

Martins Creek Quarry Extension Project – SSD 6612

I am a landholder on the Paterson River with the property sitting between Tocal Road & Paterson Rd. The property is “Duninald” an historic property and is regarded as having Local significance under the Port Stephens Council LEP 2013.

I wrote an objection to the Martins Creek quarry expansion application to 1.5million tonnes on 24.11.2016.

In summary the grounds for my objection were:

- The traffic travelling through the village would decimate the safety & amenity of the village of Paterson
- It would impact on the viability of the businesses in the community which provide employment and services.
- Loss of habitat is cumulative in the Hunter Valley and this increased size of the quarry was unacceptable.
- The proposed increased hours of operation of the quarry would significantly impact on the residents of Martins Creek and those residents along the haulage route.

My objection to the State significant application SSD 6612 incorporates these objections which still stand whoever would be making the application to expand the quarry operations beyond the consent conditions of 1991.

What else can I add?

We have the court case of Dungog Shire Council V Hunter Industrial Rental Equipment Pty Ltd – 2018.

In essence the companies that were involved in this case were subsidiaries of Daracon..so I will refer to Daracon in my submission, just as they use that name in their community communication.

In reading the court case I kept thinking about a person buying a Maserati & the seller saying he regularly drove it at 300km per hour. The buyer saying that’s just what I want, even knowing the maximum allowed speed limit was 110, if driving on the expressway. When pulled over by the policeman saying it’s OK mate the person I bought it from told me he regularly drove it at 300km/hour ,regardless of community safety.

What would happen to the driver? License suspended & big fine & possibly imprisoned

Did this happen to Daracon when they extracted 3 times the licensed amount of material from the Martins Creek Quarry & transported this through the historic village of Paterson, regardless of the health, wealth & safety of the residents? No.

The license was not taken away from them...they have asked that the speed limit be changed for them & have submitted this State significant development application.

So I object to the application on a number of grounds:

1. The scale of the operation & the human impact on the community of the Paterson Valley, Tocal, Mindaribba, Bolwarra, Pitnacree, East Maitland & Lorn.
2. The natural environment impact by the expansion of the footprint of the quarry

3. The operatives – who have shown scant regard to the law and the community.

I have used Daracon's own document – Martin's Creek Quarry update – Information sheet May 2021 ("this Document") to structure my comments on their submission, bearing in mind that the legally approved quarry operations are the 1991 consent for 300,000 tonnes per annum, 12 trucks per day and 70% of the product taken by rail. The consent was granted after consideration of the rural & village amenity of local residents, any increase in scale would impact on this amenity.

Any operation, other than this, is illegal & the directors and officers carrying out the operation are engaging in illegal activities. As the company engaged in from 2012 to 2018.

In Daracon's Martins Creek Quarry updates in July 2020 & ay 2021 they state the quantum – trucks & material extracted are **reduced** amounts, these amounts are all **increased** amounts on the legal amounts. No where have they presented the approved license conditions in their information sheets. This is very deceptive.

In 2016 Daracon recognised the negative impact on the village and yet continued to operate illegally. Their response to community concern was "move" – "we are coming through".

Mr Justice Molesworth held them up & I'm asking you to not only hold them up but remove their license and deny their State significant development application.

In 2021 the company recognises the negative impact on the community

- Transport – volume of truck movements –health, safety & Amenity
- Blasting – Noise, air quality & vibration
- Social destruction
- Land destruction
- Water quality impact
- Loss of habitat & biodiversity

This is justified on the basis of the NPV to the State of NSW of only \$58mill & the approximate employment of 22 people.

Where is the Cost to the people who live & work and have businesses from Martins Creek to East Maitland?

This expansion proposal would seriously impact on the value of our property and operations.

We have a beef operation – employing 1 person

We have a wholesale nursery employing 5 local people

We have an historic B&B providing employment for 2 businesses.

We engage a builder to ensure our historic buildings remain in good order, having restored them when we first came to the property in 2005.

In all our businesses we comply with the law and because of the historic nature of our property we are sensitive to our obligation, as a citizen, of preserving & enhancing the heritage both built & natural.

An approval of the quarry expansion and the direct impact – noise & safety and indirect destruction of our local community of Paterson, would cause me to consider whether I continued to operate our business – impacting on 3 local businesses & 5 local jobs in the nursery. Leaving 1 person employed on the beef operation & no preservation of the historic property.

The value of our property would be significantly reduced – historic property in a rural landscape compared to historic property in an industrial landscape.

Multiply these numbers across the impacted area & the benefits become a cost to individuals, community & the State. How can this be justified?

I know that civil engineering works need quarry material. There are quarries in the State that are close to main highways – not byways through historic villages and there are operators that comply with the legal processes associated with their activities, not operators who ignore legal processes.

Truck Movements:

“Daracon recognise that traffic and transport issues are of key concern”

- Volume of truck movements – Daracon’s answer to this major issue are to limit the number of 280 trucks per day from 7.00 am to 6.00 pm. If the trucks are evenly spaced through the day that’s 1 truck every 2.3 minutes.

