

# Formal Submission – Objection to the Hillview Hard Rock Quarry Project

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To: NSW Department of Planning, Housing, and Infrastructure

## Introduction

I write to formally object to the proposed Hillview Hard Rock Quarry project located at 67 Maytoms Lane, Booral NSW, by Coastwide Materials Pty Ltd. I am a resident, farmer, and ratepayer of Stroud in the Mid Coast region. I have worked for over six years as a paramedic with NSW Ambulance, based Stroud Ambulance Station, and now commute for my role within NSW Ambulance from Stroud to Newcastle for my shifts.

I am concerned about this quarry's cumulative, irreversible, and unacceptable impacts on our region's transport infrastructure, environmental health, biodiversity, community safety, and overall amenity. My objections are supported by lived experience and critiques of the project's Scoping Report (May 2024), related reports and submissions for the project, and broader policy considerations.

This submission details serious deficiencies in the proposal, including but not limited to:

- Unsafe and insufficient road infrastructure, particularly The Bucketts Way, which is narrow, winding, lacks adequate shoulders and overtaking lanes, and is poorly maintained by multiple councils. The Bucketts Way is already strained by existing traffic and emergency services access. It will be significantly worsened by 252 additional daily heavy vehicle movements and haulage from Deep Creek Quarry and the Stratford Renewable Energy Hub.
- Conflicts with key legislative requirements, including the Environmental Protection and Biodiversity Conservation Act 1999, Protection of the Environment Operations Act 1997, Water Management Act 2000, and Roads Act 1993. These include inadequate traffic modelling, failure

to meet environmental protections, lack of baseline flood studies, and non-compliance with aquifer and vegetation offset regulations.

- Adverse environmental, health, and biodiversity impacts. These include exposure to respirable crystalline silica from rhyolite dust, noise and blasting near sensitive receptors, implications on livestock and aquatic life, potential contamination of rainwater supplies, and clearing up to 48 hectares of native and remnant vegetation.
- Inadequate cumulative impact assessment, with no integrated modelling of traffic, water, dust, or biodiversity impacts across concurrent regional projects like Deep Creek Quarry and the Stratford Renewable Energy Hub. This project contravenes planning guidelines that require a 10-year development horizon and ignores known downstream effects.
- Absence of strategic alignment with sustainable development, circular economy principles, and climate policy goals. The proposal relies entirely on virgin extraction, lacks a recycling or emissions offset strategy, and omits a climate impact statement for a project spanning 30 years.

## 1. The Bucketts Way Traffic Matters

### 1. Traffic and Road Safety – Infrastructure Incompatibility and Assessment Failures

#### 1.1 Road Condition and Incompatibility

The Bucketts Way is a narrow, winding regional road with limited overtaking lanes, absent and poor shoulders, sharp curves, and variable pavement conditions. Two local councils are responsible for the maintenance of The Bucketts Way, and historically, both have poorly maintained it. Combined, these factors render it wholly unsuitable for the projected volumes of quarry-related truck traffic. Despite this, the Hillview Quarry project forecasts 252 daily heavy vehicle movements (126 in and 126 out), which does not even include additional haulage from the Deep Creek Quarry or the Stratford Renewable Energy Hub, all of which will rely on the same corridor of The Bucketts Way.

Having worked as a Stroud-based paramedic along this route for over six years and now commuting from Stroud to Newcastle for my Extended Care Paramedic role, I have personally attended several motor vehicle accidents and have also experienced many near misses and ambulance delays due to slow-moving trucks and limited passing opportunities. The Bucketts Way is narrow, winding, and poorly maintained. It lacks adequate shoulders, overtaking lanes, or bypass sections.

The ability of emergency vehicles such as ambulances to safely and swiftly navigate this route is already compromised. Increased heavy vehicle use from both the Hillview and Deep Creek quarries raises the likelihood of delayed emergency response times and further near misses or

fatal accidents. The same reasoning extends to the response time for NSW Police. Stroud Police Station is a one-officer station and is not staffed 24/7. It relies on a Raymond Terrace LAC, Tea Gardens or Tanilba Bay response. This delay also applies to NSW Fire and Rescue and the Rural Fire Brigade as appliances come from Limeburners Creek, North Arm Cove, Seaham and Raymond Terrace. Any emergency response will be delayed and compromised by the increased heavy truck traffic from Hillview and the approved Deep Creek and the road conditions mentioned above.

