

Submission to Department of Planning Ardmore Park Quarry – Modification #3

I am the landowner of the property at 5525 Oallan Ford Road, which is immediately adjacent the Ardmore Quarry Bungonia bypass road.

I strongly object to the application on the grounds that it does not address the matters of serious concern for myself and the local community, including:

- The Bungonia bypass road has not been built in accordance with the approved details. The noise study of the bypass road is therefore invalid.
- The noise study should be updated, since the project will likely fail to meet the Condition 2 of Schedule 3 of the approval document dated 20 September 2009.
- The sound bund walls shown on the original approval drawings have not been built and should be installed, particularly where the road route does not comply with the approved route.
- Furthermore, bunds should be installed as required in the Industry Noise Policy 2001 as noise mitigation measures to reduce noise impacts associated with any increase in traffic hours.
- Current operation of the bypass road routinely breaches the hours specified in Condition 4 of Schedule 3 of the approval document dated 20 September 2009. Such operations should not be rewarded with further extension of hours.
- Truck movements totalling 10 per hour from 5am to 10pm are not appropriate from a quiet, rural residential setting.
- The Environmental Assessment ignores odours.
- It is now more than 8 years since approval, and the development is still being built. Given such leisurely progress, the project should not be granted a life extension.
- The proponent has not consulted all stakeholders, in contravention of the 2001 Industrial Noise Policy and Department of Planning requirements.

Specific details follow.

1) The development does not comply with approvals

The Bungonia bypass road has not been build in accordance with the original drawings. It is closer to the village and passes across the saddle between the two hills that shielded my property and the village from direct traffic noise. Furthermore, earth barriers proposed on the original drawings have not been installed.

The approved route and cross sectional details of the road are shown in Attachment_1.

However the actual route is different to that approved and is shown in Attachment_2. The road is not only closer to the Bungonia village, but also passes a saddle that provides a direct sound path from the trucks to my house site and the village.

Furthermore, the soil bunds specified in the original plans, as shown in the typical road cross section in Attachment_1, have not been built. These bunds have been omitted from the drawings submitted with the latest proposal.

Attachment_3 shows the noise contours presented in the original 2008 application. Comparison with the road's actual location shown in Attachment_1 clearly indicates that the contours will be significantly displaced on both my property and Bungonia village.

Since the route has changed and the noise bunds not been built, the noise studies are invalid. Given the proximity of the contours to the residences in the village, the sound levels will almost certainly breach the levels specified in Table 1 of Schedule 3 of the approval document dated 20 September 2009 when the contours are remapped to reflect the actual truck route.

In regard to the omission of the earth bunds, it is understood that the 2017 NSW Noise Policy for Industry does not apply to this project. However, even if the road were built as specified, Section 1.4.2 of the applicable 2001 NSW Industrial Noise Policy states that a project should include:

“taking advantage of any natural topographical features that can be used to screen noise impacts when planning land use in an area”

Furthermore, the policy requires that the proponent:

“should seek to achieve the criteria by applying feasible and reasonable mitigation measures”

The policy further provides examples of mitigation measures and states

“Barriers can take a number of forms—including free-standing walls along roads, grass or earth mounds or bunds ...”

The original documents reflected these requirements, but the road has not been built in accordance with this policy. In any case, it is reasonable to require additional noise mitigation measures to reduce noise impacts associated with increased traffic hours, irrespective of what was originally proposed.

As a minimum, a condition should be applied requiring the noise be remodelled to assess the true impact of actual road location on the surrounding properties and that the bunds be built, particularly across the saddle that funnels the noise to the village, before further usage of the bypass road allowed or traffic hours increased.

3) Failure to comply with Condition 4 of Schedule 3 – Bypass Road Hours

The traffic on the bypass road routinely breaches the Condition 4 of Schedule 3 of the approval document dated 20 September 2009, which prevents usage between 6pm and 7am.

Typical recent data recorded on 21 February 2018:

| | | |
|--------|-------------------------------|------------|
| 6.05am | Semi trailer with dog trailer | Southbound |
| 6.08am | Utility | Southbound |
| 6.25am | Sedan | Northbound |
| 6.25am | Utility | Northbound |
| 6.26am | Sedan | Northbound |
| 6.27am | Utility | Northbound |
| 6.27am | Utility | Northbound |
| 6.28am | Sedan | Northbound |
| 6.43am | Utility | Southbound |
| 6.43am | Truck with dog trailer | Southbound |
| 6.46am | Bulk fuel tanker | Southbound |
| 6.54am | Truck – flat bed | Northbound |
| 6.56am | Utility | Northbound |
| 6.58am | Utility | Northbound |

Similar breaches have been observed after 6pm in the evenings.

A proponent who fails to comply with generous existing conditions should not be rewarded with a further extension of operating hours.

2) The noise impact of existing and extended trucking hours

The project Environmental Assessment claims that extended hours of truck operation will have “limited impact on local amenity”. It is patently absurd to claim that 10 trucks per hour from 5 am in a rural residential setting is “limited impact”. It is equally absurd to claim 10 truck for hour until 10 pm is “limited impact”.

