

Gary Boland
9 Moore Road
BOLWARRA HEIGHTS, NSW 2320
Mobile 0408 651022
Email kgboland@optusnet.com.au

Date: November 2016

Attention: **To whom it may concern**

REGARDING MARTINS CREEK PROJECT - SSD 14 6612

My name is Gary Boland, residing in Moore Road, Bolwarra Heights, 2320, and wish to submit an extreme objection to the "proposed extension" of existing operations at the above mentioned quarry.

Already we are encumbered with excessive truck traffic on our local roads, the one affecting us most is "Tocal Road" and it is often difficult and challenging to turn into and get out of our street. For residents living on the street the noise must be unbearable.

The proposed project challenges of 30 truck movements per hour must affect all residents that live in this area and the increased noise from early and later operating hours is not clearly articulated in the EIS.

This truck traffic is driving through urban communities. The existing level of noise and amenity is very concerning; any increase would be totally unacceptable. ¹ I strongly OBJECT to the proposed Project.

My suggestion would be transport by rail, a corridor available, though probably poorly used.

Key community issues (a review of Nov 2016 Paterson Newsletter)

- Loading and transporting 5.30am – 7.00pm is totally unacceptable and at 80 truck movement per year. Has any assessment by the company been made regarding transportation by rail and removing trucks from highway?
- The CLEAR MAJORITY COMMUNITY OBJECT TO THIS PROPOSED PROJECT, which is likely resulting in many submissions, anger at community meetings and NO support from the local community.

¹ ***Note that Italics Bold are the key complaints and comments by G BOLAND on the Project***

1. DGR Requirements

- General Requirements
- an assessment of the likely impacts of the development on the environment, focussing on the specific issues identified below, including:
 - a description of the existing environment likely to be affected by the development, using sufficient baseline data;
 - an assessment of the likely impacts of all stages of the development, including any **cumulative impacts**, taking into consideration any relevant laws, environmental planning instruments, guidelines, policies, plans and industry codes of practice;
 - a description of the measures that would be implemented to **mitigate** and/or offset the likely impacts of the development, and an assessment of:
 - o whether these measures are consistent with industry best
- Traffic & Transport – including:
 - accurate predictions of the road traffic generated by the construction and operation of the development, including a description of the types of vehicles likely to be used for transportation of quarry products, the public roads in the Dungog Shire, Maitland City and Port Stephens LGAs likely to be so used and the times during which those roads would be so used;
 - a detailed assessment of potential traffic impacts on the capacity, condition, safety and efficiency of the **local** and State road network (as identified above), having regard to the requirements of the RMS, Dungog Shire, Maitland City and Port Stephens Councils (see Attachment 2);
 - a detailed assessment of the existing railway siding facility at the site as an alternative transport option for delivering quarry products and avoiding potential impacts associated with road delivery; and
 - a detailed description of the measures or works (including concept plans) that would be used and/or implemented to upgrade, maintain and improve the capacity, efficiency and **safety** of the road network used by the development.

2. Main EIS Document

1.Introduction

The Applicant is aware that there are a number of circumstances where the current quarry operations and the associated transport operations impact on the surrounding community. The project, including the proposed extension to the quarry, has been designed to address as many of these as is reasonably possible by including the following:²

It should be noted that there is no mention of mitigation of general community road use, hours of work, noise amenity in the new project application, when the existing Project already has the community extremely concerned.

Option 2: Extending existing consent: It is noted the Project see this as an option would not provide for the extraction of the entire resource available within the lease areas and would therefore not deliver the additional social and economic benefits associated with the extending the quarrying area.

There are no “additional” social benefits, the new proposed Project delivers to the residents of Bolwarra.

The Project sees:

KEY BENEFITS OF THE PROPOSAL

The benefits of the proposal include:

- Regularising and updating the environmental management controls that apply to existing quarry operations;
- Consolidating existing development rights for the quarry in a single instrument and ensuring consistency with the environment protection licence for the premises;
- Use of existing infrastructure at the quarry site to facilitate the proposed extension;
- Modification to the current access arrangements and operations that will reduce environmental impacts;
- Enabling further extraction of a significant resource as part of the proposed extension; and
- Direct and indirect economic benefits for the locality, region and the State.

² The text not bold is direct references from EIS on the Department of Planning website, made by the Project in the Projects application

The key 3 highest complaints from the community and likely regulators complaints, regarding this project were:

- Air quality and dust
- Traffic
- Noise

As an effected community stakeholder NONE of the justifications of the Project address ANY of the key complaints to the proposed expanded project by the community, certainly not the top three.