Increased heavy vehicle activity will only exacerbate the dangerous conditions, posing a direct threat to emergency response effectiveness and road user safety. Returning to ambulance transports, patients are transported from both Stroud/Booral and Gloucester districts to major hospitals such as Maitland, the Mater and John Hunter Hospital which is the major trauma hospital for the entire Hunter and Mid North Coast. The only access road to these hospitals is The Bucketts Way. There are NO feasible 'alternative routes' as those available are via roads that are in worse condition, contain gravel and lengthen patient transport times, which directly impact the patient's safety and welfare.

The Traffic Impact Assessment (Appendix L) acknowledges that the Pacific Highway / The Bucketts Way intersection will operate at Level of Service F (a failing grade) during peak periods by 2033, even without Hillview's traffic. With the quarry included, this failing condition remains unchanged. Despite this, no intersection upgrades is proposed, contravening the RTA Guide to Traffic Generating Developments, which requires upgrades for intersections operating below Level of Service D.

The report instead proposes a vague potential rerouting using U-turn facilities located 5 km away, which is impractical, increases safety risks, and fails to address bottlenecks for southbound haulage.

The intersection proposed in 'Appendix B2- Engineering Plans' at Maytoms Lane and The Bucketts Way is inadequate. The passing bay is too short to allow passenger vehicles travelling on the Bucketts Way to pass the slow-moving trucks accessing and exiting from Maytoms Lane. The diagram on page 16 of the report also shows that drainage will run under The Bucketts Way and directly into the neighbouring property. This excess stormwater puts pressure and stress on the landholder of this property.

## **1.2 Inadequate Traffic Impact Assessment**

The traffic study based on the project's conclusions was conducted only on a weekday (6 February 2023). No seasonal traffic analysis was undertaken, despite known congestion during peak holiday periods, when queues along The Bucketts Way can extend for kilometres as vehicles attempt to access the Pacific Highway. Refer to the "Stroud Local" Facebook page for multiple posts about road users' extensive delays at the Bucketts Way and Pacific Highway intersection.

This lack of a holiday or long weekend traffic count is a critical flaw in the assessment, especially considering the tourism-dependent nature of the region. No emergency vehicle access delay to the Pacific Highway modelling was included. This is especially concerning given the existing difficulties ambulances and fire services face navigating the corridor.

Furthermore, although the report describes the overall traffic volume increase as "low," it simultaneously confirms that key intersections are already operating beyond capacity. This contradiction highlights internal inconsistencies and undermines the reliability of the report's conclusions.

### **1.3 Maintenance Responsibility and Road Readiness**

The Bucketts Way and its feeder roads, including Maytoms Lane, are maintained by two local councils, resulting in inconsistent quality, upkeep and substandard infrastructure with a lack of accountability. Maytoms Lane itself is described in the report as only 3–3.5m wide in places, with informal parking, unsealed shoulders, and sight distance only achieved through ongoing vegetation trimming. A solution that is both reactive and unreliable.

The report recommends minor upgrades to this rural lane despite its future role as a high-frequency heavy vehicle access point. Given increasing weather-related damage and flooding from climate events, the current state of these roads poses an unacceptable risk to public safety, particularly during emergencies.

As a resident and ratepayer, I am gravely concerned that local councils do not possess the capacity or budget to upgrade and maintain this road network to safely accommodate increased quarry-related traffic, especially during adverse weather or emergency events.

### **1.4 Cumulative Traffic Impacts Ignored**

Although the report acknowledges the approval of the Deep Creek Quarry which is projected to result in 50 truck movements per hour, it fails to quantify or model the full impact of multiple projects using the same haul route. Only peak-hour traffic from Deep Creek is considered and does not account for the Stratford Renewable Energy Hub or other foreseeable developments. All three developments will use the same narrow corridor, and combined with routine regional traffic, the cumulative strain on The Bucketts Way will be intolerable.

This piecemeal approach directly contradicts Department of Planning and Environment guidelines, which require a 10-year traffic horizon, including all committed developments in the region. No consolidated regional traffic management strategy is offered, and there is no meaningful attempt to analyse the cumulative stress on infrastructure, including intersections, bridge loads, school zones, or vulnerable road user safety.

Furthermore, Clause 2.122 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 is avoided by categorising this proposal as an "extractive industry."

However, given the volume of truck movements (exceeding 270 per day), it meets the policy's intent for mandatory referral to Transport for NSW.

### **1.5 Transport of Explosives**

An area of concern is that the explosives required for Hillview (and the approved Deep Creek Quarry) will be transported by road. The only access road for both developments is via the Bucketts Way. I have listed many valid concerns about the condition and lack of suitability for such a large volume of heavy vehicle transport on this narrow, windy, poorly maintained road.

