Yumbah’s Risk Assessment states that to control the dust they will:

Restrict vehicle movement to defined roads – there are none!

We are talking huge earth moving equipment scraping and removing huge quantities of earth, levelling, bull dozing, scraping and deposition of earth.

How can on site construction activities of this magnitude only emit LOW volume dust?

How has this been ascertained? What testing has been carried out and on this site?

How can Yumbah possibly state or ‘anticipate’ (their choice of words and a very poor choice of words when you are speaking about people’s health) the following: ‘There will not be any impact to air quality beyond the site boundary during construction!!’

What are they going to do? Place an invisible wrap or bubble over the entire construction zone? Seriously, this is an area of good wind volumes. Of course there will be dust problems! Are they so arrogant or ignorant that they can write this and believe their own propaganda?

Please ask them how they plan to achieve a dust free zone outside of the construction zone.

Would you please be able to advise, prior to approval, how a CEMP of words only can assure this is possible?

Also, has it even been addressed how do even the least insignificant amounts of RCS (Respirable Crystalline Silica) concentrations affect people living with respiratory diseases such as lung cancer, emphysema or asthma?

WHS (Work Health Safety) Reg. 50 state air monitoring by an occupational hygienist must take place during these operations. Will this be happening?

The ACGIH advises the threshold limit for Silica dust exposure to be at less than 0.025mg/m³ over an 8 hour day for the prevention of lung cancer and silicosis. Moving soil with heavy equipment fails at this level. There is NO evidence to suggest a safe level of silica dust exposure.

Also as stated by Landserv over 90% of the earth's crust is silica based, and that exposure over a long period of time of low levels can lead to disease.

And yes we have read Appendix A. You do realise that stripping a site of topsoil along with deep excavations will most certainly generate dust. We are talking about a site of some 63.5ha (150 acres) to be excavated, disturbed or have topsoil deposited on.

The risk of Respirable Crystalline Silica may have been noted as negligible to the workers on site but HOW ON EARTH can Yumbah that there **will NOT be any airborne dust measured off site.**

We have attached an historical graph of the Average and Maximum Wind Speed and Gusts for Portland from 2010 to 2018. Predominant winds for this area are south easterly and south westerly – both of which come from the sea blowing onto the land. These are not gentle breezes, they are updrafts and sweep upwards carrying all the dust over the houses nearby and to those on the ridge above.

It is also extremely disturbing that one of the MAJOR concerns noted was people's drinking water – NOT addressed at all. Just a statement saying they will control the dust and it will be contained within the construction area. HOW?

NO – we categorically DO NOT accept this.

AIR QUALITY – ODOUR

Real Estate results from Snapper Point Rd and Princes Highway in the past few years have seen a massive number of properties listed and sold and still trying to sell. (See summary following)

Why you ask, the same reasons we do not want this built right in the midst of us.

Driving along the Princes Hwy past the Snapper Point Rd turnoff even at a minimum distance of 1km the smell is there. Imagine living across the road from it, or right next door, or up on the ridge with those southerly winds blowing it right in your front door.

Yes, Yumbah have advised plans to freeze the dead abalone, and shells, on a daily basis and once freezers reach capacity, to transport to a local municipal landfill or similar. As quoted by Yumbah – 'Management of mortalities in this manner is **expected** to reduce odour to a point where it is not **expected** to be noticeable beyond the property boundary'

Tested and measured? NO

Okay, onto the removal of the sludge from the settling ponds. NOT addressed at all in their report.

Tim Rudge, questioned about this on more than one of the information nights could only provide the answer – 'that this was to be dumped up the back of the abalone farm'.

The settling ponds which continually accumulate faeces and nitrogen create a putrid sludge, containing chemicals, faeces and undigested feed plus unabsorbed nutrients. This needs to

be manually removed and deposited to dry out. This is one of the most crucial elements associated with extremely bad odour and yet has not even been mentioned as to how this is going to be contained.

Is this 'expected to be NOT noticeable beyond the property boundary' also?

See their report - 3. Air quality –Odour (14) 'Sediment will be regularly removed from channels and lagoons under controlled conditions. The activity of removing accumulated sediment will be managed in accordance with a Sediment Management Plan that will be developed in consultation with the EPA'.

Do you not think that residents would want that to be an important part to be sorted **PRIOR** to approval being given?

