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Attn: Mr Howard Reid

23 Nov 2016

Dear Howard,

**Martins Creek Quarry – Environmental Impact Statement (EIS)
Proponent – Buttai Gravel Pty Ltd (Daracon)
Application No SSD-16-6612**

I am writing to you in connection with the above mentioned project which I understand to be a State Significant Project requiring a full assessment of all social, economic, environmental, community and heritage impacts arising from the proponent's proposal to increase production and distribution of product to 1.5mta. The EIS has recently been put on public exhibition and as a resident of Paterson directly impacted by this development I wish to make the following comments and object to the approval of this application in its current form.

Impacts

I and my family (spouse and 2 children, 9 & 16) moved to Paterson in 2010 and own a heritage listed property built in 1900. It is immediately adjacent (2m from our bedroom external walls), to the main haul route. Buying a property close to a road indicates we expect some impact on our lives from passing traffic. However, the proponent's un-constrained activity in 2014, again as recently as last week and now with what they are seeking consent for, will make normal life by any measure intolerable.

Specific Concerns

The proponent seeks approval to extract up to 1.5m T/annum. In 2013/14 they peaked at 1.1m T. They seek to dispatch product even earlier, from 5.30am, meaning the 5.45am wake up "alarm" from empty quarry trucks banging over the apology for a road outside our property will move to 5.15 am at the latest. I can't start a power tool before 7.00 am yet this company can (and has), run 100+ 48T trucks within 2 metres of my house before 7.00am.

They seek approval to run 80-90 trucks per hour from 5.30am (effectively 5.15 am). Unfortunately, we know what this looks like from our experience in Feb/Mar 2014 when they peaked around 60 trucks per hour. Convoys of trucks, nose to tail, up to 10 at a time. Convoys meeting in both directions. Convoys trying to negotiate school buses. Convoys passing within 1m of where my daughter catches her school bus. Convoys to be negotiated when crossing the road with my younger daughter on the way to and from school. Filthy diesel particulate matter coating every surface of our home, even with windows tightly shut. Rocks the size of rock melon landing from a truck at our gate, again where my oldest daughter stands to catch her bus. (Figure 1 inc email to daracon)

I work from home in a business which gives employment to 18 people currently. I use the telephone frequently as well as video conferencing. The noise from passing trucks on the glorified farm track outside (Figure 2) often interrupts the conversation.

If I choose to sit outside, or work in our garden, even behind the house the smell of diesel fumes during these peak periods made that at best unpleasant and at worst a health risk.

Trucks during these periods became an all-consuming topic of conversation, surely an unhealthy situation especially for our children. Add in worries re damage to our property caused by vibration (we had a 100+ year old stone retaining wall bulge prior to, and collapse in April 2015 during the floods.....it runs parallel to the road some 15m away. Impossible to prove a link to the truck traffic but not drawing a long bow to suggest there was one), and worries re the effect on the property value should we ever decide to sell, the proponent's claims if approved would have the capacity to seriously affect our physical and mental well-being.

Our general amenity was impacted. Going to the local shops, taking the kids to after school activities etc. all became a challenge. We knew of elderly friends and neighbours too intimidated to risk driving and friends with teenage children on P plates too worried to let them drive among the convoys. Daracon appear to want to be able to replicate this situation whenever they choose.

General Concerns

In summary our general concerns reflect the issues raised above:

- The proponent seeks approval for truck movements which are totally incompatible with the amenity, heritage and lifestyle of our community
- The current hours of operation are unreasonable, the proposed ones even more so.
- Daracon by their own admission, have no control over customers and non-Daracon owned trucks
- While the behaviour of their own drivers is generally exemplary, when demand peaks we see an influx of cowboys in badly driven, poorly maintained, ancient vehicles spewing diesel fumes. (I hold an HC truck licence and drive regularly for RFS among others)
- Many vehicles are "vanilla" in their markings and can only be identified from the rego plate. This makes reporting infringements to Daracon (or the authorities), difficult.
- We support the council view that Daracon have been operating outside of their current consents since Dec 2012. Nothing to date in their actions suggests intent to be good corporate citizens and co-exist with the community. David Mingay's "if you don't like it move", approach sums up their attitude.
- Previous actions and proposed actions seek "un-constrained" operation whenever there is a market opportunity
- We fear for the general welfare of our community, its people and the businesses which are its lifeblood. Paterson is a tourist destination and a gateway to the Barringtons. Many of our businesses cater to this market. Who wants to visit/stop on a haul road?
- Prior to 2014 groups of cyclists visiting the town were a common sight on weekdays. They are no more. Only someone with a death wish would brave our local roads on a bike during peak periods.