## **2. Environmental and Health Impacts**

### **2.1 Noise and Blasting**

Blasting is proposed twice per month, and operations (extraction) means continuous noise from operations from Monday–Saturday for 16 hours per day, 52 weeks per year for up to 30 years. This frequency and continuous duration allow no reprieve and will impact residents' quality of life and disturb native wildlife.

### **2.2 Sensitive Receptors/Receivers**

The scoping report offers only general mitigation statements without thresholds or buffer distances from residential areas. The closest residence, 1km from the blast site, is classed as a sensitive receiver/receptor per the 'Advitech' report (appendix H) and several other properties listed on 'table 1' (page 10).

What is missing from the 'Advitech' report is all of the 21 listed sensitive receivers/receptors being marked or identified on a map, such as the one provided in 'figure 2' (page 9). This omission makes it impossible for a report reader to see where these 21 listed sensitive receivers/receptors are actually located in relation to Hillview.

Another omission from the sensitive receivers/receptors list is the Booral Public School, which, at the time of writing this submission, has 88 students. Based on the nature of the material being quarried, the known health risks associated, and the exceeding of the EPA's standards for air quality, should the Booral Public School not be included on this list with receptors located at various points on the school's property?

### 3. Dust and Air Quality

#### 3.1 Health Risks of Rhyolite Dust

Rhyolite is a volcanic rock rich in silica<sup>1</sup>, often exceeding 70% silicon dioxide. When quarried, drilling, blasting, and crushing generate fine dust particles, including respirable crystalline silica (RCS), which is a health hazard as it can be inhaled deeply into the lungs.<sup>2</sup> Particulate emissions from Rhyolite extraction (including PM10 and PM2.5) harm human health.<sup>3</sup>

Dust control measures are mentioned in the project reports but not quantified or tied to environmental protection benchmarks. These particles are hazardous to children, the elderly, and those with respiratory conditions.

#### 3.2 Human Health Impacts

- **Silicosis:** Inhalation of RCS can lead to silicosis, an incurable lung disease.<sup>4</sup> A case study reported accelerated silicosis in a 33-year-old female quarry worker exposed to rhyolite dust for four years.<sup>5</sup> SafeWork NSW requires that PCBU's undertake air monitoring and results must be provided to workers and records kept for 30 years.<sup>6</sup>
- **Respiratory Issues:** Exposure to fine particulate matter (PM10 and PM2.5) from quarry dust is associated with respiratory problems, including coughing, shortness of breath, chronic bronchitis, lung cancer and cardiac failure.<sup>7</sup>

#### 3.3 Animal Health Impacts

- **Livestock Exposure:** Animals grazing near volcanic ash deposits, compositionally similar to rhyolite dust, have suffered from fluorosis and other health issues due to ingestion of

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<sup>1</sup> <The Complete Sand Glossary – Terms and Facts about Sand (A-Z) | SAND.WORLD.  
<https://www.sand.world/sand-collection/sand-glossary>>

<sup>2</sup> NSW Government, SafeWork NSW, *Crystalline silica – technical fact sheet*  
<<https://www.safework.nsw.gov.au/resource-library/hazardous-chemicals/crystalline-silica/crystalline-silica-technical-fact-sheet>>

<sup>3</sup> United States Environmental Protection Agency, *Health and Environmental Effects of Particulate Matter (PM)* (website updated 23 May 2025) <<https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm>>.

<sup>4</sup> Above n 2.

<sup>5</sup> Tracy L Leong, Hari Wimalaswaran, David S Williams, Nicole S Goh, Ryan F Hoy, Unexpected case of accelerated silicosis in a female quarry worker, *Occupational Medicine*, Volume 72, Issue 6, July 2022, Pages 420–423, <<https://doi.org/10.1093/occmed/kqac016>>

<sup>6</sup> Above n 2.

<sup>7</sup> Reza, Z. et al. (2024) The Impact of Quarrying Activities on Air Quality and Public Health: A Case Study in Warwickshire, *Science Journal of Public Health*, Volume 12, Issue 6, 2024, Pages 212-218, <<https://doi.org/10.11648/j.sjph.20241206.15>>

contaminated forage. Dust affects animals that not only breathe in the material but ingest it while eating foliage, which may prevent effective digestion.

