



DUNGOG SHIRE COUNCIL

All Communications to be addressed to:

The General Manager
Dungog Shire Council
PO Box 95
DUNGOG NSW 2420

Telephone: (02) 4995 7777
Facsimile: (02) 4995 7750
Email: shirecouncil@dungog.nsw.gov.au
Website: www.dungog.nsw.gov.au
ABN 62 610 350 056

File EF08/166
CFD
7 January 2014



Mr Adam Kelly
Divisional Manager, Construction materials
Daracon Group
PO Box 299
WALLSEND NSW 2287

Dear Sir,

Martins Creek Quarry

Thank you for your letter dated 12th December 2013 that was received by Council on the 18th December 2013. Whilst Council acknowledges that Daracon may have a track record of negotiating outcomes within communities in relation to quarry operations which the company has become involved in Council officers are not in a position to formally advise you of Councils position until the matter is reported to the next meeting of Council on 18th February 2014.

Given the long and complex history associated with the operations of the site and also the level of community interest it is important that the elected Council is made aware of Daracons offer and the terms upon which your Company has proposed as regards entering into an agreement to undertake further negotiations regarding the quarrying and transport operations. Should Council resolve to authorise staff to enter into negotiations then a further meeting will be scheduled between Daracon and Council representatives to discuss the process moving forward.

It should be recognised that Daracon entered into relationships in respect of the Martins Creek quarry with a knowledge that there are elements of concern/dispute as regards the operational parameters of the consents and that Council has previously obtained legal advice as regards the quarry operation.


As indicated at the meeting there is some reservation that the type of intensification of use which has been nominated in your letter is outside the legal ambit of a Section 96 modification however this will be explored in the coming weeks in the lead up to the discussion with elected Council, should you have any legal advice in this regard it will be taken into consideration.

Council is seeking confirmation of the haulage tonnages from the Martins Creek Quarry in the calendar year of 2013 so this can be included in the report to Council. This information will enable Councillors to understand the extent of recent quarrying and haulage operations over the past 12 months and consider the impacts that have been experienced over that period.

Whilst I am not in a position to pre-empt the Councils decision in relation to this matter I am prepared to provide the proposed alternate route through Paterson which was removed from Councils planning documents in 2002 which is attached for your information. There has also been another alternate route mooted by individuals that have land interests on the Paterson periphery however Council is not aware of any exact locations other than they were looking at the utilisation of a travelling stock route for part of the proposal.

Should you have any questions regarding this matter please contact Council on 49957777

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Craig Deasey', written in a cursive style.

Craig Deasey
General Manager

PROPOSED ALTERNATE ROUTE - PATERSON