The existing operation is concerning enough; there is NO JUSTIFICATION in the executive summaries that seem to have addressed ANY SOCIAL ISSUES OR COMPLAINTS or the 3 core complaints with the Project.

PROPOSED	JUSTIFICATION
Stockpiling, loading and dispatch of road transport to 5:30am - 7pm (Monday to Saturday), up to a peak rate of 40 laden outbound trucks per hour in the mornings, and a maximum 215 laden trucks leaving the site per day.	To deliver critical product to construction sites or tertiary production plants throughout the region. Also to allow early loading and late return of parked trucks.

Again the Project fails to heed the concern of the 3 core concerns of the effected community on the Project. There is no justification or mitigation of the 3 key social complaints expressed by the community and recorded in the EIS.

4.Alternatives

Use of rail instead of road:

Current Operations:

The quarry is connected to the Main North Coast railway line and there is direct access by rail from the quarry to the Australian Rail and Track Corporation (ARTC) Control Centre at Broadmeadow. The quarry currently supplies railway ballast on the rail network and around 10% of the quarry's output is supplied by rail.

Though there is a cost, the option of increasing rail transport is not clearly defined against the "social benefits" in this section. ?

Why is the rail corridor not fully explored? It was a requirement of the DGR's.

The Project and SIOA deem:

The NSW ... The Martins Creek Heavy Vehicle Route and Market Assessment demonstrates that civil construction sites, including those associated with State and local government projects, rail, and mining projects **rely** on product deliveries in the early hours of the morning for efficient work schedules.

If the Martins Creek Quarry can deliver materials to construction sites by the time construction commences (usually regulated by a condition of consent specifying 6 or 7am), costs and delays in delivery can be minimised.

Alternate transport routes have also been considered in the Martins Creek Heavy Vehicle Route and Market Assessment. That assessment includes details on the split of market demand for the quarry product and the limited route options available. The routes outlined in the Traffic and Access Assessment at Part 8 of this EIS are considered the most efficient way for the quarry to meet market demand. Likely environmental impacts along these routes are addressed elsewhere in this EIS.

For these reasons the proposed hours of operation listed above and the preferred transport routes and road network identified are considered the preferable alternatives.

There seems to be NO local community benefits of increasing dust, noise and traffic? Nor is there any amenity proposed so far by the Project in the EIS main text?

There is no discussion on increased traffic and noise in the EIS main text?

The Martins Creek Quarry Business and Extraction Report attached at Appendix B contains a detailed description of the conditions that are necessary to make rail haulage a viable alternative to road haulage.

As discussed above, this Report demonstrates that road haulage, and the proposed extended hours of operation, are considered preferable options given the particular nature of the markets which the quarry services.

These may be the preferred Project options but do they adequately mitigate the increased social impacts, and deal with the communities three core concerns, dust, noise and traffic.

Nor is there “an actual economic of social cost benefit to Bolwarra” Only more trucks movements, more noise more disruption to residents.

There is really no benefit of this Project other to those working in the Project. Which is NOT MANY given the total of impacted residents?

5. Project Description:

As referred to previously, the existing development consents are outdated and do not provide specific parameters for the operation of the quarry. The hours of operation are currently regulated by the environment protection licence.

It is proposed that the hours of operation at the quarry be amended to create efficiencies and provide flexibility in the production chain.

What does the Project currently have consent and approval to regarding noise and traffic and hours of work? The EIS states no DA, but only an EPA acceptance?

It should be noted that EPL requirements have not been significantly altered since the Applicant took over the operation of the quarry and the general activities described in this EIS largely reflect the current EPL conditions. Should consent be granted, an application to revise the EPL may be necessary to ensure it is 'substantially consistent with the consent' under section 89K of the EP&A Act.

Is this legal?

6. Statutory and Planning Context:

The proposed regularisation of current operations at the quarry will ensure that the quarry, that has been part of the fabric of the local community and environment for the past century, is managed so as to limit the impact on the local environment to the greatest extent practicable.

This EIS shows that the existing and expanded quarry operations can be undertaken in a sustainable manner and should be considered in the public interest.

The expansion is also considered to be an orderly and economic use of the development site, given the proximity to the existing operations.

It seems unlikely this will be the case give the amount of "local" and "community" complaints regarding the existing and in particular the proposed "no change ?" extended Project. More trucks more noise, dust, traffic and negative social amenity/

The *significant public benefits* of the proposal are addressed in the Social and Economic Impact Assessment (Refer Appendix O), in particular the likely contribution to the regional and State economies and infrastructure projects.

