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PERSONAL SUBMISSION  
 on SSD 6334: Sutton Forest Sand Mine  
 21 June 2018

### **A DELIBERATELY DECEPTIVE E.I.S.**

Throughout the EIS the proponents have been self-serving by attempting to mislead the Director and public, both directly and by implication. This begins at the document title and cover.

By nobody's definition is this development a quarry. This is a massive open cut sandstone mine and industrial crushing plant two-thirds the size of the Sydney CBD. "Quarry" suggests the local hole where a community gets its material to mend the roads. This mine and others are being misrepresented as quarries in a cynical attempt to get them approved unnoticed. Planning and Environment have a duty to insist on clarity in these development applications.



Likewise, the picture chosen for the cover is deliberately misleading. Having been here for 46 years I know this land intimately. On the bottom right of this large area of magnificent woodlands is the remnant of an quarry used decades ago when the dual carriage highway was put through. Corkery have selected this view of the eroded background as their cover illustration (photo inset with site and direction of camera indicated) to produce an impression that this is poor quality wasteland. Later in the EIS, the photo used to represent long swamp features the only section of the swamp that was destroyed by mining the organic material for garden compost.

This cynical misleading approach is carried through the entire document. The unprofessionally verbose, tangled and inconsistent presentation needs a forensic reading and examination that will require and waste considerable time, effort and expense for many people. The most grievous is attempting to entangle the 30-year application with a later possible 15-year application to fix the mess. Only the 30-year application should be considered. At 30 years, what will we have? A 47 hectare 60 m deep pit on a 63 hectare deforested wasteland with 1,000,000 m<sup>3</sup> of mud (at best) in the bottom, and a 30 year-old promise from a company to apply to clean up the mess. Remember that this project is driven by a waste management company. A massive hole is the desired outcome.

## CONSULTATION

1. Ours is the closest residence to the proposed mine (LOT 15 DP255946; 13304 Hume Highway, Sutton Forest) and we have been here for nearly 46 years.



Mine site and adjacent properties. Our property is Lot 15.

2. Development of this project began in 2012.
3. On 15 September 2013 a David Schumacher did a round of the neighbourhood to tell us about the mine (Page A5-3). On 14 September 2013, I arrived in London where I spent a month working.

Pg A5-3 In situations where ..... no persons were present at a residence, a letter and preliminary information relating to the proposed Sutton Forest Quarry was left in a mailbox if a mailbox was present. As such, letters were left at the following properties.

- Lot 2 DP 239391
- Lot 3 DP 239391
- Lot 122 DP 802050
- Lot 12 DP 241054

Mr Schumacher did not leave a note in my mailbox at Lot 15 but even if he had, a letterbox note is hardly adequate for a massive mining development. Messrs' Corkery and Schumacher would have known then that it would disrupt our lives and displace us from our property.

- 4.

Pg A5-6

The following provides a summary of the work undertaken by David Schumacher, Environmental Consultant, and Craig Hawkins, Senior Cartographer, both with R.W. Corkery & Co. Pty Limited on 24 September 2013.

Pg A5-7

Noise loggers were also placed around the residences on Residences 2 and 15 as agreed with the landowners of these properties. These residences have been identified as the closest potentially affected residences and, as such, background noise monitoring is required.

As I was not home, I did not agree to Messrs' Schumacher & Hawkins entering my property to place noise loggers. They left no notice that they had entered the property. I have no idea where they were placed or, indeed, if they were placed at all.

5. It is now 5 years later. On 16 February 2018 we were advised by Mr Ron Bush of a mine and roadway soon to be built on our boundary. He offered us double glazing! Then, looking out our open kitchen windows, agreed that we would not be able to reside here anymore. He then produced a map of other nearby properties the proponents owned, notably Lot 3 owned by

Tulla Resources Group P/L, and suggested that we could live there instead. We were speechless - he left.

6. No consultation on the details of this proposal was provided other than a simple conceptual sketch map emailed to me on 20 February 2018 by R.W.Corkery Pty Ltd (pg A5-16).
7. We waited until 24 May 2018 to see some details of the application on the *Planning & Environment* website, having made repeated contact with NSW Planning and Environment to be notified of the release date.
8. We finally received our requested hardcopy of the EIS on 14 June 2018 after needing to make a special request – 7 days before this submission is due on 21 June 2018.
9. For 6 years the proponents have worked on this proposal that will see us forced to leave our home of 46 years. We first heard about it a couple of months before their submission deadline without a word of consultation. Less than a week before our submission deadline we see in the EIS that the proponents plan to encroach on and redevelop parts of our property, orchards and irrigation.
10. Since submitting their EIS they have not contacted us to discuss it and get our permission.
11. We also note that the consultation reports on pages A5-6 – A5-7 relate to a completely different proposal. In our view, it is deliberately misleading for them to have been included in this application.
12. For a development of this scale, a reasonable expectation is that the major partner, Mr Kevin Maloney of Tulla Resources, would have come and discussed it with us and sought our consent in 2012 before embarking on this journey.
13. Under the circumstances, it seems clear to us that the developers **have not complied** with the Director General's Requirements regarding consultation with local residents. On this basis alone, the application should be rejected as unlawful.

