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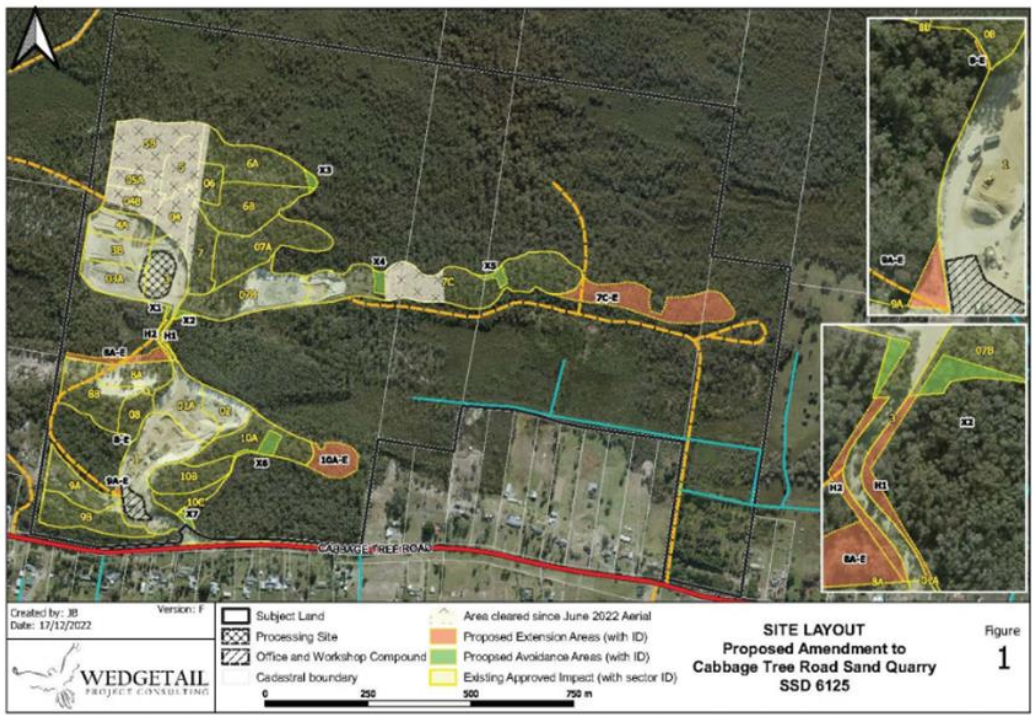
30/10/23

OBJECTION: CABBAGE TREE ROAD SAND QUARRY – MODIFICATION 3
State Significant Development Application SSD-6125-Mod 3

Koala Koalition EcoNetwork Port Stephens (KKEPS) agrees with the TRRA submission that the additional clearing in the on-site Biodiversity Stewardship site and changes to the project’s previously agreed Biodiversity Conservation Strategy are not acceptable on multiple grounds and should be refused.

This map elucidates references made in this objection to the extension of the quarry.

Proposed Mod3 expanded extraction areas and sections to be retired¹



¹ Modification Report No. 3, Figure 4-1, p 15

The reasons for the KKEPS objection to the proposed modification 3 are environmental. The following points summarise our concerns that are submitted for consideration to prevent the further fragmentation of wildlife habitat and corridors in the Williamstown area.

- Mod 3 will encroach into a previously agreed and reserved wildlife corridor (Mod3 sections 8A-E and H1-2).
- Mod 3 section 7C-E extension to the east will further fragment the surrounding habitat.
- The increased clearing for the quarry expansion will break up high quality continuous habitat into smaller fragments, remove an additional 34 hollow bearing trees containing 41 hollows,² and increase edge effects across the site.
- Mod3 section (10A-E) was removed from the original footprint to reduce potential noise and dust impacts to residences near the southern-most extraction areas in response to EPA recommendations.³
- All the proposed Mod3 sections are included in on-site Biodiversity Stewardship site to be conserved in perpetuity under a Biodiversity Stewardship Agreement as part of the project's Biodiversity Offset Strategy (BOS).
- The DPE assessment described the on-site Biodiversity Stewardship site as having "high conservation value," and OEH and DPE were satisfied with the package of biodiversity offsets in the BOS, which included both the on-site Biodiversity Stewardship site as well as off-site offsets.⁴
- The reduced quarry footprint in the RTS acknowledged that there were sand resources that would not be extracted, that Proponent agreed to forego, but these were trade-offs required to compensate for biodiversity impacts from the rest of the quarry.
- The IPC based its determination about the biodiversity impacts on the DPE assessment, as well as additional conditions imposed by the Commission.
- In its determination, the IPC stated: "Importantly, the Commission recognises the importance of all identified components of the offset strategy as contributing to the described conservation benefits."⁵
- The mitigation now being proposed is insufficient: it would not be consistent with key objects of the *Environmental Planning and Assessment Act 1979* for an agreed on-site Biodiversity Stewardship site to be largely split in two and further fragmented, and for one of the key connections to other intact forest, the originally reserved wildlife corridor, to be narrowed to a pinch point.⁶

