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12 May 2016

The Director
Resource Assessments
Department of Planning
GPO Box 39
Sydney NSW 2001

Via Electronic Lodgement

EIS SSD 15-7090 Gunlake Quarry, 715 Brayton Rd, Marulan NSW Haulage Routes

Introduction

We are making this submission in respect of the above proposal. Our direct interest relates to the Proposal contained in the EIS for a significant expansion of the haulage route along Brayton Road and specifically along Bypass Road and Red Hills Road onto the Hume Highway, Marulan.

The Company's property adjoins the Bypass Road and Red Hills Road to bypass Marulan. The company is the owner of land covered by Lot 11 DP 700290, Lots 22/23 DP 70053 and Lot1 DP 834993. This submission only relates to the proposed significant expansion of haulage vehicles along this route. We do not comment on other aspects of the EIS.

I am sure the Department will appreciate that the EIS is hundreds of pages long with the many attachments, much of it is technical and really beyond the scope of other than experts practicing in those areas. For this reason, our comments are generalised and based on our experience of some 25 years in Marulan. We trust the Department with the required expertise will very carefully consider our concerns.

Principles of the Submission

The applicant is proposing a long term increase in truck movements along Brayton Rd and the Bypass Rd from 164 truck movements per day to a **maximum of 690 truck movements per day**, an average of 440 movements per day. This is the so called Option 1 in the EIS.

Option 1 is extreme commercial opportunism; the only beneficiary would be the shareholders of Gunlake. Those of us with properties adjoining, or in the vicinity of

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the haulage route, are expected to suffer significant disadvantage as detailed in this submission.

As a general principle, we do not oppose appropriate economic development provided the general community benefits and this does not adversely impact particularly on land owners, members of the local community or the environment. Their (our) rights must also be considered and fully protected.

The Option 1 fails to meet any measure of benefit to local land owners and other community residents and is significantly detrimental.

Objection Summary

We submit that the proposed Option 1 haulage route increase should NEVER be approved.

Whilst preferring a rail option as a long term solution, Option 4 (or a variation thereof) would be the only supported proposal. The EIS does not show that any serious financial analysis has been done on that option nor have significant other potential benefits been addressed including, considerably less community impact now and into the future, reduce the likelihood of significant present and future compensation claims from residents, road safety, and the significant economic and social benefits of a private dedicated road controlled by Gunlake.

The Department, in conjunction with Goulburn Mulwaree Council, should consider a LONG TERM WHOLE OF MARUAN Transport strategy to accommodate current and anticipated future development.

The existing Bypass Road / Red Hills Road route was never intended to be expanded beyond the initial scope approval. All the discussions at the time, as well as the visitation by the Land and Environment Court, only considered the limited scope use of these roads. The Department will be aware that a number of submission against this now Bypass Road were made at that time and many of the adverse anticipated consequences have been realised. Clearly this proposal is scope increase by stealth.

Option 1 creates a truck 'super-highway' paralleling the existing Hume Highway effectively establishing another noise corridor, an extremely dangerous and potentially fatal road; significantly adverse social consequences, will further destroy property values, the rural ambience, and the rightful 'peaceful enjoyment' of owners / residents in the adjoining properties and general vicinity.

Under no circumstances can this be allowed to happen. There are no positives only negatives from Option 1.

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If Gunlake Quarry wishes to expand then they should not be allowed to use the Bypass Road route but be required to construct a dedicated haulage road as envisaged in Option 4.

Reasons for the objection

- Decline in property values
Although currently rural, the adjoining areas lands are populated and become more so over time. Certain parts of our adjoining land, whilst currently not inhabited, have separate titles and, subject to council building approval, can be residential. All property owners deserve the right to future development or sale of their investments. Any development must address these current and future rights and should potentially enhance, not destroy the value of others.

A truck super highway as proposed is virtually certain to damage immediate and surrounding property values, immediately and into the future, for the various reasons detailed in this submission. This seems to be totally ignored in the EIS. This permanent destruction of the area must not be allowed to happen.

The noise levels alone will decimate current property values. Please ask – would you like the massive roar of trucks past your house 24 hours a day? Of course not.

The EIS recommends as the only capital cost the construction of an acceleration lane on the Hume Highway from Red Hills Road. The direct impact of this is to have heavy laden speeding trucks and cars (80+ km/h) directly in from of our property main access. Our entrance therefore becomes totally unusable as the risks of entry from the Hume Highway and exit back onto Red Hills Road (which would involve crossing the road in the face of massive lethal projectiles) are far too high. This has been totally ignored in the EIS.

For all these reasons, the Department, in looking at the EIS options, and the proponent is put on notice that there could be potentially significant compensation claims from directly impacting land owners should Option 1 be approved.

The EIS fails to address these issues with generalised comments about community benefits. It is submitted that these negative impacts could run into many millions of dollars and must be taken into account.

- Road Safety
The proposal has a projected total traffic increase 71%, heavy truck increase 125% (source table 10.4)

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Bypass and Red Hills Road are totally inadequate for even the current traffic volumes let alone any increase.