The proposal is considered to have similar impacts as current operations as the rate of laden truck movements per hour from the quarry will remain as per current numbers and blasting at the quarry is proposed to remain at the levels regulated under the existing EPL (See Section 8 of this EIS).

It is understood road movement and hours or work will increase? This does not seem compatible with this Project statement of “similar impacts”.

Access and traffic impacts have been addressed in the Traffic Impact Assessment prepared by SECA Solution Pty Ltd (Refer Appendix H) and Section 8 of this EIS.

7. Consultation:

Key issues associated with the proposed development were identified during consultation with relevant local, State and Commonwealth Government Authorities, service providers, Aboriginal stakeholders, community groups and affected landowners. Key issues were also identified by the proponent, who has a significant history with the operations of the subject quarry, and experience with numerous other similar quarry operations.

Why is there no summary of community consultation in the EIS main text? The Project said they did consult? All the regulators are mentioned.

Mitigation

The key amendments to the project as a result of the consultation include:³

- Avoidance of Lorn;

There is no mention of Bolwarra, though it is recorded as a consultation group.

There is no dust, noise and traffic mitigation proposed for the residents of Bolwarra.

The Project avoids Lorn, to the detriment of East Maitland residents.

Where is there any benefit to the residents along the route of the 80 truck movements per day?

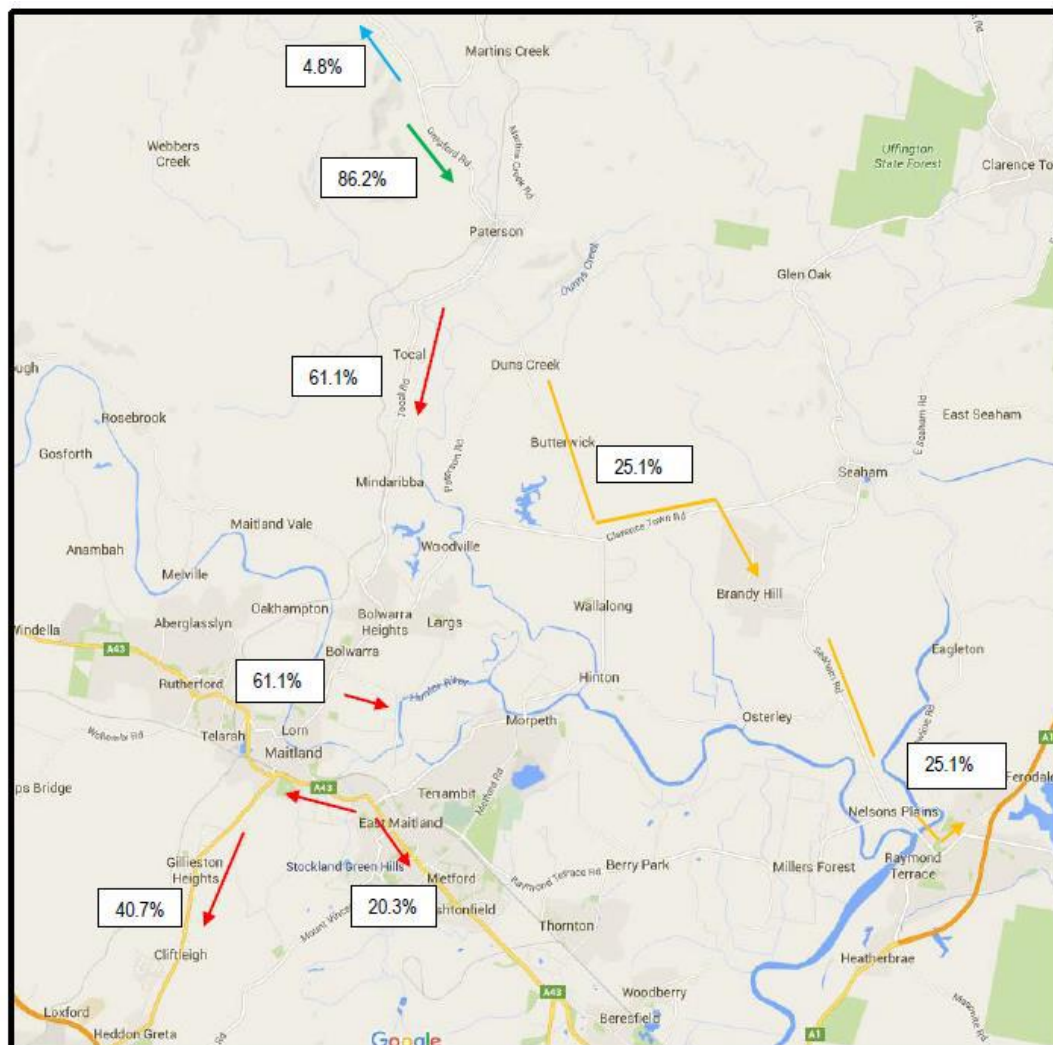
What is the mitigation to those residents?

