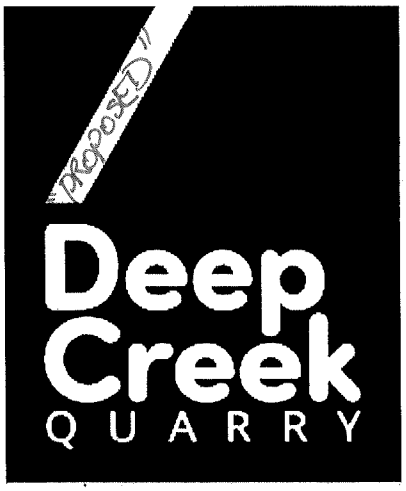
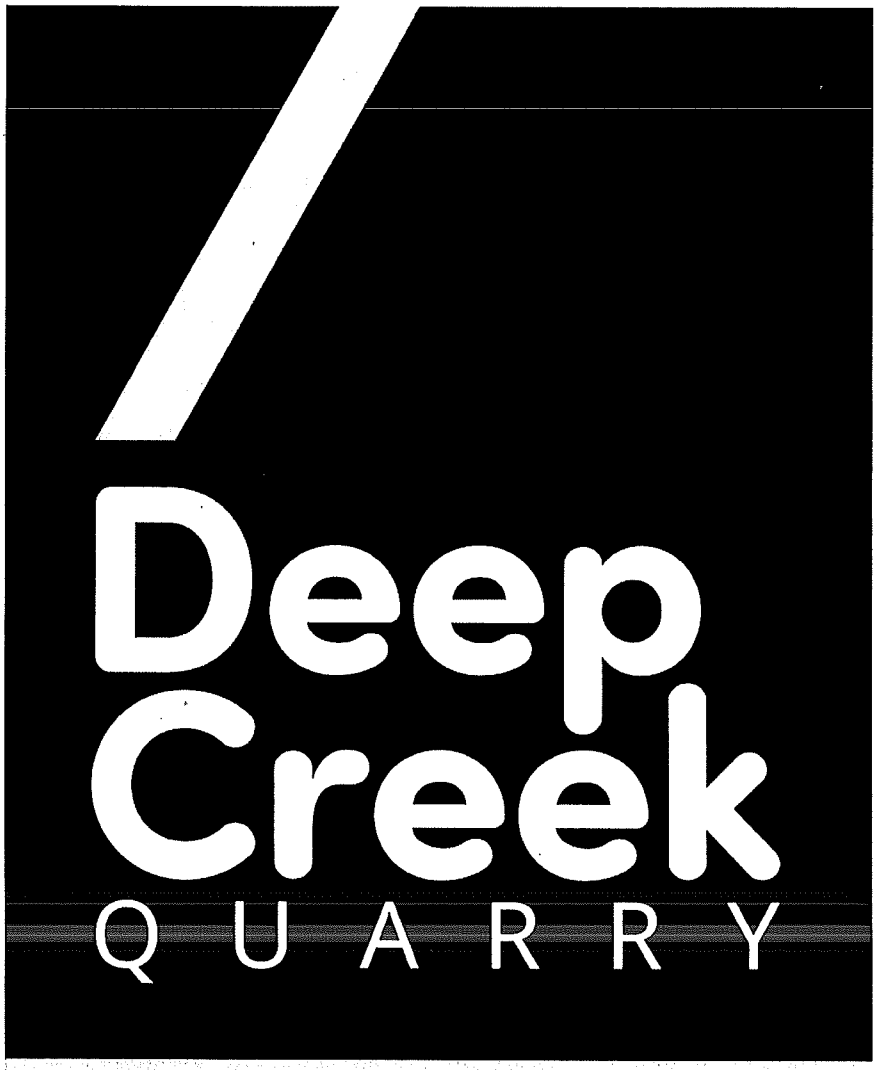
Amanda Albury objection to:-

APPENDIX M: MARKET JUSTIFICATION REPORT





Market Justification and Opportunities

Prepared by Ironstone Developments Pty Ltd

September 2021

They are using - Ironstone Dev etc
- the name of Deep Creek etc
- Depending on what document

MARKET JUSTIFICATION FOR DEEP CREEK QUARRY, LIMEBURNERS CREEK NSW

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See my photographs and films of the natural environment

Destroying an area of bushland and Deep Ck. to Karuah R. Wildlife deaths, impacted People, destroyed lives does not justify roads.

There are enough operating quarries producing these products for "Road building"!

Silicosis - health issue.

destroying natural bushland

Killing wildlife, changing the climate by destroying bushland mountains, Deep creek etc.

What about the price of wildlife, bushland, Deep Ck, Karuah River Port Stephens marine park, People's homes, health and their properties amenity. Cannot be compensated for a person/ a family of companies seeking to wreck everyone elses lives while they trash the environment forever, while they get rich, making their victims poor and sick - is many other reasons why this proposed quarry has Zero merits to be approved as the casualties far outway the proposed wood burys quarry, and therefore must be rejected!

Casualties = Environment;
- Wildlife
- bushland/trees remnant forests
- our air/land - Deep Ck. To Karuah River P.S. Marine park
- our hearing
- our wildlife - People, animals
- Agriculture businesses - our homes
- our property
- our health
- our drinking water

1 Introduction

Note: offensive to take the name of Deep creek as their quarry name, which is bad taste and shows their lack of consideration to the natural environment by their propaganda

This report is prepared for the proposed Deep Creek Quarry (DCQ) located off The Bucketts Way at Limeburners Creek, New South Wales.

The purpose of this document is to articulate the potential value of the resource within the quarry materials market (beside the baseline economics assessed in the Economics Report by AEC 2021). This report highlights the potential uses and material properties confirmed during the project development.

1.1 The Author

This report has been prepared by Tim Mullaney working for Ironstone Developments Pty Ltd, the proponent of the proposed Deep Creek Quarry (DCQ). I have spent 35 years in the quarrying industry including working within several quarry pits as an operator in production through to quarry sales for the last 20 years. Quarry sales provides a unique view of the industry in what demands and specifications construction requires. NOTE: he has also been approaching property owners despite the company falsely writing he has not!

I have been working on the Deep Creek Quarry (DCQ) project since 2014 and can see real benefits to the local and wider community if this resource material is approved for extraction.

1.2 The DCQ Resource

NOTE DPIE staff x 3 9th Dec 2021 public meeting were advised in detail as well as advising I had been bad-mouthed by company Representatives.

VGT have estimated a quarry resource of approximately 12 million tonnes (refer to geological report). A high proportion of this resource is a rhyolite material.

During the last 20 years I have sold Rhyolite (when it was available) to customers from Canberra to Coffs Harbour and inland as far as Bathurst for its high grip (PAFV) and decorative qualities. This market was not fully catered for or developed due to the sporadic availability of the Rhyolite resources. Really - - - how does the general public check this - and why should this justify the destruction of a natural bushland area.

Rock core samples taken from the proposed pit area were crushed for testing which has shown the DCQ resource material is competent enough for use in the full range of engineering applications such as concrete and asphalt aggregates, manufactured sand, rail ballast, gabion and mattress rock for stabilisation of ground on projects, armour rock for riverbank and sea wall protection, specified road bases, select fill, general fill, drainage aggregates, non-spec road base, crusher dust as well as materials for decorative landscape applications such as rock, aggregates, road base and crusher dust, road base and crusher dust can also be used for rammed earth houses and unique buildings construction. of course they would write this. Though who could check this information someone not paid by the company or to seek financial gain as Gov/councils - so many errors in their documentation - No justification to destroy bushland/creeks -

1.2.1 PAFV

An important property of rhyolite is the Polishing Aggregate Friction Value (PAFV). The PAFV refers to a test result for aggregates obtained through skid resistance testing in a laboratory. Within a technical commentary for the supply of pavement materials the South Australian roads authority DPTI provides an explanation of how high grip aggregates are important: Don't we have a NSW authority on Rhyolite and the grip properties?

> *"Micro texture is a measure of the surface roughness of an aggregate particle and is significant in determining the frictional characteristics of an asphalt wearing course in which the aggregate particles lie flat to the surface. As a result, aggregates with a higher PAFV than for spray sealing are required for asphalt. Asphalts also tend to be used in urban or rural areas where traffic*

The above does not justify the destruction of the natural environment.

loadings are high and so are subject to the polishing action of traffic during their service life. While dense graded asphalts also have a mastic of sand and bitumen that contributes to surface microtexture, open graded and stone mastic asphalts are more heavily reliant on the microtexture of the coarse aggregate for surface friction and so a higher PAFV is specified. Sites requiring a higher level of skid resistance, such as heavily trafficked sharp curves, or high stress braking areas may also warrant a higher level of polishing resistance. The specified values for PAFV for asphalt aggregates are intended to reflect the diversity of road geometry, traffic loading, asphalt mix types and performance, and available aggregate sources to ensure that aggregates selected for specific sites are fit for their intended purpose." (DPTI 2017).

Transport for NSW (TfNSW) have specified high PAFV aggregates for use in intersections and roundabouts for over a decade. A PAFV of 48 is typically specified for general road construction, while a high grip material requires a PAFV of 58 to 65.

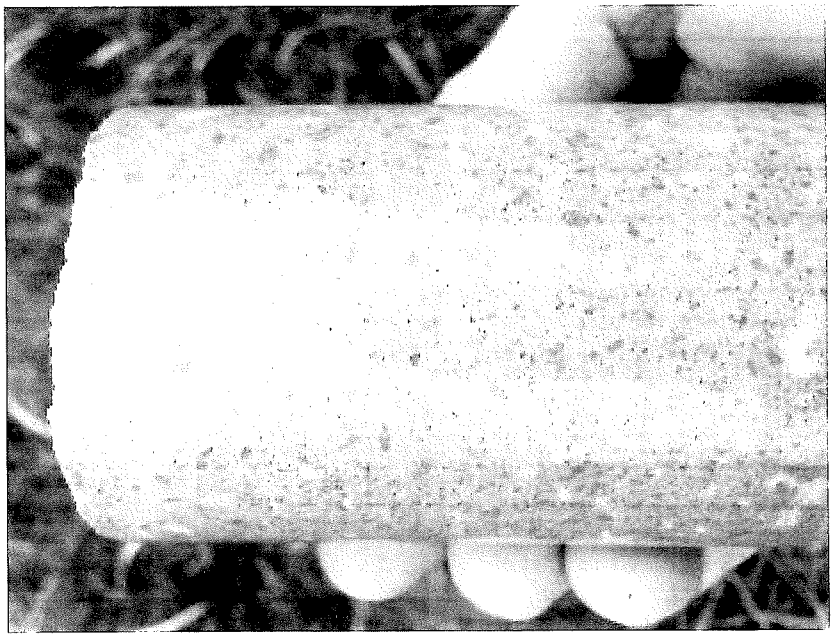
Queensland Transport and Main Roads (TMR) changed specification for PAFV following a fatal road accident in 2007, where the PAFV was raised from 45 to 48 for road surfacing (TMR 2007). While some changes to improve PAFV of a road surface can be made, the inherent properties of the rock can't be altered. Following this change in PAFV, several quarries were then unable to supply materials consistent with the specification (Geological Survey of Victoria, 2020). These changes show the increased focus on improving road safety, and where the DCQ resource can contribute to these improvements.

The PAFV test results for the Deep Creek Quarry rock cores range from 57 to 65. This high grip quality is an important value of the quarry that has the potential to substantially increase road safety.

of course they would say this to justify their need for approval to destroy everything and down stream.

