

Submission Responses to Public Meeting on 7th - 8th November

Thank you for the opportunity to comment again on Application SSD 6612 regarding the Martins Creek Quarry Expansion proposal after the public meeting conducted last Monday 7th -8th November. The proposal being exhibited is an amendment to the 2016 EIS and SSDA that was previously exhibited in November 2016 and follows on from the largest decision in the NSW Land & Environment Court history that in 2019 led to the operator of the quarry being restrained from unlawful operations at the site which it had been conducting since 2012. We strongly oppose the Martins Creek Quarry Expansion for the following reasons:

A. History of the company

Martins Creek Quarry was established in the early 1900's and was operated by the crown as a rail ballast quarry. In recent years the quarry operation has changed from one that exported rail ballast on rail into a construction material quarry that transports product primarily by truck. Community concerns have been heard loud and clear repeatedly through 'lived experiences' as recalled in the public meeting last week, that the primary transport by road has negatively affected the lives of the whole community. These concerns have been dismissed by Daracon with minimal compromise and only with 'band aid solutions' that do nothing to solve these major problems.

Output from the quarry has allegedly been illegally intensified by the current operator Daracon; from the 1991 EIS consent annual limit of 300,000 tonne to a 2014 record of +1,400,000 tonne. Daracon have presented their 'Key Project Changes' in the meeting last week with extraction up to a maximum of 1.1 Mtpa of quarry material over 25 years, transporting up to 500,000 tpa by road and the remainder by rail. Their 'reduced peak' daily is still 140 per day laden truck movements + 140 per day empty truck movements with a total of 280 per day movements on roads that were not designed for this action when the original quarry transport was totally by rail. Their original plan has not changed as they applied for last year 1,100,000 tonne per annum extraction for 25 years. They wanted 600,000 tpa transport of product by rail from the site and 500,000 tpa transport of product by road.

Still the same quota with 140 laden truck movements + 140 empty trucks **per day** and Daracon say this is a 'reduced peak' with a total of 280 truck movements. The Proponent has not disclosed in any resolution the historical weekly or monthly transport rates to enable the DPIE or Commission to draw comparisons. If they cannot disclose previous data, how can Daracon be trusted to predict future accurate data? This 280 truck movements per day in the proposal is a scale equivalent to the 2014 situation and still well in excess complained about by impacted residents in 2007 and this is at a 'reduced peak.'. Daracon are still not listening to the community's concerns. Then Daracon add a proviso mentioning at a **peak level** there would be 40 truck movements **per hour** 20 loaded/20 empty- constant noise, pollution, and congestion from 7.00-3.00 pm Monday to Friday + another 30 truck movements **per hour** 15 loaded/15 empty Monday to Friday 3.00-6.00 pm. **That's a total according to our computation from 7.00-6.00 pm Monday to Friday of 410 total truck movements daily (includes laden and empty) in peak operation periods.** No disclosure of any assumptions as to how many peak periods there is anticipated to be though only small print 'likely to be less.' Their 'key project changes' show no compromise or empathy towards the community. They have omitted vital information as to the number of peak periods expected. They have only given the Saturdays off to the community on no truck haulage! Their details are vague 'further upgrades and replacements to reduce noise and air quality impacts' and 'progressive rehabilitation of the quarry.' How progressive, over what time frame, and how does it minimise impacts to the community and the environment?

Daracon's past unlawful operations show they do not have a good track record and have been non-compliant with their license. In 2016 Dungog Shire Council (DSC) took court action with 11 breaches against Daracon including the annual tonnes being extracted far exceeded the 300,000 level and that 70% was not going by rail but rather by road, and various land use rights were being breached. Daracon were operating the quarry well outside the consent, extracting materials unlawfully for over 20 years and therefore illegally. The scale of those operations also affected the environmental assessment. The Martins Creek and Paterson communities have had their amenity and health negatively affected by excessive truck movements on the haulage routes along where they live. Daracon over time has continually wanted to increase the annual tonnes limits. Where was the government then? *Our concern is what guarantee do we have that this rogue company will again resort to the same tactics of complete disregard for the*

community and the environment? If Daracon's proposal is approved, will the DPIE attend the site to ensure compliance, otherwise with no scrutiny Daracon will return to their same behaviours of increasing haulage and not doing what they say they will do to minimise impacts to the community and the environment. Effective oversight by the Department is crucial including ongoing inspections, especially when dealing with this company, otherwise this proposal cannot proceed.