The reality is that trucks will be concentrated in the morning – being loaded up & taken to the work site and coming back at the end of the day ready to be loaded up the next day:

This volume of trucks through the village of Paterson will make it extremely unpleasant and unsafe to take my business to Paterson.

It was very difficult & unsafe to join Tocal Road at the bridge where the road meets Paterson Rd. When the trucks use Paterson Road it is a tight turn onto the bridge and many times I have stopped & reversed so the truck does not wipe me out.

This is the route that our staff use to get to work. As an employer I have a duty of care to my staff not only at work but on the way to & from work. Trucks using the bridge pose a risk to my staff’s safety.

Traffic from Tocal Rd to Paterson Rd is not on the Primary haul route, but trucks do use this route.

The proposal says that the trucks will use the Primary Route – “except” for local jobs. How is “local” defined and then policed?

A lot of the review has looked at the impact on the historic village of Paterson. Trucks currently travel through the historic village of Lorn. Many people access the shops & food available in Lorn, again you would not stop, if you have to run the gauntlet of trucks.

More reduction of value of businesses & loss of employment.

Try to get across the Belmore Bridge at peak time.

These trucks going through Paterson will also be going down Tocal Road – the noise level from the trucks will impact on the quiet enjoyment of our historic B&B “Old Duninald”, a core benefit of the stay. This is the earliest house in the Hunter Valley. It was derelict when we arrived at the property and we have restored it and made it available for people to rent to enjoy the beauty of our wonderful valley.

These trucks will join up with the trucks from the Brandy Hill quarry – there will be congestion from Bolwarra Heights to the crossing at East Maitland. The East Maitland crossing is already a congested area in the morning. Trucks leaving the quarry at 7.00 would be joining the peak hour queue into Melbourne St; East Maitland.

The vehicles from the housing estate at Bolwarra Heights will find it impossible to join Paterson Rd.

The truck volumes associated with this proposal will impact on traffic congestion which has a lifestyle quality impact..let alone a dollar impact. Infrastructure Australia has put a cost on urban road congestion. It is a matter of extrapolation to do this in a regional city environment. State governments have been trying for decentralisation for at least 50 years and have spent a considerable amount of money to do this.

Our area has been successful in attracting people moving out of the major cities. One of the reasons people always give as a reason to move is traffic volumes. Daracon’s proposal ‘would ensure at least one of the reasons for a move would not be met.

Extraction Limit – 1.1 Million Mt p.a

Despite the language of a “reduced” extraction... it is 3 times the current legally approved extraction
Remember the Masarati

Going 3 times the legally approved speed limit & think of the consequences to the safety & well being on the other road users whether they be drivers or pedestrians!

Further, the proposal is being made by a company that showed no respect for the licensed amount of extraction, nor the approved area where extraction could take place.

Why would they behave differently & abide by the limits imposed by this State Significant process?

Daracon assert there would progressive rehabilitation of the quarry site.

I don’t know what the conditions for rehabilitation were in the 1991 consent. I also don’t know what rehabilitation has taken place....I suspect very little.

I do know that the 2021-22 NSW State Budget provided \$110million for rehabilitation for mines in NSW. Interesting that John Barilaro would choose the Mt Thorley mine at Warkworth to announce this when in July 2019 the Newcastle Herald reported that 5 Hunter coal mines had failed state

government audits of their rehabilitation works sparking fears the environment and taxpayers are exposed to significant risk...one of the 5 was Mt Thorley.

The Department of Planning approved in 2012 the extension to the Mt Thorley mine –similar arguments were made for & against , just as the Martins Creek Quarry. The Land & Environment Court rejected the extension in 2013. The Department of planning approved in 2014 with stringent conditions – yet in 2019 the rehabilitation works had not been undertaken as per the approval.

Is there not the will or resources to monitor the conditions of approval?

P.5 Daracon's Martins Creek Update no 3 – Stakeholder Engagement.

I believe that Umwelt have largely identified the issues of concern of the community. I spoke to the Umwelt representative, but it was of grave concern that at the public meetings there were many concerned and impacted residents who had not been contacted by Umwelt. I suspect that this will give a false number in terms of residents' concerns. Further, my concern as to the trustworthiness of Daracon was not on the summary of issues.

When Umwelt, organised a Collaborative Assessment forum in February 2021 to present the results of the Social Impact studies. People in the community did not know the meeting was being held. The information was presented in an unintelligible way – much information, in too small a print. Not a meeting to encourage confidence in the “collaboration” process.

P.6 Social outcomes

There is no way that 280 trucks a day can move through the villages of Paterson, Bolwarra & on to Melbourne St; East Maitland without destroying these communities.

I am most familiar with Paterson...this is where I shop for my groceries, go to the Post office, buy fuel and my chook food, use the chemist, collect my newspapers, go to church, take my grandchildren to the park, meet friends for coffee.

Would I feel safe crossing the road should this proposal be approved? - No. Would it be a pleasant environment to undertake these activities? No

How long would the services currently available in Paterson continue to be so, if they are not supported?