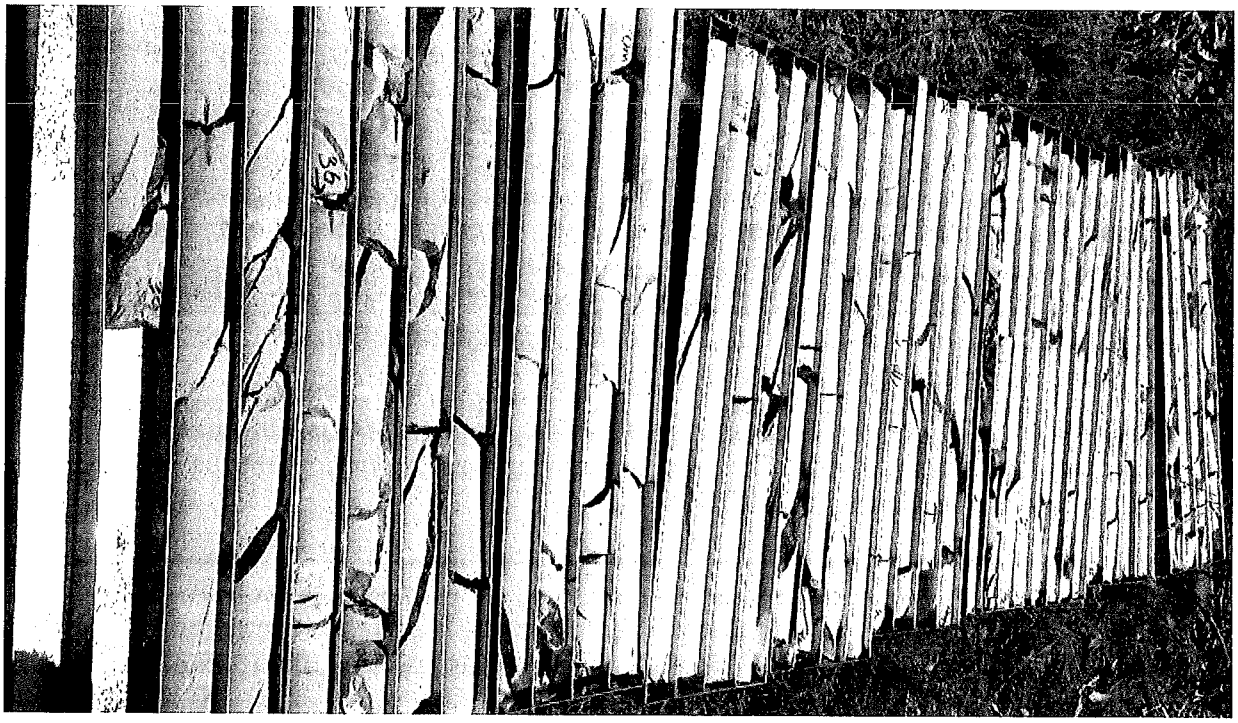
1.3 Photographs of the DCQ Resource

Examples of the rhyolite material from the DCQ is shown from core samples in the photographs below. Core samples taken from where? Date/year?

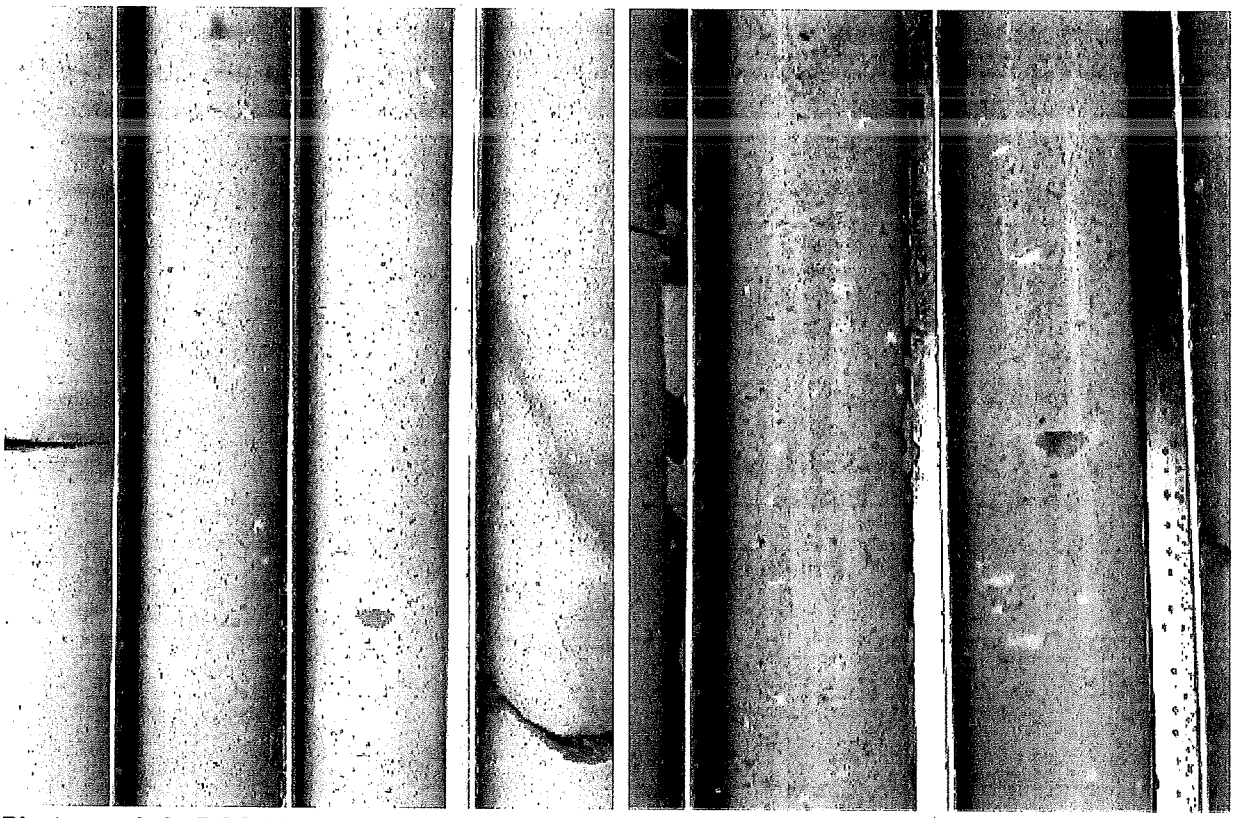


Photograph 1: DCQ rhyolite from diamond drill core

What date/year were they approved with their exploration licence and by who/whom approved them, regardless of being on their own property? These questions remain unanswered.



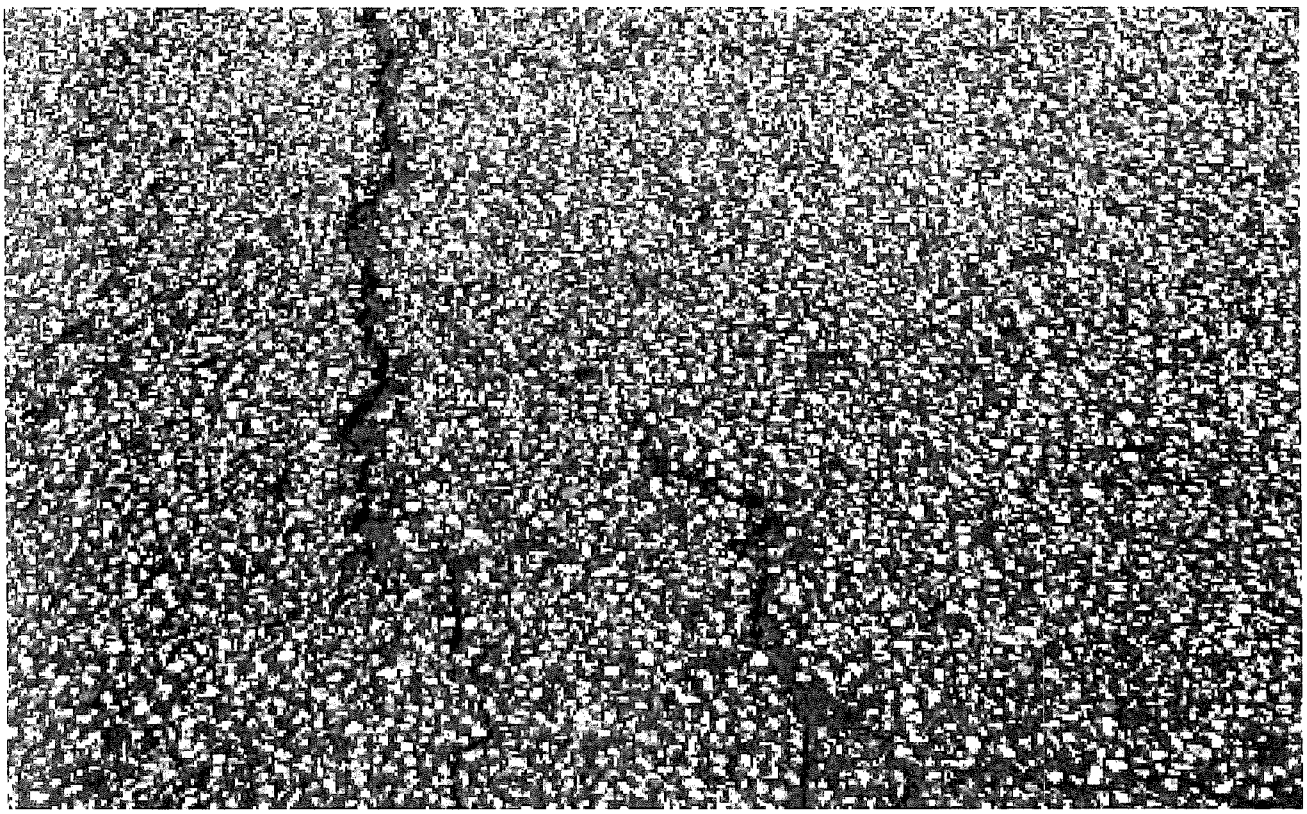
Photograph 2: Drill core from DDH17 showing the lighter coloured nature of the material



Photograph 3: DCQ DDH19 Rock Core sample when dry and then wet, showing the good aesthetic values of the material.

