

23 November 2016

Executive Director
Resource Assessments
Department of Planning & Environment
GPO Box 39
Sydney NSW 2001

Dear Sir/Madam

Re: SSD 14-6612 Martins Creek Quarry Project

I am writing to **object** to the above proposal. I believe that the Martins Creek Quarry Project and aspects of the supporting EIS are flawed and should not be allowed to proceed as proposed for the reasons listed below.

1. Current Approvals

It is acknowledged in the EIS that Daracon are operating under an 'existing right' for the quarry operation. The EIS states that the allowable annual production on this arrangement is 449,000 tonnes. Since acquiring the quarry Daracon has exceeded this value every year. A development consent or an existing right to operate must be complied with, so the current situation is unacceptable.

- Why is the Proponent not complying with the existing right arrangement and limiting production to 449,000 tonnes?

A new development consent must be set at 449,000 tonnes per annum for a period of time until Daracon can demonstrate to the Department of Planning & Environment (DP&E) that they can comply. The DP&E are experienced in setting compliance targets and conditions and as such should establish the new consent accordingly.

2. Proposed 1.5 Mtpa

In line with the comment above, the proposed annual tonnage of 1.5 Mtpa is too high for the road network and the residents that live either adjacent to the operation or along the haulage routes. There has been a marked increase in impacts from road noise at my property over the last five years. Daracon state that their production has peaked at 1.1 Mtpa. The DP&E need to be aware that residents are experiencing unacceptable impacts at this level.

It is disappointing that no production data is included in the EIS for 2014/2015 and 2015/2016. The worst period of truck movements was directly after the storm of April 2015.

- Can Daracon provide the DP&E the production and truck movements for the period April to June 2015? It will probably show a production rate exceeding the annualised 1.5 Mt.

3. Productivity

Section 4.5 of the EIS states that the quarry must commence deliveries at 5:30am otherwise it will suffer a 26.8% decrease in productivity. This is completely misleading. Appendix D (Page 12) details this calculation and it is referring to stabilised materials not all the products from the quarry. It is not clear how much stabilised materials the quarry produces, however, the Department of Planning & Environment should ignore this misleading data in their assessment of the project.

- What is the expected impact to the whole operation if the haulage does not commence at 5:30am?

4. Traffic Noise and Times

I am woken up each morning at 5:30am with the rumbling, like thunder, of empty trucks heading down Tocal Road to the quarry. This occurs every day except Sunday. If the loading is allowed to commence at 5:30am, these vehicles will be waking me up at 5am. For people living on the southern side of me in Bolwarra, East Maitland and Lorn they will be hearing trucks at 4:45am and earlier. This is not acceptable.

- What fatigue and safety management is Daracon proposing for their truck drivers and the sub-contracting drivers?
- Does Daracon have a Drivers' Code of Conduct? If not, do they propose to have one?

Most construction sites operate within standard construction hours of 7am to 6pm Monday to Friday and 8am to 1pm on Saturdays. Appendix D states that these sites need to start receiving materials at 6am, which is completely incorrect and outside of standard construction hours. The EIS states that travel times from the quarry vary between 45 minutes and 2 hours. As most product is transported to within the Newcastle, Maitland and Lake Macquarie LGAs travel times will be in the order of 1 hour to these locales. The southern part of Lake Macquarie will be served by other Daracon quarries or their competitors. As such there is no need to commence delivery of material prior to 6am. In fact, delivery times should be limited to 6:30am to reduce the already existing impact on residents.

For Saturdays the standard start time is 8am, so the quarry should be limited to a 7:30am start. Note: The construction noise guidelines stipulate a later start time on a Saturday to acknowledge the weekends when most people are at home and therefore reduce the impact to residents.

- Will Daracon agree to a 6:30am haulage start time on Monday to Fridays and 7:30am on Saturdays?

