

**Attention: Director - Coal and Quarry Assessments  
Planning and Assessment  
Department of Planning, Industry and Environment  
GPO Box 39, Sydney NSW 2001**

**Re: Public Submission for SSD – 7293**

**Name:** Frank Dennis

**Address:** 319 Plomer Rd, Port Macquarie, 2444

**Applicant:** Hanson Construction Materials Pty Ltd and Application No: SSD – 7293 Sancrox Quarry Expansion Project

I submit my objections to the above development application. The proposal should be rejected and not allowed to proceed.

I am a long-time resident of Port Macquarie having moved here in 1975. I have witnessed many changes to the Mid North Coast area. Increasing urbanisation, land clearing with significant forest degradation and fragmentation are seriously affecting the biodiversity of the Port Macquarie- Hastings LGA's and the Mid North Coast and North Coast more generally.

I'm a keen advocate for scientifically based land management systems and approaches and see rigorous, well applied land use planning and management practices as very important. Such approaches ensure better outcomes and help resolve the inevitable conflicts that arise in applying them.

I served as a conservation representative for a period of 8 years on National Parks Wildlife Service Advisory Council, a statutory body established under the NPWS Act to advise State Ministers on the administration of the Act through the 80's and early 90's.

This experience together with my lifetime of involvement in nature conservation reinforced the importance and necessity of 'wise use' land management practices to preserve our natural heritage.

**Objections to proposed development:**

The EIS is seriously flawed and fails to properly assess or describe the likely impacts across a whole range of environmental, social and economic factors, at local, state and federal levels. There has been a very poor consultative process, not least the Community Consultation Committee failure to fulfill its role.

I have confined my objections mainly to those issues affecting the natural environment and biodiversity: threatened and endangered species, the koala, vegetation management and climatic change and controlling emissions and more briefly at the end, to some of the other social and economic impacts.

**BIODIVERSITY**

**The following comments are made on impacts:**

1. The project includes "clearing 43.1 hectares of native forest vegetation, 0.55 ha of which is identified as the threatened ecological community Subtropical coastal floodplain forest (NR117)" with serious and irreversible environmental impact. (Ref: DA, Annex C)
2. The Greater Sancrox Area Structure Plan (Port Macquarie Hastings Council, 2014), identifies the land to be cleared as medium to high activity koala habitat. Two studies Biolink 2011 and Ecotone 2015 and more recently the Draft Coastal Koala Plan of Management 2018 produced by PMHC identifies the area as core koala habitat. An objective of the CKPOM is that there will be no net loss of core koala habitat after 6 years from adoption of the plan.

