**Martins Creek Quary – Presentation to the Independent Planning Commission 7.11.222 with some additional comments after hearing 2 days of the public hearings.**

Thank you for coming to Paterson to hear our issues. I was very appreciative of the care and courtesy that was shown to the presenting citizens and the insightful questions to many of those presenting.

Many of us have submitted objections to the Dept of Planning & Environment (DPE) objecting to the expansion of the Martins Creek Quarry . I wrote in 2016 and again in 2021 and I do not believe my objections were heard. I am not the only one. When the State Significant development proposal was on public exhibition there were 670 public submissions only 31 supported the expansion of the quarry and 634 objected & still the Department approved the proposal.

Paterson has many amenities & services:

Hardware Store, Butcher, Grocer, Post Office, Garage, Newsagent, Chemist, Doctor, Hairdresser. I have a choice of 2 churches, 2 pubs, 3 café’s, accommodation for visitors. I can have a picnic in the beautiful Tucker Park, visit a Museum, play golf or tennis, send children to school or out them on the bus for senior school.

All these with a population of 892 in the 2016 census. It shows the extent that Paterson is a **true rural service community**. I do nearly all my shopping in Paterson.

State governments have been trying for decades to have such successful decentralisation.

Environmentalists are encouraging us to shop local to minimise our environmental footprint – no discussion within the Approval of the Environmental impact of the expansion of the quarry on the biodiversity and greenhouse emissions from the operations including haulage.

Social isolation is a big issue in our communities today.

We have a **cohesive community** where people can join clubs:

CWA, Rotary Club, Progress Association, Sportsground committee, Historical Society, Red Cross,, Rural Fire service, Rail Motor Society, Fishing Club, Garden Club, Landcare

All with a population of 892.

What do you think would happen to village of Paterson with all this wonderful amenity and community with 280 trucks a day moving through the village? That’s a truck every 1.5 minutes, on top of the not inconsiderable amount of traffic that already moves through the village.

The village & its community will slowly wither. The lack of safety and the lack of amenity would kill the commerce and services available.

I know that the DPIE planner, James McDonough advised James Ashton the “lived experience” was not taken into account in the assessment, despite being required, because it wasn’t possible to quantify. I can take Mr McDonough through the Hunter Valley and show him countless examples of the “death experience” to communities from extractive industries…that’s their “lived experience”

The 1991 consent for Martins Creek Quarry approved 300,000 tonnes per annum from the Quarry – this was in consideration for the rural and village amenity. There are many more residents, amenities and services from that date.

When I look at the Martins Creek Quarry Project prepared by the NSW DPE and the Development consent – I keep seeing Mr Kelly the manager for Daracon standing in front of My Justice Molesworth in the Land & Environment court being asked wasn’t he aware of the consent conditions being up to 300,000 tonnes per annum with 70% to be moved by rail. The response was “yes – but we couldn’t make any money with those restrictions”

So I look at the conditions in the Development consent documents and ask why would Daracon be any more likely to abide by these conditions?

Further, any breach does not lead to a cease and desist order it leads to a process involving the Department which can take months. There are no penalties included in the Consent. This is consenting to a company that has already made an estimated $100mill from operations that were unlawful from the site. No jail No fine just an approved State significant development.

Section A31 of the consent permits Daracon and the Planning Secretary to modify the strategy, plan and program without consultation with the community….very concerning. This is particularly so given the DPE did not appear to hear the community in their assessment – only Daracon. Further, they appeared so contemptuous of the community they did not bother to attend in person their final opportunity to address the Commission and the community, they had failed to listen to the proceedings and were unable to answer, in any meaningful way, the most reasonable of questions from the Commissioners.

We left Jerry’s Plains and came to Paterson in 2005.

We run a beef operation, a wholesale nursery and a Bnb. We did have honey but are in the red zone and our healthy hives have been destroyed.

Our property is directly over the river from Tocal.

What is the impact on our operations?

We are on Paterson Road and we access Tocal Road over a bridge.

The trucks on Tocal Rd will make it difficult and unsafe for:

1. Cattle trucks – carting cattle to or from the farm
2. Our staff (5 ) for the nursery largely come across the bridge. I have a responsibility to provide a safe working environment which includes transport to & from work.
3. We have visitors to our BnB who are unfamiliar with the roads and to access the amenity of Paterson cross this bridge.

I note that there are a number of intersections that have been earmarked as an issue of safety but not Paterson road and Tocal Rd. This needs to be looked at – when that truck swings around onto the bridge when you are travelling in the opposite direction there is no where to pull over – just the Paterson River below

Other impacts

**Economic Value**

The value in our property is not the number of cattle produced, the number of ferns sold, the number of nights accommodation. The value in our property lies in that we can do all those things in a beautiful peaceful valley, 1 hour from Newcastle & 1.45 hours from the start of the M1 at Wahroonga.

It is an historic property with the houses having Local Government heritage listing, worthy of being visited by the National Trust, Historic Garden Society and being part of the initial garden ramble of the Paterson Allyn Garden Group. We currently have engaged a consultant to implement a plan for a Lowland and Upland Subtropical Rainforest Arboretum of the Hunter Valley. This is to add to the biodiversity of the area and create habitat for the local fauna.

