New South Wales Government **30th January 2023**

Independent Planning Commission

Martins Creek Quarry (SSD-6612) – Public Written Submission in opposition to the Proposed Project

Dear Sir/Madam,

My name is James Moore.

I am a member of local community groups that seek to have a voice for our communities in matters that have the potential to adversely impact upon their health and amenity. In the broader sense organised community members seek to contribute to the betterment of society, investing huge amounts of their time, and without any expectation of more than a thank you.

In considering the "new information" offered by Daracon and what appears to be supported by the Department of Planning and Environment little has changed in addressing the concerns of the community in the areas that will be impacted should this develop proceed as put forward.

What is more disturbing is that throughout both the Department of Planning and Environment (DPE) response and that of Umwelt, on behalf of Daracon, there are incorrect and misleading statements.

Notably are statements that seek to lever credibility from decisions that were temporarily put in place whilst court proceedings ran their course, ie the Interim Environmental Management Plan. I believe others will address this in more depth, and put context around it.

I understand that the Community of Martins Creek and Paterson will suffer the greater negative impacts of the project should it proceed, however the downstream impacts have not been adequately addressed and potentially ignored.

A haulage route that proposes to place a further 450,000 tones to the currently approved 375,000 tonnes (a total of 825,000 tonnes) on a road system that was constructed decades ago and passes through residential areas that are growing and growing, and groaning, is not best practice and nowhere do I see broad based risk assessments that addresses the potential of this impact. Such a risk assessment should be inclusive of all parties potentially impacted, and that include the motorists who use these routes daily; the bus drivers, teachers, health workers, shop assistants, trades persons, and some representatives who speak on the behalf of the general public.

Notwithstanding this the TIA report (Page 22) found that the traffic movements associated with the revised project will have an acceptable impact upon overall operation of the principal intersections along the primary haul route. How can this happen?

The introduction to the Umwelt document notes that the proponent "undertook extensive stake holder engagement and a thorough review of the Original Project to redesign key operational parameters...etc.. and the Revised Project placed on public

exhibition" mid 2021. Whilst the latest proposal offers a further slight reduction in road haulage it does not seek to eliminate this haulage through the Paterson Village, nor does it acknowledge the potential risk to citizens in the downstream growing urban areas.

The traffic study failed to go beyond the intersection of A43 and Melbourne Street, East Maitland. Yet the residential growth in the suburbs of the City of Maitland is growing at a rapid rate, as is peak hour traffic. The impact of a significant number a quarry trucks on the general public has not been accurately, and adequately assessed.

Comment on Market Drivers Section 2.2

I acknowledge that a shift to secure "a production limit of up to 1.1 Mtpa for rail haulage to a rail unloading facility in Western Sydney" has been made.

The argument by the proponent against a Lower Hunter distribution centre is potentially the argument **on why one should be established** to give certainty to customers and the quarry's production schedules.

Establishing a Lower Hunter distribution centre that seeks to distribute to local markets, primarily using rail to feed that centre, and then truck haulage primarily on major arterial roads to the a point of utilisation, removes both the deleterious impact upon the communities downstream of the production centre, that is the Matins Creek Quarry, and I suggest, the adverse impact road haulage contributes to climate change, not only in the haulage activity, but also the manufacture and ongoing maintenance of the trucks.

Logistically the lower Hunter has a location that connects both to rail and the major arterial roads of the M2, Pacific Highway A1, and new England Highway A3. And furthermore, is ideally located to effectively supply upcoming major works with potentially minimal impact on the citizens of the Lower Hunter.

As for rail capacity and pathways, what opportunity will exist in the coming future. More than one Coal producer in the Hunter will cease production in the coming future and in doing so reduce the utilisation of the rail system for coal, thus freeing up rail pathways. To note, the largest producer, BHP Ltd, has indicated it will cease coal mining in 2030, ie in seven years and will begin rehabilitation of the site. This will release up to 17 mtpa of rail capacity, and a potential to modify and utilise rail rolling stock.

This same producer in the early 1980's established a rail head in the Upper Hunter to remove truck haulage to the Port of Newcastle. This action both benefited the community and gave certainty of supply in what then was a growing business with lots of uncertainties.

Difficulties in meeting local supply Demands.

In the document there is reference to uncertainty of supply to Locals in particular Dungog Shire Council. (Pg 13, Conversation with Mr Connors.)

This suggests the is an opportunity to deliver product to a customer that does not need to pass through Paterson and the downstream communities. It also offers the opportunity to buy time to develop both the increased rail capacity at the quarry as stated, and a downstream rail distribution centre.

With respect to the propose extension and changes of the loading spur, and changes to the rail spur “will enable a full range of quarry products produced by the quarry, not just rail ballast, to be loaded onto trains.”