The reality of Daracon's proposal must be compared to the 1991 Development Approval restrictions to protect physical and social environments. This comparison shows that these protections have been eroded away and decreased immensely. The annual tonnage (tpa) in 1991 DA was 300,000 with current project proposal of 1,100,000 tonne, a 333% increase. Tonnage by road (tpa) in 1991 DA was 90,000, project proposal now is 500,000 tpa a 555% increase. Tonnage by rail (tpa) was 210,000 1991 DA now proposed at 600,000 tpa, a 285% increase. Peak day trucks in 1991 DA was 24 with the project proposal now estimating 280 trucks per day a 1,166% increase. Peak hour trucks were 2.4 in 1991 DA now the project proposal wants 40 peak hour trucks a 1,666% increase! Scale of the proposal is 40 trucks per hour means one truck every 1.5 minutes (90 seconds).

These figures and percentage increases are astounding contributing to incredible levels of noise and air pollution and emissions which do not support our recent Climate Change Bill. Daracon's stated position has always been on 'reserving their right to only adopt any new consent if it does not disadvantage Daracon.' If it disadvantages everyone else and wildlife and their habitat that seems to be ok for Daracon, who want and demand the right to operate their quarry only on their terms. They continually change the goal posts to suit themselves and of course increase their profit margins. They have arrogantly ridden over community concerns and dismissed concerns over increased traffic volume completely. These past behaviours must not be forgotten – this is still the same company.

B. The negative impacts on the community

All speakers in the public hearing recounted similar cumulative impacts. These have not been properly weighted and there needs to be additional mitigation strategies applied by Daracon as what they have proposed is minimal. The problems belong to Daracon, therefore they need to solve the community and environmental impacts which they have not adequately done through their presentation at the hearing. The community have found the whole process with a non-compliant company and 25 years plus of daily impacts exhausting and this has affected their emotional and physical well-being as witnessed by their testimonies at the public hearing. It has become intolerable for the people to live a 'normal life.' 634 submissions were received to Daracon's proposal with 94.6% opposed to their proposal. The following issue of concerns remains.

1. The loss of safe neighbourhood streets for children to play on after school.
2. The depreciation in property values impacted by pit operations and mining haul roads.
3. A down-turn in local businesses trading in goods & services, hospitality, tourism, and wedding functions along haul roads.
4. A loss of amenity for surrounding residents near the site who will be further impacted by ongoing vibration, lighting, noise, and dust.
5. Hard rock means constant noisy drilling (noise pollution) which will affect residents and wildlife in the immediate area.
6. The Martins Creek Quarry Expansions (MCQ) expansion plan is a totally un-acceptable and an incompatible land use development for the community past, present and into the future- nothing has changed.
7. The peak period of operating trucks in Daracon's 'Key Project Changes' still says "with a peak of 20 laden trucks (40 movements) operating hours Monday to Friday from 7.00 am to 3.00 pm and 15 laden trucks (30 movements) Monday to Friday between 3.00-6.00 pm. A very large number of trucks that could operate on a 11- hour day constant Monday to Friday.
8. The poor infrastructure, particularly the Gostwick Bridge and many inadequate intersections and road sections, and the impact on amenity, employment, and the businesses in Paterson (with and without the proposed intersection changes) and along the haul routes is an ongoing concern to residents.
9. Over the years there has been a failure by Daracon to not properly consult with residents. They have shown minimal desire to negotiate and propose some voluntary restrictions. Daracon has not listened nor modified their proposal to mitigate any of the valid concerns raised by the community. The objections contained in the submissions to the EIS are the same objections that were raised when the expansion was first proposed,

and they remain the same objections now in this submission. There has been continuing arrogance by Daracon to not listen to the community as to their ongoing concerns.