³ Page 75 of EIS main text

8. Environmental Assessment

Traffic

A Pavement Condition Survey Assessment (Pavement Condition Assessment) was prepared by Qualtest Laboratory (NSW) Pty Ltd for road sections in Martins Creek, Vacy, Paterson and Largs which form part of the road network travelled by haul trucks from Martins Creek Quarry (Appendix H). These surveys and subsequent mapping were prepared in accordance with the Austroads Guidelines.



The proposed routes are not through Largs but Bolwarra? Was a study made of the impacts at Bolwarra?

61% of all the traffic is proposed to go through Bolwarra Heights at an average of 103 daily one way truck moments, and at 13 trucks per hour.

Route	Percentage %	Average daily one way truck movements	Average hourly one way truck movements
Gresford Road via Paterson	86.2	145	18-19
Route via Flat Road	61.1	103	13
West along New England Highway towards Hunter Expressway	40.7	69	8-9
East along New England Highway from Melbourne Street	20.3	34	4-5
Route via Brandy Hill	25.1	42	5-6
Route north	4.8	8	1

Figure 18 (above) shows one way truck movements only and a corresponding inbound truck movement would be expected per loaded truck leaving the site. The TIA notes that inbound truck movements can be more than the outbound numbers due to drivers arriving early on site and as described above, additional infrequent deliveries related to the processing of materials on the site.

Does this mean 61% of all the traffic is proposed to go through Bolwarra?

This table highlights at an average of 206 daily truck moments, and at 26 trucks per hour with too and from traffic. That basically a truck every 2 minutes!!!

The TIA identifies that outside of morning and afternoon peak hours, there is significant spare capacity in the existing road network which can cater for additional traffic demands without creating issues.

It is noted that the current speed limit on Tocal Road through Bolwarra Heights is 60kmph and the Engineering Report notes that the Roads and Maritime Services has previously declined a request made by Maitland City Council for the speed limit to be lowered. Heavy vehicles from Martins Creek Quarry nevertheless adhere to a self-imposed speed limit of 40kmph through this section of Tocal Road (Refer to the Engineering Report at Appendix H), as well as the 'township' of Paterson.



Based on the data collected at the traffic count locations identified above and the proposed increased extraction rate, the TIA considers that 320 laden trucks exiting the site per day would be considered acceptable and an appropriate volume for the capacity of the existing road network and identified haul routes.

However, in response to strong community feedback, and given the current condition of the road network, it is proposed to reduce the proposed number of trucks to a maximum of 215 laden trucks leaving the site per day, with a maximum peak rate of 40 laden trucks leaving the site per hour in the mornings. The proposed number of daily outbound laden trucks is only 2/3 of the number considered acceptable in the TIA. As evidenced by the analysis in the TIA, this lower number of truck movements is well below the number considered to have acceptable impacts.

Generally the road sections in the Maitland local government area were assessed as needing the least increase in maintenance due to their current condition levels. The road sections in the Dungog local government area were assessed as likely to need the highest amount of additional funding to be maintained at their current condition.

There is no mention of noise or truck issues in Bolwarra Heights?

There is funding for maintenance for roads mentioned, but do the residents care? The residents and the community want NO MORE TRUCKS. Even given the current level there are significant concerns.

The proposed mitigation for Bolwarra Height residences that take 61% of all road transport, where the EIS has clearly not identified an effort to get them off the road and on rail. Too much money? Project not economical? Shut it down, and many many local and regional members of the community will be very happy.

These are the noted mitigation measures for the Bolwarra Heights residents:

1. Maitland City Council has identified and constructed upgrades to the alignment of Tocal Road at Bolwarra Heights to improve the delineation and have upgraded the road surface.
2. It is acknowledged that there is a proposed expansion of the Brandy Hill Quarry that may result in future increases in background traffic. There has been limited information provided with regard to the Brandy Hill quarry expansion. It is understood the current weighbridge truck counts have been provided, however proposed haulage routes, split of demand for end products, or details on any increased truck movements have not been available to inform impact assessment as part of this EIS. It is understood that any trucks from the Brandy Hill Quarry are only likely to be background traffic from Bolwarra.

