

Department Planning, Industry and Environment

### **Submission: Martin's Creek Quarry Project**

We write to express our views, as part of the community, in relation to this proposal by Daracon.

1. We are residents of Dungog Shire and live a few kilometres from the Martins Creek Quarry Site. Our original objections to the EIS lodged on behalf of Daracon, in relation to the State Significant Development Project, remain. We strongly believe that Daracon has mislead the community in that their assessment of environmental issues and other responses do not represent a fair and reasonable appraisal of the effects to the total environment (including infrastructure, people, facilities and amenity).

2. Originally there were development conditions that aligned community and the then operator (RailCorp) expectations, key points being:

- a) No more than 30% of output was to be transported by road, the rest by rail.
- b) The main purpose of extraction of material was for rail ballast.
- c) A limited allotment (portion of total lots) only was to be used for extraction purposes.

The obvious reason for these consent conditions was to limit the total extraction from the quarry to a level which minimised impact (whilst providing the operators with meaningful returns) on:

- a) Surrounding residents and those people who reside along the road infrastructure.
- b) The road infrastructure itself.
- c) Non quarry people using the road infrastructure.
- d) People using the facilities of villages like Paterson.
- e) The natural environment.

3. Daracon underwent a significant Due Diligence process before entering into leasing arrangements to operate the quarry. It would have been very clear to Daracon that the development conditions were not being met by the previous operators. Notwithstanding this, Daracon entered into the leasing arrangements and developed a business model based upon an operation which was not valid at law. Further, Daracon significantly developed the quarry into adjacent lots and ramped up extraction activities to a high level never seen before. Almost all of operation output was and still is transported by road.

4. Since at least 2005 Dungog Shire Council has been aware of development conditions not being adhered to. No successful interventions were taken until the Class 4 Land & Environment proceedings of the last few years. The Court determination made it clear that Daracon was massively exceeding its legal extraction limits. It is now relying on the application before NSW Government to reverse the Council determination and Court judgement to again cause significant adverse effects to the many so that there can be great monetary benefit to the few.

5. The company and shareholders made many millions from the unlawful operations before the Court judgement and contributed virtually nothing to the communities affected except misery. Since the Court ruling, there would seem to have been no significant impact on Daracon customers or staff. Only to the wallets of shareholders.

6. Since 2005, the following is evident:

- a) Population has increased in Martins Creek, Paterson and in all areas affected by Quarry operations, including these along transport routes.
- b) Shopping facilities in Paterson have increased markedly, attracting many more people to the village.
- c) The number of cars has increased significantly along all transport routes. The public transport options are very poor.
- d) The road infrastructure has either not changed or has deteriorated. The roads throughout the area affected are single lane each way.
- e) The environment has become more sensitive to change and human intervention.

7. Daracon has not in any way addressed the real issues to justify a massive increase in mining and truck movements. The substantial increases in quarry operations undertaken when Daracon engaged in unlawful increases outside of development consent, amply demonstrated the significant adverse effects on people, infrastructure and environment and significant increases in truck movements. None of their proposals addresses any of the real problems their massive increases caused. Daracon thinks by widening 2 corners of roadway in Paterson will fix everything.

8. Daracon has relied on putting nothing more than an ambit case to the Government, and previously the Court for an unrealistic increase to operations. Then, with no logical reasoning, discounts that increase by an arbitrary amount, which appears made to justify a “reasonable” position. All this does, in our opinion, is to weaken any argument they have for increased operations. Their final submitted position is not justified in plain, objective terms, having regards to the total people, infrastructure and environmental factors. There is no robust model to justify the increases sought.

9. Finally, please remember that

a) The past unlawful operations significantly adversely affected many thousands of people, the infrastructure and environment. Much of the area impacted by Daracon is rural and relatively quiet in nature. Paterson is a village, not a town or city. The quarry does not have access to a fit for purpose road that leads quickly to a motorway or the like. It is impact, impact, impact all the way.

b) Five times the number of trucks equals five times the total impact. This impact will not only be multiplied but will also be constant, continual and intolerable. Noise, pollution, road hazards from the sheer number of trucks, damage to roads, constant road rebuilding, accidents, natural environment degradation, stress levels, health issues. Our total environment cannot endure this effect without significant consequences that transcend money making for the benefit of a few. Daracon knew what they were leasing and chose to make it something else entirely and unfit.

10. Our submission, is that the Daracon proposal to increase operations beyond presently approved levels and methods is unreasonable and unjustified and should be rejected.

Sincerely,