NSW Planning & Environment must take some responsibility for this mess. The planning system is being deliberately 'gamed' by the proponents so as to disenfranchise and oppress local citizens who are opposed to the proposal. The development vetting process has been inherently biased towards big developers and provides no reasonable means of small groups countering their bad behaviour. The recent approval of the massive Green Valley mine, just 4 km from this one, is a case in point. Just three public objections were made by isolated nearby residents because NSW Planning & Environment did not inform the population that would be affected. We have a right to have had our voices heard.

That this present catastrophic plan, developed over 6 years and presented to obfuscate and deceive, has been allowed by Planning & Environment to proceed with only the negligible minimum exhibition period of 28 days maximum to respond (with Wingecarribee Council's request for an extension being refused) is entirely unreasonable and oppressive. We are attempting to consider and properly raise the extensive concerns arising from this proposal. At the same time we must carry out our normal lives of full-time work other commitments while being allowed just 28 days to do produce a considered response. Financially we are also being 'railroaded'. The developer claims the expense of producing it as a taxation deduction (forcing us all to pay for it!) yet we must pay for our consultants and lawyers to defend our lives and property. NSW P&E needs to address this unfairness by rejecting this proposal on the basis of the plainly inadequate attempt at 'consultation'. How can it

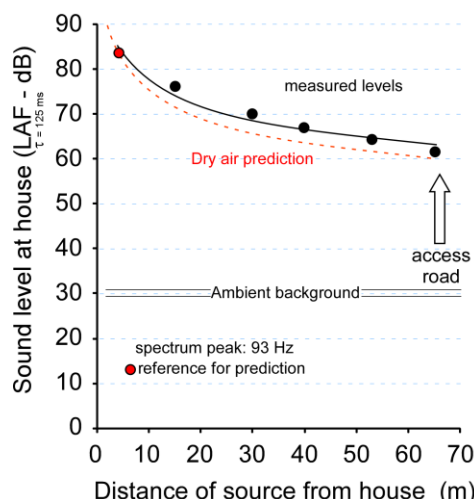
be that the SSD plan for the innocuous Sydney football ground is distributed to tens of thousands of residents for miles around while the SSD plan for this destructive mine - equivalent to 100 football fields - is distributed to seventeen neighbours over the fence?

## ROADWAY ACCESS

1. We have many serious concerns with the EIS relating to the RMS submission on the road access. By necessity, this was a quickly concocted plan with no serious planning or consideration of the implications.
2. First, the current access to our property will be blocked. *There has been no consultation on this.*
3. The embankment of the support road at the interchange to the mine access road encroaches our property boundary, indicated on the map plan to be ¼ acre (Figure Page 5-11 of EIS). This will remove our historical front entrance and many of our trees, several being memorials to past family. *There has been no consultation on this.* **Under no circumstances will we give permission to access or acquire our property.**
4. The proposed mine access road has a concrete barrier wall, up to 3.8 metres high, running along most of the length of our boundary (presumably to appease us by sound mitigation and blocking the view of trucks). *There has been no consultation on this.*
5. They provide us road access through an opening in the barrier wall and a road that passes through our irrigated orchard. This will require the removal of our orchard crop trees and irrigation system.
6. The barrier wall will totally obstruct our primary view over the valley to the north. Scene modelling shows that our residual view will be the wall, the tops of distant trees on the far side of the valley with sky above. At the same time, this barrier will provide no protection against nocturnal light pollution. Furthermore, the mine gate is directly in front of our house and we will endure the comings and goings, voices and vehicles, of a major mining industry alongside our front yard..
7. The barrier wall will lock us in with no other exit off our property. Our gates to the property to the north are our escape route. This is Category 1 Risk as identified in the *Wingecarribee Shire Council Bushfire Prone Map (2011)*. In the event of bush fire or other emergency, made more likely by this mine, we have no exit. This is sloppy and neglectful planning.
8. The access roadway will destroy a large tract of native eucalypts used as a thoroughfare by native animals. Corkery P/L in the EIS describe it as in poor condition with mainly exotics. Note, however, that they also included our orchard (on our property and not the roadway) in their tree tally, to make it appear that the roadway is in poor condition and undesirable. There are many *pinus radiata* that seed there from the nearby Penrose Forests although we do our best to remove these weeds. Overall, this road reserve is in good condition and has very fertile soil, manifest by the massive trees there. The entry and other areas within the property are maintained with native trees to ensure native fauna can thrive. These also buffer our property from noise and improve the view of the property from the Hume highway.
9. The barrier wall of up to 3.8 m in height is not high enough to exclude the view of trucks as our house (primary view lounge and kitchen) is elevated above the siting of the wall. Primary school geometry shows that trucks will be exposed by up to 1 m directly in front of our house