3. The clearing also destroys an identified “critical link and vegetation connectivity in the Greater Sancro Structure Plan, eliminating traverses by animals south-north through the centre of the Development Site”. (Ref: DA, Annex C)
4. The Urban Growth Management Strategy 2017- 2036(PMHC 2017) classifies the area as a ‘medium biodiversity asset/constraint’ and identifies that the site could provide a ‘major conceptual habitat link’. It is nonsense to suggest that vegetation lost in the project area will not result in habitat fragmentation or the loss of connectivity between the proposed offset area and the remaining vegetation south of the project area.
5. The figures in Appendix E of the Biodiversity Assessment are incomplete – widths are missing, and they seem to suggest that Connecting Link 2 will persist despite the clearance of all vegetation and the presence of machinery. The removal of the vegetation in the project area will effectively isolate fauna that remain in the proposed offset area and the fact that the offset area is disconnected will greatly reduce its ecological viability.
6. The Biodiversity Assessment Report (DA, Annex C) was based on insufficient field work conducted in 2015, four years ago. Current, independent and comprehensive field surveys are required to validate the report. A major flaw of the EIS is that it unreasonably dismisses the significance of the site for threatened species despite Office of Environment and Heritage records of Koalas at six locations at least (2008 -2013), and the presence of Spotted Gum, *Corymbia maculata* which has the potential to provide winter nectar for the migratory critically endangered Swift Parrot.
7. The EIS states that no evidence for the threatened plant species likely to occur on the site was recorded during field surveys undertaken as part of the BAR. However SLR Consulting Australia which conducted the orchid surveys concluded that until a positive identification can be made, it is recommended that the *Dendrobium* specimen recorded should be treated as the threatened species *D. melaleucaphilum*, which is listed as endangered in NSW under the (former) Threatened Species Conservation Act.
8. The State of Emergency was declared in NSW due to the catastrophic bushfires in November 2019. Recent fires may have killed an estimated 350 perhaps many more koalas in the LGA especially in and around the Lake Innes Nature reserve. Injured and now homeless koalas may have moved onto the proposed development site. The recent catastrophic bushfires in NSW have resulted in the loss of hundreds of thousands of hectares. It seems to defy logic that proponent wishes to clear a viable patch of intact high conservation value koala habitat when so much habitat in the region has been recently lost to fire. This needs a full independent examination with field studies to determine current populations and their distribution and their occupation and use of forested areas in this locale.
9. The environmental impact is serious and irreversible. The proposed development site supports unique biodiversity with a total of 27 threatened species identified so far, including 17 birds and 9 mammals, including 7 vulnerable micro chiropteran bats identified. The native vegetation should be retained to combat Australia’s current extinction crisis with some 964 of the 1,250 Australian terrestrial animal species currently listed as ‘Threatened’. (Ref. <https://www.environment.nsw.gov.au/topics/animals-and-plants/native-vegetation/why-is-native-vegetation-important>)
10. Of concern is the loss of hollow-bearing trees – it takes 100-150 years\* for a eucalypt to form a hollow. Most of the hollow bearing trees recorded in the Biodiversity Assessment Report occur in the Spotted Gum - Grey Ironbark open forest – this association does not occur in the proposed offset area. Furthermore, no hollow-bearing trees were recorded in the proposed offset area and there is no mention of the provision of nest boxes as part of the proposed offset strategy. “Hollow Bearing Trees” leaflet Department of Environment and Climate Change | [environment.nsw.gov.au](http://environment.nsw.gov.au) | [info@environment.nsw.gov.au](mailto:info@environment.nsw.gov.au) | August 2007

11. **Proposed “Ecosystem credits” system** of payment by the developer to offset destruction of threatened species does not compensate for the serious and irreversible impact on the natural environment.

**This Ecosystems credit system deserves further comment.** The ‘offset’ regime is central to obtaining development consent given the level of legislative and regulatory applied and the level of impacts that will occur.

Many people see the ‘offsets’ policies as nothing more than an ideologically driven construct, imposed by the Government to allow for the destruction of natural habitat, which favours land developers interests over important environmental protections and other considerations required to maintain biodiversity. They are unscientific and not able to provide the claimed protections they are supposed to offer.

In my view and many others, one of the biggest threats to vulnerable species such as the Koala and other endangered and threatened species is the present State government policies on land clearing, vegetation and species management, including the offsets regime which sits at the heart of their legislation.

**A case in point are the Koalas found in our local forests.** They have been severely affected by loss of habitat already – reflected in the fact that their numbers have declined by as much as 50% over the past 15- 20 years in our region. Expert opinion says that they will be extinct locally in 50 years. Some estimates based on reduced juvenile numbers now, puts the end much sooner, perhaps in 20 or 30 years, especially given the average life expectancy of a koalas is 10 years and breeding females have only 6 years to bear young.

Large scale land clearing and forest degradation has increased dramatically on an unprecedented scale over recent years with intensive logging of public forests

Urban clearing and private native forestry are set to expand exponentially especially along the North Coast of NSW.

Plant and animal extinctions rates are already rising sharply and are likely to accelerate even further along with a very disturbing exponential trend of rising global temperature. Recent bush fires are clearly linked to climate change and increasing global temperatures, increasing the intensity of fires and drought all now clearly in effect here on the North coast.