Daracon justify the destruction of my village by the economic benefits to the community. I believe there will be far more economic value stripped from the community than added to it.

Without the village there is less attraction for my guests at Old Duninald...more reduction in value.

It is my understanding that one of their “expert” reports asserts there would be no loss of property values with 280 trucks going past ones property per day....I know that when Daracon were operating illegally and had a large number of trucks going through the village..it was seriously unpleasant and unsafe in a direct sense with the trucks and an indirect sense from the air quality (silica) coming out of the empty trucks. There is no way a prospective buyer would place the same value on property with some traffic compared to 280 trucks per day.

We know what this proposal feels like – Daracon gave us an illegal dress rehearsal with 600 trucks a day going through the village as opposed to the approved 12 trucks going through the village. It was a show that was closed down by the land & Environment court and should remain so. It was a show that exhibited the total contempt by the company for the amenity and safety of the community.

P7 Traffic & Transport – already covered

Air Quality – there are air quality implications from both the increased operations at Martins Creek & increased road haulage – diesel fumes, dust & silica.

This increased load on the atmosphere adds to the poor air quality of the Hunter Valley. The press concentrate on the air quality of Singleton & Muswellbrook because of the mines & power stations. There air quality impacts in our valley when the Westerly winds blow.

Noise – the proposed operations at Martins Creek at totally disrespectful of the residents of Martins Creek...the increased operations & 24 hour train loading. I do not see any of the directors or officers of Daracon wishing to live in Martins Creek & be subjected to such noise.

Similarly, the blasting & vibration at the quarry site of an expanded operation is unacceptable.

The noise of the transport can not be mitigated against...it is part of the story of village & business destruction, let alone the health & well being of residents along the haulage route.

It is well documented that excessive noise levels can cause hearing loss, increased blood pressure, increased heart rate & increased digestive & sleep disturbances.

My experience of the trucks rolling through Paterson are that they are excessively load – impossible to continue ones conversation as they pass. Yet they assert that the predicted increase in road traffic noise is only 2 dB.....on one measure not that loud but even a small increase in Db increases noise intensity,

P.10 Water – discharge issues

Daracon asserts that the increased operation will have “no effect on the downstream water quality, flows, flooding & water users”

Common sense suggests that a tripling of a quarry operation will impact on water quality. This is happening at a time when the Paterson River is under threat from an extraction West from Lostock Dam to Glennies Creek Dam & an extraction East from Paterson River to Grahamstown Dam. The mines on the Hunter river operate on a salinity trading scheme..the Paterson River has no such strictures on discharge.

Our beef operation is intensive because we use irrigation to produce fodder for our cattle. We are in the tidal pool and need to watch the salinity levels because of potential damage to our crop (short term) and our land (long term). There are no details from Daracon as to the quality of the water discharge and how that is likely to impact on our ability to irrigate.

P. 10 Rehabilitation & Economic – already covered.

P.11 Historic Heritage – when an historic village is negatively impacted on by an operation, I fail to see how Daracon’s Heritage Impact Statement concluded there would not be any adverse visual or physical impacts from the increased operation. The vibrations of the trucks moving through Paterson would cause structural damage to the buildings.

Tucker Park in Paterson is a well used and loved facility. A huge number of people that say they had picnics in the park, when I tell them I live near Paterson. It is used for families & clubs for gatherings ...Trip Advisor – “John Tucker Park: we love the park at Paterson! A playground, tables, cooking area, toilet and a field of trees in a grid layout. Awesome.”

Not so awesome, if it doesn't have the context of the village and no amenity when the trucks are rolling by.

Historic heritage needs to be looked at collectively & not just the individual buildings. Our property has historic value because of its relationship with Tocal and the village of Paterson.

Biodiversity – an expansion of the quarry footprint causes a loss of habitat. The proposed purchase of purchasing offset credits does not deal with the loss of habitat in our area. Again, one needs to look at loss of habitat collectively. The eco system in the Lower Hunter is under threat through housing development...it does not need an expansion of a quarry.

We have spent the last 16 years planting trees on our property. We currently have a plan for the 25 acres of woodland surrounding Old Duninald to create 5 different zones on local vegetation. This is part of our commitment to the natural history & biodiversity of the area.

The Valley has an active Landcare group, I am the current President. Many of the people who come to the Valley are interested in the land & native flora & fauna & do what they can to enhance it.

The proposal not only impacts on the current stock of native flora & fauna but it changes to whole nature of the area. The change in nature of the area changes the community & does not attract the new residents who desire to preserve and increase the stock of native flora & fauna.

In Summary

I implore you to reject the application SSD 6612.

Please consider the rural and village communities that would be impacted, from Martin creek to East Maitland.

The impact is on the health, safety, well being & wealth of those individuals surrounding the quarry and on the haulage routes.

The impact is on the human and natural history of the area, in a direct way – diminishing what is and in an indirect way – not increasing the stock. Would we have undertaken the renovation of the oldest house in the Hunter Valley (1822) and a restoration of our own home (1875) without the context of rural village amenity? No.

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