Martins Creek Quarry Expansion – Application SSD 6612

I am opposed to the Martins Creek Quarry expansion.
This submission supplements my original submission in 2016 on the same application.

The rationale for this opposition is based on the data provided by the Department of Planning in a letter dated the 6th of December 2016 in response to the first SSD 6612. The author is Howard Reed the then director. Throughout my submission I will refer to this document as (Reed 2016). The document by Reed outlines key areas that were not addressed or given insufficient attention. It is my assertion that the current submission in 2021 does not rectify nor fully address the issues.

The SSD 6612 submitted is lacking in detail and shows omissions and oversights in the presentation. Some of these omissions seem deliberate to create a picture of a sustainable development. This could not be further from the truth.

Baseline Issues

The Department of Planning raised the issue of the baseline figures in 2016:

However, in light of the uncertainty around the existing consent limits, the Department considers that additional impact assessments, which consider the environmental effects of a proposed increase in extraction of 900,000tpa and 1.2 Mtpa and corresponding increases in processing, stockpiling and dispatch are necessary in order to ensure a robust and reliable assessment and an approval which can withstand legal and other scrutiny. Please provide a comprehensive assessment of noise, dust, traffic and all other key impacts based on expansion of approved production by increments of both 900,000 tpa and 1.2 Mtpa.
Neither the Department of Planning, residents nor Daracon are to adjudicate the findings of the court. It is incumbent of all to follow the rulings and determinations of the court. (Reed,2016, p1)

This issue has not been addressed in the current SSD 6612. It was a requirement for Daracon to address the issue especially in light of the subsequent court decisions. This is not for adjudication but is a fact of legal rulings.
The SSD 6612 goes against the rulings of the Land and Environment Court in proceedings:
NSWLEC 164[2016]
NSWLEC 153 [2018]
and the NSW Court of Appeal, Supreme Court:
NSWCA 147[2019].

These judgements ruled that the quarry was an unlawful enterprise and had been operating as such since 1991. It determined that the SSD should use the court findings as the baseline for the operation. Daracon (through their agent Umwelt) have ignored the court orders and selected their own baseline and throughout this whole submission not followed the determinations by various judges in both the Land and Environment Court and Supreme Court.

The premise of this submission is that it is an expansion. If the quarry has been illegal since 1991 then the concept of an expansion is questionable. Even if it accepted that an expansion of the 1991 legal quarry is valid then the baseline should be output of the quarry at that time as determined by the courts.

This is very significant in two areas; firstly, the legality of the decision based on a flawed submission and consequently the second issue is the data provided has no validity due to the incorrect baseline. As indicated by (Reed 2016), Daracon were required to provide figures for an expansion of 900 000 tonnes and 1.2M tonnes as part of their submission. Most if not all consultant reports do not comply to the Department of Planning's direction.

Many of the consultants' reports use this baseline from the illegal operation as their starting point. This makes many of the assertions totally irrelevant and incorrect.

Traffic and Transport

The SECA consultants have submitted a review of the haulage route which is littered with inconsistencies and has failed to address key aspects of the road network. The road network as analysed by SECA omits many key issues to avoid the scrutiny that is required for such a project.

Using the Department of Planning document as a reference the following issues were not addressed:

> *b) SIDRA modelling of all major intersections on proposed haul routes (these have been identified in section2.4.1 of the TIA) and a description of any measures that would be implemented to minimise or mitigate traffic impacts, if necessary.*
> *i) provide a cumulative impact assessment of the proposed volume of truck movements as they relate to existing approved and proposed truck movements from the Brandy Hill Quarry.*
> *[EIS and Traffic Impact Assessment (Reed,2016, pp.3-4)]*

The Traffic Survey conducted by SECA consultants has ignored the primary aspects of the haulage route and not addressed the key issues as outlined by Reed (2016).

- Narrow bridges that cannot accommodate passing vehicles especially large heavy vehicles at Gostwyck Bridge on Dungog Road

- A road that passes right through the township (as was the key design feature in those days). Past the shops, service stations, churches and community halls as well as residential areas. This is reflected by high pedestrian activity from residents and visitors. A small but busy shopping precinct. (Refer Figure 8)

- The road through the village has a unique and inflexible route due to the railway line bisecting the town. Paterson is an historical village that has road system developed in the 19th century. The road network is therefore designed and aligned for times where high volume, high-speed heavy haulage was non-existent. The SECA report does not factor in the heritage value of the village, nor does it consider the destruction of the amenity of the village. Serious flaws in a report of this importance.