The current laws Regional Forest Agreements and Coastal Integrated Forest Operations Approval’s and other planning laws affecting private lands and strategies are clearly not adequate to the task of protecting koala habitat and need to be changed to ensure the survival of the koala – a sentinel species. E.g. No pre logging surveys for Koalas.

**Urgent action is needed to halt Koala populations from further decline. Study after study has identified habitat loss and fragmentation as major factors in species extinctions, certainly the Koala is no exception. Vegetated and forest areas favoured by Koalas need permanent protection.**

Given the dramatic population decline we have, ‘core koala habitat’ needs to be, to all intents and purposes, inviolate. Appropriate zoning and development controls play a critical part in achieving this, including reversing any past zoning to effect this, including buying the land back if necessary.

A change is needed in the SEPP 44 to more appropriately scientifically describe ‘core habitat’ and ‘potential Koala habit’. Current reference to the presence of breeding females defining core habitat is completely without any scientific basis and antithetical to Koala survival.

Future management of these areas needs to be consistent with improving the viability and stability of the vegetation cover and the forest dependent flora and fauna. This needs to be supported by rehabilitation programs when necessary and buy backs to improve connectivity, to restore biodiversity on adjoining areas to help achieve long term health of Koala populations dependent on the core areas and linkages.

Each core area should be subject to its own plan, supported with adequate resourcing and expert management regimes: ideally provided by an independent species protection authority specifically established to ensure management over time to achieve conservation aims and outcomes.

The Port Macquarie Biodiversity study 2018 -2030 (page 18) states “....provides a framework for actions to protect our local biodiversity in the Port Macquarie – Hastings LGA and preserve these values for future for future generations”

it also has a paragraph with an interesting quote. **“As Australia’s Biodiversity Conservation Strategy 2010–2030 states, ‘business as usual is no longer an option’ if ongoing damage to biodiversity is to be prevented.”**

We could say “Business as usual” describes conditions bringing about the systematic over exploitation of natural ecosystems and the attendant biodiversity, towards the point of complete degradation and ultimately destruction.

If this is the meaning of “business as usual” then it is easy to say this is certainly “no longer an option”.

## **OFFSETS – “Business as usual?”**

**Native Vegetation Clearance.** \* The following information was taken from another report contained in a submission prepared by Australian Parents for the Environment. I have included it here in my submission because it so aptly meets my need and the reinforces the points it makes by its repetition.

*The proposed Sancrox Quarry Expansion will involve the ‘clearing 43.1 hectares of native forest vegetation, 0.55 ha of which is identified as the threatened ecological community Subtropical Coastal Floodplain Forest (NR117)’. The clearing will result in serious and irreversible environmental impacts at both local and regional scales.*

*According to the Biodiversity report: ‘Approximately 44ha (44%) native vegetation will remain within the inner assessment circle after clearing for the proposed development and around 411ha (41%) of native vegetation will remain in the outer assessment circle after development’ One can therefore conclude that 56% of native vegetation within a 100ha buffer of the centroid of the project area and 59% of vegetation within a 1000ha buffer of the centroid of the project area will be cleared.*

*The Biodiversity Report has not considered the cumulative impact of vegetation clearance within a regional context and the continued fragmentation of remaining vegetation across the landscape.*

*This project is yet another example of how biodiversity in the region is suffering ‘death by a thousand cuts’. Threatened Species and Koala Activity Seven threatened bat species were detected in the fauna survey and an additional 23 ‘ecosystem credit’ threatened fauna species were predicted to occur by the Biodiversity Assessment Credit Calculator.*

*Unbelievably, however the BA Credit Calculator did not predict the Koala to occur in the area, despite the presence of PCT 1265 (Tallowood -Small-fruited Grey Gum dry grassy open forest) – a trigger for the generation of koala ‘ecosystem’ credits. A question arises as to why?*

