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NSW Independent Planning Commission

Ref: Eagleton Quarry Project, Port Stephens SSD 7332

The Koala Koalition EcoNetwork Port Stephens (KKEPS) welcomes the opportunity to comment on the applicants response to Questions on Notice from the Commission, dated 29 May 2024 related to Eagleton Quarry Project, SSD 7332. This is in addition to our previous submission for this project dated 6th November 2023.

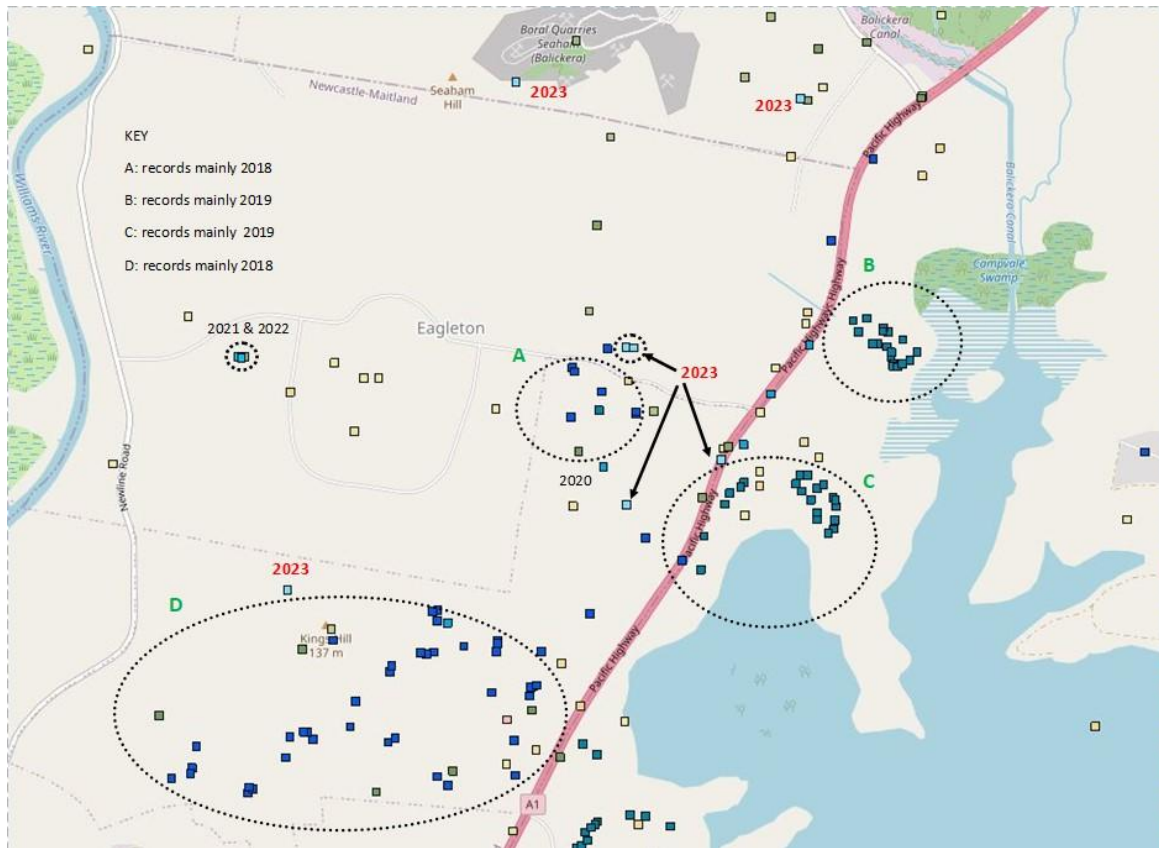
Of particular concern to us is the identified legal limitations (not needing to apply the *Biodiversity Conservation Act 2016* meaning that the change in Koala status is irrelevant, and the applicants statement that even if the new legislation and conservation status was applied it 'has not changed the recommendations of our ecologists'. In our opinion, their initial assessment was deeply flawed (and thereby their recommendations inadequate), relying on the application of previous legislation **and** limited sightings in the immediate area.

As we stated previously;

It is rather shocking that the 2023 Amendment Report confidently states that the "Project Amendments result in no significant change in the environmental impact of the proposed development, compared to the original proposal described in the EIS and the RTS" and that "[A]ll other environmental issues had been previously resolved, and no significant adverse environmental, social or economic impacts have been identified" given that the EIS was published in January 2017 and the BDAR published in December 2016 using Fauna survey data undertaken across the study area on 14 - 18 January 2013 and on 4 February 2013.

This means any approval to clear habitat in the study area will be based on data that is over TEN years old'.

As provided then, and updated for this submission, the figure below (from NSW SEED) shows known koala sightings in the Eagleton area.



The sightings within areas A and E (around Kings Hill) are mainly from 2018, and from 2019 for areas B, C and D.

