

I am writing a submission in response to the Sutton Forest Quarry (SFQ) Project.

The property is owned by myself, however the impact of the proposal also affects my partner and our children. We share a boundary with the SFQ property. I feel the 2018 EIS does not include any input from myself or my family.

This Quarry will and is having significantly damaging impacts on my property, business and wellbeing. I acknowledge that until December 2017 there was a contract in place that entitled my property to a royalty because an access road was going to go through my property.

Our relationship with what is now known as SUTTON FOREST QUARRIES PTY LTD has been complex and lengthy from its start 2012.

### History

Our neighbours came to us about a quarry proposal and that with our permission and that of the other two neighbours there would be a road through our properties and we would collect a royalty. Negotiations happened quite smoothly with agreeance over the road site, payment of legal and consulting costs and a Right of Way Deed (2012) signed.

Initially, the proposal was presented as a relatively low impact project with a monetary gain that should our enjoyment of our property be impacted; we would have the financial means to relocate without losing our property. Interference to our property water, enjoyment of home and wellbeing appeared to create very little impact. As the **closest landholders**, this is our home and the purchase of the property was carefully thought about in terms of its location to our hobby competition locations, my work, property business, family locations, ease of access to highway and our entrance, water and general appeal. Throughout all communications, we have stressed that we preferred to be able to stay here in our home.

Over time, there was so little communication during the initial term of the Right of Way Deed that we thought the project had probably ceased and by 2014 we went ahead to start a business to increase our earnings and organise our lives without the quarry as a part of it. In late 2016 SFQ requested to take to option the 12month extension of the Right of Way Deed, extending the term to 31 Dec 2017. We invested money into improvements that increased our enjoyment of our home and a business that is recovering from the 2016 Greyhound Industry scandal.

Our neighbours have a personal relationship with the founder of Tulla and because we trusted our neighbours and they had trust in Tulla, we went ahead. The Tulla founder purchased Lot and that has left my property between both of his property interests.

I have always been supportive of changes as they arose, hence agreeing to the Deed extension, but often the legal documents to support these changes had inclusions that were detrimental to my rights. As a result, this meant more time and consultation about how to interpret the clauses. This is one example of the way in which the mistrust and suspicion of intent was created by the people employed by SFQ. We initiated a meeting of all parties in November 2016 to review the updated proposal, so all parties had the same understanding of the project and its amended changes to the original submission. These are not the actions of someone being difficult to deal with.

Somehow, as people uneducated in law or contracts, we were to be vigilant about ensuring our legal rights. Right from the start, our notes show that we asked that all our reasonable costs be paid for as we had not come to them with the proposal, they came to us, and we could not afford to pay such costs. They paid the lawyer and consultancy invoices at the initial meeting, setting the precedence, and also, this is a part of the initial Right of Way Deed.

After our landholders meeting on 17/11/17, SFQ has not paid a Lawyer invoice of \$3,927.33 and a consultancy invoice of \$11,719.53. The consultancy benefited Lots 1,3 and 4 as the consultant is an expert with mining contracts and interactions with the associated personnel. SFQ have been asked repeatedly to reimburse these costs as without these experts we were at a serious disadvantage.

**These costs would not have occurred if we did not have a Right of Way Deed with SFQ** and therefore this has been an **economic disadvantage** for me.

In response to the 2018 EIS I would like the following points to be considered.

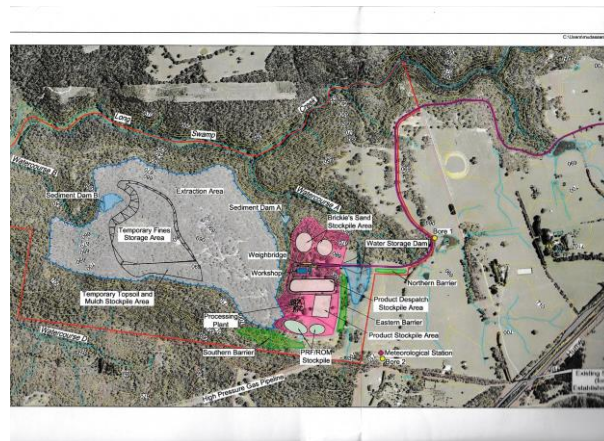
## Maps

The google maps used in the EIS are old and do not show the sheds and infrastructure that has been developed for business. This creates a false impression of my property being vacant land that has no commercial potential. This is untrue. I have a registered business Sutton Forest Farm and that business rears greyhounds. My property is entitled to run 100 dogs. Regardless of the figures that can be produced to clients, perception is a powerful motivation. Clients are unlikely to keep their dogs next to a quarry were impact of dust on lungs can be questioned. How is the negative impact on our business to be calculated and is this also another **economic disadvantage** that is forced onto us?