*In 2011 - two small areas of high koala activity were located within the development site. In 2013 - Koala scats and scratches on tree bark were recorded in the development site. As koala scats decompose over a short period of time, the presence of scats is indicative of recent Koala activity and has been incorrectly described as ‘not recent’ within the Biodiversity Assessment.*

*Koalas are already at risk of functional extinction. Offsetting does not increase populations. The offset will be secured either through purchasing and retirement of 2,449 ecosystem credits from the credit market (with some ecosystem credits to be generated by potential offset lands within the study area) or payment of an equivalent monetary value into the recently established Biodiversity Conservation Fund.*

*Several issues can be highlighted regarding payment into a fund has:*

*1. 1. Genetic diversity: the importance of different genomes for koalas is widely understood for disease resistance. Removal of koala habitat, and therefore likely destruction of local populations, results in a failure to protect genomes in areas of high development pressure.*

2. 2. *Resistance to Climate Change: research has predicted that koalas on the coastal floodplain will be much more resistant to climate change than koalas in other areas (e.g. western NSW). The viability of coastal populations is much higher than western populations.*

3. 3. *Community Value: Our community greatly value their koalas and do not want to see them offset away from the Port-Macquarie Hastings region. The proposed offset site is a mere 49 hectares. Of the vegetation associations identified in the project area, two are not included in the proposed offset area. According to the Biodiversity Assessment 'there are stands of Swamp Mahogany swamp forest and paperbark swamp forest in the proposed offset site, however no such vegetation occurs within the Development Site'. Within the Port Macquarie Hastings LGA paperbark is not considered a primary or secondary koala food tree species ([https://www.savethekoala.com/.../20150212\\_AKF\\_National\\_Koala\\_...](https://www.savethekoala.com/.../20150212_AKF_National_Koala_...))*

*The removal of Spotted Gum (winter flowering), Grey Ironbark (winter, spring and summer flowering), Blackbutt (spring - summer flowering) and Pink Bloodwood (summer - autumn flowering) species from the local area will result in the loss of crucial winter and autumn flowering species. Paying into a fund will not compensate the fauna of the local area for the loss of valuable feed species."* (\*from a submission by Australian Parents for the Environment to Application No: SSD – 7293 Sancrox Quarry Expansion Project 9\_12\_19)

Dr Tim Cadman, a Griffith University academic wrote in a recent newspaper article republished in the Port Macquarie News "Biodiversity or eco scam", 23/09/19 that:

*"Biodiversity offsets do not work.*

- 1. There is no net gain of biodiversity by clearing habitat and 'swapping' it for somewhere else (land clearing is always land clearing)*
- 2. It is not possible to ever replicate 'like for like' (all ecosystems are unique)*
- 3. In Australia and overseas 'offsets' are open to fraud and have been issued against asset types that are not even the same (e.g. forests for wetlands)*
- 4. Biodiversity offsets are the only environmental market mechanisms that incentivise environmental destruction (cf. carbon offsets where there have to be demonstrable emissions reductions)"*

Dr Cadman is particularly worried about the loss of Koala habitat and he described the biodiversity schemes as simply another 'eco-scam'

Ref(original article): <https://www.singletonargus.com.au/story/6396780/biodiversity-offsets-are-they-an-eco-scam/>

The Biodiversity Assessment Report has nothing to say about the efficacy of the 'offsets' policy.

With the future of the Koala in our region at stake -and facing an existential question: how do we ensure the continued survival of the Koala in our LGA in perpetuity we are being asked to trust its future to Offsets and ecosystem credits?

The Koala is a sentinel species - its health and abundance as a species is an indicator of the health and abundance of the forest on which it depends and ipso facto the health and abundance of many other species that make up a healthy forest ecosystem.

Taking a fair and dispassionate view in my 40 odd years of living here I cannot say I have seen any net gain in natural habitats. I haven't seen any increase in koala populations either. Quite the reverse; major declines vegetation and forest cover and in Koala numbers.