Area E is a prime example of how rural areas or private land may have few or no koala sightings until a range of surveys are undertaken and data sets are combined. Area E, Kings Hill, initially had a few sightings using more traditional survey techniques. After engaging the services of more diverse survey techniques and over additional survey periods, such as scat sniffer dogs, the number of known koalas living and traversing in the area grew substantially.

This also shows the high value of the area to the survival of the Koala (and other endangered species). The applicants assessment completely disregards all of the sightings in the area, including at Kings Hill, and the fact that Koalas along with most fauna, have a range that they travel looking for a mate and for food, and young looking for territory.

There have been a number of development applications and surveys in this area which have shown how limited survey techniques and limited survey periods can seriously under-report the species diversity and species range within an area. Naturally this has and will lead to further destruction of habitat of endangered species.

The following figure shows potential wildlife corridor restrictions created if Stone Ridge and Eagleton are approved, including distances between potential pinch points and Eagleton's footprint and proximity to Boral, Seaham and the proposed Stone Ridge quarry.

The content is from recent NSW Planning guidelines which mention that 390-424m is an average minimum width for an effective wildlife corridor for the Cumberland Plain area.

Potential wildlife corridor restrictions between sites

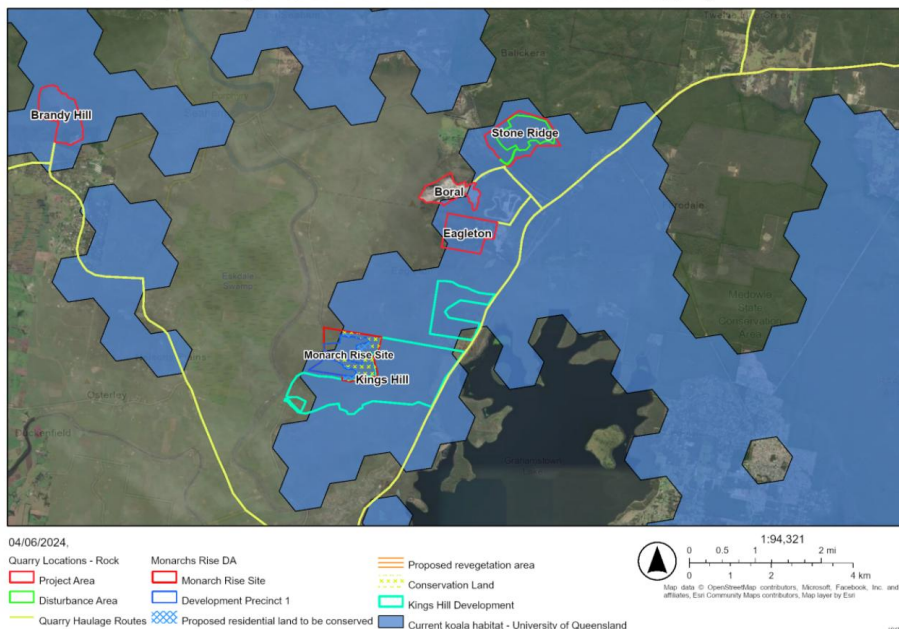


We contend that the Eagleton Quarry proposal would contribute to the current trajectory of unsustainable development in the area. With a number of hard rock quarries and extensions, residential developments (Kings Hill) and other developments, such as battery storages, currently being proposed in a relatively small area, the cumulative impacts of these are not being adequately addressed - not considering one another as they are single applications only. Without cumulative impact assessments considering present **and proposed** quarries and other development, the long term welfare of our local communities and the protection of the environment is under threat.

It is possible that they will all be approved in a short time frame leading to catastrophic habitat loss of already endangered species such as the Koala and leading to further endangered classifications for other fauna.

The following figure shows the existing and proposed developments within harmonised Koala mapping by the University of Queensland, which if all approved will effectively fragment a large remnant area of habitat of **endangered species**.