- **Aquatic Life:** Dust runoff into water bodies can alter water chemistry, affecting aquatic organisms and potentially disrupting ecosystems.<sup>8</sup>

### 3.4 Environmental Considerations

Quarrying activities not only impact air quality but also contribute to environmental degradation, such as:

- **Soil and Water Contamination:** Dust deposition can alter soil pH and nutrient content, affecting plant growth and soil organisms.<sup>9</sup>
- **Water Use:** The 'Advitech report' on p 37-38 recommends that water be applied 'on trafficable areas at 2 L/m<sup>2</sup>/h during normal operations with an increase during peak export'. Also, 'apply water sprays on processing plant and equipment to maintain the material in a moistened state'. Where is this vast volume of water coming from to cover the next 30 years of operation?
- **Vegetation Damage:** Dust can cover leaf surfaces, impacting the plant's health, reducing photosynthesis and leading to plant stress or death.<sup>10</sup>
- **Drinking water:** Residents in immediately surrounding properties and the entire local area all rely on rainwater for drinking water. Dust will settle on all rainwater catchment from house and shed roofs, resulting in contamination of drinking water

There are multiple poultry farms (egg-laying chickens, turkeys and chickens for meat production) in the vicinity, which also collect drinking water for their livestock.

The Stroud/Booral region is a rural region with agriculture as the primary industry source. Beef cattle producers will have their dams and stock watering systems filled with dust from this project.

- **Self-Sufficiency Impacts:** Many residents in the Stroud-Booral region have varying degrees of self-sufficiency with home vegetable gardens and fruit orchards. The impacts of dust, chemicals, and water pollution or overuse directly impact those practising self-sufficiency.

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<sup>8</sup> Ibid.

<sup>9</sup> Brilhante, S. et al. (2017) 'Weathering of Rhyolites and Soil Formation in and Atlantic Forest Fragment in Northeastern Brazil', *SciFlo Brazil*, 41, <<https://doi.org/10.1590/18069657rbc20160558>>

<sup>10</sup> Fugiel, A. et al. (2017) 'Environmental impact and damage categories caused by air pollution emissions from mining and quarrying sectors of European countries', *Journal of Cleaner Production*, 143, pp. 159–168. <https://doi.org/10.1016/j.jclepro.2016.12.136>

### 3.5 Exceedances of EPA Limits

Section 4.2 of the 'Advitech Air report' (Appendix H) incorrectly did not include. It did not give adequate reasoning for not including the stated potential impacts from an approved quarry, Deep Creek (south of Hillview. Page 14 of the report states, "there are aspects associated with the Deep Creek quarry operations that could affect dust emissions in the regional air environment. The influence and the extent of those aspects on cumulative air impacts is unknown...".

The report, based on modelling from 2018, states that there are "minor exceedances", "marginal exceedances", and "slight exceedances". All are EXCEEDENCES of the NSW EPA assessment criteria. Why is the modelling not based on more recent years? Did 2018 produce the most favourable results? The NSW EPA has set limits, and any breaches or exceedances of these limits should trigger a red flag and an immediate cause for concern.

The 'Advitech report' recommends that 'the owner of the Site investigate additional dust controls on the equipment and for the machinery that was shown to contribute to the highest proportions of dust'. If this quarry is approved, WHO will be responsible for ensuring that the owner implements and follows this recommendation. And who will be responsible for any breaches?

### 3.6 Consideration of Other Listed Risks

The 'Advitech Air report' (Appendix H) states in section 7.3 that there will be nitrogen dioxide, products of fuel combustion, volatile organic compounds, oxides of nitrogen carbon monoxide, sulphur dioxide and leakages from equipment. Why are residents and wildlife all being exposed to any of these risks at all? By allowing this development, you are allowing the presence and exposure of these harmful by-products.

### 3.7 Cut and Paste – Questions validity of Advitech Report?

The Advitech Air report (Appendix H) on page 4 states that the proposed quarry is "within the Richmond Valley". The Richmond Valley lies in the Northern Rivers of NSW.

The report goes on to say that the typical site operations will include: 'extracting sand and sandstone' and 'screening and washing sand.' This information differs to the Executive Summary within the Hillview EIS that states the project is a 'hard rock quarry' for 'extraction of Rhyolite'. Rhyolite is an igneous rock and sandstone is a sedimentary rock – two very different rocks.

The author requests that this report be removed from the submission and a new report be prepared and submitted with accurate information.

## 4. Water Quality and Risk to Double Creek and Karuah River

### 4.1 Reduction in Catchment Area

The quarry site lies within the Karuah River catchment, with Double Creek, an intermittent watercourse that traverses the property and drains into the Karuah River approximately 2 km downstream. The scoping report acknowledges that "a reduction in baseflow contributions from Double Creek to Karuah River could result in an indirect take" of water (p. 36).