- A new and major access acceleration lane onto the freeway heading north from Red Hills Road (towards Sydney) with further accident potential (there is already an access from the heavy vehicle checking station north of Marulan). Trucks should use the already specially constructed exit / entry overpass at the Marulan South location.

The roads are regularly potholed, frequent road kill, speeding trucks, heavy fog, no lighting, east & west sun glare, the movement of livestock and slow moving farm machinery are examples. Trucks also throw up loose gravel from the road causing windscreen damage and likely accidents for other road users.

The intersections of Brayton Road and Red Hills Road already have very limited visibility and dangerous (not to mention chopped up) for other road users for joining / turning in any direction from those roads. In passing it is noted that the right hand turn into Bypass Road from Marulan was supposed to prevent heavy vehicles bypassing the truck checking station, despite the RMS axle devise this still happens (a truck only has to enter on the wrong side of the road to get around).

The right angle intersection between Bypass Road and Red Hills Road is extremely dangerous already with limited visibility for road users turning from Red Hills Road both right into Bypass Road and left into the continuation of Red Hills Road, 80 to 100kph trucks against a slow turning vehicle a frightening experience.

For around 6 months of the year the risk of fog overnight is high. This also seems to have been ignored by the EIS. The risk of driving heavy vehicles through thick fog is a disaster waiting to happen. It is questionable if this would compromise any reasonable WHS standard and put the lives of truck drivers and other road users at high risk. This road is already dangerous enough and adding additional traffic for 24 hours a day is irresponsible if not negligent.

The road heads west/east, in the evenings / mornings at certain times of the year the sun is directly in the drivers face another recipe for disaster.

This is a very high kangaroo area of 'plague' proportions. Wombats are also very common and there are feral animals in the area. The chances of hitting a kangaroo, wombat or other animal are very high, particularly from early evening, overnight and at dawn, with the potential for very serious accidents.

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Any accident or incident such as a breakdown is catastrophic on this stretch of road. These roads are totally inadequate for heavy vehicles, there are no breakdown lanes, in key sections such as the Bypass Road hills there is no ability to move to the side of the road. Traffic blockage, potential further accidents and total inconvenience is highly likely.

These considerations and potential very high risks seem to have been totally ignored in the EIS,

- **Wild Life & Road Kill**

This is an area of very high kangaroo populations. Wombats are also very common. Less common but present are echidnas, snakes and other protected as well as feral animals. Quite aside from safety, if we have any concern for the welfare of our native animals the proposal totally fails that measure.

- **Noise**

There already is a freeway, the Hume Highway, running parallel to the Bypass and Red Hills Road. The noise echoing off the concrete surface can be heard kilometres away. Trucks on the hills along those haulage roads (going both ways) add to the total noise volumes. As residents only some 800m back one would think we were living under an airport flight path. The freeway is already 24 hours a day, the haulage trucks significantly add to the noise level. The EIS did not measure volumes on properties adjacent to the hills along the bypass roads nor from our house which appears approximately 100 metres short of their 'transport corridor measurement' cut-off. One could be excused for concluding this is most convenient to reach a certain conclusion?

Apparently the Bypass Road hills are the steepest of any similar haulage hills in NSW. Trucks struggle up the excessively steep incline emitting ear numbing noise to anyone in the vicinity. This is totally unacceptable.

If these noise measurements had been made properly it is submitted that Option 1 would have been ruled out immediately.

As noted earlier, whilst certain parts of the adjoining lands are currently not inhabited, they are separate titles, and subject to council building approval, will most likely be future residential blocks. Noise measurements across these areas are therefore most relevant.

- **Pollution**

- Visual, dust, diesel exhaust, rubbish pollution, road kill resulting from a large number of truck movements pervades the area.
- Despite the law, signs and codes of driver conduct, the sides of the roads are littered with rubbish. Additional clean up levies should already be applied to regularly clean up the unacceptable mess.

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- Trucks are inherently dangerous, generate dust and exhaust diesel in the area contributing further to local pollution. There is also regular road kill on this section of road.
- There is continuing potential for trucks to by-pass the Heavy Vehicle Checking Station; despite the RMS checks, this still occurs.
- Other heavy vehicles, cars and light trucks also use this road e.g. from the existing Readymix quarry, Big Hill area, illegals from Marulan etc. thereby significantly increasing heavy vehicle truck and other vehicle flows. In addition to the adverse consequences set out earlier, these heavy vehicles can, and in fact do, also use the Red Hills Road / Wollumbi Road to the annoyance and detriment of residents along that section. This use of Red Hills Road via the Wollumbi exit generates extra traffic, danger, noise, dust, rubbish and road degradation on that stretch of road. The EIS does not address these adverse consequences.
- Failure of the EIS to Address Major Issues
 - The only conclusion is that the EIS as presented cannot be relied on with any level of confidence. The Department needs to undertake a comprehensive mapping of all the Environmental Assessment Requirements and ensure that they have been fully addressed and not in the apparent superficial manner as presented. Some of the shortcomings include:
 - Complete failure to address 'social' issues - impacts on other landowners and protection of their interests and the broader community interests.
 - Very superficial safety assessment.
 - Failure to take relevant noise readings
 - Failure to address visual, dust and rubbish pollution along the route
 - Failure to address access to our property (and potentially other property owners along the route.
 - Failure to properly provide any substantive, properly fully costed, auditable analysis of the proposals especially options 1 and 4. This must include a comprehensive estimate of the significant 'social' costs particularly of Option 1 and the potential long term 'social' and direct benefits of Option 4.
- **Potential Superiority of Option 4 (or a variation thereof)**

Haulage route Option 4 has not been given sufficient analysis in the EIS.