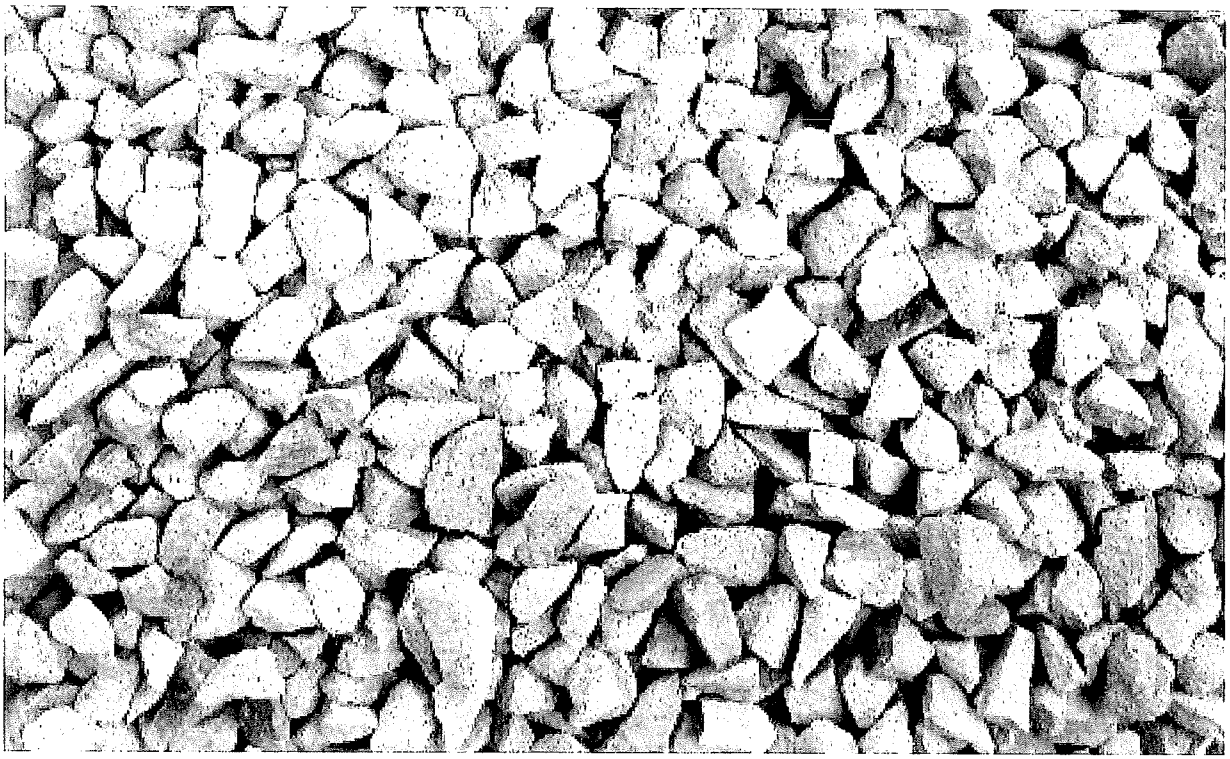
2 PAFV – A visual representation of the current situation

In the photos below the rhyolite (high grip /PAFV) material is the lighter colour material adjacent to the normal duty asphalt or two coat seal road surface. TfNSW intersection or roundabouts constructed or upgraded in the last 10 years should have been constructed with high PAFV material. Where Rhyolite was not available Slag (an approved alternative reuse of a waste product from iron and steel production) would likely have been used and it will be a dark asphalt colour. Slag is heavier and I have been told from end users that it has also had supply issues. The age and condition of the surfaces requiring high PAFV aggregates is perhaps a good indication of the nature of the limited supply of these aggregates.

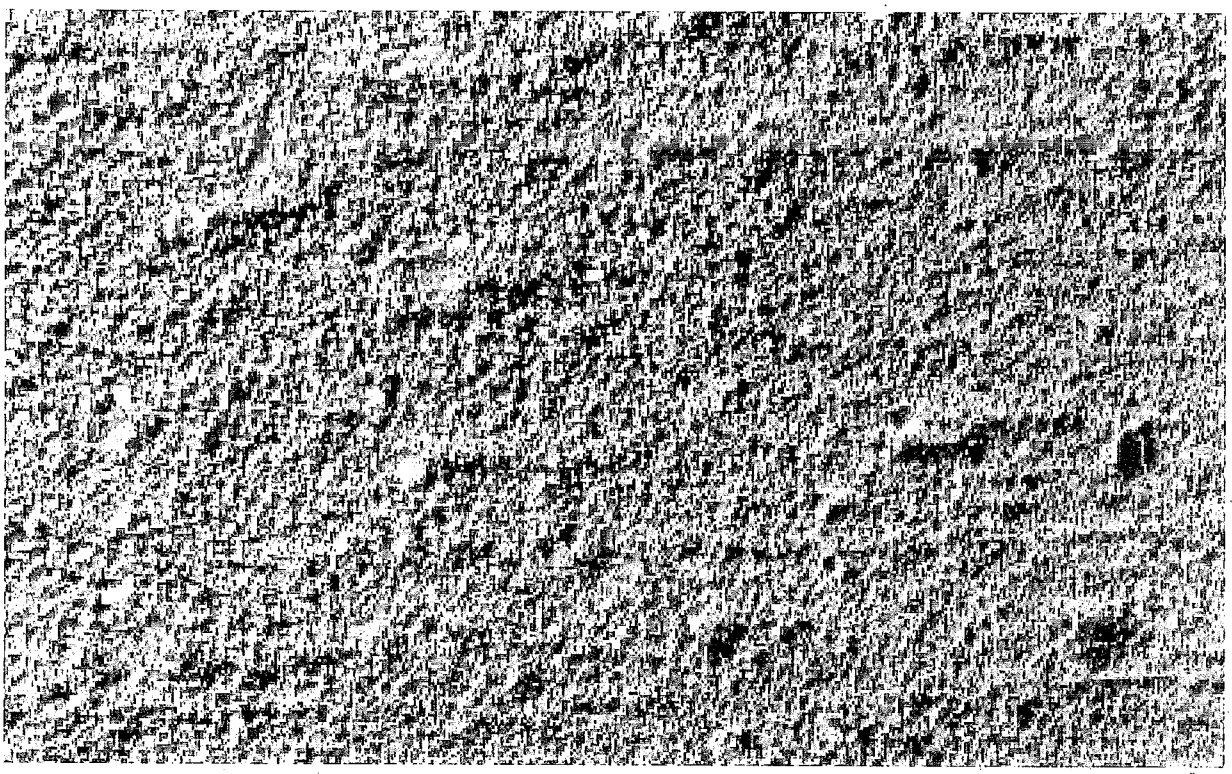


Photograph 6: Close up of the lighter coloured pavement, showing light coloured rhyolite aggregate within a bitumen matrix

"end users that it has also had supply issues".
Really. . . Who are the end users? Where is their documentation that using a waste product of power stations is an inferior product? And also the documentation there is a supply issue? They try to get rid of the bi-product - they mix it with garden soil which we had to sift - glass, pumice and a chitter product. The soil was returned out of the Vege garden and dumped around an area of garden we never want to disturb again. If these products were used in road building - And quarries were regulated and No new quarries given approval anywhere as the quarry Industry able to claim SSD is making a mockery of everyone including Government Departments as they pay zero Dollars per tonne; which is beyond stupid.



Photograph 4: DCQ 20 mm aggregate (from a laboratory crushed core sample).



Photograph 5: DCQ Rhyolite Dust

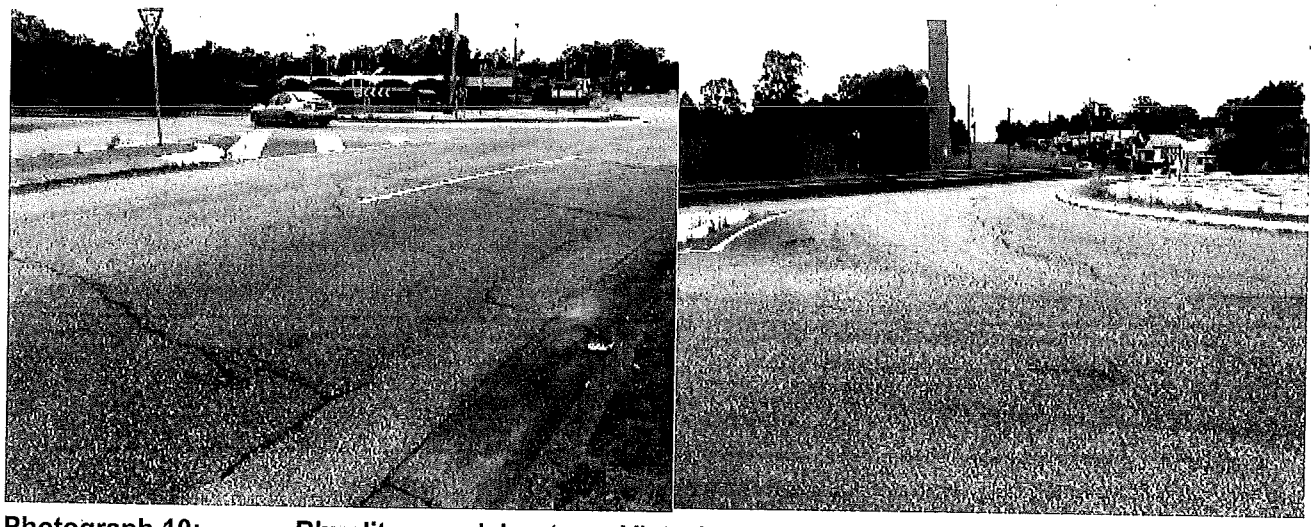
2.1 Rhyolite on Roundabouts

Photograph 7: Rhyolite roundabout at Salt Ash 20-1-2021 in poor condition.

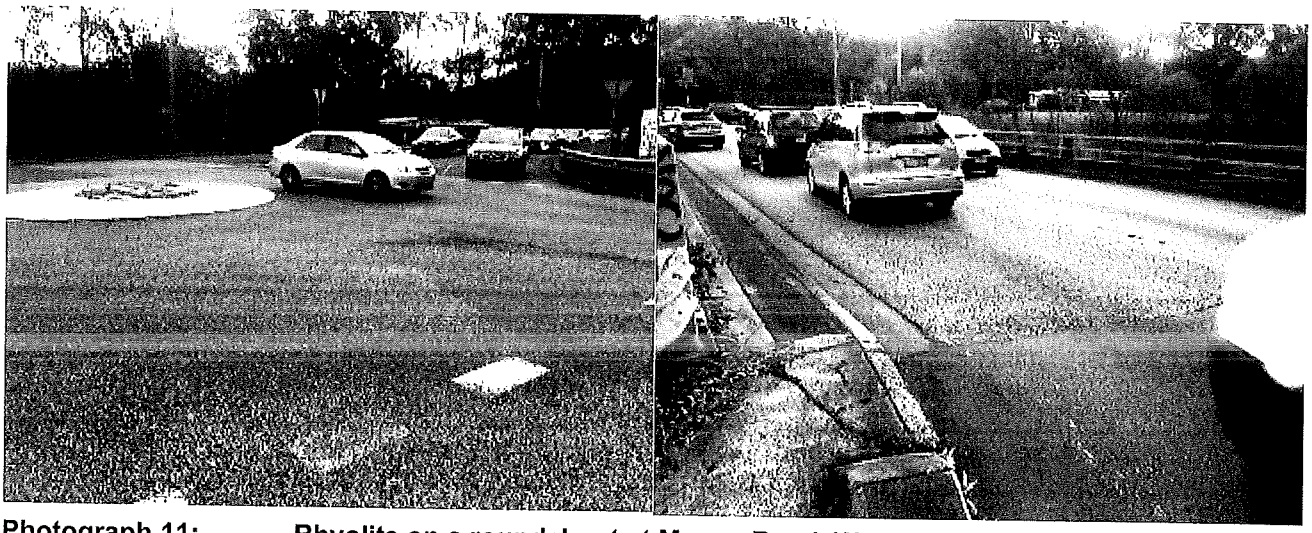
Photograph 8: Rhyolite roundabout at Tighes Hill 3-2-2021 in poor condition.

Photograph 9: Rhyolite roundabout at Warners Bay 11-6-2021 in poor condition.