and 1.5 m in the right of our view – only a vehicle less than 2.6 m in height will pass unseen. The barrier wall would have to be 5 m high for large trucks to pass unseen.

10. The sound modelling in the EIS is not credible. I speak as Prof. of Medicine UNSW and specialist in human neurology and sensory physiology (BSc, MBBS, PhD, MD). My work is internationally renowned, highly cited and I have served as Senior Editor on the premier international journal in this field. My research laboratory measures and has published on auditory perception. Empirically (measured with calibrated Bruel & Kjaer Sound Level Meter 2250) I found that a 83.8dB sound source (my tractor) sited on this roadway adjacent my house was recorded at our kitchen window at 61.6dB (and 91.1 at 68.2) that declines with distance exactly as predicted by sound transmission theory.



Maximum allowable noise from these trucks is 100dB. (Trucks will be climbing a 1:17 gradient outside our house.) A wall of 3.8 metres height will at best provide an attenuation of 5-8dB to the elevated house site. With visible sound sources (i.e. the trucks) sound is perceived 5dB higher (not a wishy-washy feeling thing, this is hard perceptual neuroscience). The sound heard from this roadway will be well above maximum allowable levels and they will be 24 hours a day, seven days a week for up to 45 years. Sound from trucks alone will exceed permissible limits. The mine gate in 60 metres from the house and the intermittent higher-frequency sounds from this area will be disruptive on their own. We work night shifts as well as day shifts and emergency on call. Loud noise during the day is as disturbing as during the night. Living on farming land we spend our days on the property.

11. These barriers will not protect us from air pollution in any way. As a clinical doctor and medical researcher I could write tomes on this but will spare you. Much of this epidemiology you will know from the medical literature. Key issues are silica dust and truck emissions (hundreds a day) 60m from our house and immediately adjacent to our work and recreation areas. (Industrial Particulate Matter (PM) emission will be the next big claims round following on from smoking and asbestos injury. The pathological links of the reactive element aetiology is being uncovered. Evidence is building and a first judgement against them is foreseeable. Well before this project is completed, we will be closing down polluting mines and trucking operations. We live here 24/7 with exposure over years – this development is for 45 years and cumulative exposure immense.
12. *National Environment Protection (Ambient Air Quality)* standards allow maximum annual average  $PM_{10}$  of  $25 \mu g/m^3$  and  $PM_{2.5}$  is  $8 \mu g/m^3$  (to be lowered to 7 by 2025). The predicted



annual averages in the EIS (Sec 5 pages 130-131) are PM<sub>10</sub> up to 32 µg/m<sup>3</sup> and PM<sub>2.5</sub> up to 15 µg/m<sup>3</sup>. Those values, like everything else in the EIS, are estimates favourable to the proponent. Road access alongside property is up an incline. Heavy trucks (40 tonnes) climbing up this 1:17 gradient alone will make diesel emissions significantly greater than the EIS estimate. Noise & light pollution, effects on sleep of a 24/7 operation, anxiety & stress all have cumulative adverse health impacts not addressed in this EIS. We frequently work night shifts making daytime operations equally disturbing.

**Note:** *In many of these matters, I speak also on behalf of our neighbours* *whose house is much closer to the roadway – just 20 metres – making them more exposed to these hazards.*

*They have the same inalienable rights to State protection of their health, privacy and amenity as any other citizen and we in the medical protection have a duty of care when knowing of a risk to health and life.*

