

Submission re: Eagleton Quarry Project.

SSD - 7332

This submission is written on behalf of members of VOWW, a not-for-profit community organisation, in support of residents of Balikera/Eagleton/Seaham who are facing the establishment of yet another quarry in their area.

With the expansion of the Hanson quarry at Brandy Hill, for VOWW members and residents of Brandy Hill, Nelsons Plains and Seaham, the impact that expansion would have on those residents was made quite clear in the reports written and from previous experience. Some of the issues were resolved but others remain contentious and unresolved as will be the case for residents of Balikera.

Social Impact.

The answer to resolving any social impact problems for the residents of the area around the Eagleton quarry will be to introduce... *"a reactive management program to ensure any elevated noise levels can be addressed promptly"* (Scoping Letter Ethos Urban 2022). With respect to blasting ... *"the proponent will...establish a 24 hr complaints hotline to make sure complaints are dealt with in a timely manner."*

The resolutions to problems seem to be reactive and not proactive. The proponent has not outlined how the problems will be dealt with once they have been reported. Will the proponent stop blasting? Will the dust management protocols be reviewed? Will trucks stop haulage before 7am? Will the quarry close if there are too many complaints? The answer is obvious. No! Once the quarry is established, no matter how much complaint, it will continue to operate. Compliance is a difficult thing to prove. It would be an 'us v. them' scenario and, as some of the social impact issues are difficult to quantify, no action will be taken. Just reporting the issues does not make the issues go away.

*The Eagleton Quarry project was amended **significantly** during the RTS process to reduce noise, dust, and visual impacts and other social and amenity-based impacts.*

It is not clear how significant the amendments have been.

For example, the proponent has stated that *a roof structure would be constructed over the secondary and tertiary crushers within the processing area.*

'Best practice' would be to enclose any noise generating machinery with noise and dust suppression material. **A roof structure alone would not contain dust or noise.**

Why has there been no mention of enclosing the primary crusher which is by far the most noise-generating piece of machinery on site?

The Amended Scoping Report (September, 2022) shows that no changes have been made to the issues that residents have indicated as significant to them.

There will be no changes to:

- The hours of operation.

- The amount of land cleared.
- The way noise and dust are mitigated.
- The number of truck movements/day. (In fact, the numbers stated are given as “approximate” which leaves the numbers wide open.)
- The monitoring of wildlife present in the area.
- *A portion of the existing hill will be retained as an extensive natural acoustic and visual barrier at a height of no less than RL57.5m until the final year of quarrying when barriers will be installed **at suitable locations** around plant.*

Detail is often vague as seen in the above example. How high can these artificial barriers actually be?! And what would constitute a “suitable location?”

The Social Impact Report has stated that residents are already living with the background noise of the highway traffic. The noise from the quarry is not considered to be a significant additional source of noise. That conclusion is simplistic, and the proponent does not seem to understand or ignores, the difference between low level background noise compared to the thumping of the primary crusher. Therefore, **the conclusion that the additional noise would be minimal is not valid.**

The proponent has made comments such as:

*“the quarry will no doubt contribute to cumulative increases in these aspects (noise, air quality, traffic, biodiversity), this is to some extent how communities and populations develop particularly those areas surrounding **major urban centres.**”*

*The area, that **was once** a combination of large properties of open farmland and bush adjoining the highway, was then slowly subdivided and built on.*

There is clearly a discrepancy between this statement and reality. We are not part of a major urban area. The surrounding land is still large properties, open farmland and bush!

*The highway capacity increased, quarries and recreational facilities grew **and urban development at Kings Hill expanded north from Raymond Terrace.***

Kings Hill has been rejected by the Land and Environment Court. If that had not been the case, another 4,500 homes would have been impacted by this quarry and cumulatively by the other 2 proposals.

Past reports may have been written and accepted in 2016-17 but more contemporary concerns have arisen in that time and cannot be ignored. As shown above, old reports are not accurate and no longer reflect the reality that exists.

Notwithstanding all the concerns of the community the proponent has stated:

*With the above in mind and given **that there are no proposed changes to the proposed on-site activities associated with construction or operation of the Eagleton Quarry**, compared to what was presented in the RTS, it is not considered necessary to undertake further social impact assessments.*

Communities in the Eagleton/Balikera area are struggling to be heard with the Eagleton quarry as seen by the responses given above, let alone with the cumulative effect of multiple quarries in close

proximity to each other. The issues are far ranging and the urgency of addressing these issues is largely ignored by proponents, the DPE and other government agencies alike.