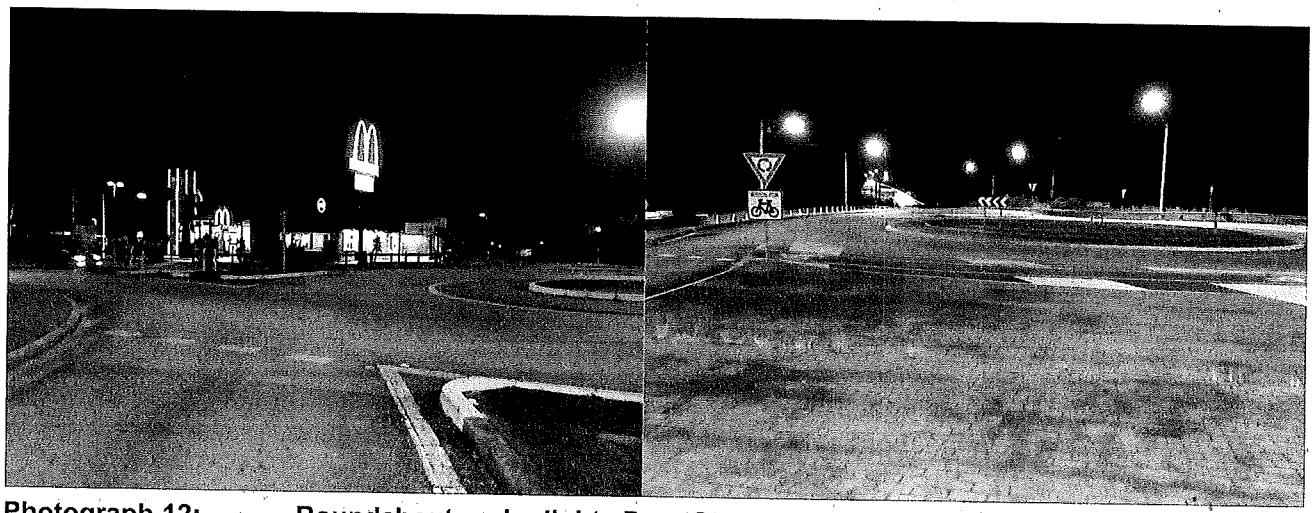
If this is the product they want to mine out in Limeburners creek (if approved) and yet this is the result of Rhyolite then it fails the traffic test and another reason why this proposed quarry is not merits based to approve such an environmental crime of "in the minority" they" impact the majority and our environment/wildlife/water/air/people and our animals, down stream to port stephens all suffer catastrophic loss. This proposed quarry must be refussed entirely.



Photograph 10: Rhyolite roundabouts on Victoria Street and Northcote Street, Kurri Kurri in poor or deteriorating conditions on 16-3-2021.

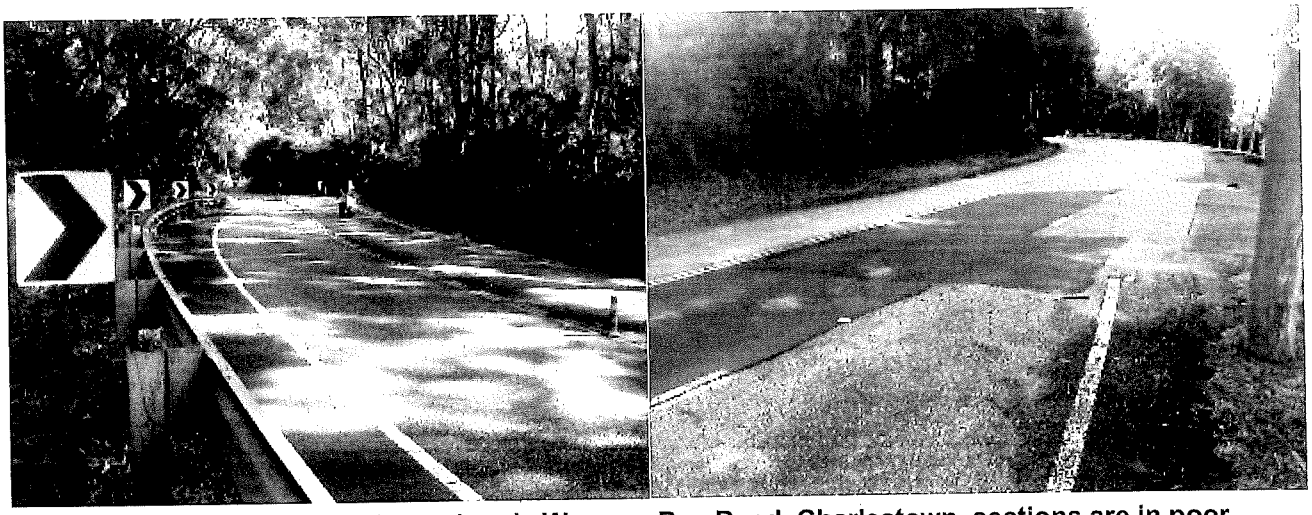


Photograph 11: Rhyolite on a roundabout at Manns Road, Wyoming 24-6-2021.

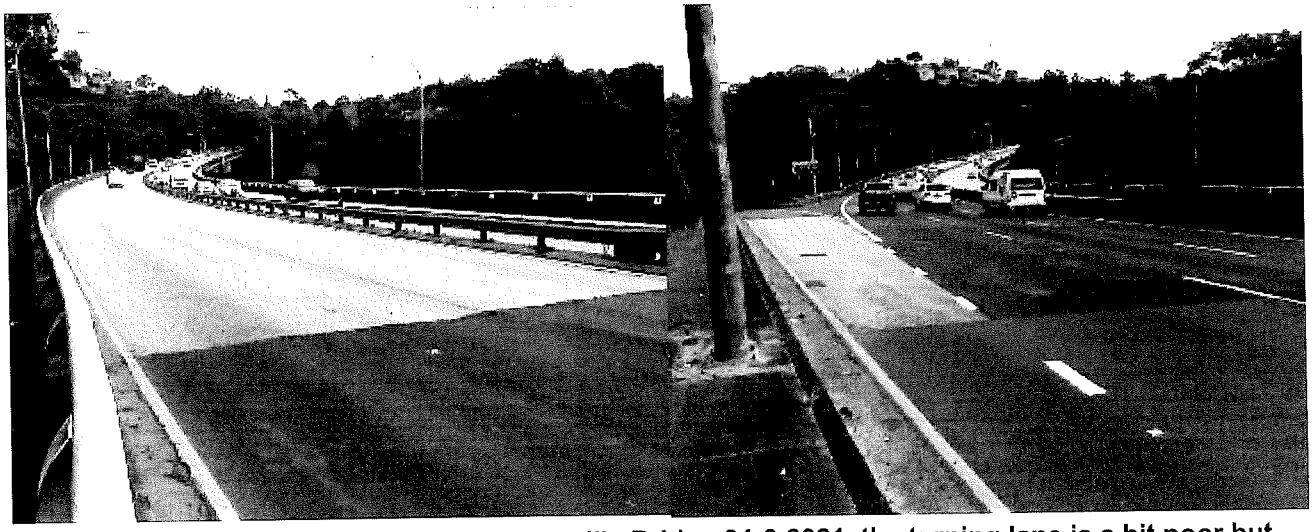


Photograph 12: Roundabout under lights Dora Street, Morisset, and Wangi Road, Rathmines on 24-6-2021, note the lighter materials improve the visibility of the road.

2.2 Rhyolite on Bends and Bridges



Photograph 13: Rhyolite on bends Warners Bay Road, Charlestown, sections are in poor condition or replaced with general asphalt (possibly slag) taken on 23-6-2021.

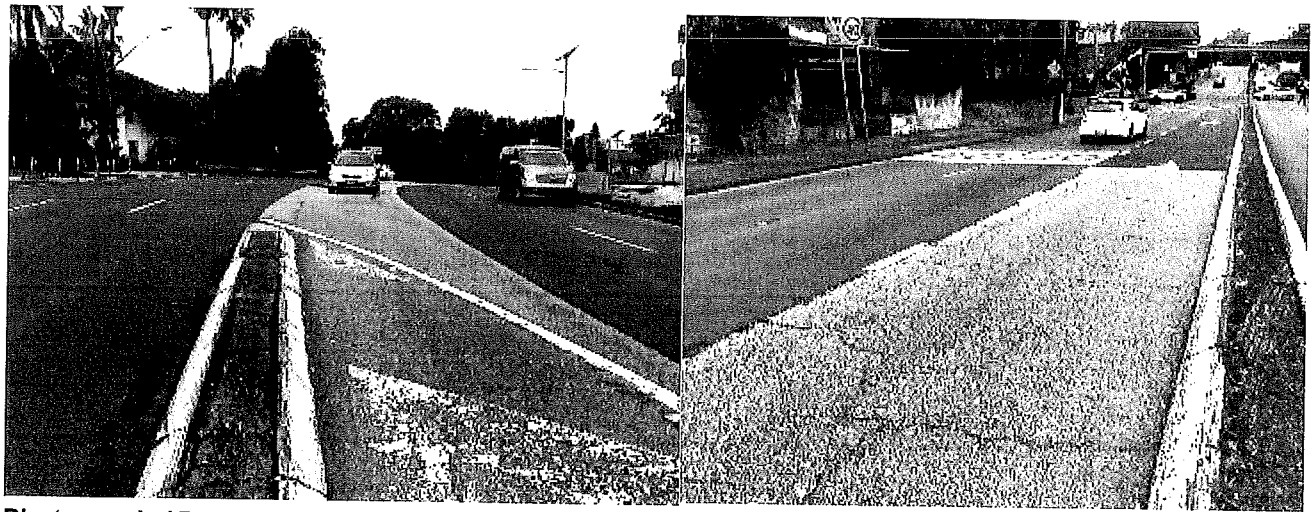


Photograph 14: Rhyolite on the Roseville Bridge 24-6-2021, the turning lane is a bit poor but the bridge is in good condition.

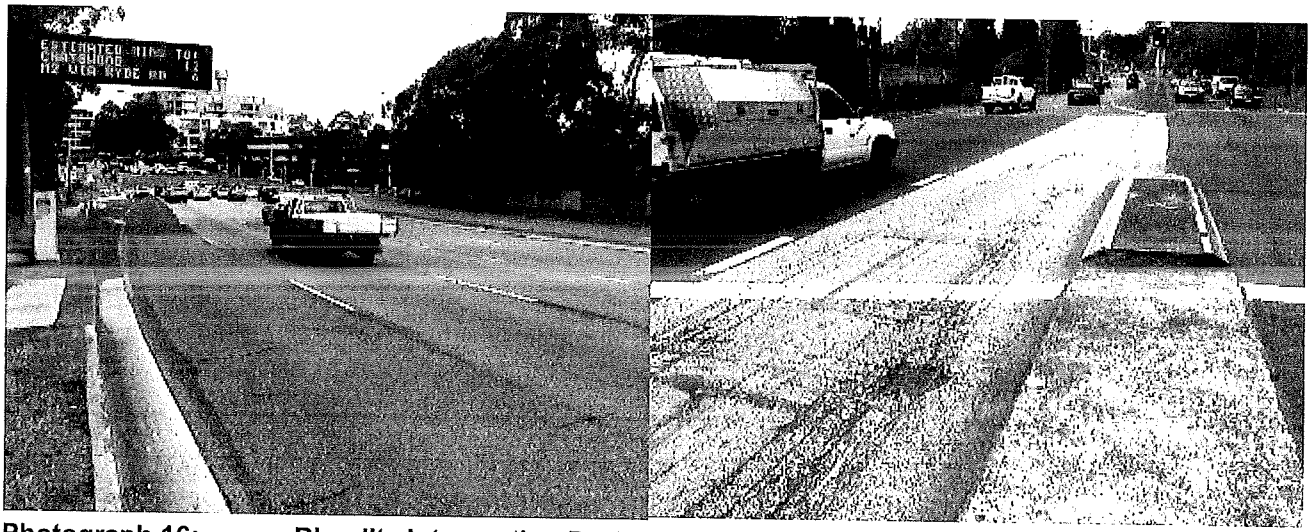
I do not understand the point Tim M. is trying to make and therefore justify their destruction on Deep creek, in Deep creek Valley/ Road area, bushland and wildlife deaths.