I cannot see how the objectives and the prescriptions proposed by the EIS for this Quarry development for protecting the many and varied lists of plants and animals, many on endangered and threatened species lists, can possibly be met unless the actions are based on well-reasoned, scientifically sound natural land management principles and supportive legislation and regulation, with proper resourcing for long term ongoing survival.

Something we simply do not have! The current governmental approach as said earlier, reveals something based more on 'ideology' than anything else.

The overarching legislation refers to the Commonwealth Environment Protection and Biodiversity Act 1999. This Act is now under serious question. There is increasing evidence that the framework established under this legislation is not working to protect biodiversity especially threatened and endangered species.

*Dr Bruce Lindsay, a lawyer with Environmental Justice Australia, says*

*“part of the issue we’ve got is the environment laws within the EPBC Act have really become more about facilitating development than protecting threatened species.”*

*“It’s about development with conditions. The purpose of the laws is not really about arresting and reversing the decline of threatened species. More than 1,800 plant and animal species and ecological communities (woodlands, forests and wetlands are examples of ecological communities) are currently at risk of extinction, a number that is increasing but which is also likely to be an underestimate of how many are truly vulnerable.”*

Ref: <https://www.theguardian.com/environment/2018/feb/13/a-national-disgrace-australias-extinction-crisis-is-unfolding-in-plain-sight>

There are many references in many studies emphasising the importance of habitat preservation in maintaining health populations of plants of animals. Yet biodiversity is declining. The hierarchy of Federal, State and local government statutory requirements and administrative planning instruments to protect biodiversity are failing.

Partly because the “ideology” underpinning the planning laws themselves is not seriously examined or questioned by the determining authority and partly because the EIS prepared by the proponent does not seriously assess the true nature of the impacts of this “ideology” locally, including the critical capacity elements needed to support the whole strategic approach of so called ‘offsets’.

There are many inadequacies in knowledge and accuracy of the EIS assessment some of which are highlighted in this submission. This means that in any review of the EIS it will be important to ensure the level of statutory protection and standard of review is high. Clearly what is needed is better defined and improved legislation and strong regulations to ensure these objectives can be reached.

In another section of the PORT MACQUARIE - HASTINGS BIODIVERSITY Strategy 2017-2030:

*“Port Macquarie-Hastings LGA prides itself in having the largest remaining coastal population of Koalas, and many people view this species as a ‘cultural icon’ for the area. Cultural or historical ties to forestry, fishing and farming across the LGA ensure that some people feel passionate about, for example, the long-term conservation of ecologically functional forest and marine ecosystems.*

*While the Port Macquarie-Hastings LGA has numerous national parks and nature reserves with high biological importance, most of these reserves are in areas historically not suitable for housing development, forestry or agriculture, such as swamps and steep ridges.*

*Thus, while such reserved areas capture some of the biological values of the area, they are not fully comprehensive or representative of the LGA’s biodiversity. Land outside the formally protected area network therefore has an important role to play in conserving the full range of biodiversity found within our local government area.”*

(Ref p16 PORT MACQUARIE - HASTINGS BIODIVERSITY STUDY 2017-2030)

Eighty percent of prime Koala habitat is on private lands in The Port Macquarie Hastings LGA . (refer P28 PMHC Biodiversity Study 2018 -2030). It is clear whenever significant conflicts over preserving important habitat arise the property owner affected will be given an option to provide an “offset” i.e. an equivalent piece of land considered as suitable habitat – if this cannot be found then the landowner is given a monetary option i.e. to buy their way out literally clearing the way for them to destroy any prime habitat on their property likely to affect their investment or personal ambitions for the use of the land. No one with any credible scientific credentials sees ‘offsets’ as a viable

prescription for managing sensitive important habitat and their dependent threatened species. Significant long-term protection is entirely in the hands of the individual landowner.

These contentions are well supported by a recent submission made by Environmental Defenders Office NSW to the Upper House 'Enquiry into Koala populations and habitat in New South Wales'----- 9 August 2019.