As the first free settler grant on the Paterson River and the oldest house in the Hunter Valley – the context is Paterson.

The destruction of Paterson community, social and physical sees a significant reduction in the value of the property.

Amenity – Noise, Air and Water Quality

**Noise**

Our Bnb – Old Duninald . It was derelict when we arrived and we have renovated it so visitors can come to enjoy our beautiful valley and is part of the push for tourism to become an important economic driver in our Shire.

[www.oldduninald.com.au](http://www.oldduninald.com.au)

Many of our guests comment on the peace and tranquillity of the house and surrounds. The house is 335 meters from Tocal Rd. In the Development consent B4 there is reference to Road noise, yet B7 the noise management plan only refers to the noise at the quarry. Not so tranquil with a truck every 1.5 minutes ( that’s if they are spaced out).

I find it absolutely extraordinary that the DPIE in their executive summary assert that “traffic volumes generated by the project would not result in a change to the existing levels of service for roads along the primary haulage route”.

*An interesting aside that despite 2 & 1/3 pages of Definitions there is no definition of Primary Haulage Route*

A basic understanding of numeracy would see that :

30% of 300,000 tonnes = 90,000 tonnes to be moved by road over the year.

**The current approved amount.**

The proposed amount = 500,000 tonnes moved by road over the year.

That’s an additional 410,000 tonnes over the approved amount – a 450% increase.

It is well documented that excessive noise levels can have negative health impacts.

**Similarly I have great concern about Air quality**

The air quality operating conditions focus on the quarry.

The air quality is significantly impacted by road transport – diesel fumes, dust & silica.

There is provision B44 ( c) iii. for there to be “minimising transmission of dust and tracking of material onto the public roads – where reasonable is defined “applying judgement in arriving at a decision taking into account the cost & benefits associated with mitigation” Who is making this judgement?

The expansion of the quarry has a cumulative impact to well documented poor air quality in the Hunter Valley .

**I am also very concerned about water quality.**

Our beef & nursery operations depend on quality irrigation water from the Paterson River.

There is a gauge for salinity at Goswyck bridge & Dunmore bridge but no monitoring of heavy metals or other substances.

There is provision B35 ii) to monitor discharges …. No detail as to what they are monitoring.

This looks like quite a detailed part of the consent but one asks the question how familiar was the planner with our water sharing plans when it’s suggested Daracon obtain water licences to meet the requirements. The quarry is in the Unregulated Hunter Plan & there is no trading so no ability to acquire..

The DPE is the same Department that want the irrigators in the tidal pool, including Duninald and Tocal should stop irrigating in the summer because of the impact on the environment.

**Socio – Economic Impacts.**

The change in scale from 300,000 tonnes per annum to a mega quarry of 1.1 million tonnes per annum changes the entire community. We go from a bucolic rural community to an industrial environment…with only 1 winner – Daracon. The rest of us need to get out of the way because they are coming through – words to that effect were spoken by David Mingay to a Paterson Community meeting.

We left an environment heavily impacted by extractive industries – if you doubt this please drive through my old community from Singleton to Denman – past our old home at Jerry’s Plains, on to Muswellbrook and down the New England Highway to Singleton.

What do you think the properties are worth in that environment?

No rural residential blocks there.

No properties like Duninald - www.duninald.com.au

No tourism

No horticulture.

**Environmental Impacts**

Under the consent D2 the Applicant must not commence construction or quarrying operations until the Environmental Management is approved by the Planning Secretary.

Surely the Environmental Impact Statement should have been carried out before consent.

The proposed environmental destruction by the quarry expansion adds to the cumulative total of environmental loss in the Hunter Valley.

I am concerned about the power granted to the Planning Secretary in regard to this development.

The Planning Secretary can waive some of the Environmental Plan Requirements if they are considered “unnecessary” – no clarification on who has suggested that they are unnecessary….nor any public lens to this process.

All the way through the consent Daracon have been given approval to commence operations without a:

* Noise management plan
* Air quality management plan
* Water management plan
* Traffic management plan
* Aboriginal Heritage Management Plan
* Biodiversity and Rehabilitation management plan

As pointed out by the Dungog Mayor, John Connors, a very experienced lawyer in the mining industry, that the extractive industry requires applicants to have created these plans before consent – not a 6 months window after consent and when there is no public scrutiny.

Is this because Daracon have said that they are an existing operation so they should have special rules? Is it possible that they have asked for this yet we as the community are asked to ignore previous operations of Daracon?

**Rehabilitation**

Daracon have said that they will undertake continuous rehabilitation?

Have they undertaken any rehabilitation over the past 10 years?

Are they capable of undertaking the rehabilitation. They are a private company and we do not know their financial situation.

**Summary**

Commissioners, I implore you to reject this application for the expansion of the quarry and the haulage of 500,000 tonnes of material through our roads for the next 25 years.

Daracon in their submission assert that the benefit to the State is $58 million…and 22 full time jobs.

I assert that, if approved, far more than this will be wiped from the value of the homes and businesses impacted by this proposal and many more jobs will be lost.

Julia Wokes

“Duninald”

Paterson NSW

13.11.22