

Firstly, I acknowledge the traditional custodians of this place, the Darkinjung and Guringai people and their ancestors past, present and future.

I can't believe that we are standing here on a Thursday afternoon. Not because I don't want to be here, but because lots of people want to be here and they can't. They have to work. You had 26 objections to this application. You could have set this meeting up for a time convenient for the community. Having it during the normal working day suggests that you didn't want the community to be able to get to the meeting.

The reason I am here is,

My wife and I live and work and run our Wildlife Sanctuary and eco-Tourism business next door to Hanson.

I have just spent a million dollars – everything I had and everything I could borrow – on lawyers and expert witnesses in the Land and Environment Court because the PAC approved this same sand quarry's application for a new quarry on the land next door to us. On land they bought from the NSW Government.

The Darkinjung Land Council spent more than \$300,000 on their case.

The Minister for Planning spent an undisclosed sum, probably around the same amount considering his legal team, of tax payers' money to defend the indefensible.

We won the case. We knew we would.

The reason we knew we would win was that anyone who read more than the Executive Summary of Rob Corkery's Environmental Assessment could see that the new quarry would do more harm than good.

Yet the PAC, the Planning Department and the various government agencies (EPA, Office of Water and others) all accepted Rob Corkery's claims that any harm that the quarry would do, including destroying Aboriginal sites, would be more than outweighed by the creation of around 4 jobs, profits for a New Zealand company even though they paid almost no tax in Australia, and a \$30 per house reduction in building prices.

The reason that I am bringing this to the PAC's attention is because it seems that this is happening all over again.

- Corkery is saying that a 2009 dust study in Western Sydney is relevant;
- Corkery is saying they will get the same amount of product out of the last remaining cell as they got out of 5 similar sized cells;
- Corkery is saying that there won't be more trucks on the road but they will move more material;
- Corkery is saying that except for being more efficient, nothing will change;
- Corkery is suggesting that the PAC's only consideration should be whether Hanson will exceed absolute maximums;
- There are hints about the degree of change hidden in the body of the Response to Submissions, like references to stopping when they get to the shale layer, but no admission that this is a huge change to the way they operate.

This really is like the movie Groundhog Day.

In 2013 on the day you all went home for Christmas, you approved the new quarry, leaving us, the community, to deal with the news when we should have been celebrating with our families.

We couldn't believe it.

Not because we didn't want a sand quarry next door to us,

but because we couldn't believe that a committee of 3 reasonable, intelligent, knowledgeable and honest people would believe such obvious misrepresentations.

But you did.

Gerald Barnard presenting on behalf of the Barnard Family

So we took you to court.

It took nearly everything we had, and it just about destroyed us, but we hung in there, and we won.

The court decided that

- the Precautionary Principle applied to the cultural environment,
- the quarry was likely to cause harm,
- the quarry owners could not prove that they would not cause harm,
- and, most importantly,
- the whole cultural landscape, and not just visible sites, must be protected.

The situation today is not the same as it was in 2004 when the existing conditions of consent were set.

In 2004 the PAC had no idea that the landscape was so sacred. Now you do.

Knowing what you know now, surely a greater level of due diligence must be applied to any consideration of changes in quarrying activity in this area.

It is now on legal record that when Corkery, acting for Rocla, said in 2013 that the quarry would not do any harm, and the PAC agreed, all of you were wrong.

In 2017, we know how important this place is both from a Heritage perspective and for all Aboriginal people today and for generations to come.

It is not enough to just accept Corkery's assurances without evidence.

And if the rock crusher is approved, meaningful Conditions of Consent with meaningful consequences need to be applied.

In 2012 the consent was modified to relocate the admin buildings and, for no apparent reason, the Planning Department removed the consequences for non-compliance. No longer was the quarry required to comply. They were only required to attempt to comply.

Consequences should be reinstated and existing Conditions should not be softened.

For example, if the cumulative effect of their changed operations results in neighbours losing water, Hanson should be required to supply the neighbour with water.

I see Corkery has asked for noise conditions to be softened even though he claims that the quarry won't make more noise with a rock crusher in use. If the rock crusher won't make more noise, there is no call to increase their allowable noise output.

Monitoring of PM2.5 dust particles should be added into the requirements. In 2004 PM2.5 monitoring was inaccurate and expensive. Today, measuring PM2.5 is the Australian standard, accurate and cheap. If Hanson believes they are complying with dust emission requirements and they believe their rock crusher won't make more dust, then they should have no problem accepting this.

I am having calibrated dust and noise monitoring at Walkabout Park and I propose the PAC should require independent monitoring at the Women's Site.

To avoid duplication today, I will leave it to the Walkabout Wildlife Foundation to present the other technical concerns that we and many in our community share.

I am currently taking legal advice about our options if history repeats itself and the PAC approves the rock crusher without a proper Environmental Assessment that satisfies a reasonable person that there will be no significant additional environmental harm.