Rail Loading Spur

The document notes that extension of the rail loading spur will provide regular capacity for the loading and despatch of two trains per day with capacity of up to three.

The proposal is for a 30-year life on mine, and as such the economics must be viable. And in view of the huge negative impact on local communities, and of a push by global communities for a reduction in fossil fuel consumption, rail offers the opportunity.

I note the stated requirements for the handling of multiple products, and know from my own experience that such challenges are readily overcome, and product specification and quality can be assured,

Where there is a will there is a way, and I commend the statements on pg.16 re this issue. “Daracon will aim to maximise rail transportation and proportionally reduce road transportation etc”

During the Public submissions in November 2022 local residents commented on both dust and noise emissions in part connected to rail loading. Modern facilities can be, and should be, designed and constructed such that these emissions are fully contained. Noise and dust suppression strategies are now well-established practices, as evident by developments in the Southern Highlands.

Item 3.2 Transport and Haul Route

Reference to a number of key aspects ….etc

Dot point 1: the fact that the quarry has been in operation for more than a 100 years dose mean that the practices of 100 years ago are irrelevant to how we practice mining today.

Not picks and shovel and back breaking work, without the safety measure of today and the noise and dust of today’s mining activities.

And it is today’s standards, expectations, and responsibilities that must take precedent, and that includes care for all of our communities and the environment.

On page 23 Fig 3.1 The Historical Road tonnages -1993 to 2019 paints quite a variable production/transport picture and highlights quite clearly the period from 2012-2019 and why they were the horror years, and I am given to understand were non-compliant with the approved “Licence to Operate.”

Beyond the mine face there is the experience of those that live on truck haulage routes. The one that is most often mentioned is the unacceptable noise from

1) exhaust breaking
2) empty trucks that are poorly maintained
3) empty trucks on poorly maintained roads – steps in running surface, potholes, and sections of road repairs
4) noisy truck and dog couplings

A further unacceptable issue is around “rouge” operators and lack of monitoring systems within each vehicle for route/time/speed etc that provides feed back so effective monitoring is achieved by both Daracon and the Subcontractors Principals.

With respect to driver compliance to the “Code of Conduct” I am yet to see where these have been 100% successful in getting 100% compliance. If it is not inherent within the individual to comply then it becomes a game of “you have to catch me and have absolute proof.” The application of fleet management technologies and GPS monitoring for every vehicle that operates out of the quarry is the only way to get to near to compliance.

A comment of site rehab:

Page 23 of the document states “rehabilitation of the site at cessation of the Project”

An acceptable position with respect to areas of fixed infrastructure, but not so for worked out mining areas. I would suggest that progressive rehab of the mining areas as the product resource is depleted, be a given condition. It is not acceptable that site rehab is left to the last minute with the potential for a legacy left for the public purse to fund.

McCullough Roberson Document

I would like to comment on the matter in section Comparative Case Studies of the McColloch Robertson Document.

There are comments relating to the BH Hanson Quarry that are incorrect and/or misleading.

Brandy Hill Drive was constructed by the Quarry to replace the then haulage route through the Village of Seaham. So yes, in its infancy, and with production levels nowhere near that of these days, haulage was through Seaham. So yes, the inference that haulage was through a rural residential community is correct.

Post construction of Brandy Hill Drive, R5 Large Lot Residential Zones subdivisions were created, as seen today. In general, the minimum lot size was 2.0ha (5 Acres) or greater, resulting in set back of housing at the owner’s choice. Consequently, most developments are well back from the road, and yet the quarry truck noise does penetrate the dwellings, in particular where road deterioration and pot holes occur.

With reference to Page 18 and notation that “one of the Brandy Hill Quarry current transports route traverses through a Heritage Conservation Area (HCA) this is correct. However, it is not the dominant haul route, by any stretch of the imagination, rather an occasional one delivering to the Maitland northern industrial area.

The HCA is at Woodville, where Clarence Town Road and Patterson Road meet, known locally as Shepherds Corner. There are two heritage listed buildings on the western side of the road, the Woodville Store and Old Church, that now is a social and wedding centre.

The Patterson Road at this junction has a posted three tonne load limit, and thus is not an option for local quarry deliveries, neither north bond or south bound.

Progress is onto the Dunmore Bridge, a single lane bridge with load restrictions, and which also is Heritage listed.

The Woodville community largely exists as a spread-out rural community with diverse and variable activities. Consequently, it is misleading to suggest it is comparable to the Village of Paterson, Bungonia or even Martins Creek.

Notwithstanding this, Hanson sought and was granted the right to transport up to 25% of production westward along Clarence Town Road, only once the shared pathway along the length of Brandy Hill Drive is completed, whenever that may be.

Notwithstanding my above statements I do find myself in agreeance with the essence of this document, but in no way supporting the execution strategies.

When the lives of many are impacted factual information and caring execution is essential.

Regards

James Moore