“Construct a new southern haulage route (7 km long including bridge) to link with the Hume Highway access at South Marulan Road, part of the route of which would travel via Holcim (Australia) owned land, south of the Lynwood quarry, including a new two lane road bridge crossing the main southern railway line”

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It seems that the consultants have dismissed the option on the basis of the upfront capital cost and the disturbance of presently undisturbed land. There could be a long term, financial advantage to Gunlake to use this route. The possible problems created by a new route through undisturbed lands are significantly offset by the advantages of removing quarry trucks from Brayton Road, the Bypass Road and the village of Marulan. The potential 'social' benefits and economies of having a private dedicated haulage route make this option a compelling and acceptable long term solution.

Whilst the impacts caused by the existing route are being 'managed as well as is possible' for that route, the residents are very unhappy with it, but tolerate it as there hasn't been an alternative, until now. The existing impacts will accelerate with the increased volume of truck movements and will be 24 hours per day 6 days per week.

Benefits of Option 4 should be thoroughly analyzed and include:

- Control – dedicated to Gunlake, no other users.
- Lower maintenance costs
- No S94 contributions
- No need or trucks to double back from the Marulan South exit to a sharp left turn onto Red Hills Road and all the way back the Gunlake Quarry.
- 'Community and social' benefits, no longer having to address daily concerns of residents
- A long term solution, removing resident dissatisfaction and significantly not destroying permanently the property values and rural nature along the route.
- Safety
- Environmental benefits across, noise, visual and dust pollution to residents, no rubbish at least in public areas, benefits for all concerned.

Gunlake will be in total control of this corridor no other users.

Considerations in the Event the Minister Considers Approving any Development Application associated with this EIS should there be ANY impact on local residents and land owners

- Compensation clauses
 - These are already built into certain quarry approvals and must be mandated for all future approvals. Provision for full compensation for any loss in land values (current and potential) of adjoining or nearby properties as a consequence of the proposed development
- Trees

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- Trucks are unsightly and noisy. Any approval must allow for barrier trees to be planted by, and at the option of the landowner, along the entire road length adjoining their property. The planting can be advised by the GMC arborist or an independent expert to ensure maximum visual and noise protection. A minimum of a 10 metre corridor on each side of the road with tree plantings (optimum species to be taken on advice) to dampen road noise, dust suppression and visual pollution
- Fences
 - As a rural area, fencing is essential on all road boundaries. Allowance must be made to fund initial fencing to an appropriate agriculture standard (cattle & sheep). Gateway (safe and recessed) access to properties along the route. Damage to fencing as a direct result of use by haulage vehicles (e.g. accidents) must be repaired immediately at the Operators cost.
- Rubbish Levy
 - Brayton, Bypass and Red Hills Road are littered with rubbish resulting from the additional traffic. A clean up levy should be added to the S94 contribution to council to periodically clean the mess thrown out by irresponsible drivers. Additionally, this levy could also cover road kill.
- Speed limits
 - The roads are currently designated as 100kph speed limit roads; trucks being legally limited to 100kph. There is a voluntary Gunlake code requiring their contract drives to not exceed 80kph. This will not prevent other (legal & illegal) trucks from exceeding this limit. ALL trucks of the relevant type for heavy haulage, whether full or empty, must be limited to 70kph with legal enforcement including 24 hour speed cameras along the route.
- Noise abatement
 - A 100% ban on air breaking
 - Speed limits
 - A predetermined tolerable noise level limit should be set (acceptably low) and monitored remotely by the appropriate authority. Penalties and rectification provisions are to be included in any approval granted
- Daylight only movement of trucks
- A 100% ban on any truck movements on Sundays (and preferably also Saturdays)
- A commitment by the road owner (RMS or Council) to ensure the regular maintenance of the road, heavy vehicles destroy public roads at a very fast rate.

A Final Note:

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The population of Marulan has tripled in the 25 years we have owned property in the area and in the foreseeable future there may be many applications for further subdivisions in this growing region. The presence of the quarries may provide an economic benefit to the community but this should not be at a future cost to the amenity of the surrounding rural and residential landscape when a perfectly satisfactory alternative to this proposal is available. Holcim seems to have expanded its output sympathetically with the Marulan community and so too should Gunlake rather than presenting this one-sided, cost cutting proposal that not only quadruples local heavy vehicle traffic, but also substantially increases the impact on the already stretched Hume Highway. The best option would be to insist on the use of train haulage to Sydney. Or at the very least a direct dedicated private road to the existing South Marulan overpass (Option 4 or a variation thereof).

END OF SUBMISSION