- The road is essentially built in the valley of Paterson and is constrained by the Paterson River hence the numerous bridges.

- The township of Paterson is the funnel for all road transport, and it deserves special mention. The EIS fails to adequately address this key issue and uses other aspects as a smokescreen to avoid confronting this key point. As well the sections relating to transport ignore the use of the rail network in favour of using an antiquated out-dated and inadequate road network

- Narrow roads and shoulders that are very narrow (non-existent in parts) that is commensurate with the vehicles of the era. SECA has done a survey of the shoulders and pavement but inconclusive on the outcomes.

- Heading south through Paterson the main road (it has several name changes which for clarity will not be listed here) takes a sharp left turn and crosses through railway gates over the main Northern Railway Line that services all goods and passengers enroute to Brisbane.

- Within 100m the road passes a busy pedestrian and commercial area it then meets a T intersection which has a 90° turn. This turn has very narrow turn-in and all vehicles tend to cross over double lines to negotiate the turn. Two heavy vehicles cannot pass simultaneously on this bend. This and the following intersection do not follow Australian Design Rules and are constrained form ever being able to comply. These represent a constant threat to safety and well-being. The proposed road alterations do not address this issue.

- Next within a short distance is a blind dog leg corner on another intersection again with a very narrow shoulder on one side which then leads to a downhill gradient that levels out at a known flood prone point. It then climbs through a narrow cutting with zero shoulders onto a flat and very distressed piece of road to exit the town. This again has been ignored by the SSD as a both a real and potential hazard. SECA have omitted to discuss or indicate this is an issue. Referral to the Australian Standards etc indicate that this intersection does not comply. (Refer figures 2-7)

- School buses (100% of high school aged students must utilise transport) use the top end of town near the T intersection as a drop off and pick up point. This creates congestion with parents connecting with the buses, children crossing and the requirements of bus parking a potential traffic hazard. No discussion of this hazard and therefore no solution provided. (Refer Figure 9-10)

- Along the cited route of haulage there are no designated bus stops. Most pick-up and drop-off points are on the roadside. This is for all school buses including those heading for Maitland, Dungog and those serving the local primary school. They share the road with high volumes of heavy haulage. The EIS has ignored this critical aspect. With Daracon's utilisation of experts it seems questionable as to why this critical aspect of transport management was overlooked.

  Another key issue ignored is the cumulative impact of traffic at the Bolwarra interchange.

  > *i) provide a cumulative impact assessment of the proposed volume of truck movements as they relate to existing approved and proposed truck movements from the Brandy Hill Quarry.*
  > *[EIS and Traffic Impact Assessment (Reed,2016, pp.3-4)]*

  Brandy Hill quarry has nominated that 375kt/pa will use this route. Combine this with 500kt/pa from Martins Creek Quarry and a total of 875kt/pa will be using this section of road. Totally ignored in the SECA report. Issues with the Melbourne St and Flat Road intersection ignored completely. Issues with the Melbourne Street and New England Highway ignored completely. These were specific requirements nominated in the SEARS of the 2016 submission.

These aspects should have been covered in great detail throughout the EIS, as it is one of the major impediments to utilising the road network for high volume heavy haulage. The glaring absence of any in depth analysis or discussion of possible problems indicates a deficient EIS.

No mention of the fact that the Tocal Road is flood prone in several places and under different scenarios. This is common knowledge to all residents and SECA should have been alerted to this fact with the existence of water depth advisory signage.

Trucks have travelled through town and floodwaters to access the quarry in previous events. This has been unique to Daracon as it has only occurred since their operating the quarry. Video evidence is available of trucks ignoring road closed signage and traversing flooded roads.

Tocal Road in the vicinity of John Tucker Park is flood prone in the first instance by flash flooding then through the Paterson River overflow. Refer to Photo 12 as this shows a typical flood scenario. Traffic can divert around this by using Railway Street and Sloane St. These are both residential streets that the quarry vehicles have used in such situations. They are not designed nor maintained to a standard for this purpose. It is narrow with unformed shoulders and no line markings. This aspect is well known and Daracon have totally ignored this in the EIS.