10. Other quarry projects have had their numbers of trucks and haulage times severely restricted when travelling through villages like Paterson. Daracon appears to be above the law. The DPE should impose significant levies on truck haulage to pay for the very expensive road upgrades required for the volume of trucks allowed in a new consent. The heavy use of the roads is damaging this infrastructure and the taxpayer are footing the cost when the quarry company are doing the damage. We would assume the DPE would severely restrict road haulage and want higher quantities to go via rail to save this road repair cost.
11. From the Amended Development Application (ADA) there are likely impacts that will occur. The impacts summarised are the 'lived experiences' of impacted residents depending on where they live to proximity of the quarry and haulage routes. These impacts will be ongoing if the proposal is approved and include loss in social and community life, reduction in property value, road safety issues, infrastructure deterioration, blasting impacts and damage- noise and air pollution, dust impacts from crushing and processing, noise from processing and truck and rail loading, and sleep disturbance with early morning starts of loud noise. There is a profound disturbance to Paterson village as an activity centre for the community's use for their shopping, banking, buying fuel, socialising, and the effects of reduced visitations which affects tourism and commerce for the town. There are ongoing Impacts to historical buildings and road, pedestrian, and cyclist safety. Air pollution and dust from roads by the continual stream of constant trucks, with the loss of village amenity and ambience is another impact.
12. Strategies proposed fail to address any of the hierarchy of controls -avoid, minimise, rectify, reduce, offset. History and heritage of the town has not even been addressed by Daracon. Strategies proposed in the conditions of consent do not address the key social impacts on sense of place, community, and way of life for the residents in this closely knit community. The proposal to modify the road geometry in Paterson by widening the critical bend at King and Duke Streets is not acceptable, as this location is the centre of village activity and pedestrian and vehicle interaction. Removal of kerbside parking will disadvantage those with limited mobility (elderly) to access facilities of the post office (holds 174 post boxes for the town), commercial and health areas. This is a busy corner with cafes, hospitality venues, and businesses. School pick up and drop off zones pose a safety hazard and general pedestrian, pet and vehicle movement by the community will compromise their safety with the impact of continual 32 tonne trucks on the main roads.

C. EPBC Act regarding environmental damage and loss of habitats and threatened species

1. The Impact Assessments should consider and address combined cumulative impact of both Martins Creek and Brandy Hill Quarries which has not be done. A discussion of Martins Creek Quarry involves the Brandy Hill Quarry expansion within this context. The haulage routes are used by both Martins Creek Quarry and Brandy Hill Quarry operations. Martins Creek Quarry is only 23.5 Km away from Brandy Hill Quarry which **has impacted the wildlife** there. How have the wildlife corridors progressed for this area? Brandy Hill Quarry expansion has had a significant impact on wildlife and koalas. 'DESTRUCTION of 45 hectares of bush has had a significant impact on the national koala population,' says a report from the NSW Department of Planning. The proposed Brandy Hill Quarry expansion was noted to "**adversely affect habitat critical to the survival of the koala species**", which coincides with an Australian Koala Foundation warning that habitat destruction has left koalas "functionally extinct." This quarry has affected the ability of our wildlife to survive because of the destruction of their habitat, and the Martins Creek expansion will do the same thing. The koalas within these surrounding areas have been and are severely impacted.
2. Proposed expansion into new extraction areas whilst continuing existing operations and approvals will result in even more damage of the environment and further fragmentation of wildlife habitat and corridors, especially relating to koalas. We must not forget Daracon have a history of systematically delaying court cases, slow at progressing the EIS and resubmitting versions of the EIS to protect the environment.
3. Questions arise on the assessment this company undertook of all the protected matters that will be impacted by the development. Was this information and conclusions a fair portrayal of the 'true' impacts on the environment and wildlife? **Structures to be built or elements of the action (constant noise/drilling/road haulage) will have impacts on matters of national environmental significance (MNES) which has been underestimated.** Research has shown that excessive noise pollution particularly impacts koalas who experience stress which then effects their immune system, which can then lead to them being more prone to chlamydia.