The 'SLR Surface Water Assessment' report (SWA) states that there will be a reduction of 48 ha of catchment area to Double Creek and hovers on the margin of being 25% (one quarter) of the total catchment area (200 ha). However, this serious risk is not adequately modelled or addressed as modelling was done during a year of drought in the Stroud-Booral region.

### 4.1 Multiple Surface Water Risks and Legislative Conflicts

The surface water assessment provided in Appendix J of the Hillview Quarry Environmental Impact Statement raises several serious concerns regarding the adequacy, accuracy, and legal compliance of the proposed water management measures.

Firstly, the report confirms that the Karuah River estuary is a priority oyster aquaculture area under the NSW Department of Primary Industries' *Oyster Industry Sustainable Aquaculture Strategy 2021*.<sup>11</sup> Despite this, it minimises the risk to the industry by stating the oyster farms are "approximately 10 km downstream" from the site.

This fails to recognise that reduced baseflows in Brewers Creek (up to 19%) and Double Creek (up to 8%) will contribute to the Karuah River and may alter its hydrological and chemical properties. Oyster growers rely on clean and stable water quality for the health of their stock. The introduction of additional sediment, contaminants, or altered flow regimes from the proposed quarry, especially in the event of uncontrolled discharge or blasting-related runoff poses a direct and potentially catastrophic threat to this already vulnerable industry. The scoping report fails to include any hydrological modelling or targeted assessment of potential impacts to downstream aquaculture users.

The QX parasite has already devastated the oyster industry, and further changes to flow, sediment, or temperature could have catastrophic consequences. There is no evidence of direct consultation with oyster growers nor any modelling of downstream estuarine impacts on aquaculture. Any adverse incident or water quality event caused by the quarry's operations would violate sustainable land and water management principles and undermine years of

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<sup>11</sup> Department of Primary Industries <  
[https://www.dpi.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0005/1363676/OISAS-Final-Document-August-2021-Final.pdf](https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0005/1363676/OISAS-Final-Document-August-2021-Final.pdf)>

recovery work and jeopardise the livelihoods of local oyster farmers, a historically significant contributor to the region's economy.

Secondly, s 120 of the *Protection of the Environment Operations Act 1997* (PoEO Act) makes it unlawful to pollute waters. The surface water report acknowledges the risk of sediment runoff, erosion, hydrocarbon spills, and flood-related discharges, particularly during construction and storm events. While contingency measures are proposed, the reliance on "management plans" assumes perfect implementation and does not eliminate the underlying pollution risk, potentially leaving the proposal in conflict with s 120 of the Act and open to penalties under s 123 of the Act.

Thirdly, the absence of baseline flood studies is highly problematic. The proponent admits that no prior flood mapping exists for the site and that flood modelling excluded climate change effects despite the project's 30-year lifespan. This omission violates the risk-based approach recommended by ARR 2019 and introduces unacceptable uncertainty regarding stormwater capacity and downstream flood impact. During the last three years, the Stroud-Booral region has seen record rainfalls, with records being broken in 2025, where the annual rainfall has fallen within the first half of the calendar year. Studies must be done based on these high rainfall years and not during 2018-2019 years of drought.

Cumulative impacts are also not adequately addressed. While the report mentions Deep Creek Quarry and nearby agricultural operations, it asserts that their contributions are minimal and do not present any integrated catchment-wide modelling. This fails to meet the *Environmental Planning and Assessment Act 1979* (EPA Act) requirement for cumulative environmental assessment and underestimates the compounding pressure multiple developments place on the same water system. Under Part 5, Subdivision 2, s 5.5 of the EPA Act, the determining 'shall examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the activity'.

Additionally, the report bases its water quality analysis on historical data from 2019–2020, with missed samples during dry and wet/flooding periods. No current water quality sampling has been conducted, making the data potentially outdated and unrepresentative of post-bushfire or post-drought recovery in aquatic ecosystems.

Finally, the proposed solution to mitigate reduced natural flow, via clean water discharge from detention basins is presented without detailed design or performance data. There is no scientific guarantee that such flows will replicate natural baseflows in terms of timing, temperature, or chemical composition and may pose further ecological risks to Double Creek and downstream aquatic environments.

In light of these issues, the proposed surface water strategy fails to assure compliance with the PoEO Act, EPA Act, *Water Management Act 2000*, and relevant aquaculture protection policies. The significant uncertainty, reliance on yet-to-be-tested mitigation systems, and absence of

stakeholder engagement warrant rejection of the project in its current form or, at a minimum, the requirement for further independent hydrological review and downstream risk assessment.