Why is there not stricter control on what is required of Yumbah, to address all concerns of residents, and not just something that the affected parties (residents) just have to sit back and hope it works, especially given the quote uttered by Tim Rudge as to it being dumped up the back of the factory. He obviously had no idea how this was to be addressed because there is no solution yet!

See their report - 3.1 The Summary

Again, there is the good old boundary where everything nasty stops, or those ambiguous words yet again – **highly unlikely!**

How about some straight definitive, clear answers or solutions from Yumbah? There are about 350 people whose lives are irrevocably going to be forever changed by a decision based on maybe, highly unlikely or not expected.

If this application was not such an important decision that is going to affect each and every one of us who choose to live here for the lifestyle we bought in to enjoy, it would be laughable. We just want to cry.

BIOSECURITY AND DISEASE

This proposed abalone farm, if passed, would become Australia's largest land based abalone farm. As such it seems there should be the highest measure of caution, research and testing done. The time frames given for this to take place are so ridiculously miniscule in comparison to being able to build a 30sq home on a 1 acre block of land zoned RLZ.

Can it be guaranteed there will not be an AVG virus outbreak again? NO. The percentages that it will happen again are extremely high. Yumbah themselves even advised the likelihood as '**almost certain**'.

To situate this abalone farm, at any level of risk of failure, within a residential hamlet and to be affecting the lives of so many people seems criminal, let alone wiping out the wild abalone.

Solution: Request Yumbah re-locate to an isolated area, as they announce they do on their website – ‘Yumbah themselves on their website pride themselves of carefully locating siting their farms in ‘isolated areas’.

Definition of isolated: ‘Far away from other places, buildings, or people; remote, outlying, secluded,’

Eutrophication. Is not nutrient rich waste water from aquaculture becoming an increasing concern? With the huge volume of water (8660 ltrs per second) being pumped from the settling ponds at this proposed farm, does this not hugely magnify the risk of algal bloom, which once this dies, depleting the water of oxygen results in killing of fish and all other marine life?

Eutrophication of the ocean has been proven to be a negative of land based abalone farming and the volumes of water containing high levels of nutrients etc being flushed out daily and with a farm of this size and never before being built this big, how then is this to be estimated, controlled or monitored accurately? Certainly not with only the annual reporting system at present required. (Refer to PIRSA Abalone Risk Assessment of Land Based Abalone Aquaculture South Australia)

Yumbah state to us that there has been no such problem at their current farm, this proposed farm is (5) times as large. Testing? Measuring? Or again just **expecting** their will be no problems ...

Too little information, too much at risk!

MARINE ECOLOGY – WHALES

Giving Dr Peter Gill his due, he is definitely an expert in Blue Whales, a fact that Yumbah are more than happy to advise given that they are ‘assisting’ him in his research of these beautiful creatures. As stated on the Yumbah web page – they **sponsor** the Blue whale study!

What Dr Peter Gill is NOT, is an expert on the whales that will be affected by this proposal – the Southern Right Whales.

Listed as a Southern Right whale aggregation in the Conservation Management Plan EPBC Act 1999 for (2011-2021) and a location where after so long, these whales are now returning to give birth and as a nursery, why would we risk displacing these endangered species. It is stated in the Conservation Plan that the whales do not like noise and vibration and there have been at least two known mother/calf pairs there last year for several months in the exact area of the intake pipes and the location of the 20x75kw pumps.

The Blue whale habitat is deeper ocean waters to coastal waters (WWF) but even then, contrary to what Dr Peter Gill has reported, the Blue whale does not tolerate underwater

noise as it can potentially mask their vocalisations, throwing them off course and disrupt both movements and breeding.

Fortunately for Yumbah the Blue whale will never be affected by this as its preferred habitat is far out to sea, unlike the SR whale who, as the attached images show, breed and frolic in extremely close to shore (and these pipes).

COASTAL SEA WALL Has it been considered that one of the main reasons Yumbah want to build on the Dutton Way is because they can get land that is already protected by an existing sea wall thus a huge savings to them?

Yes, they plan to remove sections of it when putting in their pipes and replace with a better version. BUT, when the rest is starting to fall down as they have already admitted will happen due to the erosion caused by their outlet pipes (see original proposal), then they will insist on the council paying to fix the other parts to protect their abalone farm.

Coastal erosion issues on Dutton Way are huge.