Comments on the EIS

An extensive document, full of averages which attempts to wash over or ignore any community concerns. It is in my view a two fingered salute to Paterson in particular and I would hope an ambit claim.

The main areas of deficiency relating to Paterson are:

- It uses “disputed” operations as its baseline i.e. 900k T as opposed to the approved 300k T
- It makes no mention of community amenity
- It does not adequately address the noise issue of increased truck noise in Paterson versus the approved background
- The suggestion of allowing 80-90 trucks per hour at peak periods is a rate 30-50% higher than the peak of Feb/Mar 2014 which provoked community outrage
- It does nothing to assess the vibration impact on our heritage properties
- No mention of impacts on local businesses dependent on tourism.
- It does not assess air quality on haul routes. When this issue was raised at the CCC meeting their consultant suggested “close your windows and buy an air conditioner”. It fails to mention the health implications of dust from the materials mixed with the crushed rock and then carried in loosely covered open trucks.
- It does not address truck standards. Averages hide the huge impact differences between a modern automatic Euro V truck versus a 25 year old manual Kenworth/Mack/Sterling.
- Their total contribution to the welfare of Paterson is to propose a median strip at the intersection of King St and Duke St. Apart from restricting access to King St from the south, it will remove parking from outside local businesses and do nothing to enhance the visual appeal of the town. This for example will restrict access to and from the service station, a business which employs 11 locals part time including my teenage daughter at weekends for the last 3 years. Where else would she (and other local teenagers), obtain similar employment where she can walk to work?
- It makes no provision for school bus safety, school children safety, cyclist safety or pedestrian safety.
- They have not conducted a community impact study

Requirements

Despite Daracon’s contemptuous treatment of the community since assuming the lease at MCQ we are prepared to co-exist with the quarry although in truth there would be a huge party/celebration were it to close!

As residents directly impacted by trucks only we make the following “non-ambit” claims:

- Operating hours from 7.00am-5.00pm 5 days/week. Even by their own numbers for Saturday operation it would barely be missed but would give residents and tourists a break from the early morning “truck alarm”.
- Truck numbers capped to a max of 15 loaded trucks in any hour through Paterson i.e. 30 truck movements per hour including trucks supplying material to the quarry
- Truck standards imposed allowing only low emission vehicles to access the quarry

- Driver codes to maintain the 40kph limit through the town
- The road surface from Princes St to William St is brought up to the same standard as the rebuild of Duke St in 2012/13 preferably with traffic calming measures incorporated into the design.

Given a by-pass around Paterson is unlikely due to land availability and geography, we believe the above represents an acceptable compromise from our side.

- 15 trucks/hour x 10 hours x 5 days x 48 weeks equates to 1.17m T/annum
- Removing secondary processing from the site (pug mill and asphalt plant) to a site adjacent to a major state highway (Carrington/Bloomfield Colliery for example), would allow stock piling of raw material to blend.
- This would allow total control of truck flow through the town avoiding all the issues caused by convoys, cowboys and dust.
- It would remove the bulk of the inbound traffic carrying raw material to the quarry
- It would give Daracon ready access to their main markets, even out work patterns at the quarry and allow them to achieve their commercial objective of supplying anyone anytime without destroying our community.

In conclusion

Since acquiring the lease to the quarry in Dec 2012, the proponent has done nothing to obtain a social license to operate, never mind a legitimate consent. The attitude has very much been “we have an opportunity and we’ll take it and to hell with everyone else impacted”. Co-existence requires compromise. I trust from our discussions when we met prior to the public meeting you know we wish to be constructive. We have yet to see compromise from Daracon and there is certainly no evidence of compromise in the EIS. I urge you to send this proposal back to the drawing board.

I have not made a reportable political donation

Yours sincerely,

John McNally

35 Maitland Road
Paterson
NSW 2421

References



Figure 1 My daughter then 6 with a rock witnessed falling from a quarry truck April 2014

From: Linda Lowndes <linda_lowndes@bigpond.com>

Date: Mon, 07 Apr 2014 21:24:07 +1100

To: <paulw@daracon.com.au>

Conversation: Rock.....

Subject: Rock.....

Hi Paul,

When I turned up at school this afternoon to pick up my daughter I was presented with this rock.

A local friend was over at Stockers and heard a bang crash and witnessed this rock falling from a truck going towards Maitland. A car going the other direction was lucky enough to miss it but you can imagine what could have happened and what will happen one of these days.....

This rock was picked up out the front of our small gate where my daughter stands to catch the bus each morning. How are these trucks leaving the quarry with the load so unsafe?

Linda Lowndes



Figure 2 Photo from Daracon presentation to CCC meeting oct 2015 - the worst section of paving on the haul route - adjacent to our property