**Initial document that the Right of Way deed was based on with the initial map of quarry impact and access road.**

SUTTON FOREST QUARRY PROJECT PRELIMINARY PROJECT INFORMATION SHEET																			
SUMMARY OF KEY FACTS AND STATISTICS																			
Applicant	Sutton Forest Quarries Pty Ltd																		
Location	13302 Hume Highway, Sutton Forest																		
Application Area (subject to modification)	<ul style="list-style-type: none"><li>Total area of disturbance = 15.8ha.</li><li>Extraction area (including the primary crushing station) = 39ha.</li><li>Processing area (stockpile areas, processing plant, offices, amenities and workshops) = 18.1ha.</li><li>Ancillary operational area 7.6ha.</li><li>Quarry access road (2.7m x 12m) = 3.2ha.</li></ul>																		
Material Extracted	<ul style="list-style-type: none"><li>Fine to medium sandstone up to 40m deep.</li></ul>																		
Project Life	<ul style="list-style-type: none"><li>Development Consent sought for 30 years.</li></ul>																		
Proven Resource	<ul style="list-style-type: none"><li>Approximately 28 million tonnes of recoverable sandstone.</li></ul>																		
Sand Markets	<ul style="list-style-type: none"><li>Construction industry (principally concrete) in Sydney Metropolitan Area and glass manufacturing industry.</li></ul>																		
Extraction Method	<ul style="list-style-type: none"><li>Ripping and hauling by bulldozer and haul truck transportation to the processing plant, no loading to processed yet.</li></ul>																		
Maximum Sales	<ul style="list-style-type: none"><li>1 million tonnes per year.</li></ul>																		
Estimated Annual Sales	<ul style="list-style-type: none"><li>Year 1: 250 000 tonnes</li><li>Year 4: 600 000 tonnes</li><li>Year 7: 1 000 000 tonnes</li></ul>																		
Truck Loads Despatched per Day	<ul style="list-style-type: none"><li>Year 1: min. 6 average 28 max. 50</li><li>Year 4: min. 10 average 36 max. 100</li><li>Year 7: min. 10 average 112 max. 150</li></ul>																		
Quarry Access Road	<ul style="list-style-type: none"><li>Access via an asphalt road from the Hume Highway via the Sutton Forest Interchange.</li></ul>																		
Employment	<ul style="list-style-type: none"><li>Approximately 20 full time persons</li></ul>																		
Hours of Operation	<table><tr><th></th><th>Monday to Friday</th><th>Saturday</th><th>Sunday and Public Holidays</th></tr><tr><td>Extraction and processing</td><td>6:00am to 10:00pm</td><td>6:00am to 3:00pm</td><td>No activity</td></tr><tr><td>Loading trucks and product despatch</td><td>4:00pm Monday to Midnight Friday (24 hours per day)</td><td>Midnight to 3:00pm</td><td>No activity</td></tr><tr><td>Maintenance</td><td colspan="3">24 hours/day - any day</td></tr></table>				Monday to Friday	Saturday	Sunday and Public Holidays	Extraction and processing	6:00am to 10:00pm	6:00am to 3:00pm	No activity	Loading trucks and product despatch	4:00pm Monday to Midnight Friday (24 hours per day)	Midnight to 3:00pm	No activity	Maintenance	24 hours/day - any day		
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Further information	Sutton Forest Quarries Pty Limited welcomes enquiries from its neighbours and surrounding community. Please contact David Schumacher, Environmental Consultant with R.W. Corkery & Co Pty Limited, on 02 9905 6511 or email david@rwcorkery.com																		

September 2013



**Current Google map showing property infrastructure in place since 2014**



## Communication

Historically, there has been a culture of feeling uninformed, misinformed and ill-informed because of the lack of communication from the various names of the contact people on the project. This is not a way to build relationships or trust. This is evidenced by the breakdown in communication with the owner of Lot 1.