4. Impacts on critical habitats need to be examined further and without bias. Page 127 RAMSAR WETLANDS OF INTERNATIONAL IMPORTANCE The Guidelines for preparing Assessment Documentation relevant to the EPBC Act 1999 for the Martins Creek Quarry Expansion Project (EPBC 2016/7725: SSD6612) (AGDoE 2016a) have identified that the proposal has **potential to impact on the Hunter Estuary Wetlands RAMSAR site** and the level of potential impact should and must be further investigated. Has this been done? The project site is located 20-30 km upstream of the Hunter Estuary Wetlands Ramsar site, and about 1 km from the Paterson River, a major tributary of the Hunter River which flows into the Ramsar site. Minor tributaries to the Paterson River run through the project site. The location of this quarry so near these river systems is a very important consideration to maintain the health of these wetlands and its wildlife. **A truthful and transparent assessment of the relevant impacts of the action on Ramsar wetlands and threatened species and ecological communities is highly recommended**, including – a description and detailed assessment of the nature and extent of the likely direct, indirect, and consequential impacts, including short- term and long-term relevant impacts, on all the threatened species and communities.
5. **What negative effects has there been to these wetlands, particularly to the flora and fauna species since 2016 as this needs to be tabled BEFORE an expansion of this mine quarry is even approved?** What credible data can this company produce to validate that there have been no adverse effects to species and wetlands? In the Biodiversity Assessment Report in Aug 2016, Recovery plans had been *prepared* for the following species within potential habitat present within the subject site: Green and Golden Bell Frog; Regent Honeyeater; Swift Parrot; Barking Owl; Powerful Owl, Masked Owl, and Sooty Owl; Koala; Yellow-bellied Glider; Grey-headed Flying-Fox; and Large-eared Pied Bat. Have recovery plans been active and applied to protect and recover species? **Data on these species must be provided prior before Quarry expansion approval is given as proof that Daracon can deliver what they promise to protect species.**
6. The assessment of impacts on the areas of wetland being destroyed or substantially modified needs to be addressed better. Has there been a substantial change to the volume, timing, duration or frequency of ground and surface water flows to and within the wetland? Has the habitat or lifecycle of native species, including invertebrate fauna and fish species, dependent upon the wetland been affected? Has there been a measurable change in water quality of the wetlands (salinity level, pollutants, nutrients, or temperature) that may adversely impact on biodiversity, ecological integrity and social amenity or human health? Have invasive species harmed the ecological character of the wetlands? What mitigation and management measures if any have already been used by Daracon? **An independent investigation and assessment are warranted especially regarding the history of this company.** In 2018 clear breaches led a judge to issue restrictions on operations to force Daracon to abide by an Interim Environmental Management Plan that must be fully implemented within 3 months. Was this done and if so, how accurate and truthful was this considering the company's past illegal practices? This company appears to continually get away with breaches with allowances to make good with little follow-up of the remediation work, then wants to expand their project to cause even more environmental damage. **Clearly Daracon cannot be trusted!**
7. Regarding flora approximately 6.3 hectares of the Spotted Gum (Narrow-leaved Ironbark shrub) is present. The proposal will reduce the extent of the Spotted Gum by approximately 3.7 hectares. This impact is proposed to be offset in accordance with the NSW Assessment of Significance- Conacher Consulting Biodiversity Offsets Policy. What offset has been made for this flora remembering that a biodiversity offset is 'like for like'. Biodiversity offsets must be put into practice and not just intended or written about in proposals. *Often companies do this to get expansions or projects passed in the first instance with no priority to compensate the biodiversity losses that occur over time with the development.* **With Daracon's unwillingness to abide by past licence agreements and their dealings with the Land & Environment Court, these past issues raise concerns regarding the company's ethics and code of conduct in doing what they are supposed to do to protect habitats and species and compensate appropriately and fairly through the Biodiversity Offsets policy what has been lost in the environment regarding flora and fauna.**
8. The Department of the Environment and Energy's Environment Reporting Tool (ERT) identifies that 26 threatened species and communities may occur within 5 km of this proposal. Based on the information in the referral documentation, the location of the action, species records and likely habitat present in the area, there are likely to be significant impacts to: – Slaty Red Gum (*Eucalyptus glaucina*) – Vulnerable; – Koala (*Phascolarctos cinereus*) combined populations of Qld, NSW and the ACT – Endangered; – Regent Honeyeater (*Anthochaera phrygia*) – Critically Endangered; – Swift Parrot (*Lathamus discolor*) – Critically Endangered; and – Spot-tailed Quoll (*Dasyurus maculatus maculatus*) SE mainland population – Endangered.
9. In relation to the fauna and flora impacts these have been "detailed" in the proponents Biodiversity Assessment Report (May 2021), and the consultant report finds that several of the above EPBC threatened species '*could reside*' but haven't been found on the site. However, the community have photographic