13. Through direct shadowing, water and air entrapment, the barrier wall will make approximately a hectare of our land unusable for its farming purpose. Dust and diesel pollution will damage our fragile cut flower crops.
14. We regularly move agricultural equipment, tractors and stock between our neighbouring properties – today in fact. That is how a rural community functions. This road will block that vital amenity.
15. The unwallled section of the road, directly against our orchard boundary, will have us working just metres from noisy trucks exposing us to pollutants at unacceptable levels.
16. There is no plan described for water effluent from the access road. The lowest point of the road is adjacent the residence on Lot 1. A drain would need to be taken across the property to the distant dam to manage that volume of water.
17. The school bus stops daily on the highway at the point of the mine access road to pick up and drop off children. What provision is made for children other than having to cross the truck carrying slipway? While considered farmland, these are also family residential blocks and no place for heavy trucking.
18. The access road prevents us (and our neighbours to the north) travelling south on the highway (family, neighbours, work) and leaves us with a route that is 5 km longer in each direction. *No consultation.* Simply going to church at Penrose Park now becomes a 7.5 km drive. Motorists inadvertently taking the southbound slip exit will now have to drive the length of the access road, make a U-turn to return back down the access road then return to the Sally's Corner interchange, cross over and head south again – an unnecessary and frustrating loop of more than 5 km! The residents of Lots 1 & 2 face the same problem. Vanessa in Lot 2 works full-time in Goulburn and her children attend school in Goulburn. They are being asked to drive more than 3,000 km a year, at their time and financial cost, because of this absurd road plan.
19. This new road access will block the direct easy access between neighbours enjoyed by rural communities to visit one another and move our animals. This proposal will damage these vital community links. Visiting our neighbours around the corner now becomes a 5 km drive.
20. This private access road will destroy a much loved and very popular road stop, the *Bruce Kingsbury VC* memorial park on the Remembrance Driveway established in 1954. Hundreds each month use this park to rest and camp. *Kingsbury's* 2<sup>nd</sup> 14<sup>th</sup> Battalion Association still care

and maintain this park, as do we. They describe this proposal as “*sacrilege*.” Shamefully, the developers have made no consultation with anyone concerned.

21. An overhead sign recently installed at the access road junction cost taxpayers more than \$400,000. What plan is there to recoup this money from the developers?
22. As a medical doctor (ED) who has worked locally for nearly 30 years, I am called on when there are motor vehicle crashes on the highway nearby. I have attended many crashes, some minor, some with injury and some with fatalities, and I have treated them in hospital. Many have involved trucks in their causality.

Between this proposed new junction at the mine access road and the Sally’s Corner road exit is already a treacherous stretch of road as cars coming from the south do not get a view of the service centre until they reach the hilltop at this point. They then start to move left and slow. This new access road junction will take the distance between the two slip roads down to 500 metres (16 seconds drive time), making it the closest pair of slip roads on the Highway from Sydney to Albury. With this volume of trucks attempting to gain speed and move right merging with vehicles slowing and merging right, there will be serious vehicle crashes.

Note the large increase in trucks that will also come from the new Green Valley mine just 5 km beyond. Note also the knowing deception in the EIS about reducing truck numbers by bringing in fill in trucks then delivering sand on the return trip. The industry does not work this way. Sand trucks are clean and with any clay or other contamination, loads are rejected. There is no truck washing facility in the EIS and they could not manage 200+ a day. Times and locations for the sand operation and backfill operation are inconsistent and cannot be realised. This means more truck movements than the misleading figure quoted in the EIS.

23. A key feature of any property, especially a rural property, is its Primary View. Ours looks out over the valley to the north and we have developed it as our front yard and recreation area leaving it relatively clear to preserve the view and parkland quality. In terms of property value, this asset is very important. This valley is to be consumed by the mine and the barrier wall is to hide their operations. Hiding their destructive activities is not the point – it is what is taken from us without consultation at any level. We find ourselves having to get property valuations now and serve notice that the property lessee is liable for future declining values.





**Note:** In many of these matters I speak also on behalf of our neighbours whose house is much closer to the roadway – just 20 metres – making them more exposed to these hazards.

They have the same inalienable rights to State protection of their health, privacy and amenity as any other citizen.

## LIFE ON OUR LAND





We came down here to Sutton Forest in 1972, 46 years ago, having bought a bush block with the vision of creating a place of rest and a healthy life for our family and friends. We are DANELLEN, named for our grandparents who were farmers before us.

We cleared the section of the land that had been previously logged of its straight timber in the '50s and established our stone-fruit and then flower orchards, which have been managed responsibly and sustainably ever since. Our surrounding buffer zone is kept as undisturbed native bushland, rich with native fauna. The horticultural produce provided the income we used to develop the place. We built our family home ourselves and developed the magnificent surrounding gardens. Four generations have lived and played here, been born, married and died here.

We have a rich history here. Visitors from around the world have come to work and relax. We have hosted climate scientists from developed and less developed nations (France, Israel, USA, Sri Lanka, Indonesia, Thailand). In the early days we helped with the establishment of our neighbours at Penrose Park. University research projects, experiments and university teaching have been conducted here. Books have been written here. We studied for our university and higher degrees here. As a doctor, I have served the local community in the local hospital emergency department for 20 years and continue in a general role. Locally our place is well known in the community. Neighbours visit daily to chat, share produce and enjoy the place.