If so many Rhyolite roads are failing then this is the wrong resource. No environment should be "collateral damage" for any DA seeking Government approval, which again shows the "merits of this proposed project and mining for Rhyolite are therefore not justified considering all the dead wildlife, destroyed bushland areas clearly seen must be preserved and not approved by any Government Departments to destroy. The Koala is now on the Endangered List – and Government must stop handing over these areas of bushland forests/ old growth trees to be Rock mined/cleared.

2.3 Rhyolite in Braking Areas

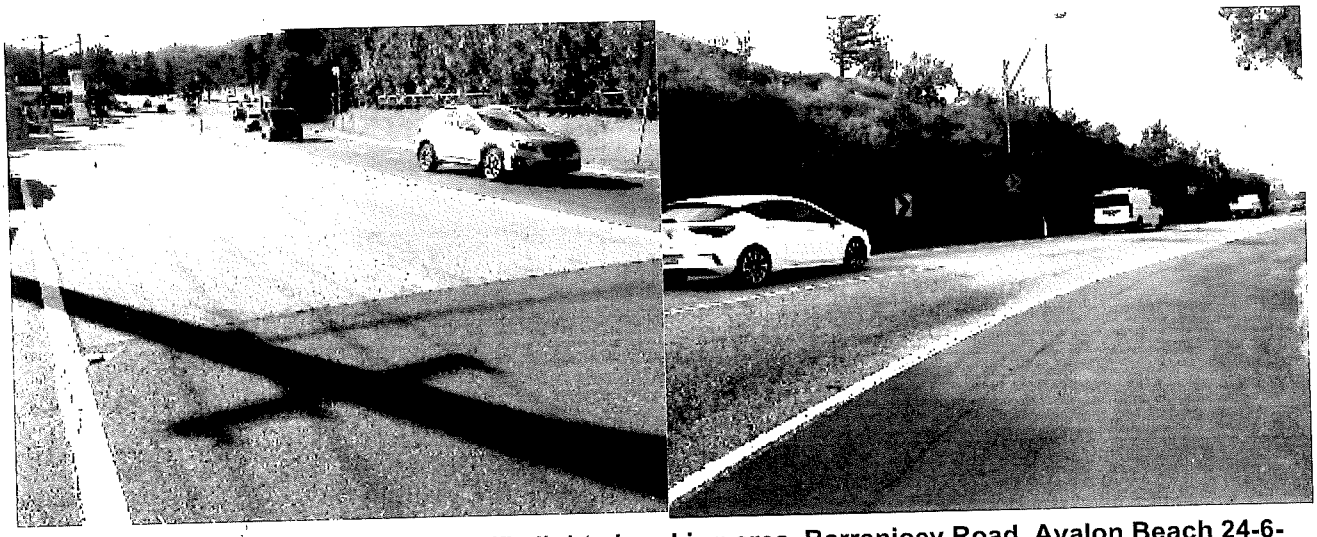


Photograph 15: Rhyolite turning lane Pacific Hwy A1, Wahroonga 24-6-2021 in poor condition.

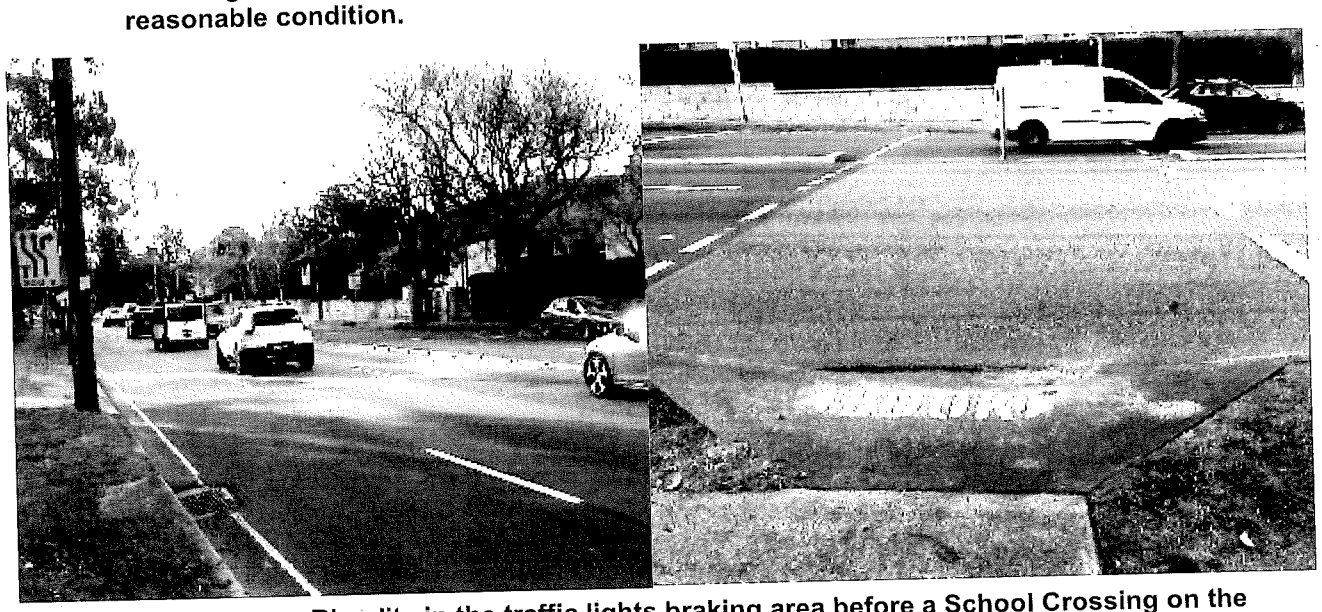


Photograph 16: Rhyolite intersection Pacific Hwy A1, Pymble in poor condition and a Rhyolite turning lane, Warringah Road Forestville in poor condition (24-6-2021).

Again if the Rhyolite product in All these photos is showing the surface is breaking up, this may not be a suitable product to use at all in roads/highways and any form of justification by Tim M. on behalf of the Woodburgo of (many company names) that they must be given approval to mine out Rhyolite and Iron ore or anything else, they seek to harvest if they are approved — The environment we all live in should not continue to lose out. Companies must be told that their DA is not suitable in bushland, on headwaters of Deep Creek, surrounded by almost 90+ homes and hundreds of people would be impacted forever if DPIE/IPC/Minister wrongly give this DA approval to proceed.



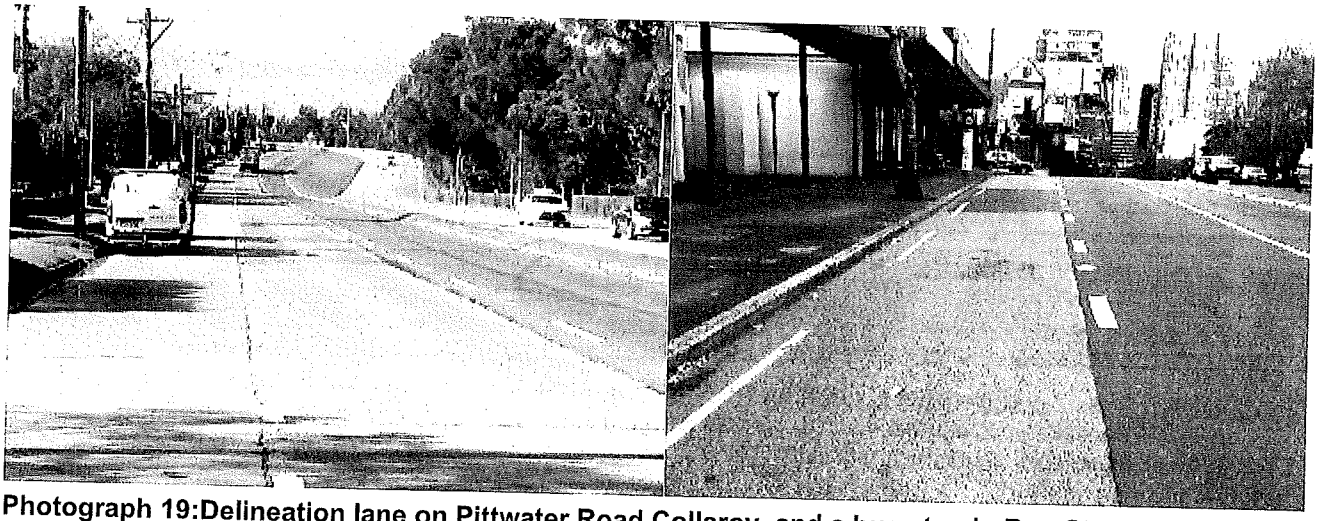
Photograph 17: Rhyolite in traffic lights breaking area Barrenjoey Road, Avalon Beach 24-6-2021 in good condition. and on bends Barrenjoey Road, Bilgola Beach 24-6-2021 in reasonable condition.



Photograph 18: Rhyolite in the traffic lights braking area before a School Crossing on the Pacific Hwy A1, Wahroonga 24-6-2021.

2.4 Delineation lanes and Bus Stops

Rhyolite in delineation lanes and bus stops are an ideal application for a lighter/ different colour material and for the extra grip.



Photograph 19:Delineation lane on Pittwater Road Collaroy, and a bus stop in Bus Stop North Sydney.

Rather than destroying bushland for Rhyolite- the bus lanes could be painted as elsewhere showing "delineation of bus lanes"!

The photographs in the majority are around sydney areas supposedly — which I believe is once again a way of propaganda and sydney market posturing in the hope that they can persuade that a catastrophic approval to destroy almost 100 private homes, hundreds and hundreds of people that will be catastrophically impacted — Does not justify this proposed quarry to be approved whatsoever.

3 Sales Markets

3.1 Concrete Roads and Paths None of this justifies to be given approval.

The DCQ material is suited for general concrete use, however, its more unique properties make the material better suited for areas requiring high grip aggregates, or more unique visual appearance as may be found in polished concrete surfaces. There are other quarries already operating destroying the natural environment without having a "greenfield" area destroyed as well. Concrete in main roads and highways, intersections, bus stops and roundabouts, steep driveways and footpaths where a higher grip material is beneficial.

For highway applications a wet in wet paving method is a desirable option to apply high PAFV concrete in Australia. Typically, a cheaper (local to a project) blue metal quarry source can supply the lower layer concrete mixes and the usually dearer (due to limited availability and haulage distance) high grip aggregate concrete mix can be overlaid in a thinner layer on the surface minimising project costs.

The process involves a general concrete mix (lower layer) being poured through a paving machine and while it is still wet a concrete mix with high PAFV aggregates is laid over the top through a second paving machine travelling behind in a wet in wet paving method where it bonds to the general concrete mix below while still wet, once cured it is followed up with a Grinding process to improve ride quality, drainage, reduce noise and expose the aggregate to improve texture and grip for a wearing course.

In 2014 the RMS (now TfNSW) required a high PAFV concrete on the Hunter Expressway (a 39.5 kilometre long dual carriageway freeway), but at that time there were no suitable supplies. As an alternative, a new method called Next Generation Diamond Grinding (NGDG) was trialled (a two pass diamond grinding technique creating a flush surface than adding longitudinal grooves). This was also used in trials on the Pacific Highway near Taree, and on some Hume Highway exit and on ramps. NGDG has been primarily aimed at reducing road noise, but will also improve the grip qualities of the road by exposing the aggregate. Hunter Quarries was open for years before 2014. Martins Creek, Brandy Hill, Allworth, LB Creek Road. (Boral etc.) Ironstone Developments presented the DCQ resource information (including core test results and the resource material testing assessment) to eight members of the now TfNSW in Newcastle in 2015. Despite the success of NGDG, they continue to specify high PAFV aggregate for roadworks such as the Hunter Expressway in the hope that it will at some stage be more available. Given the limited supply of high PAFV materials TfNSW expressed significant interest in the potential for this high PAFV material to become available within the market. The public requests a copy of this documentation. Many companies were selling gravel before 2015 Additional information on Wet in Wet Concrete Paving and Next Generation Grinding is available in the reference information section of this document.