Their submission is very comprehensive and gives well researched recommendations. I have appended the full EDO document to this submission as it is well worth reading in full, including the references provided.

The following extract entitled **"Adequacy of protections – Nine overarching deficiencies"** \* says the following:

*Many of the recent initiatives by Government to address koala conservation have focused mainly on funding and policy, without substantial legislative or regulatory reform to increase legal protections for koala populations and habitat.*

*In our view there are significant overarching deficiencies in NSW laws that undermine effective koala conservation that cannot be addressed by aspirational (non-legislative) policies or strategies. Before we provide feedback on specific laws and policies identified by the Terms of Reference (TORs), we outline nine overarching deficiencies in NSW environment laws that exacerbate the threats to koalas in NSW, including from ongoing habitat loss.*

#### **Poor interaction between NSW laws**

*In our view, contradictory policy settings in NSW laws undermine efforts to protect biodiversity, including koala populations and habitat. The Biodiversity Conservation Act 2016 (BC Act) (which itself has its own deficiencies, as discussed in response to (ToR) (c)) aims to conserve biodiversity and maintain the diversity and quality of ecosystems and provides mechanisms for listing threatened species and key threatening processes (KTPs).<sup>23</sup> Yet other legislation such as the Local Land Services Act 2013 (LLS Act), Forestry Act 2012 (Forestry Act) and Environmental Planning and Assessment Act 1979 (EP&A Act) facilitate forestry, agricultural activities and developments that exacerbate the identified key threats to listed species. For example, under the EP&A Act State significant development can still be approved despite having significant or irreversible impacts on biodiversity (including threatened species and critically endangered ecological communities). The LLS Act allows mature paddock trees to be removed without proper environmental assessment despite the loss of hollow bearing trees identified as a key threatening process under the BC Act. This means that although koalas are listed under one piece of legislation, habitat loss is facilitated under other legislation.*

#### **Failures to prohibit or strictly limit the clearing of koala habitat**

*NSW laws do not prohibit the clearing of koala habitat. Rather than providing outright prohibitions or strict limits on clearing koala habitat, our laws simply create additional obligations for assessing and considering impacts on koalas but retain discretionary decision-making powers that often allow economic and social considerations to trump environmental considerations. The result is that koala habitat is often allowed to be cleared for development, infrastructure or agricultural purposes.*

#### **Weak biodiversity offsetting rules**

*The current policy settings for biodiversity offsetting in NSW (introduced by the new Biodiversity Offsets Scheme as part of the Biodiversity Legislation Review) do not meet best-practice and undermine what protections there are for koala habitat. For example, the rules do not require 'like-for-like offsetting' and allow supplementary measures and monetary payments in lieu of genuine offsets (see further our discussion on the Biodiversity Offset Scheme below in response to TOR (c) below). This means impacts on local populations of koalas can be offset by indirect measures that do not actually benefit that population.*

### ***Reliance on concept of 'core koala habitat'***

Many NSW laws rely on the concept of 'core koala habitat' established through the Koala SEPP. For example, for the purpose of the land management regime under Part 5A of the LLS Act, category 2-sensitive regulated land (on which clearing is more strictly regulated) is to include 'core koala habitat'. For the purpose of private native forestry, current PNF codes provide that forest operations are not permitted within any area identified as 'core koala habitat' within the meaning of the Koala SEPP.<sup>24</sup> However, as outlined in response to the TORs below, we have concerns regarding the definition of 'core koala habitat' and the failure to complete the identification of 'core koala habitat' through the finalisation of plans of management approved under the Koala SEPP. This has meant that important habitat that should be protected for koalas is not.