Being here so long, we have intimate knowledge of the bushland that will be deforested and mined. We walk it, have our trails and take visitors there to see our wildlife. This is unique country where native bushland joins a highland swamp, is a rich natural habitat, and needs urgent regulatory protection at a federal level. The depiction by R.W.Corkery that this country is in poor condition is deliberately deceptive. We all live on the same sandstone down here - our hill is the next one along. We could all mine our hills. The long term outlook here is that our adjoin properties become worthless to anybody except the miners, they take possession cheaply and dig the lot up. Concrete for all, water for none. Fortunately, there are more than enough decent people here to stop this mess.

All this, our heritage, our lives and our livelihoods are dismissed as irrelevant by these developers. Weekenders and lifestyle! Perhaps we are not as important as a Woollahra billionaire but our lives, our chosen lifestyles and livelihood, and our nurturing of the world around us, do matter.

## **CONCLUSIONS**

I have focussed above on personal implications and legalities of the submission. Given just a few days to study it carefully and only today to write this submission, that is all I have time for.

As an academic professional and highly cited, internationally recognised scientist, I am appalled that that publications like this EIS are used to make extremely important governmental decisions. I have taken countless PhD students through their candidature and examined countless more around the world. No supervisor anywhere would allow such poor unsubstantiated work to be lodged and no reputable publisher would engage with the work. On every front it reeks of a hurried, plagiarised copy-paste job, wrong in fact and designed to deceive. No part of it would pass rigorous academic scrutiny.

We and our community will engage expert reviewers to follow through on many matters we believe to be wrong and misleading. Reviews will follow accepted academic practice. Areas to be assessed include:

**Groundwater.** An expert review and report has been sought from a recognised expert in the field (UNSW).

**Surface water and pollution.** An expert review and report has been sought from a recognised expert in the field (UWS).

**Environmental health implications.** Review is has been sought from a group comprising the *Royal Australian College of Physicians* (Environmental Medicine Group), a local clinical paediatrician (FRACP) and a local respiratory physician (FRACP) and a medical academic specialising in respiratory pathology (UNSW). An initial meeting is being held 22 June 2018. Approach is also being made to the *Thoracic Society of Australia and New Zealand Interest Group in Occupational and Environmental Lung Disease*. Two large sand mining operations starting up in such close proximity provides an ideal opportunity to commence long term epidemiological cohort studies.

**Noise pollution.** The modelled noise report is hopelessly inadequate and not credible. A general study on local noise as well as a specific experimental (not modelling) study of potential noise levels on our property will be conducted. (University Sydney Group).

**Biodiversity and Environment.** The direct mine area and surrounding land needs review. *To be identified.*

**Light pollution.** *To be identified.*

**Transport implications.** A transport specialist will review the combined effect of this and the Green Valley mine.

Sincerely,

Richard Fitzpatrick



Richard Fitzpatrick & Bernadette Lawlor  
13304 Hume Highway  
Sutton Forest NSW 2577  
r.fitzpatrick@unsw.edu.au

Directors: Birdram Pty Ltd  
Property owner of LOT 15 DP255946:  
13304 Hume Hwy Sutton Forest  
held in trust.

Mr Chris Millet  
Land Use Development Impacts Manager  
Transport Roads and Maritime Service  
RMS Southern Region  
Development.southern@rms.nsw.gov.au

19 June 2018

Dear Mr Millet,

We write in relation to the proposed **Sutton Forest Sand Quarry SSD 6334** that is currently on public exhibition.

Before starting, we want to say that this is not a “quarry.” This is a massive sandstone mine and industrial crushing plant two-thirds the size of the Sydney CBD that is being misrepresented as a quarry.

We have several concerns about the road planning for this proposal.

We live at 13304 Hume Hwy Sutton Forest (LOT 15 DP255946), immediately adjacent the southern boundary of this proposed sand mine and the closest residence to the proposed mine. We have been here since 1972, when we developed our orchards (on the border of the proposed access roadway). We have been managing the property and farm responsibly and sustainably for 45 years and our family plans to continue this for generations to come.