evidence that **all** have been located and sighted on land immediately adjoining the site, and this study prepared by Martins Creek Quarry Biodiversity Assessment Report May 2021 has therefore **understated** the impact likely to occur with the removal of this habitat to get this proposal approved. The consultant was contracted by Daracon to deliver a favourable report that would assist the quarry to be expanded. The number of 'scats' collected to deliver evidence as to the species occupying the area is not good enough. Koalas do inhabit the area and downplaying the number of scats found is not truthful. We must have **transparent, independent reporting** on the population of wildlife in nearby habitats and this must be commissioned again, and not employed by the company who wants a good report to permit their proposal to go through unchallenged.

10. In the Martins Creek Quarry Biodiversity Assessment Reports May 2021 on page 42 the Spotted-tailed Quoll was listed as Vulnerable status (NSW) and Endangered (Nationally) was not observed during targeted surveys and was still recorded as 'able to withstand loss (yes) even though NSW status listing is vulnerable. Even the green and golden bell frog on page 50 again was not observed during targeted survey but listed as endangered on NSW listing and yes it can withstand loss in the area. Page 52 Table 4.3 lists all species as vulnerable and the Grey-headed Flying-Fox and the Button Quail cannot withstand loss, but our koala can withstand loss to its habitat. This appears to be a contradiction or is it to justify more clearing of koala habitat, especially considering the public's emotive connection to this iconic species being on track for extinction in the next few decades. Eastern Coastal Free-tailed Bat was recorded within the site during previous ultrasonic call recording surveys undertaken in 2007 (Umwelt 2009). This species was not observed during current surveys undertaken by Conacher Consulting. On page 104 the Speckled Warbler was recorded in 2007 just outside of the quarry lands (Umwelt 2009). This species was not observed during current surveys within the site undertaken by Conacher Consulting again the firm employed by Daracon. Its habitat has obviously been destroyed and so has the Speckled Warbler due to this quarry. **Many species observed previously are no longer around due to fragmentation of their habitat and localised extinctions have already occurred due to the quarry development in the first place. Daracon has already negatively impacted many species of flora and fauna- they have disappeared on their watch!** For this reason alone, we strongly oppose the approval of this Quarry expansion by Daracon. They will obliterate and destroy even further the environment and the remaining wildlife that are just hanging onto their survival.
11. Table 5.2 Page 115 refers to land changes such as soil erosion and sedimentation listed as moderate impact, habitat fragmentation or isolation- moderate to high impact and the impact duration listed as 'permanent impact'. **Habitat fragmentation is permanent and likely and will have a high impact on all species.** There is the potential for moderate alteration to ecosystem, function, loss of genetic diversity and altered pollination syndromes that may adversely affect seed, with a high and a permanent impact intensity. This is an alarm bell a 'high permanent impact intensity'. Insects particularly bees are the master pollinators that enable flora to flourish. If we destroy the habitat where these pollinators function, the capacity of ecosystems to flourish and survive will be damaged and this will have enormous ramifications for all wildlife to survive. **This Quarry expansion must be rejected to give the environment a chance to recover and repair.**
12. The environmental impacts have been understated by Daracon to get their proposal passed. From the Martins Creek Quarry Biodiversity Assessment Reports May 2021 expanding the existing quarry to extract and process up to 1.1 million tonnes per annum (Mtpa) of hard rock material over 25 years; and transporting up to 500,000 tonnes per annum (tpa) of quarry product via public roads, and 600,000 tpa product transported via rail with extension of the rail spur and work to facilitate longer trains to transport more quarry product, will have ongoing negative effects on the environment and its wildlife.
13. At the public meeting the Environmental Assessments Outcomes said, "while biodiversity impacts have been minimised, Daracon is committed to delivering a Biodiversity Offset strategy that appropriately compensates for the unavoidable loss of ecological values because of the Revised Project. The Revised Project is unlikely to result in any adverse visual or physical impacts to the heritage significance of the Heritage Conservation Area or individually listed heritage items." We disagree. Biodiversity impacts and damage has NOT been minimal, they have been major if species have disappeared or reduced. Daracon are NOT committed to offsets that 'appropriately' compensate for the unavoidable loss of ecological values. Their past performance paints a different picture. Appropriate compensation means to not destroy the wildlife's remaining habitat. We all know that Biodiversity Offset Strategy are not 'like for like' exchange anyway. The Koalas are there in those trees as that is *their preferred food source*. A koala does not understand boundaries and displacing koalas and cutting down their feed trees and compensating them with another area of a poorer quality of trees will cause their death and demise.