There has been no consistency of information from them until there was a sense of urgency to get signatures. We received an EIS of 3 volumes on 20/09/16 to which we were to respond within a couple of weeks. Previously, the only information about the quarry was a single page A4 document which outlined the Schedule of Works and the initial map of the quarry.

We were suddenly expected to read, understand, comment on and also agree to a document of which I have no professional knowledge.

Then, we were bullied into feeling that we were the reason why the previous EIS submission was not submitted in a timely manner. It was also written that I had been difficult to deal with, even though I offered the use of our property road to facilitate the road being built through our property. Apparently, SFQ labels any robust discussion, to ensure our security of position, as difficult.

In the current 2018 EIS the neighbouring property responses cited do not include the closest properties and there is no mention of how the proposal will have any personal impact.

### **Health and Animal Welfare**

The summary talks about air dispersion modelling. There are up to 100 dogs already housed on the northern end of my property. There is now a fines deposit directly across from them. There has been no monitoring for a benchmark on my property where the animals are housed. How is this impact to be measured and compensated for if it affects animal health?

There is no monitoring at my house which is directly in line of westerly winds. Having lived here for 11 years we are very familiar with the strong prevailing winds from the west. Little concern to some, but what about the impact on our daily living in terms of dust settling on washing and inside the house?

The original Deed and Quarry plan did not involve any Blasting activities, these were introduced in the Variation proposal dated the 16/09/2016. Under the current proposal my property will be impacted by daily blasting activities. This will impact infrastructure and livestock and potentially water availability.

### **Traffic and Road Access**

I object to the quarry interchange that has been proposed in the Traffic Impact Assessment.

I object to my right of way to the highway being taken away and being forced to access the highway through my neighbour's property.

I object to being required to drive past my neighbour's house (**disrupting their privacy and mine**) and then having to access a u-turn bay on their property.

I object to **the disrespectful** destroying of the Kingsbury VC rest area.

I ask how they are catering for the school bus that stops at our entrance each day and how the children are **to safely access** our home?

I object to a longer time and travel distance to travel south and north as this impact is a significant **economic disadvantage** to myself and my family. There are at least 2 vehicle movements a day south and at least 5 -10 north and the return journeys as well.

### **Wellbeing**

In the Preamble of the Evaluation and Justification of the Proposal, the author cites that likely economic and social benefits will be generated. There is no benefit to the landholders who are closest and most impacted by this proposal. This project is causing me mental distress and disruption to wellbeing. I suffer a feeling of depression and helplessness whenever we receive correspondence from SFQ. It takes me a couple of days to gather my thoughts and deal with the content. In response to being invited to respond to the current EIS before submission, SFQ were told to leave by my partner, such was the frustration with the company. There has been no history of SFQ being genuinely thoughtful about the impact of their actions on landholders. They have created a sense of distrust and suspicion amongst the Lot owners.

For a number of years, I have stated the impact on my wellbeing from this project. I tried to be cooperative because it seemed that it was the best cause of action. Being paid a royalty meant that we at least had options. Now we have no options but to see our peaceful beautiful property become noisy, visually unappealing and generally not the place we wanted to enjoy.

Some of issues impacting my wellbeing are:

- the ongoing impact of uncertainty of the project
- being told that I was difficult when I had been particularly cooperative, (in fact had offered the use of our internal road to facilitate the construction of the changed location of the access road)
- being given very little support to understand the EIS
- having to be vigilant to find clauses that frankly were written to disadvantage me in a significant manner
- **economic impact** of having to pay for services that without SFQ in our lives would not have been needed
- the hours of time that have been invested into this project and the stress about worrying if we have indeed been treated fairly
- the hours of time that I now have spent doing this when I should be attending to my paid work
- the impact of having this significant stress, but having to compartmentalise it because I can't allow it to impact my work or relationships.

This is our home. Not one of the people involved in the preparation of this 2018 EIS has to live here and they all get to walk away at the end of the day.

### Summary Response

It is noted that in the Executive Summary of the 2018 EIS, Corkery & Co has pre-empted some concerns and attempted to convince the reader that they have adequately addressed some of the concerns that have been expressed.