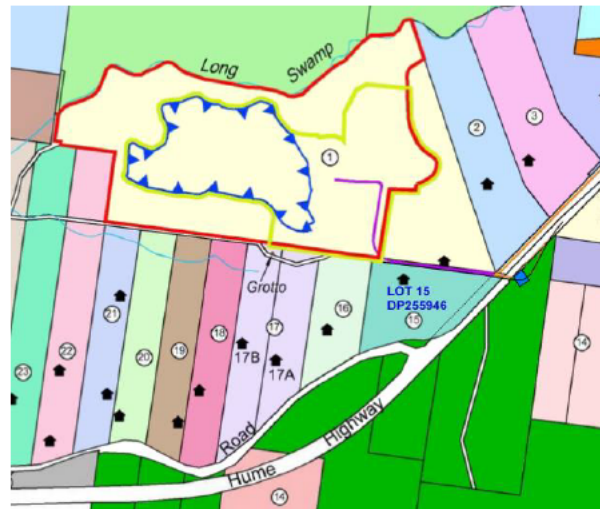
In February this year (16/02/2018) we were advised by a representative of the mine proponent (Mr Ron Bush: door-knock & 5 minute discussion) that they were building a mine and roadway on our boundary. He offered us double glazing but then looking out our open kitchen windows, agreed that we would not be able to reside here anymore. Surprisingly, he produced a map of other nearby properties the proponents owned (notably Lot 3: Tulla Resources Group P/L) and suggested that we could live there instead. We were speechless - he left.

No consultation on the details of this proposal was provided other than a simple conceptual sketch map emailed to me on 20/02/2018. We then waited until 24/05/2018 to see some details of the application on the *Planning & Environment* website. We finally received our requested hardcopy of the EIS on 14/06/2018 – 7 days before this submission is due. In addition, in the previous 2013 application for this mine, we were not consulted at all, as seen in that EIS.

Last year (16/08/2017) we (and other land holders along Hanging Rock Road) received an offer from Crown Lands to purchase the section of the Crown road along the length of our boundary(s) as they wanted to close the road along its entire length. The process of Title transfer was underway with our



last communication from Crown lands on 29/03/2018, which also noted that Sutton Forest Quarries P/L (SFQ) had just put in an expression of interest to purchase the Crown road but were not in a position as they were not an adjoining land owner. Sometime later we heard that they had put in an application to keep the road open – we have a Freedom of Information submission at present to find out more about this and whether a decision has been made one way or the other.



Mine site and adjacent properties. Our property is Lot 15.

We have many serious concerns with the EIS relating to the RMS submission on the road access.

- First, the current access to our property will be blocked. *No consultation.*
- The embankment of the support road at the interchange to the mine access road encroaches our property boundary, indicated on the map plan to be  $\frac{1}{4}$  acre (Figure Page 5-11 of EIS). This will remove our historical front entrance and many of our trees, several being memorials to past family. *No consultation approach was made by SFQ.* We tried to get details from Transport & Urban Planning Pty Ltd who prepared the road design. We did not get a response. UNDER NO CIRCUMSTANCES WILL WE GIVE PERMISSION TO ACCESS OR ACQUIRE OUR PROPERTY.
- The proposed mine access road has a concrete barrier wall 3.8 metres high running along the length of our boundary (to appease us with sound mitigation). *No consultation.*
- They provide us road access through an opening in the barrier wall and then through our irrigated orchard. *No consultation.*
- The barrier wall will totally obstruct our primary view over the valley to the north. Scene modelling shows that our residual view will be the wall, the tops of distant trees on the far side of the valley with sky above. At the same time, this barrier will provide no protection against nocturnal light pollution.
- The access roadway will destroy a large tract of native eucalypts used as a thoroughfare by native animals. Corkery P/L in the EIS describe it as in poor condition with mainly exotics. Note however that they also included our orchard, on our property and not the roadway, in the tree count to make it appear in poor condition and undesirable. There are also many *pinus radiata* that seed from the nearby Penrose Forests although we do our best to remove these weeds.