In times of low rainfall, the need to access groundwater under aquifer licences introduces risk to the sustainability of both human and ecological water users. No thorough assessment of the long-term hydrological impact has been made.

## 5. Biodiversity Impacts

### 5.1 Significant vegetation loss

The project proposes clearing up to 48 hectares of vegetation, some of which include undisturbed and remnant native flora. Pages 36-37 state, "there are some significant areas of undisturbed land and native vegetation within the property".

Despite being "partially cleared," the site contains essential remnant vegetation and native habitat, especially on elevated terrain and along Double Creek. The project proposes clearing 48 hectares over seven stages, with no concrete offset plan presented.

Removing this habitat will fragment ecosystems, threaten native flora and fauna, and contribute to long-term biodiversity decline. Removing habitat will result in irretrievable social, habitat and biodiversity loss. Hillview is not the only excavation project in the area as there are quarries in Seaham, Eagleton, Deep Creek, Kings Hill, Stone Ridge, Balikera and Karuah – all of which have the same impacts, which are irreversible.

### 5.2 Data Limitations

The scoping report notes that Coastwide Materials Pty Ltd purchased the property "Hillview" in 2018. However, several key ecological assessments, including vegetation and habitat mapping (BDAR – Appendix F), were based on observations and data collected either before or shortly after that acquisition. As the site was previously cleared but has since been mainly left undisturbed, it is entirely plausible that natural regeneration has occurred over the intervening years. This includes regrowth of native vegetation, establishment of understory plants, and potential re-colonisation by native wildlife species.

Without updated, accurate and impartial fieldwork to confirm the current status of biodiversity on the site, any assessment relying on outdated land condition data significantly underestimates the site's ecological value. The failure to account for the natural succession that may have occurred since 2018 casts doubt on the accuracy of current biodiversity impact projections and risks overlooking essential conservation obligations under the Biodiversity Conservation Act 2016.

The proximity to Karuah Nature Reserve (1.5km south) and known biodiversity corridors further elevates the project's risk to local flora and fauna, especially given the frequency of blasting and dust.

### **5.3 Inaccurate reports based on drought conditions**

Notably, the original biodiversity and ecological fieldwork appears to have been conducted during or shortly after the height of a declared drought that affected the Hunter Valley from mid-2017 through at least late 2019 (see BDAR – appendix F). Nearly 100% of the State, including Stroud and Booral, was classified under drought conditions.

Prolonged drought conditions significantly reduce native vegetation cover, alter species activity patterns, and suppress flora and fauna presence. Many native species go into survival mode or relocate during drought periods, meaning surveys at this time are likely to underrepresent actual biodiversity levels.

Vegetation that appeared sparse or degraded during this period may have recovered through natural regeneration, leading to a mischaracterisation of current habitat quality. Without new field studies conducted post-drought, reliance on outdated assessments risks inaccurately informing the environmental impacts of the quarry. The site is also near Karuah Nature Reserve and biodiversity corridors, where blasting and quarry operations could have far-reaching consequences for interconnected ecosystems.

### **5.4 Threatened Species**

Five threatened species are detected within the subject land per the BDAR (Appendix F). These are the Little Lorrieket, Varied Sittella, Eastern False Pipistrelle, Squirrel Glider and the Koala. The Koala is listed as endangered under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), with 10.59ha of 'suitable Koala habitat being removed as part of the development (pg 314). Also, under the Act, scrub turpentine is recorded as being on the project site (page 96). It is noted that it is likely that the Grey-headed Flying Fox and the Sooty Owl are listed as vulnerable under the EPBC Act and are 'likely present' or 'assumed to be present' in the same 10.59ha of land as the Koala.

Important habitat features for fauna species within the subject land include forest vegetation, aquatic habitat and habitat trees containing hollows. There are 11 threatened species listed on page 5 of the BDAR that will have their habitat removed by removing the native vegetation.

As stated in 5.3 above, the field surveys and photographs in the BDAR were taken in 2018 at the height of the drought in the project area. Other field surveys were taken in 2015-2016, before the developer purchased the land while Hillview was being run as a primary production business. There is a need for a more current and up-to-date report to be undertaken due to the changes mentioned in 5.2 and 5.3 above and the original report revised if required.

## 5.5 Climate Impact Ignored

While the proponent claims the site's topography offers "carbon savings" through shallow extraction, there is no broader accounting of carbon emissions from diesel-powered equipment, haulage vehicles, or vegetation clearing. The omission of a Climate Impact Statement is a critical shortfall for a project spanning three decades.