Surrounding the proposed Properties of the Woodbury Family.

I therefore do not agree with above, the attempted Justification of this proposed project to be approved, I believe has misrepresented the other gravel companies that were operating before 2014, 2015 ⟶ To date 2022; and were supplying 'Road Building and infrastructure both in the Hunter/Newcastle/Lake macquarie, Mid North Coast where we are, Port Stephens and South to Sydney. They have the Sydney market written throughout their documentation, including all the proposed quarries seeking approval.

3.2 Polished concrete floors and walls

The unique lighter colour and various tones of the DCQ material makes the material well suited to aesthetic applications. Decorative aggregates are selected by Architects for use in Concrete which is then ground and polished.

Numerous examples are available on the internet such as shown below.

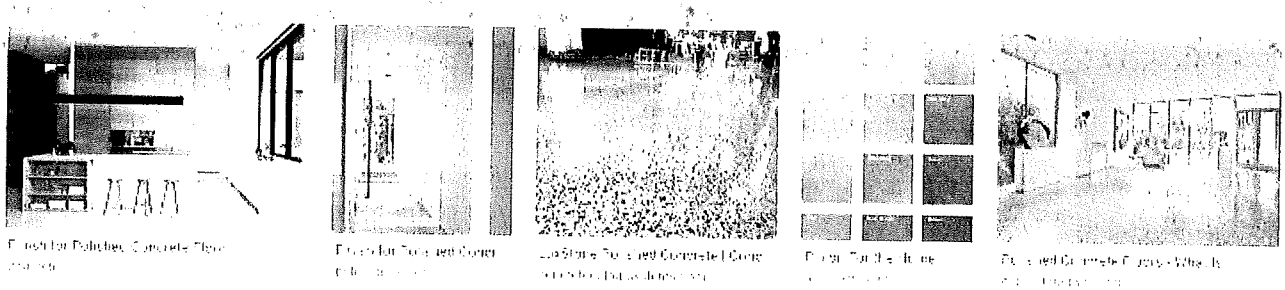


Figure 1: Polished concrete used in domestic and commercial buildings as floor surface (various websites) Sourced from natural bushland areas and wildlife die in the process of mining these products. No "Greenfield" area should be approved to destroy and those companies already operating should be stopped from clearing any further bushland.

3.3 Steep Driveways and footpaths

Properties with steep driveways would benefit by increased availability of high PAFV aggregates to improve their grip and safety.

Photograph 20:Steep driveways where high PAFV materials would assist in a domestic environment.

3.4 Asphalt applications

The DCQ resource is suited to a range of asphalt applications including:

- General asphalt.
- High PAFV asphalt.
- Sealing aggregate for two coat seals.
- Light coloured asphalt and two coat sealed roads (see Section 5).

The high PAFV material is used in high grip critical areas such as black spot bends, traffic lights, intersections, bus stops and roundabouts, (Rhyolite has been used on the Sydney harbour bridge, in the harbour tunnel and throughout Sydney, it was applied many years ago so some areas of pavement are still in acceptable condition but most are deteriorating and need replacement. It would seem that the lack of a replacement high grip material, may be a underlying cause that leaves these roads to deteriorate. OR The State/Fed Gov. are using money for building other infrastructure also for mining companies.

- If the high PAFV material was readily available at a competitive price, it could be used for delineation lanes, the acceleration and deceleration lane lengths on roundabouts and intersections could be increased. It may also become a preferred option for general asphalt increasing the road safety and reducing street lighting requirements.
- After inspecting numerous intersections, roundabouts, bus stops and road bends where Rhyolite has been used it gives a clearer picture of the current situation and as only photos of sections where Rhyolite has been used are in this document you can imagine the possibilities if the material was readily available. imagine. . . . !

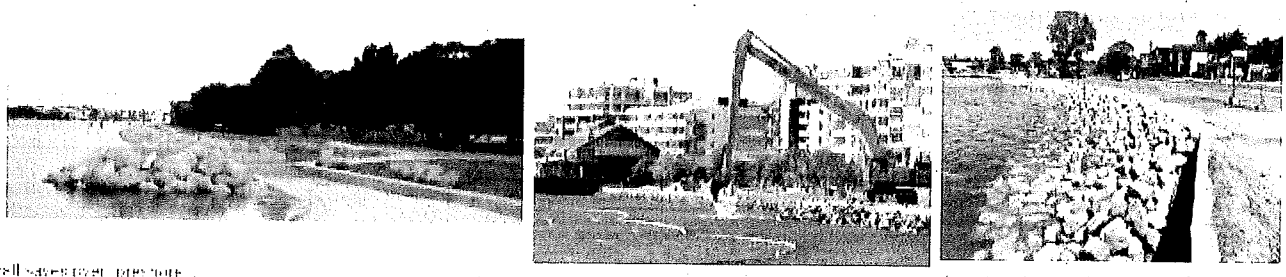
Further destroyed areas such as the proposed quarry in Deep Creek, Deep Creek Road, Deep Creek Valley should not be approved to operate at all.

This mountainous bushland area is where a variety of wildlife species are living, trying to survive, along with Koalas, regular sightings in this area and into Forest Glen Road are seen, now listed as Endangered and other wildlife species need to have DPIE, IPC, Rob Stokes, Government Departments State + Federal to stop bushland clearing, protect Wildlife, regardless of whether people are "ticking the SSD Box" or regardless of whether people want to be cattle barons in natural bushland, should all be opposed on be catastrophically inappropriate to approve such Bushland + wildlife annihilation. one a company that destroys the environment like Hunter Quarries Duralie/Stratford Coal, Boral, Hansons, Dargan they keep getting modifications and/or extensions.

3.5 Landscaping and Architecture

3.5.1 Rhyolite Armour Rock

The DCQ resource can provide a beautiful alternative to the normal blue metal rock used in some areas for seawall, harbour, lake, dam or riverbank for wave protection. Images of various rock types used for this application are available on the internet such as the examples below.



This amount of rock in pictures is being done without the proposed Quarry!, at Deep Creek/Valley. Limebarners Creek

Figure 2: Various rock types used for armour rock (photos from various websites).

3.5.2 Rhyolite Gabion and Rock

The lighter colour of the DCQ rhyolite resource can provide a beautiful addition to architecture and landscaping. Images of various rock types used for this application are available on the internet such as the examples below.

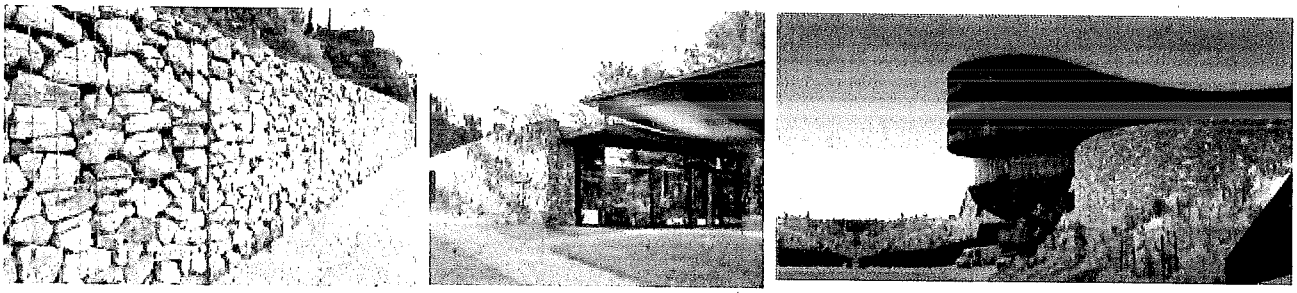


Figure 3: Hard rock used in architecture and landscaping (photos from various websites).

As per my comment above.

3.5.3 Rhyolite Road Base and Dust

The DCQ resource can be used for roads and general landscaping along with use in rammed earth building construction. Images for rammed earth with various rock types are available on the internet such as the examples below.

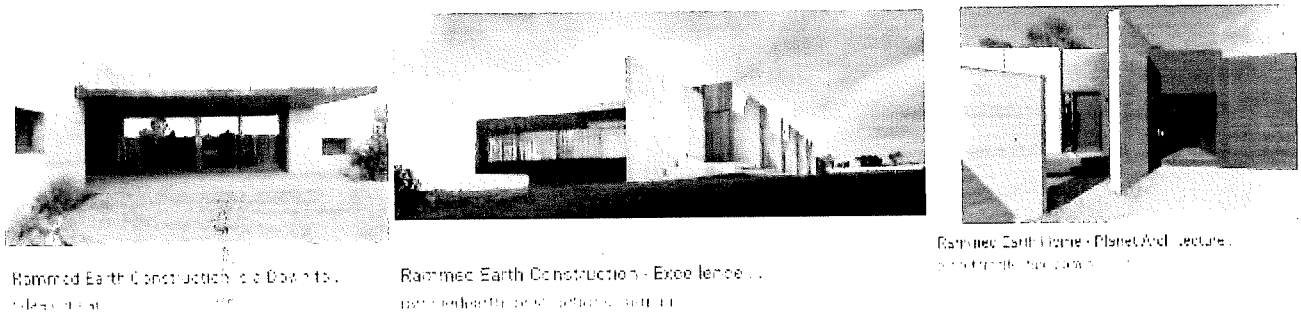


Figure 4: Rhyolite can be used in rammed earth building construction (photos from various websites).

3.5.4 Rhyolite Dust

Rhyolite dust has been used for its all-weather access benefits and decorative qualities on golf course golf buggy tracks and on pathways such as through the Hunter Valley Gardens in Pokolbin.