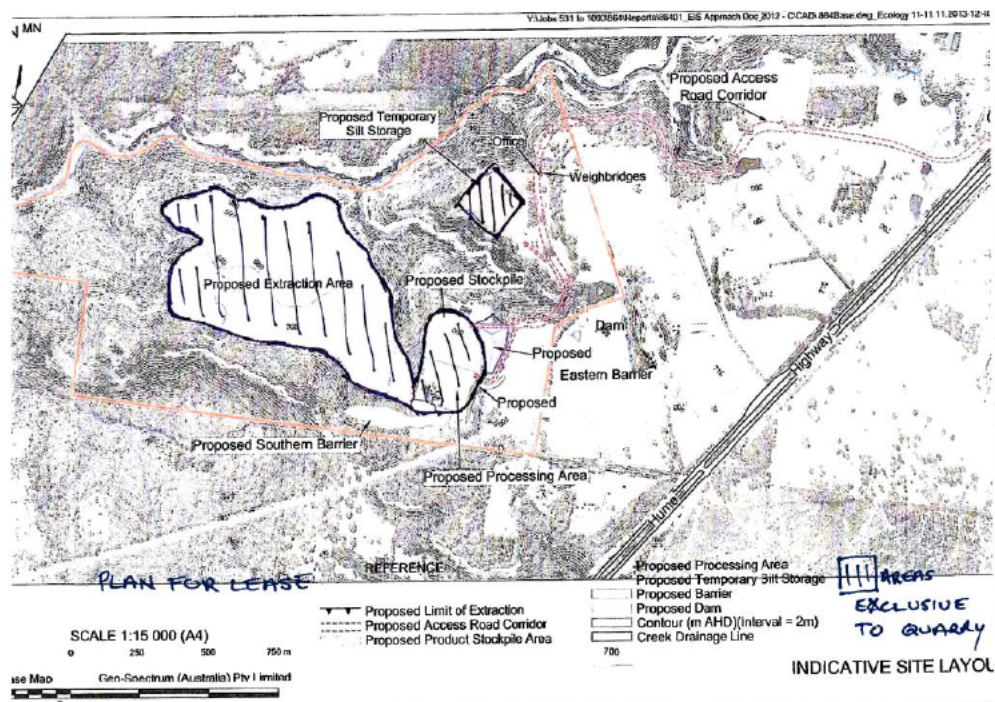
- The barrier wall of 3.8 metres in height is not high enough to exclude the view of trucks as our house (primary view lounge and kitchen) is elevated above the siting of the wall. Primary school geometry shows that trucks will be exposed by up to 1 metre directly in front of our house and 1.5 metres in the right of our view – only a vehicle less than 2.6 metres in height will pass unseen. The barrier wall would have to be 5 metres in height for large trucks to pass unseen.
- The sound modelling in the EIS is not credible. I speak as Prof. of Medicine UNSW and specialist in human neurology and sensory physiology (BSc, MBBS, PhD, MD). My work is internationally renowned, highly cited and I have served as Senior Editor on the premier international journal in this field. My research laboratory measures and has published on auditory perception. I have the equipment to make these measurements. Empirically (*i.e.* measured not modelled) I found that a 83.8dB sound source (my tractor) sited on this roadway adjacent my house was recorded at our kitchen window at 61.6dB (and 91.1 at 68.2) that declines with distance exactly as predicted by sound transmission theory. Maximum allowable noise from these trucks is 100dB. (Trucks will be climbing a 1:17 gradient outside our house.) A wall of 3.8 metres height will at best provide an attenuation of 5-8dB to the elevated house site. With visible sound sources (*i.e.* the trucks) sound is perceived 5dB higher (not a wishy-washy feeling thing, this is hard perceptual neuroscience). The sound heard from this roadway will be well above maximum allowable levels and they will be 24 hours a day, seven days a week for up to 45 years.
- These barriers will not protect us from air pollution in any way. As a clinical doctor and medical researcher I could write tomes on this but will spare you. Much of this epidemiology you will know from the medical literature. Key issues are silica dust and truck emissions (hundreds a day) 60m from our house and immediately adjacent to our work and recreation areas. (Industrial Particulate Matter (PM) emission will be the next big claims round following on from smoking and asbestos injury. The pathological links of the reactive element aetiology is being uncovered. Evidence is building and a first judgement against them is foreseeable. Well before this project is completed we will be closing down polluting mines and trucking operations.) We live here 24/7 with exposure over years – this development is for 45 years and cumulative exposure immense.
- *National Environment Protection (Ambient Air Quality)* standards allow maximum annual average PM10 of 25  $\mu\text{g}/\text{m}^3$  and PM2.5 is 8  $\mu\text{g}/\text{m}^3$  (to be lowered to 7 by 2025). The predicted annual averages in the EIS (Sec 5 pages 130-131) are PM10 up to 32  $\mu\text{g}/\text{m}^3$  and PM2.5 up to 15  $\mu\text{g}/\text{m}^3$ . Those values, like everything else in the EIS, are estimates favourable to the proponent. Road access alongside property is up an incline. Heavy trucks (40 tonnes) climbing up this 1:17 gradient alone will make diesel emissions significantly greater than the EIS estimate. Noise & light pollution, effects on sleep of a 24/7 operation, anxiety & stress all have cumulative adverse health impacts not addressed in this EIS. We work frequently night shifts and daytime operations will be equally disturbing.
- Through direct shadowing, water and air entrapment, the barrier wall will make approximately a hectare of our land unusable for its farming purpose.
- There is no plan described for water effluent from the access road. The lowest point of the road is adjacent the residence on Lot 1. A drain would need to be taken across the property to the distant dam to manage that volume of water.