Tocal Rd between Paterson and the CB Alexander College is on flood plain and it is common (once per year minimum) for this road to be inundated and closed to all traffic for several days. Photo 11 shows the flood as it is receding, and the associated debris left that will require road maintenance. Heavy traffic after such events causes structural damage.

The Traffic survey has not included the coexistence of heavy transport with school bus transport. Nor has it examined the conflicts that are present due to the design, layout and usage of the road in the village the very place that transport will have the most impact. There is no proposed traffic management plan provided for vehicle movement through both residential and commercial areas.

A particular corner of interest is the location of my house on Prince and Duke Streets. I have included photographs Figures 2 to 7 to show the dangerous and narrow road set out. Nowhere in the SECA document is this addressed. These photographs show school buses that have trouble negotiating the corner. The corner is blind for south bound traffic. The corner is blind for vehicles coming from Prince Street and entering Duke Street. It is also the only option for bypassing Main Road when it floods. A recent traffic accident also blocked Main Road. Heavy transport has difficulty negotiating this intersection. But the major aspect of concern is that SECA have not addressed any of the issues. They are all well-known and easily observable. This is just one corner. Other key pinch points in the road network have been ignored. These include the many feeder roads that join the haulage route such as Church Street. The intersection at Bolwarra Heights of Paterson Road with Tocal Road has also been ignored. This is where the cumulative effects of both quarries will be felt. Future growth areas such as Hunterglen Estate have not been factored into the transport report. Clearly a substandard and poorly developed report.

Road construction is generally asphalt with a surface layer of chip seal. This is aggregate that is sprayed with a binding agent. It is cheap, quick and easy to apply but it has distinct disadvantages. There are serious concerns with

durability especially with high axle loads causing distress to the road surface that exacerbates water ingress and destruction of road surface. Other forms of distress include a breakdown of the sub surface causing depressions and uneven surfaces. It is also very noisy compared with other hot-mix road surfaces. Chip and seal is cheap and is often associated with poor shoulder construction and equally poor drainage systems resulting in potholes. Patching though is very easy, cheap and requires minimal equipment. Potholes are a feature of the roads discussed in the EIS. With large vehicles that have aluminium bodies the noise generated is excessive and resounds through the valley for several kilometres. A large percentage of the roads along the proposed routes in the EIS are bitumen type chip and seal roads. Any prolonged or major rain event will result in major pavement deterioration which heavy vehicles exacerbate. Scant addressing of the on-going long-term repair and maintenance of the road network.

The EIS does not make mention of this situation either through deliberate avoidance or through lack of research. If the consultants that are experts in the field had addressed these issues, they would have determined that the quarry road transport option is not sustainable.

Historically the quarry was developed around the rail infrastructure and not the road network. Hence the inadequacy of the road network is historic and fundamental to this whole EIS.

Heritage Assessment

This report has taken outdated council LEPs on heritage buildings. Many of the buildings are not even on the haulage route or even connected to the township. They represent padding of the report to give the illusion of depth whereas the exact opposite is the case.

Our local community has a strong and active Historical Society with a huge off-line and on-line resource base. The historic courthouse is a dedicated museum that outlines the history and heritage for visitors. The historical society boasts the membership of Dr AC Archer AM, a renowned author on the history of the Paterson district with a plethora of published books on the subject. A simple phone call would have clarified the heritage aspects of Paterson. Even the local café has brochures to help download a self-guided walking tour of Paterson that details the history of Paterson. **How does a consultancy group not do this fundamental research for its report?**

As the owner of one of the oldest houses in Paterson I was astounded to see it did not raise a mention in the Amendments. I refer to the Appendix Document 3 that profiles my house as the oldest in the village. This text was taken from the CYA App that is on a bookmark free at the Paterson Café. It was produced with the help of the Paterson Historical Society. Common information for all to access. My house, *Sunnyside,* is the oldest house in Paterson and it is also located less that 10 metres from the road. It is affected by noise, vibration, dust and diesel fumes from the heavy transport generated by the quarry. Evidence was

given in court proceedings to the noise and vibration aspects. Umwelt and Daracon were present at those proceedings. There has been no contact from Umwelt regarding the vibration caused by hundreds of empty trucks daily travelling past my house in 2013/2014. Further to this there has been no contact regarding my lived experience with the damage that these trucks caused. In addition, there has been no contact regarding future issues with a nominated 280 trucks per day.
This was a specific requirement to be addressed as stated by the Department of Planning:

> The historic heritage assessment should consider the:
> a) potential vibration impacts (if any) of the proposed number and frequency of trucks on the structural integrity of listed heritage items;
> b) potential impacts to significance of the conservation area as a result of the number and frequency of trucks travelling through a conservation area; and (Reed, 2016, p 7)

The heritage is being destroyed.