Our governments can no longer deny the issue of climate change and the CO2 emissions created by the trucks that use all road systems. This proponent states that **societies have to move with the times**, but they do not mention that they too need to be mindful of their role in the pollution and climate change problem confronting us all. **The quarry industry cannot expect to work 'in a vacuum'** and expect that the residents can just work along-side and accept that their physical health might deteriorate, that their tank water may be contaminated, and that the noise might cause mental health issues. Or that there is enough other 'environment' around to compensate for the habitat destruction that needs to occur for the creation of a new quarry. In the case of the Eagleton quarry, 30ha of pristine habitat will be removed.

Transport Issues.

The main component of the transport report, produced by GHD (August 2023), is the improvement of the Italia Road/Pacific Highway intersection.

A commercial agreement between the quarry operators is in place and (subject to approvals) construction of the intersection is expected to be finalised and operational within the last quarter of 2025.

Until this improvement is completed it is our opinion that no new quarries or expansion of existing quarries, should be approved.

Publicly available daily traffic count data is highly variable for the Pacific Highway, with no recent data available near this location. The latest 7-day count data at Twelve Mile Creek from 2018, shows southbound only traffic volumes of around 10,700 vehicles and at Taree, some 30,000 vehicles two way per day in 2023. Over the last 7 years, the Pacific Highway traffic volumes have seen approximately 2-3% growth per annum based on historic traffic volume data published by TfNSW.

While it might be true that there is no traffic data for the area directly at the Italia Road site, we question the use of data from Taree. Closer monitors can be found at Tomago, south of Italia Road. The 2018 data would be well out of date.

It has been stated in reports for all quarry submissions, the justification for Stone Ridge, Eagleton and expansion of Boral, quarry product is needed for the wider Sydney Metropolitan area with some infrastructure needs for the Hunter Region. We could therefore expect that the majority of trucks will head south and would need to pass through the traffic cameras on the Pacific Highway. A search of the TfNSW traffic volume viewer has data from these cameras for 2021. It shows 50,133 vehicles going both north and south. To use the increase percentage that GHD applied, the vehicular numbers for 2023 would be approximately 55,000 with 24,690 travelling south. This is a considerable difference to the 10,700 at Twelve Mile Creek (2018) quoted in the GHD report. The trucks from all three quarries would impact on these numbers.

- All traffic reports concentrate on the Italia Road intersection and the Tarean Road interchange and the Pacific highway up to Italia Road, but not beyond.
- What is the wider picture for the area and the impact on all road users and towns/localities within this wider area?

- All quarry traffic is doubling its footprint with left turn north out of Italia Rd and then southbound turnaround. This equates to double the air pollution and noise in the environment and the physical presence of trucks in both directions.
- Trucks are noisy but heavily laden trucks can be doubly so with engine braking when approaching intersections. This noise will impact residents not just around the vicinity of the quarries, but along the more heavily populated areas of Raymond Terrace and Heatherbrae.
- No modelling for problems with extra truck traffic on the congested Pacific Highway going both north and south during school holidays and public holidays.
- The GHD reports that: *there are no impacts on road users.*
Trucks, B-double or truck and dog configuration are intimidating to some motorists, especially in such large volumes. Merging trucks at 1/minute (from one quarry only with cumulative impact not yet addressed), can be dangerous with lane changes needing to be made. Gravel and other debris spilled onto the road at intersections can be flung into the windscreens of other vehicles and result in damage that is ultimately borne by the driver of the vehicle. The gravel on the edges of the road at the Tarean intersection used by trucks from the Karuah quarries is an example of this problem.
- Modelling for the flow-on effect of truck numbers for the area beyond the Italia Road intersection needs to be done.

We question the figures GHD arrived at for the generation of heavy vehicle movements for all quarries combined at peak hours am and pm. A very conservative estimate of 27 trucks/hr leaving and returning has been given. Assuming that all quarries are approved, the extraction rates would be:

- Boral (Seaham) 2mtpa.
- Stone Ridge 1.5mtpa.
- Eagleton 600,000tpa.

For combined extraction rates of 4.1mtpa, assuming a 12-hour day, the **average** trip generation figure would be closer to 50 trucks/hr. And for peak delivery that number could be doubled. As an example, Hanson expects to generate up to 600 trucks/day at peak demand.

Pollution emanating from the numerous haulage trucks potentially generated cumulatively by the quarries should be a key issue in a contemporary report. Climate change should be addressed. However, neither the DPE, PS Council, EPA or other agencies have sought an evaluation of this issue. The report that was recently written in **the Guardian**:

<https://www.theguardian.com/australia-news/2023/nov/02/dwindling-use-of-rail-freight-puts-australias-emissions-targets-at-risk-industry-warns>

gives a sober and thought-provoking assessment on the impact to climate change as a result of the CO2 emissions from road haulage. One of the answers is to provide rail spurs to transport product. If the product is indeed as important as the quarrying and concrete associations deem, then it is up to governments to mandate rail over road to ensure the health and wellbeing of all residents is taken into consideration by taking the trucks off the roads.