In November 2017, Glenelg Shire Council hosted world renowned oceanographer and coastal erosion expert, Dr Kerry Black, at a forum to discuss coastal erosion and ways to protect beaches, including the Dutton Way.

You ask what has this got to with Yumbah? If Yumbah are given the go-ahead on the DW then there will be NO solution to erosion.

This whole area from South Australia, to Portland and the Dutton Way, right through to Port Fairy and Warrnambool and even as far as Cape Otway is suffering from huge coastal erosion issues.

From Dr Kerry Black – ‘The Dutton Way does not need more rock walls. What it needs are groynes or off shore reefs and to re-align the beach orientation’. The existing seawalls are not preventing erosion; they are only protecting the land’.

He stressed the need for urgent and lasting change to not only protect our coastlines from devastation, but to also ensure our local economies can continue to grow and thrive, looking particularly to the long term impact on the Port of Portland’s operations.

I am attaching (2) u-tube videos by Dr Kerry Black that I would really encourage you to watch to understand this issue. They relate to the huge erosion concerns on the DW, which in the past have seen entire streets and blocks of houses swallowed up by the ocean.

Yumbah relocating to a different place would allow further undertakings as per Dr Black’s video. It has already been discussed with residents and I believe, the Council. The current

sand by-passing taking place bi-annually by the Port of Portland is assisting there to be beaches in front of the rock wall. This sand-bypassing is NOT conducive to the Yumbah abalone farming intake of sea water, therefore I cannot see it continuing, meaning the waves would then again be crashing directly onto the rocks during bad weather and high tides resulting in further erosion.

SITE CONDITIONS – GROUNDWATER, DRAINAGE and SOILS

As opposed to a Desktop assessment, we have physically shown the EPA and The Glenelg Shire Council Planning Department the historic waterways on the proposed site for Yumbah's abalone farm. We have also shown images of how wet this area becomes in the winter, we have physically shown the volume of water from the continual spring even after a very dry winter.

We have read the Landserv Desktop Hydrogeological Assessment and with the timeframe given we cannot even get into this, so will leave for the experts. It is beyond our capability to be able to understand or comment on the report.

MAINTAINING AMENITY WITHIN THE RURAL LIVING ZONE

This may not be the appropriate place for these comments but I believe that because that residents of the Dutton Way and the ridge above are all going to be impacted by some or all of the following; which do come under EPA consideration;

Pollution by - sound, odour, glare from solar panels, visual pollution, lack of darkness at night due to factory lighting, stress, traffic, dust – A TOTAL ANTITHESIS OF THE REASON EVERYONE CHOOSES TO LIVE HERE.

GHD in their report state 'the amenity expectations from residents are high'.

NO, this proposal is just too large and not the right development to be placed in the midst of this quiet rural lifestyle and it will impact FAR too greatly on the residents.

It is an UNREASONABLE LOSS OF AMENITY.

SUMMARY

This is in no way a character assassination of Tim Rudge. He is probably a nice man and those who do know him, say he is.

We just do not like his methods. From the beginning he has failed to be transparent. His information sessions failed to disclose to the whole of the people of Portland what was being planned. And the Dutton Way is still Portland. They were not invited. His images of

the proposed farm showed it as vacant land in many areas with people's houses, sheds digitally removed so it appeared as 'isolated'.

Our group held three information days outside a local supermarket, and were blown away by the angry response from Portland people that this was the first they knew about it, and they became instant objectors, who went on to lodge submissions.

Yumbah's responses to a huge amount of our concerns and objections are based on supposition, they are untested and unproven and we are supposed to gain confidence and accept that this will not affect us in any way.

Seeing the dilapidated state of the current farm with the ugliness of the existing pipes out into the water, how can we believe the proposed development will be any better when it is self regulated?

Thank you and regards,

[Redacted signature block]

2016 – 1018

TURNOVER OF HOUSES – in the vicinity of the current Yumbah abalone farm

SALE DATE	ADDRESS
8/15/17	68 Snapper Point Rd, Allestree
17/5/18	68 Snapper Point Rd, Allestree
17/5/18	Lot 6 Snapper Point Rd, Allestree
For sale	Lot 42 Snapper Point Rd, Allestree
For sale	Lot 4 Snapper Point Rd, Allestree
14/12/17	Lot 2, 33 Beach Rd, Allestree
10/5/18	15 Beach Rd, Allestree
25/5/16	Lot 1, Dutton Way, Allestree
For sale	8303 Princes Hwy- listed 11/8/15 (directly in front of current farm)
27/11/17	8283 Princes Hwy, Allestree
21/11/16	Lot 6, 8285 Princes Hwy, Allestree
Off market	8302 Princes Hwy, Allestree
Off market	8352 Princes Hwy, Allestree
18/4/16	8316 Princes Hwy, Allestree
29/2/16	8367 Princes Hwy, Allestree
14/12/17	Lot 2, 33 Beach Rd, Allestree
Under contract	Lot 3, 45 Fergusons Rd
Off market	538 Dutton Way, Allestree
16/3/18	61 Fergusons Rd, Allestree

