

A submission to the NSW Department of Planning, Industry and Environment in regard to the amended proposal (Application No SSD-6612) of the Martin's Creek Quarry Project at Martin's Creek, NSW

2nd July 2021

We wish to strongly object to the amended proposal by Butti Gravel Pty Ltd (Part of the Daracon Group), Application No SSD-6612, regarding the Martin's Creek Quarry.

As is, the proposal reflects a level of activity at, and arising from, the Martin's Creek Quarry that was similar to that previously conducted unlawfully as determined by Justice Duggan in 2019.

Until it ceased its illegal operations we experienced considerable impact on our daily lives.

The proposed activities in the Amended State Significant Development Application referred to above seek to reinstate the quarry and its associated activities to a level that has had a demonstrated unacceptable adverse impact on the community.

Of particular concern to us is the risk to our safety and wellbeing, and those whose residence and businesses front onto Paterson Rd, Bolwarra. This includes a childcare centre, café/shop and small businesses that local residents and visitors to the region use daily.

Our concern is based on our previous personal experience during the operation of the quarry by Daracon. In particular, that the heavy vehicles associated with the quarry created:

- Accidents and incidents impacting the safety of other road users, pedestrian and property
- Pollution including toxic diesel exhaust and truck overspill
- Vehicle noise including engine, airbrakes, tailgate banging
- Vibration damage to heritage identified residences

We have previously engaged with Daracon and their representatives about our experiences during the period of the illegal operation of the Quarry. This has included making suggested remedies, some of which we note are now in the amended proposal. However, we are most concerned that the current proposal will not only return us to the impact that occurred during their unlawful operation of the quarry but will be much worse as it will add to the heavy vehicle traffic associated with the more recently opened Brandy Hill Quarry.

Since the opening of the Brandy Hill Quarry we have had a significant increase in heavy truck movements along Paterson Rd through Bolwarra and Lorn. This has caused a recurrence of the problems listed above. We have reported our experiences and raised our concerns once again with Maitland City Council and our Local State Member.

We note the current application proposes an increased proportional use of rail haulage of quarried material from the quarry. However, it is also proposed that there will be some 40 truck movements per hour of raw and mixed quarry material for the 25 year life of the quarry. It is not at all clear why all quarry material can not be transported by rail from the quarry to suitable heavy vehicle loading site(s) remote to residential areas and adjacent to major roads suitable for heavy vehicle traffic.

While it is noted that the heavy vehicle movements are proposed to occur along Flat Road, and thus avoid the communities of Bolwarra and Lorn, the proposal and signage of a Driver Code of

Conduct, which we understand only applies to the truck movements away from the quarry and not the movements to the quarry, is of little reassurance that this route will in fact be adhered to. In particular, some heavy haulage vehicles will likely involve private contractors. Daracon and its subsidiaries will not have any mechanism or authority to stop these drivers from taking what ever route they see fit. It is clearly not in the interest of Daracon or its subsidiaries to impose significant penalties on the drivers for failing to adhere to the Code of Conduct as this would ultimately result in insufficient truck movements to meet the road haulage deemed necessary by Daracon. While an independent regulator with the power to impose penalties may be an option this is a putative measure and does not prevent the problems noted above.

Our experience is that drivers transited to the Martins Creek Quarry (and now Brandy Hill Quarry) via Belmore Rd, Lorn and Paterson Rd, Bolwarra as early as 4:30am in order to be at the quarry as it opened. Even with the proposed later opening of the Martins Creek Quarry, trucks would still pass by us at unacceptably early times in the morning. This adds the well documented health compromises associated with lost sleep to the list above of adverse experiences impacting on our safety and well being.

Having raised the significant adverse *and avoidable* impacts on our life and those in our community previously with the applicants (Daracon) and attended meetings with their representatives with proposals to mitigate our concerns we are appalled that the current application proposes to exacerbate the known problems associated with the use of heavy vehicle road haulage of quarried material by adding a further 280 truck movements per day for the next 25 years.

We and our fellow local community residents have experienced compromise to our safety and wellbeing as a direct result of the use of heavy vehicles to haul quarried material through our residential community.

Given that:

- The application seeks to22
 - Significantly expand the quarry activities from its previous approval in 1991
 - Use large numbers of heavy vehicle road movements through residential communities for the next 25 years.
- Community safety and wellbeing was compromised when the quarry operated unlawfully at similar capacity to that in the proposal
- Rail haulage of quarried material is possible from Martins Creek Quarry
- Rail haulage avoids many of the adverse events and incidents associated with road haulage.

We implore the regulatory authority to find the Amended State Significant Development Application (Application no SSD-6612) regarding the Martins Creek Quarry Project unacceptable to the community and consequently not approve the application.