The report fails to acknowledge the total heritage of the village. The report indicates that the historical buildings are set back from the road. This is simply false. Photo Figures 2-7 shows my fence line and the vehicles travelling past. This avoidance or omission by Umwelt is also discussed in the Traffic and Transport section. Why so? Is this a simple oversight or a deliberate omission?

The greater concern is that these issues are all immediately present to anyone that travels through Paterson and especially to Umwelt that are the presenters of this report. How and why have they ignored and avoided the obvious facts relating to the general heritage and specifically to my house?

Air Quality and Safety

Umwelt have commissioned a comprehensive report by Jacobs on the air quality issues associated with the quarry. The report discusses wind and weather conditions with many tables but unfortunately does not discuss the toxicity and potential health issues associated with the air quality. A comprehensive analysis of particulate matter that relies on the goodwill of Daracon in supplying specific data sets. Whilst there is recognition that silica is the main constituent and therefore by deduction would be the key element in the particulate matter it is not addressed in specific detail. Nor does the report discuss dust issues associated with the transport of the product along the haul route. It makes a scant reference to NO_2 emissions there has been NO monitoring of roadside air quality.

The issue of silica and the consequent increase in siliconosis is of particular concern and the EIS does not give sufficient attention to this health issue. The University of Auckland has confirmed that Andesite has a silica content of 52-63%. (n.d). This is extremely high. This is echoed by the Resources Regulator of the NSW Government when it states;

One of the most common dusts encountered on mine sites is silica dust or Respirable Crystalline Silica (RCS). A significant amount of silica is present in most rocks, clays, sands, gravel and shale. Exposure to silica dust can lead to the development of lung cancer, silicosis (an irreversible scarring and stiffening of the lungs), kidney disease and chronic obstructive pulmonary disease.

The measurement of particulate matter is of critical importance and there is a lack of analysis in this area. As the Australian Workers Union state:

Silica dust particles are tiny and can be invisible to the eye but when breathed in can cause silicosis, which has been dubbed the new asbestosis

Andesite the rock being quarried is a silica-based rock. Crushing it into small sizes as proposed creates more dust and airborne particles.

Andesite

There are several aspects of this EIS that are questionable and raise serious doubts.

This product is known to have a high level of silica which is identified as carcinogenic element. This issue is not addressed in the submission in terms of the health risks. The product becomes even more toxic as the andesite is crushed into small sizes for civil projects. The content of silica is further enhanced by the addition of fly ash (a known carcinogenic product) to manufacture road base and similar products. Full risk assessments are absent in this report.

During Community Forums I raised this issue and was dismissed.
Daracon admitted that there has been no risk assessment on the haulage route for the dust emissions and specifically for silica.

Consequently, I have collected dust from my veranda and commissioned an analysis. The results indicate a higher-than-normal level of silica. This is a residential building in a rural hamlet that is not near the operation of the quarry. Jacobs feel that this is not an issue and has not addressed this area in their report.

Refer to Appendix 1that the EPA has a limited scope of monitoring and relies on community reporting. Combine this with the fact that the Dungog Council is responsible for the haulage route supervision, and it shows a poorly functioning system. This is reflected in the SEARS from the 2016 Department of Planning:

c) Assessment of potentially affected receivers along proposed haulage routes

> *The EIS and AQIA state that "Due to the proximity of residences in the villages of Paterson and Bolwarra to the main road proposed to be used as a haulage route, the likely impacts of dust from truck movements have also been considered in the AQIA". Neither the EIS nor AQIA identify these potentially affected receivers, or present predicted emission levels. The Department requests the revised AQIA include this impact assessment. (Reed,2016, p.5)*

Most of the aggregate produced throughout Australia has MSDS sheets that stipulate the long-term inhalation of dust as a serious health issue. The product produced at the quarry is a high proportion of silica. Silica is a known carcinogenic, causing many respiratory and eye irritation problems. The dangers of silica are exacerbated due to the crushing process and the emphasis on smaller sized product. There is a lack of mitigation of this risk and minimal engineering solutions discussed in the EIS. Tertiary processing at the Martins Creek Quarry involves the addition of fly ash which is also identified as a high silica product. Combining two high silica products is an inherent danger. The EIS failed to identify this in 2016 and has not completed any definitive risk assessment for the 2021 EIS.