The loss of ecological values is avoidable if Daracon do not prioritise their economic values over the environmental values. Sweeping statements like the 'revised project is unlikely to result in any adverse

visual/physical impacts' is vague and meaningless and Daracon's opinion. Going on the past track record of Daracon we have no confidence in their commitment to protect environmental, conservation or heritage values.

14. One speaker at the public meeting referred to the Koala Coalition Network where the koala has now been up-listed from vulnerable to endangered under Federal Laws of the EPBC Act in February 2022. It was listed vulnerable in 1995. It is now on an accelerated trajectory towards extinction by 2050 because we continue to destroy its habitat and this Quarry expansion proposal is yet another example of the negative impact on this species. In eastern Australia we might have 100,000 koalas but it could be as low as 43,000 koalas. We lost many in the catastrophic fires and continue to lose more through development and continual logging of their forest home. Daracon has destroyed koala habitat, increased their stress levels due to blasting and extreme noise levels which then triggers disease in these animals. Many have already been displaced, moved on and died. **We strongly oppose any future expansion of this Quarry because of the continual loss of wildlife.** Daracon's suggestion that their koala fencing is successful is questionable and needs to be proved and investigated further. If koalas are present in the community, it is an obligation and privilege to care for and protect koalas. Daracon has that responsibility too as they operate in their habitat. They should be proposing a Koala Recovery Centre to rescue and rehabilitate koalas adversely affected by their quarry work at their cost. Then we would start to believe their words. This speaker said "the environment is no one's property to destroy. It's everyone's responsibility to protect." This has not been forthcoming from Daracon.

Our Recommendations

1. The DPIE Reviewer must attend the site and review all submissions and see and experience for themselves the 'living impacts' of a normal day in this area—they cannot do this and fully appreciate these impacts from an office in Sydney! This proposal will have major social impacts (poor mental health and well-being) across a wide area for the community and major environmental impacts for our wildlife. Daracon must not minimise these impacts. It is suggested that the DPIE and 'whole of government assessment' has been based on an erroneous and misleading characterisation of the existing use and purpose of the Daracon proposal. The 'lived experience' of this Proposal will be unliveable for many in the community.
2. These accumulated impacts include but are not limited to increased truck traffic including the 280-day truck movements, road damage due to the heavy trucks, extreme noise and air pollution/quality, continual blasting and habitat destruction around the site affecting the wildlife, the ongoing degradation of the environment and wildlife habitat, and the truck haulage hour after hour. The social impacts must be examined more closely- people relocating because it became unbearable, pedestrian movement restricted- simply crossing the road a challenge and dangerous, ongoing mental health issues and the community's own commuting around the endless stream of trucks during peak hour. The loss of tourism income for the community businesses because visitors will stay away.
3. MCQAG Study- The Paterson community investigated alternatives as to evidence whereby community's concerns were being addressed and visited the Southern Highlands where there was a bypass constructed to take away the truck congestion away from the community. There was a \$34 million road transport interchange built with a 6 km private road bypass around rural and residential areas and 22 km road upgrades, rail loading improvements with \$30 million to \$125 million rail infrastructure with rail offloading facilities and a \$100,000 pa community investment/engagement and sponsorship fund. There were also restrictions on road transport times and numbers. This better alternative has not even been proposed by Daracon. If it could be done in the southern Highlands, why can't it be done for Martins Creek Quarry? What have Daracon proposed- very little!
4. One speaker at the public meeting spoke of blasting and vibrating fault line structures at the quarry which up to now has not be fully considered. A detailed geographical study by an independent scientist must be undertaken not by Daracon but independently contracted out by the department to obtain a true and transparent report. This would include the potential impact to hydrology (water flow above/below the ground) and seismic monitoring to ascertain damage underground.