## 6. Legislative Conflicts and Compliance Failures

The Hillview Quarry proposal does not adequately comply with several key environmental and planning statutes, as detailed below:

### 6.1 *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)*

- The BDAR and ecological assessments are incomplete.
- Potential impacts on matters of national environmental significance (MNES) remain unaddressed.
- Long-term biodiversity degradation through clearing and blasting contravenes the EPBC's objective to promote ecologically sustainable development (s3-3A).

### 6.2 *Protection of the Environment Operations Act 1997 (PoEO Act)*

- Hillview is not in line with the objects of s 3 of the PoEA Act which is: *'to protect, restore and enhance the quality of the environment in New South Wales, having regard to the need to maintain ecologically sustainable development', 'to provide increased opportunities for public involvement and participation in environment protection', 'to ensure that the community has access to relevant and meaningful information about pollution' and 'to reduce risks to human health and prevent the degradation of the environment'*.
- Air quality, noise, and water risks are acknowledged but not mitigated with enforceable detail.
- Environment Protection Licences (EPLs) are mentioned as "to be obtained," indicating that environmental risk remains unassessed at this stage.

### 6.3 *Biodiversity Conservation Act 2016 (BC Act)*

- The removal of native vegetation without an established offset strategy or biodiversity impact review contradicts the BC Act's purpose of protecting biodiversity and ecosystem health.

- Hillview is in breach of the purposes of the BC Act. Purposes include *'to support conservation and threat abatement action to slow the rate of biodiversity loss and conserve threatened species and ecological communities in nature'* (s1.3(h)) and *'to establish a framework, reflecting the avoid, minimise and offset hierarchy, to avoid, minimise and offset the impacts of proposed development and land use change on biodiversity'* (s1.3(k)).

#### **6.4 Water Management Act 2000 (WM Act)**

- The WM Act provides for the sustainable and integrated management of the water sources for the State and for the benefit of BOTH present and future generations (s 3).
- The WM Act's object includes: (s 3(a)) to apply the principles of ecologically sustainable development, and (s 3(b)) to protect, enhance and restore water sources, their associated ecosystems, ecological processes and biological diversity and their water quality. Hillview does not comply with either of these objects of the WM Act.
- The project could interfere with groundwater, requiring an aquifer interference approval under Section 91 of the Act, yet this is uncertain.
- Downstream impacts on Double Creek and Karuah River remain unquantified.

#### **6.5 Roads Act 1993**

- The author could not find any s 138 approval has been presented for Maytoms Lane and Bucketts Way upgrades.
- No traffic or safety assessment has been conducted during known high-risk periods (i.e. school holidays, public holidays), as required to uphold the Act's principles of safe, regulated road use.

#### **6.6 State Environmental Planning Policy (Resources and Energy) 2021**

- The proposal is incompatible with surrounding rural uses (s 2.17).
- Biodiversity and water impacts are yet to be assessed (s 2.20).
- No meaningful traffic analysis has been undertaken for cumulative truck volumes (s 2.22).

#### **6.7 Great Lakes Local Environmental Plan 2014 (RU2 Zoning)**

The zone's objectives include maintaining rural landscape character and enabling sustainable primary production. A large-scale quarry operation for 30 years is fundamentally inconsistent with these objectives and introduces industrial activity incompatible with small-scale agriculture, tourism, and rural living.

## 6.8 Policy Misalignment with National Material Efficiency Goals

Infrastructure Australia's 2022 *Infrastructure Market Capacity Report*<sup>12</sup> states on page 85 that around 27% of road construction materials can be replaced with recycled products, equating to 52 million tonnes of diverted resource demand. Yet, this quarry proposal does not mention recycling or circular economy alignment, instead relying on virgin extraction, contradicting state and federal strategic priorities. This undermines government commitments to reduce reliance on virgin materials and improve material supply sustainability.

## 7. Key Omissions and Concerns in the Social Impact Assessment

### 7.1 Social Licence and Community Engagement - Token Consultation

While two "drop-in" sessions were reportedly held in May 2023, there is no evidence of genuine community inclusion or response to local objections. The Project's EIS states at 6.12.1 (pg 94) 'the majority of participants expressed opposition to the Project'.

There is no evidence that community concerns have led to substantive project changes or influenced the proposal's scope or design. This lack of follow-up consultation or transparent issue-tracking process has been shared with residents. This undermines public trust and fails to meet best practice standards under the *Undertaking Engagement Guidelines for State Significant Projects (2024)*.<sup>13</sup>

### 7.2 Changing population numbers

From 2016 to 2021, there has been an increase of 319 residents in the town of Stroud alone, per the ABS Census data. Several recent housing developments have had new residents build and move to Stroud over the last two years. This has all occurred after the Hillview proposal was made, and there should be a new round of community engagement that considers the area's changing demographic.