The material for the pug mill is transported inward in fully closed bulk carriers yet on the outward journey it is carted in open dump trucks (truck and dog) and only loose tarpaulin type covers contain the load. The same vehicles return to Martins Creek Quarry with residue in the vehicles that is more of a dust hazard than the outward-bound vehicles because the residue in the trucks (principally the fly ash) has dried out making it less contained and more prone to wind dispersion. This issue of residue in empty vehicles is well established and reflected in recent studies regarding coal transport to the Port of Newcastle

The transportation of a high silica product as produced at Martins Creek is fraught with danger. Whilst all trucks by law have a stipulation of being covered the volume of trucks being proposed exposes the community to particulate levels higher than normal. Vision of torn covers and truck covered in dust are all indicators of this issue. Mitigation measures as discussed with Daracon include wetting the product before exiting the quarry. The effectiveness of this during summer heat is questionable but no risk assessment has been completed to verify the risk factors.

I live on the designated Route 1 for haulage, and I have had a sample of dust analysed by Greencap Laboratories SA. This is included in Appendix Document 2 The results indicated a high level of silica particles above the normal average. My health and well-being are being compromised through this situation.

Diesel particulates are also of high concern as the volume of trucks and type of trucks being used create dangerous levels.

Irrespective of Daracon having a late model fleet of vehicles that satisfy the above criteria many of their sub-contractors are using older and poorly serviced vehicles. These vehicles are louder, emit more black exhaust smoke and have covers that are often torn and inadequate. Daracon have stated in public

meetings that they have no control over their contractors driving habits and behaviour and will not enforce any such regime.

Product Demand

Since the earlier SSD6612 in 2016 another quarry, Brandy Hill, has been granted approval to expand its operation for the local and Sydney markets. This indicates that the demand for the product is well serviced. In my previous submission in 2016 the case for the product was debunked. This is still the case.

The demand for this product is well serviced both at a local level and at a state level through various quarries. The largest market is Sydney, and that market is well served through the various quarries in the Murulan and surrounding districts. The rock from Martins Creek is not unique. It should be noted that Murulan and Peppertree quarries have spent large sums in mitigating problems associated with the extraction and transportation of product. Daracon are not committing to any such mitigations.

Daracon

Comments made in my original 2016 submission still apply.
The 2016 EIS states that costs for major infrastructure projects are reduced because other quarries are:

> owned by major vertically integrated companies which would have significantly increased price pressures within the market potentially adding significantly to the infrastructure project costs.

This implies that Daracon is not vertically integrated. Comparing this with the Daracon Group website shows that the Daracon Group are a major civil engineering and construction group operating Australia wide that are highly vertically integrated. It could be reasonably argued that their quarry business is in fact the base for their vertical integration into major civil construction.

Daracon Group completed many of the major projects cited in the EIS or were utilised as major sub-contractor and supplier of materials and machinery for these projects. In Appendix O the Daracon Group is mentioned as the most likely supplier and developer of the infrastructure proposals on the site. This negates the claim of not being vertically integrated. Daracon has vertically integrated by value adding to their products through the pug mill, establishment of a concrete batching plant in Newcastle, hiring and utilising portable pug mills for major infrastructure projects and as the principle contractor for many projects.
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Social Amenity

I make reference to the quality of the SIA in the 2016 submission and the need for amendment.