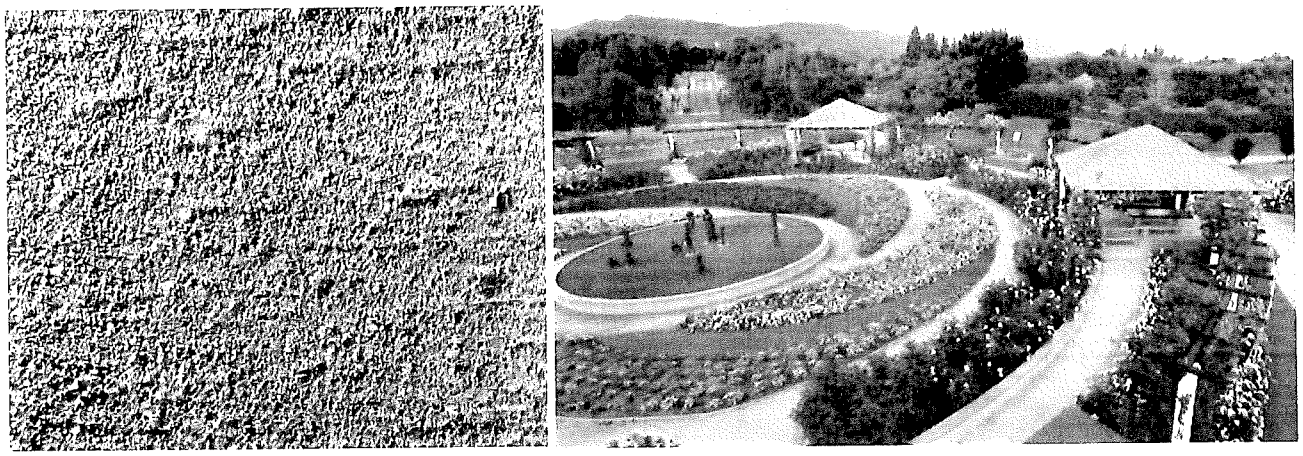
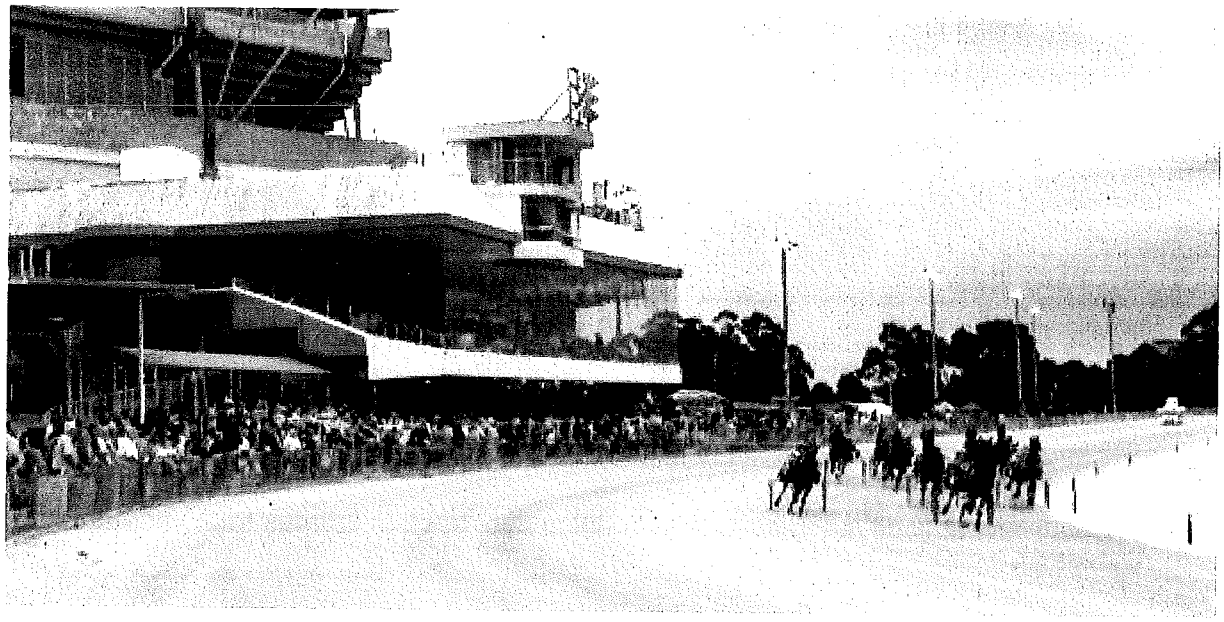


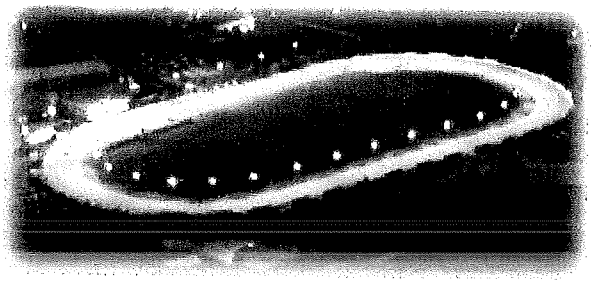
Figure 5: The DCQ rhyolite dust on left and rhyolite dust from another source when it was available was used in the Hunter Valley Gardens in Pokolbin for decorative pathways (Photo source Hunter Resort).

Rhyolite Dust was used on the Newcastle Paceway for many years, the light colour really show cased the horses on the track which was arguably one of the best presented in the world for its decorative and reflective nature in the daytime or at night under lights.

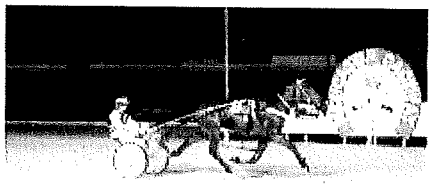
Why should people in the minority with one or multiples of Companies such as the Woodbury or Roach family continue to be given approval to destroy the natural environment such as the proposed quarry around Deep Creek or the housing development that would destroy the Butterfly Cave — How do these people believe they can do this is beyond me and others in the majority that request Government stop approving Any Developments that destroy the natural Environment.



(sourced from a Maitland Mercury article).



(sourced from Australian Harness Racing)



(sourced from Australian Harness Racing)

Figure 6: The Newcastle Paceway showing the lighter coloured track when it used rhyolite dust (photos from various websites).

The track changed to another material approximately two years ago which was influenced by the difficulty in sourcing Rhyolite Dust and brings it in line with the other trotting tracks. Really was this the case?

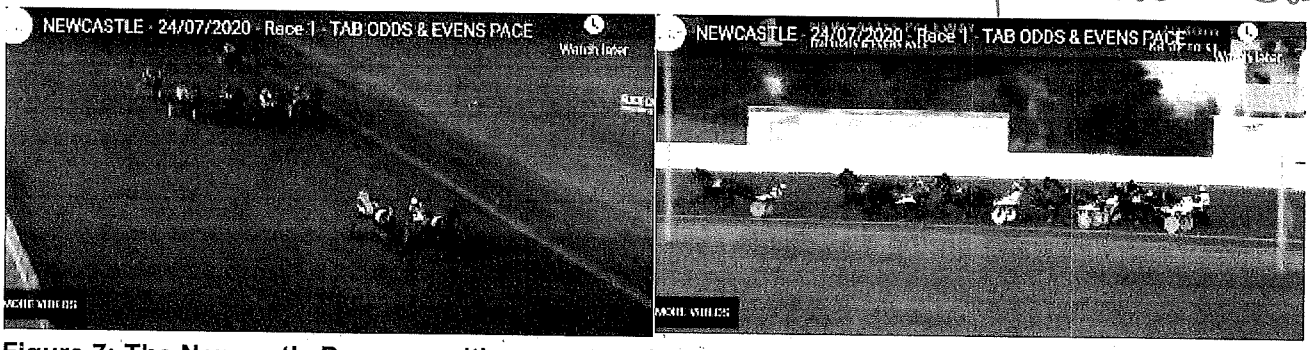


Figure 7: The Newcastle Paceway with current surface, change contributed by the lack of rhyolite dust availability (photos from HRNSW).

I think depending on who is writing a document on behalf of an inappropriate development such as the proposed quarry at Limeburners Creek, their photos and explanations do not justify the catastrophic destruction this DA would cause in our valley to water, wildlife, air, Land, people, animals, accommodation businesses / wildlife Reserves that would all cease to exist in the amenity of an area I have lived in for 18 years.

1) Dont add to climate change by destroying bushland Killing Deep creeks water quality and source.
2) Dont add Dirty water holding dams that overflow into the creeks and River systems.
3) Dont remove bushland mountains that bring in our storms and rain clouds.

4 Climate Change and benefits of Light Coloured Roads

4) The precautionary principle must be adopted to cause No Harm

Another benefit of the DCQ resource material is its lighter colour compared to normal blue metal aggregates for use on roads and car parks, which collectively cover substantial areas of land surface in cities and in rural settings. The darker a colour or material/Roof sheeting it draws in the suns heat. White/cream colourbond Vs Grey/Black or Green.
Trials have been done around the world including in Australia by laying light coloured asphalt in relation to cooling cities in the summer months, cooler streets reduce air conditioning requirements in adjacent buildings and create a better environment for trees to grow which also assist in cooling cities/ streets. Keeping natural bushland is the lungs of an area - Draws in rain clouds.
A light coloured asphalt / road surface can also provide a significant reduction in street lighting requirements whilst maintaining normal illumination at night for safety and provide a reduction in electricity use and greenhouse gases. Unusual example to justify the reasons why the proposed Quarry of the Woodbury's should be approved.
Due to the lower temperature light coloured asphalt pavements can also have a longer life expectancy. Do they still melt in the heat? Tims photos show they all Crack.

A summary of a few of these trails is provided below.

Keep natural bushland for wildlife, air quality, Peoples health and wellbeing

4.1 Cooling cities

Lateline ran a story in 2014 discussing the issue and benefits to health, and a reduction in energy used for cooling from a range of measures which included light coloured roads and roofs also tree planting. If this proposed quarry and the hideous rammifications it would have on all of us as victims — this maybe would be amazing.

Lateline story: https://www.abc.net.au/lateline/cities-need-adapt-to-deadly-heatwaves/5495392

An article by Sourceable titled "Lighter pavement really does cool cities when it's done right" notes a similar benefit, an extract is produced below: Colour of a product can reduce heat, however should natural bushland areas, Deep CK, wildlife and People lose out?

> *To estimate a pavement's reflectivity, we use a measure called albedo. Albedo refers to the proportion of light reflected by a surface. The lower a surface's albedo, the more light it absorbs and, consequentially, the more heat it traps.* — or deflects the heat like light Coloured Colourbond Roof sheets.
> *Typically, the darker the surface, the lower the albedo. Conventional pavements such as asphalt have a low albedo of around 0.05-0.1, meaning they reflect only 5% to 10% of the light they receive and absorb as much as 95%.*
> *When pavements instead use brighter additives, reflective aggregates, light-reflective surface coatings or lighter paving materials like concrete, they can triple the albedo, sending more radiation back into space.* At the expense of mining this resource from around creeks, bushland mountains and downstream to Karuah River Port Stephens
> *Though the benefits of reflective pavements can vary across the nation's 4 million miles of roads, they are, on the whole, immense. An MIT CSHub model estimated that an increase in pavement albedo on all U.S. roads could lower energy use for cooling and reduce greenhouse gas emissions equivalent to 4 million cars driven for one year. And when materials are locally sourced, such as light-colored binders or aggregates, the crushed stone, gravel or other hard materials in concrete, these roads can also save money.*

(1) Does Australia have documentation on studies done to reduce urban heat?

(2) At the expense of the natural environment being mined for Rock/minerals/gravels. The roads are already and will continue to be wrecked by an industry that does not pay even close to cover damage done to Roads by them.

A link to the Sourceable article with information from The Conversation is ahttps://sourceable.net/lighter-pavement-really-does-cool-cities-when-its-done-right/ and https://theconversation.com/au. (see attached Amanda's notes)

4.2 Light coloured pavements

Pavement trials to cool cities due to global warming environmental concerns are being done around the world. However the real issue of environmental concerns is that people operating as themselves/companies destroy bushland. Dig holes in the ground, dirty water holding dams all cause global Environmental issues.

Sydney, New South Wales

The City of Sydney Council - Myrtle Street, Chippendale trial, the Daily Telegraph published an article on Myrtle Street, Chippendale: Some extracts are below:

> ***City trials a lighter bitumen in Chippendale to reduce ambient temperature and save on energy costs***
> *"Black-coloured roads and a lack of tree cover can increase the heat of cities by up to eight degrees."* meanwhile our bushland is attacked by uncaring people.
> *"Lighter coloured pavements may result in lower energy bills for surrounding buildings."*

Daily Telegraph article: https://www.dailytelegraph.com.au/newslocal/city-east/city-trials-a-lighter-bitumen-in-chippendale-to-reduce-ambient-temperature-and-save-on-energy-costs/news-story/55ff1b0d7a18eab596ba82c4678e878f

Additional information can be found on the Street Cooler website and a comment from their website site is The natural environment should not continue to be collateral damage to peoples strainge hypothasies.

> *"Light-coloured roads can also lead to lower energy costs in nearby buildings and support the growth of trees by reducing nearby soil temperature around tree trunks and the evaporation of water that trees require."* How nice — meanwhile the mined rock — Removes trees, opens up the landscape, alters forever and turns the areas into mining wastelands, once gone, gone for good.