In February 2023 TfNSW announced that planning approval has been granted for the extension of the M1 from Weakley's Drive to Raymond Terrace. A start on construction has been made and the end date for completion not yet known. Therefore, the road congestion is expected to get worse as the Lower Hunter population continues to grow.

*It is highlighted that these proposed changes to the Italia Road intersection **will not change the existing right turn arrangements into Italia Road from the Pacific Highway for all vehicles** – light vehicles and trucks. Further, they will not change the existing right turn out of Italia Road for light vehicles, and non-quarry related heavy vehicles.*

It should be noted that when entering Italia Road from the north, a right turn for a truck means that the vehicle must turn across oncoming traffic travelling at 110kph with a crest obscuring that traffic.

Hours of operation

The hours of operation are given throughout the report as:

- *Processing and extraction activities 7:00am – 6:00 pm Monday to Friday and 7:00am to 4:00pm Saturdays.*
- *Scheduled maintenance **generally limited to processing hours.***
- *Sales activities (i.e. **handling and loading of processed materials**) 5am to 10pm Monday to Friday and 5am to 4pm Saturdays.*

The operational hours are not consistent with other quarries. However, the maintenance hours are written as **generally limited to processing hours**.

This will lead to wide interpretation and needs to be clearly defined as such. Maintenance can be noisy and should not be undertaken at night.

The sales activities proposed from 5am is not in the best interests of the community. Loading trucks is a noisy activity. This will be an early morning disturbance to residents who would not normally expect to be woken at this time. Ambient noise in early morning hours is normally quite low.

If trucks are dispatched at 5am it follows that empty trucks arrive earlier. Empty trucks can be noisier than fully laden trucks as they are prone to rattling as they traverse uneven ground and in particular through potholes.

Wildlife may also be impacted as nocturnal animals would still be active and birds and other animals would be disturbed. This may seem of little consequence to some, but breeding habits and stress is a possibility that would impact on overall health.

Other quarries have had haulage hours mandated to take normal sleeping patterns into consideration. For example, Brandy Hill quarry can only accept and dispatch haulage trucks between the hours of 6am – 6pm.

Pollution effect of particulates, along the entire haulage route, emanating from the cumulative truck traffic is not addressed.

Biodiversity.

Due to no changes in the development area to be cleared for this proposal (30ha), it seems the biodiversity report is being accepted in its original form (Kleinfelder 2016).

This is by no means ideal. Contemporary 2023 issues are, in some cases, completely different to the situation in between 2012 and 2018 when the original surveys were undertaken.

The Kleinfelder report (2016) used data:

- 2013 species list – koala listed as vulnerable, now endangered.
- Fauna surveys carried out over 4 days in 2013
- Ecological surveys collected 2015 with mapping for RTS in 2018 done by aerial photos.
- Flora surveys collected in 2012-2013. An additional search 2016.

Some of this data is now 10 years out of date.

In the submissions received the location of the quarry 30ha clearance area was questioned. Eagleton Quarry's response was **the area of lowest biodiversity value contained less suitable rock and less amounts of rock resources** for quarrying.

In other word, the vegetation being preserved is of a lower quality and therefore possibly not suitable for ongoing habitat once the more significant habitat is removed.

This puts into question the statement made by the proponent that Eagleton Quarry: *is an "ecologically, sustainable development."* (State Significant Development Application Amendment Report (2023))

In addition, if the comment from Scoping Letter Ethos Urban (27/6/23) is taken into consideration: *"The proportion of habitat that would be removed is relatively small when considering the large areas of similar habitat that are contiguous with the study area"*, it shows that removal of 30ha of some of the most valuable habitat would substantially fragment the area and thus affect threatened species within the study area. Earlier reports have stated that some of the *habitat is of lower biodiversity value*.

Issues that have not been considered in the Biodiversity report include:

- Different tree species for resting and eating for the koala. Therefore, the clearance of 30ha with 11.9ha of that being koala habitat could have a devastating effect on the koala population in the area.
- The wild koala population in Port Stephens is declining due to habitat degradation and clearing, vehicle strikes and dog attacks. Therefore, the preservation of this 30ha with accurate survey data is crucial.
- The noise and dust effect of yet another quarry in such a small area will drive many species from the area.
- **There is a 'tipping point' for the tolerance animals have with respect to noise.** The RTS (JBA Urban Planning 2017) reported: *The tolerance of wildlife to noise varies with the animal species and can vary between individual species of a population. The local area has an existing history of noise generating activities associated with the Boral Quarry, the Pacific Highway, motorcross track, Port Stephens Gardenland and the MG Car Club, as such wildlife within the area are likely to have some adaptation to noise disturbance.* The report admits that: **Noise and blasting undertaken at the quarry has the potential to result in native wildlife moving away from the area of the noise generating activity.** We believe that: *The proposed amendments in the design will reduce the extent of noise impacts on wildlife adjoining the quarry* do not go far enough in addressing the noise impact on wildlife. As mentioned earlier, **there is no mention of effective enclosures around the secondary and tertiary crushers and no mention of noise and dust containment for the primary crusher.** This quarry might be the tipping point that is reached for the fauna in this area.
- Along with the reduction in habitat due to development there will also be a reduction in the size of fauna corridors throughout the area. Pinch points within these corridors from the narrowing of the area will lead to species and individual conflicts with resultant injury, disease or death, fragmentation of species, and an increase in the risk of predation. In the

case of koalas an increase in the time spent on the ground will add to the dangers of attack by dogs and foxes, will add to stress and possible disease.