> *The Department requests that a revised SIA is submitted as part of the RTS which, at a minimum:*
> *a) Includes a comprehensive stakeholder identification or map with particular emphasis on potentially vulnerable*
> *groups*
> *b) Research, analyses and qualitatively describe first-hand views (ie opinions, concerns and aspirations) of community members regarding the proposal*
> *c) Investigates and documents the views of other interested parties regarding the proposal; (Reed, 2016, p.1)*

The Forums run by Umwelt have been very disappointing and in particular the aspect of Social Impact. There have been numerous promises to record and forward minutes that have either never eventuated or been several months later that they do not reflect the true feelings of the community. The meetings were not to canvass the views, opinions or concerns but to establish the Daracon case. Karen Lamb from Umwelt continues to ignore our community's lived experience.

The impact of the proposed quarry extension will have a detrimental effect on the community. In 2014 the Regional Manager of Boral, Mr Bolton, stated to an enquiry that "simply that homes and quarry operations don't mix." (Goulburn Post May 23, 2014). This comment from an industry leader is poignant in this situation as Umwelt refuse to accept that the community will be impacted.

I participated in several interviews associated with the social impact of the increased transport. These interviews were deliberately held outside my house on the corner closest to the road. All were aware of the impact of the traffic issues first-hand.

Additionally, I participated in the Community forums associated with the Social Impact of the quarry expansion.

Consequently, any comments or information that I provided through the courts, personal interviews and community forums was ignored. My 'lived experience' was dismissed. The Amendment (Appendix O)by Karren Lamb (Umwelt) is a tome of excessive length with complex tables to give the appearance of a complete and accurate submission. During a forum I expressed that the graphs, tables and matrixes did not reflect my 'lived experience'. I was dismissed as being out of step with the data. Other residents and community members expressed the same sentiments. This reflects the inadequacy of the report and again the skill of ignoring any aspect that might reflect the 'lived experiences' of the community. Furthermore another aspect of this report is the glaring absence of any section addressing of the social amenity of the communities that are impacted by this application.

While the applicant repeatedly discusses the 'consistent and coherent' purpose of the EIS this is simply a throw away phrase with no substance to increase production without consideration for the community.

The Paterson Valley is a semi rural community with values that are consistent with this description. Due to surrounding flood plains and green belts it maintains this visual rural aspect. It is a valley because the Paterson River, a major source of irrigation both upstream and downstream and is a major recreational retreat and a significant geographical feature. The infrastructure in this community is suitable for these traditional needs and the social wellbeing but there are serious shortcomings and limitations on what developments that can occur. Much of the community relies on tank water from rain events thereby making the dust implications more significant. The area is prone to periods of isolation during weather events such as east-coast lows. It is poorly serviced by technology. There is a high reliance on motor vehicle travel with limited public transport. These entire factors make it was it is and this development is too large with too many impacts that change the basic quality of life in this area. It is a popular area for people to live with the purpose of raising a family and living a lifestyle with traditional values.

This proposal from Daracon destroys that lifestyle. The EIS when looked at in totality and as a sum of the individual parts puts enormous pressure on the community through invasion and destruction of the social amenity. This proposal does not create a place of wellbeing and connection with place. **Daracon does not appear to understand, or is failing to apply, this concept that the local environment has basic and underlying principles that help shape and develop the citizens within it.**

The quality of life is diminished for the whole community as the noise, dust, pollution and intimidation caused through sharing a road network with a high volume of high-speed heavy haulage vehicles. Driving on Tocal Road either way is very intimidating when caught between convoys of heavy vehicles. You must drive to the pace of the heavy haulage vehicles whether that is slow up the gradient when they are loaded or beyond the speed limits when they are empty.

The number of heavy vehicles by their very physical presence is daunting on narrow bridges and on regular dual carriageways. Damage to road users vehicles is increased through the large number of heavy vehicles using the full width of the roads and throwing rocks and debris form the shoulders.

Crossing the road and accessing the local services can be very daunting
Sleep is disturbed and very spasmodic.

Conversation in open areas and even within buildings is limited to the crashing and banging of the aluminium truck bodies, squeaking wheel brakes and the constant use of compression brakes. The exhaust systems are obviously for highway usage and not for residential areas as they are quite intrusive. Daracon have not addressed this issue in the EIS.

Economic Impact Assessment

This Amendment by Ernst and Young raises some serious questions. To quote from the report:

> We do not imply, and it should not be construed that we have verified any of the information provided to us, or that our enquiries could have identified any matter that a more extensive examination might disclose.

This should give the reader some concern as the assertions has no validity or reliability in terms of the data provided.