Conclusion

The scale of the proposed project and the proposed traffic movement through the village will significantly affect how community members use, value, and experience their village amenity. There are no benefits to the village with this

project in its current form- only an incremental commercial gain to Daracon and the poor losers are the community and the environment and its wildlife! Communities and commerce within the existing Maitland Hinterlands and Paterson Valley districts are thriving; with local agriculture, residential construction, equine industry and services, tourism, wedding venues, hospitality and agricultural tertiary education all providing jobs and economic support to the region. According to 2011 Australian Bureau of Statistics for the Dungog Shire these sectors provide 1719 local jobs. An expansion of hard rock mining which pays no state royalties and contributes little to the local economy will place at risk many of these local jobs and local businesses as well as have a detrimental affect on the standard of living for the community. The NSW government must **stop** prioritising the economic interests of destructive companies and start protecting the environment, the wildlife, their habitats and **listen** to community concerns. Daracon have under-estimated and ignored these negative impacts. The government cannot continue with 'business as usual'. NSW residents whether they live in this community or not, are fed up with the government's focus on industry (logging and mining especially) that trashes the environmental and community values of our state. **Finally, under the EPBC Act there are Protected Matters relating to threatened species (Koala- endangered, Regent Honeyeater- critically endangered) and ecological communities that must be considered by the Proponent and the NSW government. There is substantial new information available about the impacts the action of approving this Quarry expansion proposal will have on koalas and other wildlife and potential impact on the Hunter Estuary Wetlands RAMSAR site.**

Firstly, Koalas have been up- listed since Feb 2022 to endangered and the Proponent's proposal is based on a koala listing of vulnerable.

Secondly, the EPBC Act is being reformed and is due to be released by the Federal Environment Minister next year due to its failings to protect listed threatened species and ecosystems. The State of Environment Report was released in July 2022 and represents an environmental crisis much worse than we imagined. Assessments and approvals have taken place with little or no scrutiny by state governments to protect our wildlife and their habitats.

***Thirdly, under the EPBC Act 'Protected Matters include Ramsar listed wetlands.'* The Martins Creek Quarry Expansion Project (EPBC 2016/7725; SSD 6612) will result in a loss under the EPBC Act of threatened species habitats and corridors. On 21 July 2016 under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) determined that the Martins Creek Quarry Expansion Project will impact upon the following matters of national environmental significance (MNES) protected under this Act: – Wetlands of international importance (Ramsar Wetlands) (sections 16 & 17B); and – Listed threatened species and communities (sections 18 & 18A). So, if this was acknowledged back in 2016 regarding the damage to internationally listed Ramsar Wetlands and identified threatened species, why are we revisiting this proposed expansion again, especially when the same environmental consequences will result.**

Under the EPBC Act, the information must be substantial new information (first and second points above) available about the adverse impacts of the action on a protected matter. The third point is based on MNES protection under the Act as a Ramsar listed Wetlands exists and must be protected not degraded by this Quarry. The information must be real or of substance, and not trivial or inconsequential. In our considered opinion the information is new, real and relates to the adverse impacts of the action of the expansion of this Quarry.

As this proposal and past actions by Daracon demonstrates, we need transparent environmental assessments and holding decision makers (the government) and corporations (Daracon) to account if they fail their obligations to protect critical habitats (Ramsar Listed Wetlands), fauna and flora. The protection of these critical habitats for threatened species is not apparent in the Proponent's proposal.

For the above reasons and all other information presented in our submission, we firmly oppose the Martins Creek Quarry Expansion proposal.

Yours sincerely

Janice Haviland Martin Derby Marie Humphries Katie Wynter Ruby Hardie Lucia Smith