Portland

Average and Max Wind Speed and Gust (kmph)

Zoom

1m

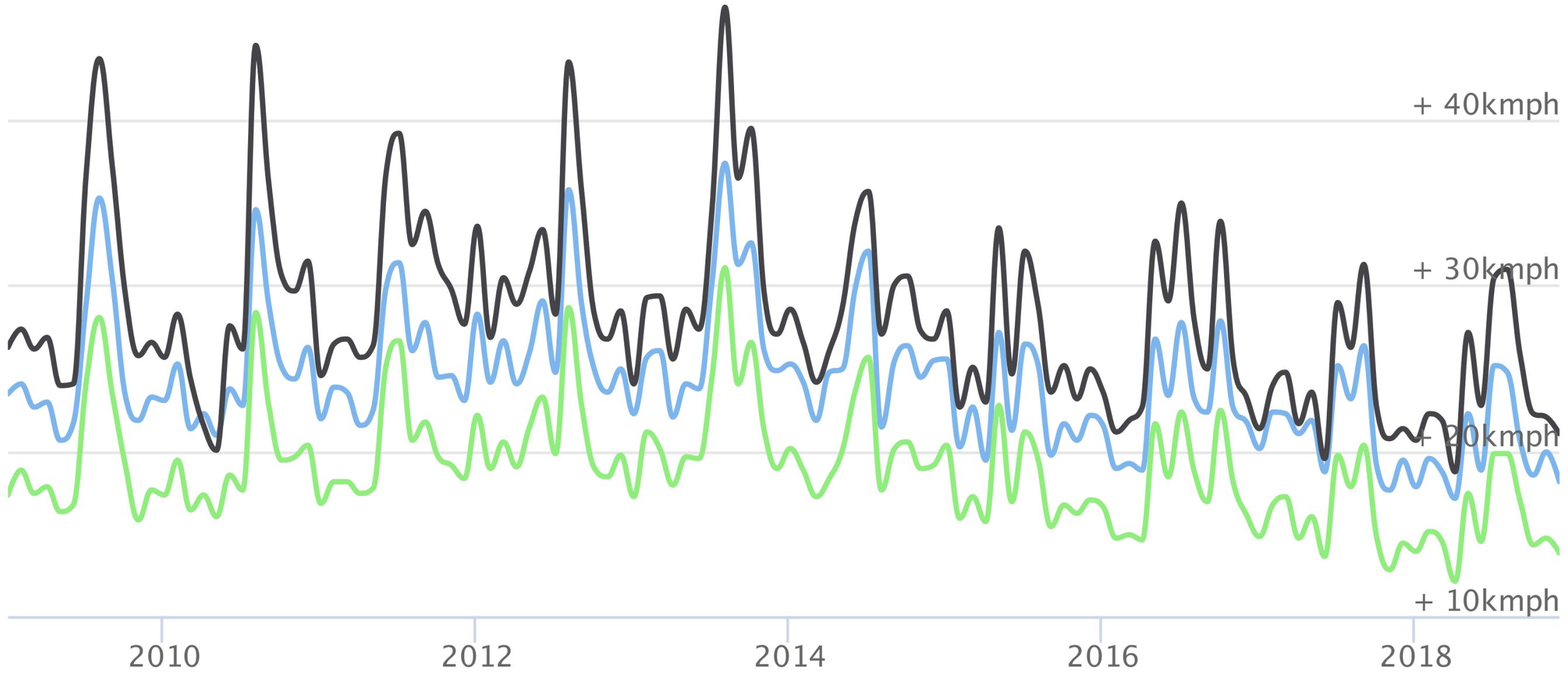
3m

6m

YTD

1y

All



— Max Wind (kmph) — Avg Gust (kmph) — Avg Wind (kmph)