3) Failure to address the impact of odours

The Environmental Assessment does not address the impact of odours from trucking bitumen supplies to the quarry or bituminised product to market. The prevailing wind direction is directly from the bypass road to my property and Bungonia village.

The Department should require the impact of odours be properly modelled and assessed prior to determination

4) Extension of quarry life

The proponent seeks to reset the 30 year approval to 1 July 2017. Given that it is now 10 years since the original application and 8.5 years since approval, it is significant that the quarry is still not operational. In fact the upgrade of the approved trucking route is still work in progress. This pace of development is not indicative of a project of state significance.

The snail's pace of progress of this project should not be the basis for extending the life of the project and the continued impact on the local residents. The community have already been living under the cloud of the quarry for 10 years.

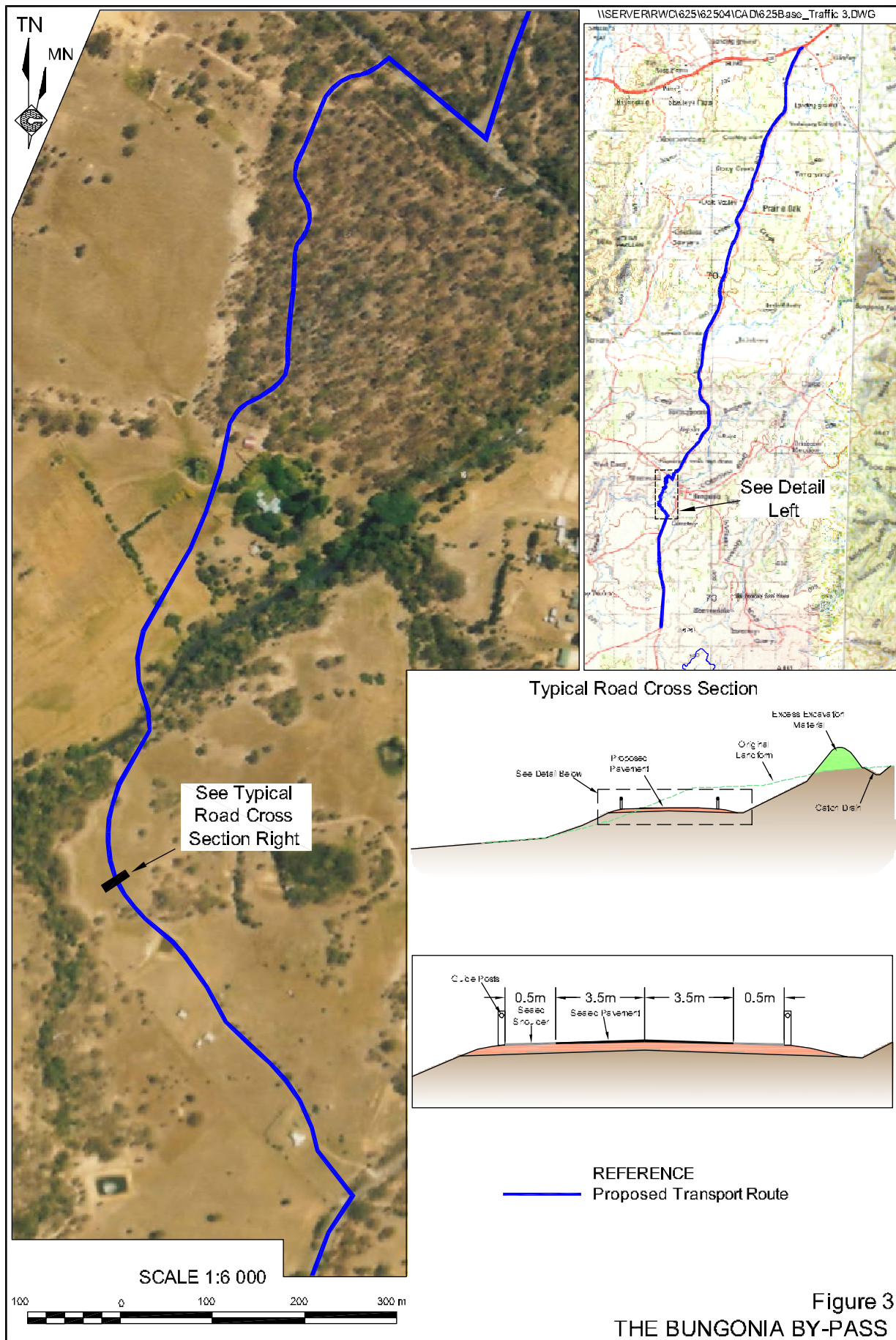
The extension should be opposed on the grounds of fairness to local residents.

5) Failure of proponent to consult

Since my property is within 25 metres of the bypass road and I have been more affected than most by the quarry development. I have been waiting almost 10 years for the quarry to commence operation before building my retirement home, which has been delayed so as to assess the actual final noise impact on my property.

Notwithstanding the requirement under the Department of Planning procedures and the NSW Industrial Noise Policy to consult with affected stakeholders, I have never been approached by or received any communication from the proponent in regard to the original application or any subsequent modifications.

Richard Frith
rdfrith@tpg.com.au
22 February 2018





Boundary of
5525 Oallan Ford Rd

Proposed
House Site

Approved bypass
road route