KKEPS submits that removing the commitment statement about koala fencing (8.3.3 (c)) cannot be supported without having been able to consider the type and locality of the fencing that has been erected, which could not be located on the Major Projects website or Proponent's website. KKEPS requests that additional information be provided to show whether the Proponent's existing fencing will be adjusted/extended to assure koala safety should the modification be approved. Advice about koala fencing should be sought by other experts rather than relying on Biolink. This recent publication may assist in an appropriate review of fencing: [Evolution-Wildlife-Crossings-Eastern-Australia/](#) by Dr Brendan Taylor.

² Modification Report No. 3, Appendix 5, BDAR, sec. 5.2.1.1, p 26. Small hollows take about 100 years to form, and medium size hollows take around 200 years. NPWS – Note 5 – Natural Tree Hollows, <https://www.environment.nsw.gov.au/resources/nature/Factsheet5Treehollows.pdf>

³ Assessment Report (original project), sec. 4.2, p 9

⁴ Assessment Report (original project), sec. 5.5.3, p 44; sec. 4.2, p 9

⁵ IPC Determination (original project), sec. 5.2, p 9

⁶ Refer map above. The area proposed to be cleared in the original reserved wildlife corridor (H1, H2 and 8A-E) is 0.44 ha larger than the area to be reserved (X1 and X2). Modification Report No. 3, sec. 4.2, Table 4-2, p 14

Similarly with requesting removal of commitment statement 8.3.4 (c) about speed limit signage within the site. KKEPS recommends that the Proponent replace signage to gain renewed attention by drivers who are known to become so accustomed to existing signage that they become blind to signs to the point of ignoring them. This modification would seem a timely opportunity to renew the signs and encourage renewed driver adherence to the speed limits.

KKEPS submits that a further commitment should be added to the Proponent's Statement to adhere to the updated [National Light Pollution Guidelines for Wildlife - DCCEEW](#). In 2023, the guidelines were updated and now also include specific advice on how to protect bats, terrestrial mammals and ecological communities. We understand the quarry does not operate at night but there may be lighting on site that does not meet the guidelines. Lighting is recognised as a stressor for wildlife, including koalas. Noise is another stressor. Stress brings on the symptoms of chlamydia that latently infects koalas in Port Stephens, that when left untreated can cause blindness, infertility and death.

8.3.12 (b) – Air Quality – In regard to removing the commitment to bitumen seal the access road, mitigation efforts on the possible impact of greater dust on the wildlife corridor and fauna using it, to prevent negative impacts to wildlife could not be found. Without this information, KKEPS submits that WSS should continue their earlier commitment to seal the interior access road through the wildlife corridor, rather than leave it unsealed, to prevent the coating of the nearby vegetation with dust. Dust affects animals who not only breath in the material, but ingest it while eating foliage so that it prevents effective digestion. The dust is also known to affect the health of the plants themselves. These serious impacts on wildlife should elevate the Proponent's commitment to Air Quality measures, and KKEPS suggests additional commitments to be made.

8.3.18 – Ecology and Rehabilitation Management – KKEPS are unable to comment on whether the commitment statements have been appropriately addressed in the BRMP as it could not be located in time to review it properly.

However, the existing Koala Management Protocol seems misinformed and inadvisable; any assessment of koalas by people without specialist veterinarian training should be avoided, and attaching monitoring devices is entirely inappropriate. This indicates the BRMP may require review, potential amendment and updating, such as noting that the Port Stephens Koala Hospital is now admitting most wildlife species and has a vet employed, making this organisation the recommended contact for rescues or advice. WIRES do not operate in Port Stephens and any reference to this organisation should be removed.

KKEPS further recommends this pamphlet to educate the proponents workforce: [Recognising-a-sick-koala-and-calling-for-rescue-FINAL.pdf \(econetworkps.org\)](#) and this particularly for the proponent's ecologists: [Koala-Trees Port-Stephens FINAL June-2023.pdf \(econetworkps.org\)](#).

Finally, KKEPS submits that what was agreed to comprise the on-site Biodiversity Stewardship site was to be conserved in perpetuity under a Biodiversity Stewardship Agreement as part of the project's Biodiversity Offset Strategy (BOS) reached through the extensive SSD decision-making process. The original DPE assessment and the IPC decision that the on-site Biodiversity Stewardship site include certain high conservation value areas, that were integral to the original consent, should not be approved to be changed through this modification application. KKEPS agrees with TRRA that on a balance of considerations, including trust in the reliability of SSD decision-making, changes to the previously agreed boundaries of the on-site Biodiversity Stewardship site would not be in the public interest.

Yours faithfully,

Carmel Northwood

Convenor