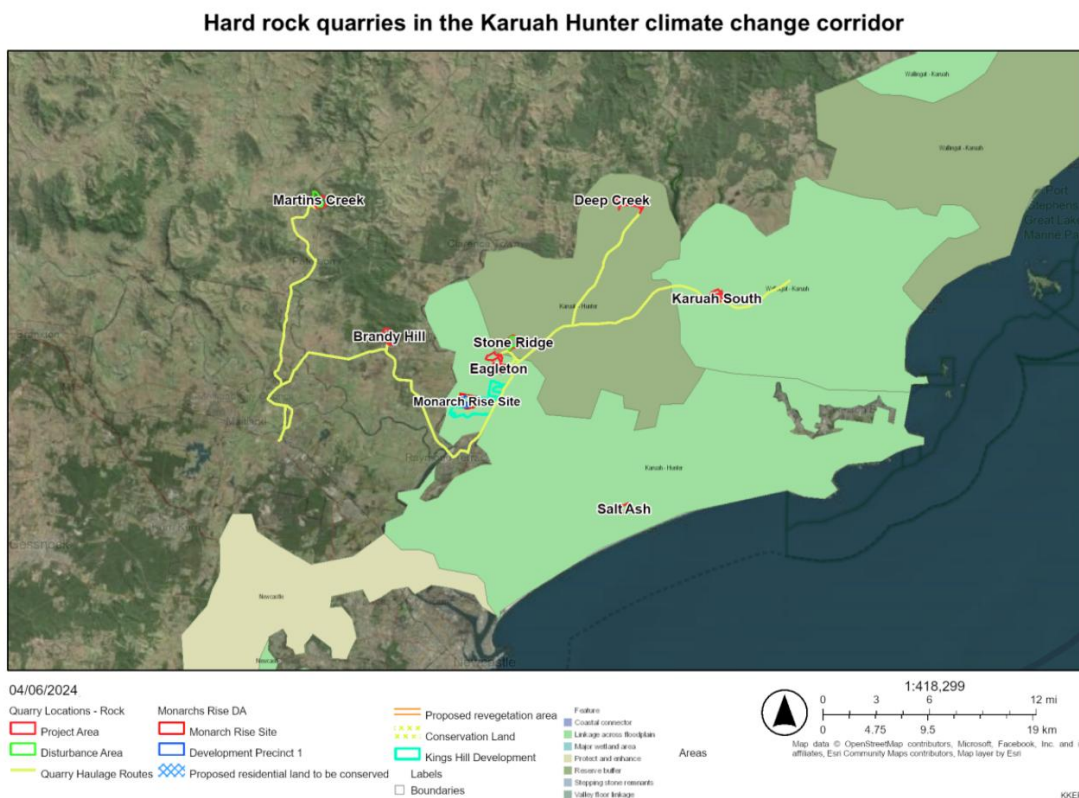
University of Queensland harmonised koala habitat mapping



It is perplexing that the predictions of climate change and its impacts are not required for consideration in current day development applications, especially given the added threats to our environment, flora and fauna from climate change. The NSW State Government ‘directives’ to plan for and mitigate climate change impacts, lower emissions including the protection of NSW’s carbon sinks (our forests), and encourage liveable communities, appear to be rhetoric only.

The Climate Change Corridors (Coastal Habitat) for North East NSW (NSW SEED) map shows climate change corridors which identify areas of significance for protection in the future.

The figure below shows these corridors in the subject area and the accumulation of hard rock quarries (and Kings Hill) being approved and considered within them.



‘This data integrates best available information to delineate broad wildlife corridors, for fauna occupying coastal habitat, along climatic gradients. The objective of the layer is to best delineate large-scale wildlife corridors that are significant for wildlife adaptation to the threatening processes of climate change. The work has been based on key habitats (Scotts, 2003), vegetation mapping layers, NSW Wildlife Atlas, VIS Flora records, recent aerial photography and recent outputs from the ‘Spatial Links’ tool (Drielsma et al, 2007) to represent areas of the landscape that contain high conservation values and fauna corridor values for a coastal assemblage of fauna.’ (<https://datasets.seed.nsw.gov.au/dataset/climate-change-corridors-coastal-habitat-for-north-east-nsw>)

While we acknowledge that the data used for this mapping is not recent, without more up to date habitat connectivity/wildlife corridor mapping we believe that the precautionary principle should apply to any plans to clear Koala (and other threatened or endangered species) habitat. This is particularly necessary where loopholes are used to avoid using current classifications and legislation and where development

consultants surveys or old data sets have not produced evidence of koalas but where other data (such as in the figures above) clearly shows evidence of presence and/or threat to corridors.

Finally, we are concerned about the applicants request to reduce the Stewardship Site from the entire bio offsets site to an undefined area and trust the Commissioner will reject this. While we have significant concerns about the whole bio offset scheme, this request appears to show complete disregard for their responsibility to the environment.

Objection summary (most of which was detailed in our previous submission and have not been addressed since or have been inadequately addressed)

The proposal for Eagleton Quarry should not be approved due to failure to address, or inadequate information provided, to alleviate the many serious community concerns raised in this submission:

- Cumulative and Combined Impact concerns
- Flawed project justifications
- Not Meeting the Hunter Regional Plan's Environmental objectives and goals
- The proposed clearance of koala habitat is based on outdated survey data
- Impact on existing and future wildlife corridors
- The importance of habitat connectivity for koala survival
- Increased heavy vehicle traffic and its impacts
- Air pollution concerns
- Impact on water resources
- Impacts on Aboriginal cultural heritage
- Inadequate Offset and Stewardship schemes and now a request to reduce responsibility
- Not meeting the Environmental goals of the Hunter Regional Plan.

Yours faithfully,

Caitlin Spiller

KKEPS Acting Convenor