### ***Increased reliance on self-assessable codes***

We are concerned with an increased reliance on 'self-assessable codes' for tree clearing in NSW. For example, the land management reforms introduced the broad-reaching Land Management (Native Vegetation) Code 2018, meaning that a landholder can self-assess clearing in koala habitat that is not currently recognised as 'core' and mapped accordingly. A similar approach has been suggested for PNF as part of the current PNF Review. EDO NSW has significant concern with the increased reliance on codes in place of a robust environmental assessment and determination process where listed species are involved. Codes are only an appropriate regulatory tool for low risk activities. The use of self-assessable codes increases the risk that habitat needed for koalas will be inadvertently cleared or cleared due to lower standards of environmental oversight.

### ***Failure to assess cumulative impacts***

There are no legal mechanisms for addressing and monitoring cumulative habitat loss and impacts on koala populations as a result of competing land uses such as agriculture, industry and development. This can result in 'death by a thousand cuts' where incremental clearing under various legal frameworks can lead to significant cumulative habitat loss.

### ***Failure to embed climate change considerations into legislation***

EDO NSW has ongoing, overarching concerns that NSW laws are not climate-ready and that more must be done to embed climate change considerations into NSW laws, both in terms of emissions reduction and climate adaptation. With respect to koalas, we note that our laws should require that the identification and protection of koala habitat should include areas needed as climate refugia for koalas.

### ***Poor monitoring, compliance and enforcement***

We have long-standing and recurring concerns across various legal frameworks (whether land clearing, forestry or development) about poor compliance and enforcement. For example, EDO's report *If a Tree Falls: Compliance failures in the public forests of New South Wales* (2011) analysed failures in compliance in NSW public forests.<sup>25</sup> More recently, we are very concerned that the NSW Government has announced an amnesty on new investigations of breaches under the former Native Vegetation Act 2003 from August. This undermines the rule of law by setting a dangerous precedent, and rewards those who have may have undertaken illegal action in the past.<sup>26</sup>

### ***Ongoing trend in weakening environmental protections***

Finally, we note our general concern with the ongoing trend in recent years of ignoring scientific and expert advice and weakening environmental laws. For example, the new biodiversity and land management framework (discussed in more detail at TOR(b)(iv)) has been highly criticised by scientists<sup>27</sup>, EDO NSW<sup>28</sup> and other stakeholders including farmers,<sup>29</sup> for weakening land clearing controls. These concerns have recently been validated by the recent report from the NSW Audit Office that found that clearing of woody vegetation



*is increasing and so is the extent of unexplained clearing, which has almost doubled from 5,600 hectares in 2013-14 to 10,300 hectares in 2016-17.<sup>30</sup> Similarly, the Government has been criticised for renewing Regional Forestry Agreements for another 20 years despite concerns about the ability for the RFAs to maintain environment outcomes<sup>31</sup>.*

*\*(Ref p12 Submission to the Inquiry into koala populations and habitat in New South Wales Aug 2019)*

I ask that these 'inadequacies' are examined and considered fully in any determination made in relation to this development and its impacts.

### **Climate change implications and the threat of global heating is another serious consideration.**

There are many adverse climate change impacts from clearing trees, including impacts on water quality and soil erosion. Our standing forests have an important role to play as carbon sinks and they should be allowed to function as such. Native vegetation in NSW stores a significant amount of carbon. Large mature trees sequester considerably more CO<sub>2</sub> than smaller trees. Deforestation and forest degradation will contribute to global greenhouse gas emissions and fewer trees in a region can contribute to drought by reducing the amount of local rainfall. The natural water on the site, currently supporting native flora and fauna, will be diverted to industrial use and North and west alluvial flood plains of the Hastings River and Haydons Creek compounding these adverse impacts.

It has been estimated that 10% of global anthropogenic emissions in 2010 were accounted for by deforestation and land use changes.

Article 5 of the Paris Climate agreement refers to the importance of forests as the only realistically deployable carbon sinks, stating "*Parties should take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases...including forests*" ---

Clearing forests undermines this key Paris Agreement goal, as well as threatening biodiversity and a host of other ecosystem services that forests provide.

The Quarry project over its life span is estimated to release approximately 48.4 million tonnes of CO<sub>2</sub>-e into the atmosphere.