In the letter from D.P.E. (21/10/22).

"... your proposal is likely to have a significant impact on matters of National Environmental Significance . It will require an approval under the Commonwealth EPBC Act (1999). This approval would be in addition to any approvals required under NSW legislation."

We believe that **this has not been done**. We have not seen indication of approval from the appropriate commonwealth department. With koala now being listed as **Endangered** there is even more urgency for this assessment to be done.

Minimisation measures.

The Biodiversity report states:

The proposal would retain 58.81 ha of vegetation (approximately 68%) within the study area

The proportion of habitat that would be removed is relatively small when considering the large areas of similar habitat that are contiguous with the study area. (Biodiversity survey 2015)

We have already identified that the vegetation that would be removed is of a greater quality than what will remain. This further shows that the above mitigation is not adequate.

The biodiversity report needs to be revised to address the contemporary biodiversity requirements/credits. We are no longer stuck in 2015.

The amendment report (September 2023) refers to "Strategic Context". Reference is made to the Hunter Regional Plan 2041. Increased population is the 'driver', the sole reason for the need for quarries. At no stage is there a desire to see beyond what is already being done, that is, to find alternatives to quarry product. Rock is a finite resource. **Perhaps it is time to look to innovative measures to replace rock so that future environments are not destroyed.**

While this is not the forum to question the Hunter Regional Plan 2041, the proponent uses it as justification for the product. We question the numbers in the 2041 Plan – 90,000 new residents in the Hunter needing 100,800 homes? In other words, more than 1 house/person?

Objectives 6, 7 and 9 deal with environmental issues and are certainly not met (eg. conserve heritage, reach net zero) and conveniently ignored in all reports. In fact, in this report the author states, with regard to Objective 9 (***Sustain and balance productive rural landscapes***):

The proposed Eagleton Quarry project is consistent with the relevant directions and actions associated with Objective 9 of the Regional Plan. Perhaps a more appropriate objective should have been chosen.

Conclusions

The original EIS has largely remained with only a few modifications following the RTS. Many of the reports date back 10 years.

- In that time there have been changes in community expectations.
- Governments have made changes to policies and biodiversity laws have been tightened.

- State and Federal governments are struggling with issues of climate change and CO2 emissions, yet the proponent is still preparing to work under outdated reports.
- Our world and environment have changed, yet the DPE is prepared to accept the old reports and information without a more contemporary context. Surely DPE has noted the resistance that residents have shown to the multiple quarry operations that have been proposed in our area. This is not out of spite or disinformation. It reflects the reality that faces residents in their everyday lives. This must be reflected in government/DPE policy.

No community is able to remain static. That is correct. The communities potentially impacted upon by this quarry are not remaining static. They are well versed in modern issues pertaining to their health and welfare and are prepared to voice their concerns. In the past communities did not believe they had a voice and so accepted whatever the government or council mandated.

SEARS states that: ***an assessment of the likely impacts of all stages of the development, including any cumulative impacts***, needs to be made.

We believe that cumulative impact has not been adequately addressed.

- The proponent has deemed it satisfactory in all instances.
- There has been no mention of the potential expansion to Boral/Seaham quarry or the DA for the Stone Ridge Quarry.
- These 2 proposals would increase the extraction by 3.5mtpa! That is a significant impact on dust, noise, vibration, environmental destruction. That has not been adequately addressed.
- No accurate report of the cumulative impact of haulage traffic for such large tonnage.
- The health and wellbeing of residents would come into question.
- The character and ambience of the area would be changed in the short to long term.

It was requested that: ***a detailed description of the proposed measures to maintain or improve the biodiversity values of the region in the medium to long term***, be outlined.

This has not been done.

VOWW asks DPE to reject this application to create a new quarry at Eagleton as it:

- Does not meet the expectations of the surrounding community.
- Does not take into consideration the cumulative effect of numerous issues outlined in this submission.
- Does not meet contemporary standards for the environment or government expectations for CO2 emissions targets.
- Will irreversibly change the character and ambience of the area for residents and visitors to the area alike.

Margarete Ritchie. (VOWW President)

Chris Winnett. (VOWW Secretary).