The Mitigation Measures Table (appendix E) also states that the developer "may" extend consultation to 'other parts of the community'. And "may" consider the establishment of a 'Community Consultative Committee' as a way for regular, formal engagement. Using "may" in

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<sup>12</sup> Australian Government Infrastructure Australia, '2022 Infrastructure Market Capacity Report' (14 December 2022) <[https://www.infrastructureaustralia.gov.au/sites/default/files/2024-08/2022\\_IA\\_Market-Capacity-Report\\_4.0.pdf](https://www.infrastructureaustralia.gov.au/sites/default/files/2024-08/2022_IA_Market-Capacity-Report_4.0.pdf)>

<sup>13</sup> NSW Government, 'Undertaking Engagement Guidelines for State Significant Projects' (March 2024) <<https://www.planning.nsw.gov.au/sites/default/files/2023-03/undertaking-engagement-guidelines-for-ssp.pdf>>

this table leaves both as only an option for the developer with no obligation to comply. The correct wording in this clause should have been “must”.

### **7.3 Exclusion of Key Communities from Social Impact Modelling**

The SIA fails to include the towns and localities of Weismantels, Wards River, Craven, Stratford, Gloucester, Stroud Road, Nooroo and Stroud Hill in its population and social impact modelling. These communities are situated along The Bucketts Way and are directly affected by the proposed quarry operations. Their omission from the assessment neglects the potential social and economic impacts on these populations, including increased traffic, noise, and environmental degradation.

As mentioned in section 4.1 above, the oyster farmers also are a community cohort that should have been consulted with in prior engagement but were not.

### **7.4 Diminished Rural Amenity**

This quarry represents an industrialisation of a rural lifestyle zone, encroaching on the quiet character and natural beauty of the Booral-Stroud region. Long-term residents, small-scale farmers, and local tourism operators face degradation of their living conditions and business viability with no meaningful benefit in return.

The elements of social impacts were incorporated into *Gloucester Resources Limited v Minister of Planning*<sup>14</sup>, where Justice Preston stated...

*‘the project will have a significant negative social impact on people’s way of life; community; access to and use of infrastructure, services and facilities, health and wellbeing, surroundings and fears and aspirations.’*

### **7.5 Intergenerational Equity**

The Hillview proposal states that there will be newly created jobs for qualified residents, and this economic benefit would accrue to the current generation. However, future generations will bear the environmental, agricultural and heritage costs. The land on which Hillview sits is highly productive agricultural land, and losing this in a ‘cost of living’ crisis with uncertainty surrounding climate and food security will have a lasting impact beyond the life of this quarry.

This project violates the principles of intergenerational equity. Again, from Justice Preston in *Gloucester Resources Limited v Minister of Planning* ‘the Project will cause distributive inequity, both within the current generation and between the current and future generations’.

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<sup>14</sup> *Gloucester Resources Limited v Minister of Planning* [2019] NSWLEC 7.

## 8. Conclusion

The Hillview Hard Rock Quarry proposal, as it currently stands, presents a range of serious and unacceptable risks to our region's infrastructure, environment, public health, and community amenities. The inadequacy of traffic planning, the failure to address cumulative impacts, and the apparent conflicts with environmental legislation reflect a proposal that is neither fit for purpose nor compatible with the long-term sustainability of the Mid Coast region.

This submission has detailed critical deficiencies across road safety, air and water quality, biodiversity protection, and social impact, raising significant questions about the project's viability and compliance. The lack of up-to-date and contextually accurate data, particularly about biodiversity, water management, and population growth, undermines the integrity of the assessments and obscures the real and lasting impacts this quarry would impose on local residents, emergency services, ecosystems, and primary industries. Advitech's report (Appendix H) lists the incorrect project location and incorrect product to be quarried when compared to the Project's EIS and should be removed from the submission.

Given the irreversible nature of the proposed 30-year operation, the scale of vegetation loss, the health hazards from silica-rich dust, and the vulnerability of vital water systems, including the Karuah River, it is clear that this project should **not proceed**. Its approval would breach statutory environmental protections and disregard the lived experience, expertise, and welfare of the community it purports to benefit.

I respectfully urge the Department to reject the Hillview Quarry proposal in its current form. Should the proposal proceed to further stages, it must be subject to rigorous, independent review, full community re-engagement, and transparent public accountability.

The risks are too great, the benefits too narrow, and the legacy too destructive.