An economic analysis by Ernst and Young has the following proviso in the report:

> These price assumptions are based on information provided by Daracon and have not been independently verified by EY

Again, the basis for an assessment is based on figures that have not been verified. It seems very curious that the report is commissioned for Daracon, and the unverified data is provided by Daracon to justify an economic case for Daracon. This seems like an excerpt from Catch 22.

A random phone survey to several quarries gave cost estimates several times higher than those stated in this report. Given the commercial confidence issues that exist it still seems very concerning that the numbers and data are completely unsubstantiated.

Conclusion

This revised SSD612 is not a reliable nor a valid representation of the facts that need to be considered for the project to be approved. In particular, reference needs to be made to the SEARS in the 2016 SSD6612. Upon examination there is little substance nor direct and pertinent addressing of the issues raised in the SEARS of the 2016 SSD 6612. This is disappointing and frustrating for all residents affected by this proposal. This EIS is shallow, evasive and dismissive of the key issues yet espouses and overstates the value of the quarry to the local, Hunter and state economies. This EIS is a demonstration of how issues have been glossed over, ignored or manipulated to create a scenario not consistent with reality.

This SSD6612 does not warrant an approval of the expansion of the Martins Creek Quarry.

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Appendix

Document 1

Response from EPA 2019

Dear Mr Atkinson,

Thank you for your email to the Environment Protection Authority's (EPA) Environment Line on 26 July 2019 regarding fly ash and dust emissions from trucks from Martins Creek Quarry. I apologise for the delay in getting a response to you.

I have made enquiries based on your email and have provided a response below to each the specific questions you raised.

Q. Are there regulations regarding the transportation of materials that contain fly ash?

Martins Creek quarry hold an Environment Protection Licence (No. 1378) issued by the EPA. Condition O3.4 of the licence states "Trucks entering and leaving the premises that are carrying loads of dust generating materials must have their loads covered at all times, except during loading and unloading. The trucks must be free from external deposits of dust prior to leaving the premises." In response to your email, I have contacted the quarry and reminded them of their obligations under condition O3.4 of the licence.

The EPA may take action where there is evidence of a breach of licence condition. If you have specific evidence, such as photographs of dust emissions from trucks immediately entering or leaving the premises, I encourage you to provide these to the EPA via Environment Line. Once trucks are travelling on public roads, the matter of dust emissions is regulated by the local Council, and I would encourage you to provide any evidence to the relevant Council if relevant.

I am unaware of any other specific requirements for the transportation of materials that contain fly ash under legislation administered by the EPA in relation to your enquiry.

In response to your email, the EPA is also making further enquiries into the use of fly ash at the quarry.

Q. If so, are there monitoring procedures that are to be carried out?

The quarry's Environment Protection Licence requires monitoring for ambient dust which is used to identify trends and inform management practices. There are no licence limits for ambient air quality. The National Environment Protection (Ambient Air Quality) Measure provides ambient air quality goals design to protect human health and these are used as a guide for assessing air quality.

Air quality monitoring required by the licence can be accessed on the quarry's website at https://daracon.com.au/environment/monitoring-data Please note the reference to "ash" in the monitoring is not a measurement of fly ash content. It refers to the measurement of extraneous contamination such as twigs, leaves and insects.

Q. Is there a facility that I can utilise to analyse the content of the dust (at my expense)?
The analysis of dust content is not simple and is expensive, however there are laboratories that can undertake such analyses. As a matter of Government policy, the EPA cannot recommend specific laboratories or consultants. I'd encourage you to search the internet for analytical laboratories and have a chat with some to determine who can undertake the analysis you require.

I think the best first step to addressing your concern about dust is to ensure all trucks are appropriately covered. As previously stated, I have raised this with the quarry, and I welcome any evidence you may have in relation to dust emission from truck immediately entering or leaving the quarry.

If you are interested, a copy of the quarry's environment protection licence can be viewed on the EPA's Public Register at https://www.epa.nsw.gov.au/licensing-and-regulation/public-registers You will need to search the register using the quarry's licence number 1378.

I hope this information has been of assistance to you.