As well **cement** is the source of about **8% of the worlds carbon dioxide** (CO<sub>2</sub>) emissions according to think tank Chatham House... it contributes more CO<sub>2</sub> than aviation fuel (2.5%) and is not far behind the global agriculture business (12%) (ref: Dec 17,2018) <https://www.bbc.com/news/science-environment-46455844>). We should be encouraging alternatives.

Recent statements by the IPCC have said we have only 12 years to substantially reduce our CO<sub>2</sub> emissions to reach a target of no increase beyond 1.5 degrees C and start a serious drawing down of current greenhouse gases if we are to avoid the very real prospect of runaway planetary warming if current projections and forecasted tipping points are reached.

Many governments at all levels now recognise and publicly acknowledge the risks that climate change poses to our community, including its link to the bushfires we face. This quarry works against any action our community takes to adapt to and mitigate climate change for our communities' benefit and sustainable economic prosperity into the future.

### **Further issues pertinent to refusing development consent**

1. The Port Macquarie region is expanding rapidly. This development is in the Sancrox area, approximately 6km west of Port Macquarie, is undergoing significant residential development that will be directly affected by the increased environmental impact of this quarry expansion. There is a history of structure and other planning directed towards residential and rural residential subdivisions in the Sancrox area.

By some accounts it was expected that the quarry operation would cease when current resources were exhausted, and people settled in this area with this expectation.

In relation to this issue it is worth considering these extracts taken from PMHC Biodiversity Study (ref Page 14 – 16)

*“The Port Macquarie-Hastings Local Government Area (LGA) is a biodiverse area and these biological assets are highly valued by the Council and community. They contribute to the cultural, lifestyle, aesthetic and recreational identity of our LGA. The importance of biodiversity to the local economy (e.g. property values, tourism, agriculture, silviculture, and economic development generally) is also highly valued and recognised.*

*“Clearly, we live in an area with nationally and internationally important biological values. The identity and economy of the Port Macquarie-Hastings LGA is strongly tied to its rich biological values, with many people attracted to live, work or play in the area because of these values.”*

*“Numerous studies around the world have shown that proximity to/views of green spaces can increase the value of urban dwellings:”.*

2. The Sancrox area has already had a substantial increase in noise (24/7), due to the upgrading of the highway to a motorway. Despite noise mitigation measures, the rural ambience is already reduced and any extra noise generation, especially at night, will only make it worse.
3. The proposed ‘quarry expansion’ is more than that! It also includes two new additional operations, concrete batching and asphalt production. There are already other concrete and asphalt plants in the region that have the capacity to service the demand.
4. There are alternatives road bases utilising plastic/glass/fly ash waste coming on stream which weren’t considered by the EIS.
5. The noise impact of a 24 hour, 7 days a week operation is particularly concerning. There will be no respite from constant noisy plant and equipment. Daytime operation excluding Sundays is the maximum that should be allowed in a community precinct. The processes carried out do not have to run at night and can be easily shutdown/restarted.
6. Increased quarry trucks movement 24 hours a day 7 days will affect local road safety and must be an ongoing cost implication to the Council and state government
7. The company operating this site has a poor track record of environmental compliance and were fined \$15,000 by the Environmental Protection Authority in 2016 for breaches of their water management operational obligations. They should not be rewarded. Refer to EDO submission on this point (Ref: EPA 24.03.2016).
8. The proposed works impact Aboriginal heritage sites, including a Scar Tree and ceremonial site of “high cultural significance.” (Ref: Annex D, Heritage Report) The Birpai and Dunghutti peoples of this area also have strong cultural ties to the biodiversity of the area and a strong interest in the protection of the area’s biological values. “Of particular importance are the seven Birpai animal dreaming totems, several of which have declined in extent in our LGA....” (ref p16 PMHBDS 2019-2030)

I AGREE to the Department publishing my submission on its website in accordance with The Department of Planning, Industry and Environment Privacy Policy.

*I have made no reportable political donations in the last two years.*