Recommendations for upgrades:

3. It is noted that pavements in Bolwarra and along other parts of the haulage route have been upgraded since the monitoring was undertaken for the TIA and the assessment in the SMEC Pavement

Report. Appendix H contains correspondence from relevant local councils detailing these upgrade works. It is likely that the improvements to the infrastructure along the haul route in these locations will result in a reduction of impacts overall, including noise and pavement conditions.

Conclusions from Traffic Study:

The TIA identifies that whilst the hours of operation and the extraction rate for the quarry are proposed to increase, the peak hourly number of truck movements associated with the quarry will remain at the current peak rate of 40 laden trucks per hour outbound in the mornings. This peak rate will only ever be reached in the mornings, with the rate of truck movements dramatically falling in the afternoon.

The TIA concludes that the data collected from the relevant road networks demonstrates that these networks currently carry traffic flows well within their capacity. Because the hourly rate of truck movements will not increase as a result of the proposal, the existing road network will continue to operate within acceptable limits

Given that operating hours are increased, I suppose this means that residents should be assured that they may need to get up earlier, or be woken up, but they can go to sleep later in the evenings with the reduced noise.

Given this proposal they residents will not be able to sleep “normal hours” in the morning and all will be tired and irritable during EVERY DAY.

The good news is the Project has listened to community concerns ? :

However, in response to strong community feedback, and given the current condition of the road network, it is proposed to reduce the proposed number of trucks to a maximum of 215 laden trucks leaving the site per day, with a maximum peak rate of 40 laden trucks leaving the site per hour in the mornings. The proposed number of daily outbound laden trucks is only 2/3 of the number considered acceptable in the TIA. As evidenced by the analysis in the TIA, this lower number of truck movements is well below the number considered to have acceptable impacts.

I am not sure this is good news as the EIS is difficult to understand what the current approved and operating truck movements are?

Is the new Project better?

What we do know is this Project is this will be MUCH WORSE than existing.

Stockpiling, loading and dispatch of road transport to 5:30am - 7pm (Monday to Saturday), up to a peak rate of 40 laden outbound trucks per hour in the mornings, and a maximum 215 laden trucks leaving the site per day.

Noise:

The Acoustics Report has considered the immediately surrounding areas of Martins Creek and Vacy in respect of industrial noise impacts and road traffic noise impacts; and the townships of Paterson and Bolwarra in respect of road traffic noise impacts associated with the additional road truck movements that are proposed as part of the quarry expansion.

Haulage of materials through the townships of Paterson and Bolwarra Heights has also been identified as an issue by local residents.

Traffic noise was also surveyed along the haulage routes including Bolwarra, Paterson (Refer Appendix I).

Justification:

Social: The proposal has been demonstrated to have overall a positive social benefit for the locality, the region and the State given the economic benefits and direct and indirect employment opportunities created as a result.

There is no social or any mitigation of the noise and traffic, including the increased hours of work.

The Project is being applied for approval based wholly on benefits to the company, not any affected resident.

Conclusions:

1. The Project is being applied for approval based wholly on benefits to the company, not any affected resident.
2. The Social Impact Assessment does not even mention concern or mitigation for the residents of Bolwarra. Though the residents' concerns are duly noted, nothing is being done to mitigate these increased impacts of noise and traffic of large trucks travelling through our small residential area of Bolwarra Heights.
3. It is unclear in the EIS as to what is "existing operating conditions approved" This is concerning as we as residents are already very unhappy with the existing noise and traffic.
 - a. It is hence unclear other than that the "proposed" Project has early and later operating hours will mean?
 - b. Already the first noise that wakes us up is truck noise, and is consistent through the day.
 - c. The residents of Bolwarra Heights need to better understand the existing and proposed truck movements through a specific consultation session, prior to any PAC or approval
4. The noise and increased noise is the Bolwarra's greatest concern with the proposed project and the increased hours of work, besides amenity, puts at risk the values of our properties due to this increase environmental impact.
5. There is already significant issues getting into our street, particularly if road work along Tocal Road has halted traffic

In my view the EIS clearly does not assist or mitigate any of the issues raised.

It is also extremely difficult to understand reading this lengthy document what is the existing impact and what is the incremental change this Project will subject on the residents of Bolwarra and Bolwarra Heights.

It is clear the social impacts from noise and traffic HAVE NOT BEEN assessed to the residents of these suburbs.

I strongly object to this proposal.

Gary Boland