Regards,
Rebecca Akhurst
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NSW Environment Protection Authority – North Branch
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Document2
Greencap test results 2021

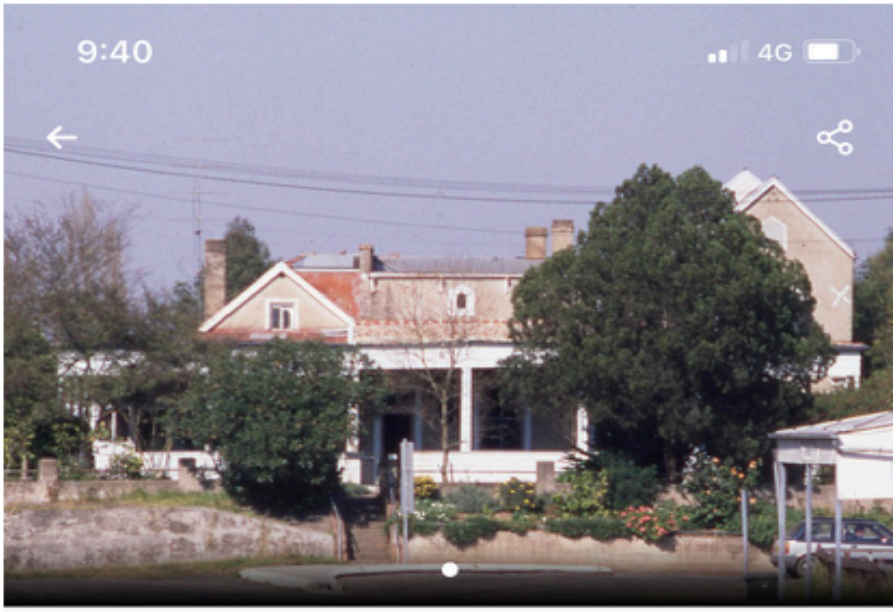
3. RESULTS

The dust consists of off-white and black silt-sized particles and fine sand-sized particles. The black particles were removed during the ashing, indicating they may be carbon-based – eg soot, coal dust, creosote etc. It is suspected that flyash is present – the sample contains a low proportion of glassy spheres ranging in size from 10 to 25 micrometres – these are typical of flyash and are not found in rocks or soil. The semi-quantitative mineralogy of the ashed sample follows.

Mineral name	Composition	Chemical Formula	Relative abundance
Plagioclase feldspar	Common rock-forming mineral	$(Na,Ca)(Si,Al)_4O_8$	D
Quartz	Common rock-forming mineral	SiO_2	SD (est 22%)
Clay	Silicate*	variable	A
Anatase	Titanium dioxide – paint pigment, also an uncommon constituent of rocks and soil	TiO_2	A
Calcite	Calcium carbonate – found in rocks, cement, building products	$CaCO_3$	Tr-A
K-feldspar	Common rock-forming mineral	$KAlSi_3O_8$	Tr
Muscovite	Silicate – mica - common rock-forming mineral	$KAl_2Si_3AlO_{10}(OH)_2$	Tr

Document 3

Figure 1--From CYA historical walk 2021



"Sunnyside"

Premise

"Sunnyside" is probably Paterson's oldest surviving building. We believe it contains elements of a store built in the mid 1830s by James Phillips on his Bona Vista property. He sensed a business opportunity and built the store on the corner of his land, next to the boundary of the new village of Paterson (1833). In the early 1840s he added a three-bedroom brick cottage to the store as a residence for his son William who ran the Paterson Post Office from the store while he and his family lived in the adjoining cottage. In the next decade the house was extended significantly and has been modified further since then.

Dr Newbury, a local medical practitioner, owned the house from 1867 to 1881. During his ownership it was named "Woodchester House". As far as we can tell, before and after Newbury it was (and still is)

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Photo References

Figure 2 Prince and Duke Streets-aspect 1

Figure 3 Prince and Duke Streets --aspect 2

Figure 4 Proximity of vehicle to boundary edge

Figure 5 proximity to boundary edge 1

Figure 6 Proximity to boundary edge-same vehicle as Figure 5

Figure 7 Shows closeness of vehicles in passing

Figure 8 Shops and trucks

Figure 9 CBC corner-note truck position

Figure 10 CBC corner showing typical congestion

Figure 11 Typical Flood on haulage route--Tocal Road

Figure 12 Typical flood on haulage route-John Tucker Park