5. Traffic Noise

In appendix I (noise) the noise monitor at Bolwarra Heights was set up in the section of self-imposed speed reduction of 40 km/hr. The data from this will be lower than other sections of road and is not representative of the traffic noise going through Bolwarra Heights at 60km/hr and 80km/hr. The DP&E should request that another set of data be collected from another location in either the 60 or 80 km/hr speed zone at Bolwarra Heights.

The assessment has not addressed traffic issues prior to 7am. If trucks are passing my house at 5:30am at a rate of one truck every 45 seconds then this needs to be assessed properly. Although Tocal Road is a sub-arterial road and the assessment has used the correct criteria, the night time traffic volumes are very low such that the surge in traffic at 5:30am is bound to awaken residents. Using an average over 9 hours does not show the surge in noise in the last hour and a half of the night period.

- Will Daracon re-assess the night time criteria and not use the 9hr average but a LA_{eq10} criterion?

To avoid waking residents in the night, the delivery start time should be limited to 6:30am on Monday to Fridays and 7:30am on Saturdays.

6. Traffic Volumes and Impact to Road Network

Regarding Table 2.7 in Appendix H the truck movements are only relating to one way movements i.e. loaded vehicles. Residents are impacted by the empty vehicles heading towards the quarry. The empty vehicles are noisier than the loaded vehicles. The loaded vehicles impact more on the road. The table is therefore misleading and traffic movements are twice those detailed. For example in 2013/14 the truck movements were actually 70,906. The proposal requests 46,153 movements which is actually 92,306 movements. This is a huge impact to the road surface and to the residents living at Martins Creek, Paterson and along the proposed haulage routes.

The EIS has made no attempt to calculate the impact of the heavy vehicles on the road network. Councils design to axle loadings for a road surface and no estimate of deterioration has been made. With 6 axles per truck, Daracon are proposing 553,836 axle loads per annum. This is a serious oversight as Daracon are expecting the Councils to pick up the cost of repairing the roads.

- Can Daracon undertake an assessment of the axle loadings and consult with Dungog and Maitland Councils on the rate of deterioration that this will cause?

The traffic counts in July 2015 commenced within the week following school holidays. This week typically experiences less traffic than normal. The traffic counts are therefore not representative of the traffic volumes and should be redone.

- Will Daracon re-do the traffic counts well outside of school holidays so that the data is representative of normal conditions?

The traffic assessment states the vehicle peaks were experienced in March 2014. This is not true as the heavy vehicle movements in the period after the storm and floods in April 2015 were horrendous.

- What were the traffic volumes in April and May 2015?

Appendix H refers to traffic speeds. The self-imposed speed limit through a 300m section of Bolwarra Heights is not effective. Not all trucks adhere to it, it seems only loaded trucks

reduce their speed and once onto Paterson Road the trucks speed up such that by the time they are at the Tilly's Day Care Centre before the Long Flat roundabout they have caught up with the traffic flow. It is disappointing that the traffic assessment says that because other drivers speed along Flat Road the truck drivers do too. This is a pathetic argument. Either Daracon has control over its trucks delivering its product or it does not. I believe the latter is the case.

- Will Daracon commit to control heavy vehicle speeds to the legislated limits?

7. Social Assessment

Appendix O only considers the residents at Martins Creek and the Dungog LGA. The assessment does not consider the impacts along the traffic routes and to Maitland LGA. The social assessment should be revised to include the impacts along the travel routes.

8. Voluntary Planning Agreement (VPA)

There does not appear to be any VPA proposed in the EIS. This needs to be addressed.

Please note that I found the EIS very difficult to reference as there were no page numbers.

In summary, the traffic impacts at the current production rates in the order of 1.1 Mtpa are extremely high and detrimental to my enjoyment of my land. The thought of 92,300 truck movements is extremely upsetting. Daracon should be set consent conditions where they are limited to the existing rights limit of 449,000 tpa and should prove they can adhere to this. I therefore **object** to the proposal.

I confirm that I have not made any political donations.

Yours faithfully

Peter Cook