- The barrier wall will lock us in with no other exit off our property. Our gates to the property to the north are our escape route. In the event of bush fire or other emergency, made more likely by this mine, we have no exit. *No consultation.*
- This new road access will separate and block our current direct easy access between neighbours that rural communities enjoy and use to visit one another and move our animals. This proposal will damage these community links. *No consultation.*
- An overhead sign recently installed at the access road junction cost taxpayers more than \$400,000. What plan is there to recoup this money from the developers?
- The access road prevents us (and our neighbours to the north) travelling south on the highway (family, neighbours, work) and leaves us with a route that is 5 km longer in each direction. *No consultation.* Simply going to church at Penrose Park now becomes a 7.5 km drive. Motorists inadvertently taking the southbound slip exit will now have to drive the length of the access road, make a U-turn to return back down the access road then return to the Sally's Corner interchange, cross over and head south again – an unnecessary and frustrating loop of more than 5 km! The residents of Lots 1 & 2 face the same problem. Vanessa in Lot 2 works full-time in Goulburn and her children attend school in Goulburn. They are being asked to drive more than 3,000 km a year because of this absurd road plan.
- This private access road will destroy a much loved and very popular road stop, the *Bruce Kingsbury VC* memorial park where hundreds each month use this park to rest and camp. *Kingsbury's 2<sup>nd</sup> 14<sup>th</sup> Battalion Association* still care and maintain this park, as do we. They describe this proposal as "*sacrilege.*" *They have had no consultation with anyone.*
- As a medical doctor (ED) who has worked locally for nearly 30 years, I am called on when there are motor vehicle crashes on the highway nearby. I have attended many crashes, some minor, some with injury and some with fatalities, and I have treated them in hospital. Many have involved trucks in their causality.  
Between this proposed new junction at the mine access road and the Sally's Corner road exit is already a treacherous stretch of road as cars coming from the south do not get a view of the service centre until they reach the hilltop at this point. They then start to move left and slow. This new access road junction will take the distance between the two slip roads down to 500 metres (16 seconds drive time), making it the closest pair of slip roads on the Highway from Sydney to Albury. With this volume of trucks attempting to gain speed and move right merging with vehicles slowing and merging right, there will be serious vehicle crashes. Note the large increase in trucks that will also come from the new Green Valley mine just 5 km beyond.  
Note also the deception in the EIS about reducing truck numbers by bringing in fill in trucks then delivering sand on the return trip. The industry does not work this way. Sand trucks are clean and with any clay or other contamination, loads are rejected. There is no truck washing facility in the EIS and they could not manage 200+ a day. The times and locations for the sand operation and the backfill operation are inconsistent and cannot be realised. This means many more truck movements than the misleading figure they quote in the EIS.

In these matters we speak also on behalf of my neighbours (Lot 1 on map above) whose house is much closer to the roadway – just 20 metres – making them more exposed to these hazards. They are not in a position to object to the proposal themselves having signed an unfavourable lease agreement but they have the same inalienable right to state protection of their health, privacy and amenity as any other citizen.



This Application in no way represents the use and access that the land owner envisaged when signing the lease for a smaller quarry operation. Shown below is page 19 of the registered lease agreement (AI476380B) signed 30/01/2014. Notably it shows road access from the north at Sally's Corner junction. At the time in their earlier submission, Corkery stated that this was the only feasible access route. The proponent, Tulla Resources, purchased Lot 3 to secure this road access and negotiated access with Lots 2 and 4. These arrangements ended when these owners learnt of the size of the operation and that the actual intent was to create a massive pit for later tipping. (Note that at the end of this 30 year application, the endpoint is a massive hole and a 30 year-old promise to apply to backfill the pit and repatriate the area.) Denied access from the north, the proponents rushed through this ham-fisted, unprofessional application that proposes a reckless and untenable road access.



Development proposal described in lease between Sutton Forest Quarries Pty Ltd (lessee) and R. Henderson (owner).

At NO time has R.W.Corkery & Co. P/L communicated with us about this mine and industrial development other than an email with the conceptual map on 20/02/2018 and a cynically worded *pro forma* questionnaire on 26/02/2018 from Corkery P/L to be submitted no later than 02/03/2018 – just 4 days! We responded but got an out-of-office email – back on 7 March). Corkery P/L have not come close to fulfilling the DGRs for making this application and its lodgement should never have been allowed by Planning and Environment.

There is nothing in this road access proposal that is beneficial to the general road user. There is nothing beneficial to local residents trapped by this mining access road. There are only significant adverse consequences for our property with not one benefit. We strongly oppose this new road access and under no circumstances will we provide the consent necessary for changes that require access to our property.

Yours sincerely,

Richard Fitzpatrick and Bernadette Lawlor