There is no mention of SFQ making any commitment to minimise the impact on my property, yet they have made a range of commitments over-and- above requirements to satisfy standard environmental management criteria in order to minimise conflicts between the public and private use of the Shrine of Our Lady of Mercy – “Penrose Park” and the operation of the Quarry”. (ES-6)

Issues by surrounding landowners may have been considered (ES-6) as stated, but none of my issues have been addressed satisfactorily to myself. I note that concerns from the closest of landholders have not been included in the EIS. Only 3 responses were received (3-3) because by February 2018 the inability of SFQ to communicate with honesty and fairness had fractured the relationships with SFQ. I communicated this via a phone conversation to Corkery & Co in February. The landholder consultation quoted is of properties of a further distance than Lots 1,3 4 and the property adjoining Lot 4.

### Water

In terms of water, it is noted that modelling has been used to allay concerns. However, what are the guarantees in place to provide water if the modelling is not an accurate measurement of actual impact.

As noted in previous discussions this is a major impact for my property as it was bought because of the bore which gives us excellent water quality.

The sand soil of my property means that the existing dams are not spring fed and not reliable in time of low rainfall and all the stock are watered from the bore and this infrastructure was set up before I purchased the property.

As a part of our previous negotiations with SFQ we had secured a guarantee of water availability and they had agreed to provide us with town water should there be any disruption to our water supply. Now that we are not part of the project, this guarantee has disappeared and we no longer have security about our water supply.

Again I assume it is my responsibility to pursue any water changes created from the Quarry? What practical strategies are in place for this event? Again, an **economic disadvantage** to myself. What happens to the animals in the meantime and how do we get acceptable water access?

### Valuation of Property

Corkery & Co's summary says that they believe that there will be little impact on the valuation of my property. As a previous property buyer, I disagree with this statement. A lifestyle property such as this one is not purchased because

you make an income from cattle or sheep. We would not have considered this property if it had of been near a quarry before purchasing.

Once again I ask, is there any compensation to my financial loss if a loss of value can be proved or is that another **economic disadvantage** that I am to suffer?

Regards

**From:** MILLET Chris  
**To:**  
**Subject:** RE: Sutton Forest Quarry SSD 6334

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Hi

Thanks for your submission. If you wanted to discuss the matter further you can contact me on

Cheers  
Chris Millet  
Manager, Land Use  
Southern Region  
Roads and Maritime Services

**From:**  
**Sent:** Wednesday, 20 June 2018 10:46 PM  
**To:** MILLET Chris  
**Subject:** Sutton Forest Quarry SSD 6334  
Dear Chris,

I write in relation to the proposed Sutton Forest Sand Quarry SSD 6334 currently on public exhibition.

We object to the quarry interchange that has been proposed in the Traffic Impact Assessment of the EIS

We live at Our property lies directly on the northern boundary of this proposed sand mine.

We object to our right of way to the highway being taken away and being forced to access the highway through our neighbour's property. WE object to being required to drive past our neighbour's house (**disrupting their privacy and mine**) and then having to access a u-turn bay on their property. I will not agree to the loss of my access to the highway.

We object to **the disrespectful** destroying of the Kingsbury VC rest area. This area is valued by many travellers and recreational users. This is evident every morning and evening by the number of caravans and cars using the area anytime that we leave or enter our property.

We ask how they are catering for the school bus that stops at our entrance each day and how the children are **to safely access** our home?

We object to a longer time and travel distance to travel south and north as this impact is a significant **economic disadvantage** to myself and my family. There are at least 2 vehicle movements a day south and at least 5 -10 north and the return journeys as well. This adds unnecessary wear and tear to our vehicles and adds a financial cost.

We am also concerned that our neighbours were not successful in securing the small section of crown land that adjoins their property. As long term land holders, it seems questionable that they were not immediately successful in obtaining this land.

We also agree with Bernadette that this new road access will separate and block what is currently easy, relaxed access between neighboring properties. It will be extremely inconvenient for all 3 properties directly affected by this new plan, which has been planned with only their interest considered.

We wish to strongly express my opposition to this new road access, and we are not willing to give the necessary consent for these changes relating to access to our property. We have lodged a submission against the quarry that includes the above objections to the Interchange as identified in the 2018 EIS for SFQ  
Kind Regards