The Street Cooler website: http://www.streetcoolers.com.au/home

Adelaide, South Australia

An article written by Sourceable about the South Australian Government trial in Adelaide 2020, recognised the importance of the heat issue and explored lighter surfaces for roads.

Sourceable article on a South Australian Government trial in Adelaide 2020, https://sourceable.net/new-project-will-cool-adelaides-roads/?utm_source=Sourceable+News+Alerts&utm_campaign=d43f6e56f0-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_ea334d3ea4-d43f6e56f0-593745933

All these examples trying to justify the government approval to wreck another "Greenfield area" such as Limeburners Creek NSW 2324 and surrounding areas in a 360 Degree radius.

The Netherlands

The Netherlands 2016 research document provides an interesting article that notes a significant reduction in electricity and therefore greenhouse gasses can be achieved with the use of light coloured asphalt due to reduced lighting while still maintaining safety. Some extracts are below:

Light coloured asphalt has been used for many years for many reasons. It has an effect on:

- *The public lighting Because of its lighter colour and optimized surface texture a better visibility of the road surface is obtained. As a result, public lighting can be dimmed. A reduction in light means a reduction in energy consumption and thus an emission reduction (such as CO2). Furthermore the 'horizon pollution' is reduced for humans and animals.*

How silly - on the other side of this - being used by Tim to justify their reasons to destroy Natural bushland forests - happy to state "horizon pollution is reduced for humans and animals". Yet if approved will have catastrophic consequences for environment, including humans and animals — Fumes and "Horizon Pollution" will happen here if approved!

- *Road safety Better visibility of the road surface under all circumstances is likely to result in a reduction in the number of traffic accidents. At the entry and exit of a tunnel road safety may be improved by a less abrupt transition from daylight to artificial light. The reflection of light can also mean a more pleasant living environment (social security).* Again Really. While destroying our area and down-stream to Port Stephens.
- *The thermal properties of an asphalt pavement Due to the reflection of sunlight, the temperature of a light coloured asphalt pavement and the underlying asphalt layers is likely to be lower than in a standard dark coloured asphalt pavement. This can maybe lead to a longer life (less rutting).*

Netherlands 2016 research document – re trials: https://www.h-a-d.hr/pubfile.php?id=1119.pdf

This paragraph has been repeated in the use of all these examples multiples of times, repeated and saying the same thing in the entire document and entire document justifying badly the need for approval.

Berkeley, USA

The Berkeley Lab – Heat Island Group in the USA has a lot of information on the cooling the environment topic. Some extracts on the benefits are shown below: Keep bushland – Keep natural water sources stop destroying these natural areas.

- *"Energy savings and emission reductions. Cool pavements lower the outside air temperature, allowing air conditioners to cool buildings with less energy. Cool pavements also save energy by reducing the need for electric street lighting at night.* – Does not make sense?
- *Improved comfort and health. Cool pavements cool the city air, reducing heat-related illnesses, slowing the formation of smog, and making it more comfortable to be outside. Pedestrians also benefit from cooler air and cooler pavements.* The proposed quarry would cause air pollution on a catastrophic scale.
- *Increased driver safety. Light-colored pavements better reflect street lights and vehicle headlights at night, increasing visibility for drivers.*
- *Improved air quality. By decreasing urban air temperatures, cool pavements can slow atmospheric chemical reactions that create smog.* Yet The Woodbury's want to unleash toxins in our air
- *Reduced street lighting cost. Cool pavements can increase the solar reflectance of roads, reducing the electricity required for street lighting at night.* Natural Env. Vs Cities + Roads?
- *Reduced power plant emissions. By saving energy on street lighting and A/C use in surrounding buildings, cool pavements reduce the emission of greenhouse gases and other air pollutants at power plants.* And pollutants in an area there is none by a quarry if approved.
- *Improved water quality. Cool pavements lower surface temperatures, thereby cooling storm water and lessening the damage to local watersheds.* The quarry will if approved have Catastrophic impacts to Deep Creek/ Karuah River Port Stephens
- *Slowed climate change. Cool pavements decrease heat absorbed at the Earth's surface and thus can lower surface temperatures. This decrease in surface temperatures can temporarily offset warming caused by greenhouse gases."* Also stop destroying natural bushland, and mountains and creeks, or all that diesel for machinery.

Berkeley Lab – Heat Island Group: https://heatisland.lbl.gov/coolscience/cool-pavements

Canada

Transportation Association of Canada paper on light coloured pavement for a 2018 conference, some extracts are below:

> *"There are coatings and epoxy binder mixes available in the market that can be used to increase the Solar Reflective Index (SRI) of asphalt pavements. However, these technologies are quite expensive, approximately five times more expensive than conventional asphalt.*

The primary advantages of this technology, in addition to meeting the LEED SRI requirement, are the following:

- *Decreased heat high island effect in urban areas;*
- *Meeting the green standards being implemented by cities (e.g. City of Toronto), with a product that is cost comparable to the conventional product, and which provides equivalent performance;*
- *Improved long term durability and resistance to cracking due to decreased rate of oxidation;*
- *Enhanced frictional characteristics and macrotexture, at least early in the pavement life;*
- *Energy savings due to decreased requirements for lighting; and Protection of the permafrost in the northern climates."*

Transportation Association of Canada paper for a 2018 conference: *https://www.tac-atc.ca/sites/default/files/conf_papers/uzarowskil_-_reducing_urban_heat_island_effect_using_lcap.pdf*

The repeat of this entire document and repetitive examples, the photos of cracked surfaces - yet boldly stating that the proposed quarry product is "more durable than any other Rhyolite material I have seen or sold" etc. and that this justifies this area of natural bushland a "Greenfield Area" that DPIE mentioned to us on 9th Dec 2021 public meeting this term.

Destroying bushland regardless of the approval has gone on way too long for a variety of SSD Developments or people wanting to clearfell bushland and old growth trees with hollows to be 'cattle barons' should not happen at all.

No amount of posturing within Documentation to try/attempt to justify to the Government that a dirty gravel Rock mine quarry will cause little to no impacts and can therefore manage, mitigate these catastrophic impacts are all false. As we have nothing like this proposed quarry in the entire area, then our noise being wildlife, wind etc. no amount of failed attempts within their documentation or the 'Zoom meeting', to justify this proposed quarry should be approved, has actually shown what will be lost here if the DPIE/IPC/Government Ministers wrongly approve such a catastrophic industry and into this area of the Bucketts Way, NSW Tourist Drive 2. Limeburners Creek - Deepcreek - Deep creek Road - Deep Creek valley area -

5 Quarry material availability

Quarry materials in general have been in high demand throughout the Hunter and wider regions for a few years, with some quarries supplying blue metal aggregates into the Sydney market to meet demand which has resulted in local contractors having difficulty obtaining materials particularly aggregates to meet their construction requirements. We are surrounded by quarries and if the trucks line up like Hunter Quarries or the others

5.1 Market Area

When the gate opens, the numbers of trucks are not known how many - until the end of the day.

The material produced by DCQ is expected to be well suited to the local construction industry within the Mid-Coast, Dungog, Maitland, Port Stephens, Newcastle and Lake Macquarie local government areas, however the decorative and high PAFV products will travel further and have a wider market including:

Thats what all the other companies running or proposed can have in their documentation.

- 196 kms to Sydney
- 297 kms to Lithgow
- 472 kms to Canberra
- 213 kms to Port Macquarie
- 340 kms to Coffs Harbour

Big statement - how is this fact checked and by whom?

5.2 Availability

Other quarries currently operating within the local and regional areas may have some supplies of rhyolite materials from time to time, however, the supply is often limited to only a small portion of the total production from the quarry given the limited resource. Proposed quarries such as Hillview Quarry to the north of DCQ are known to have a higher portion of rhyolite reserves, however, it is not operational.

This is not Approved or an EIS has not come out yet to public comment. The Woodburys want to own their own quarry.

The DCQ, has a high proportion of rhyolite within the quarry reserves, such that when operational, it is expected rhyolite will be a consistent material being supplied by the quarry.

More consistent supplies, lead to improved confidence in the market, the ability to meet material specifications and less variability in pricing.

Questions

Why is the Woodburys/Companies not into recycling Products?

It is important to note that while some sources may have a similar looking material which may also have a high PAFV it may not be durable enough for use in concrete, asphalt or two coat seals.

The DCQ resource material is quite unique as it is more durable than other Rhyolite material I have seen and sold previously therefore I believe the DCQ material will be desirable for high PAFV (high grip) applications in the marketplace.

As an employee of The Woodburys of various companies Tim presented himself to property owners as Woodbury Civil. He would want to see this project proceed as this would give him another Company of the Woodburys he works for.

5.3 Quarry material indicative pricing

and hopes that the resource and name of Rhyolite pricks up the ears of Government & customers.

Note: indicative prices are direct from the source, per tonne, excluding gst and vary from source to source due to individual geology and business situation.

However as stated to destroy this area of Deep Creek on the Catastrophic scale if they were given approval - should be opposed entirely, and would therefore preserve the integrity of this bushland area for wildlife, Deep creek a zoned protected creek of the Karuah River Great Lakes - Port Stephens marine Park, for all our precious wildlife and people.

The high demand limited availability situation is increasing quarry material prices in the marketplace which now makes the pricing used for the DCQ analysis more conservative. The assessment of viability has been made on the product range achievable from the DCQ resource.

The typical, and more widely available general blue metal quarry products have a market price of approximately:

- Drainage aggregates ranging from $18.00 to $32.00 per tonne?
- Concrete and Asphalt aggregates are the premium products and therefore the dearest ranging from $35.00 to $40.00
- Road Base (non spec to spec) ranges from $12.50 to $19.50
- Crusher Dust ranges from $7.50 to $20.00

For more decorative including high PAFV quarry products comparable to that proposed for the DCQ products are typically more expensive owing to the reduced availability:

- Aggregates $36.00 to $70.00
- Road Base $20.00 to $30.00
- Crusher Dust $20.00 to $30.00

Other decorative materials can be significantly more expensive depending on their individual deposit, availability and business situation.

All above once again in an attempt to push this proposed quarry into DPIE or Ipc approval which would destroy bushland corridors and continuity for wildlife- put a truck highway / haul Road where there is none, impact the water quality and the volume of water in different arms of Deep Creek which should never be approved to unleash such henious crimes on the environment and must never be approved.
Fumes, Dust, noise, blasting, vibrations are not here todate on this Catastrophic industrial / mining scale, and are many reasons why DPIE / Ipc / ministers must not give this proposed quarry any ability to operate as the precaltionary principle must be adopted as the quarry proposed would cause Catastrophic impacts and a life time of heartache for everyone impacted / wild life deaths and leaving a legacy of this family of a destroyed environment The reasons of their justification Vs the majority have no merits basis to approve the development at all.

6 References

SA, DPTI (August 2017), Technical Commentary on Part R15 and Part R15 Attachment A - Supply of Pavement Materials

THE STATE OF QUEENSLAND DEPARTMENT OF MAIN ROADS, 2007. Main Roads Presentation subtitle text 18 Investigation into the Fatal Crash on South-bound Ramp from Bruce Highway to Sunshine Motorway at Tanawha. TMR incident investigation report.

This above is dreadful. I am bewildered at the need to reference this as an example for this document and the proposed rock/mine quarry; justifying their need for approval ?

Concrete Highways.

Wet in Wet Concrete Paving:

https://www.worldhighways.com/wh4/feature/novel-concrete-paving-method-used-germany

Next Generation Concrete Grinding:

Australian Society for Concrete Pavements:

https://concretepavements.com.au/resource/development-of-low-noise-diamond-grinding-in-nsw/

International Grinding and Grooving Association: https://www.youtube.com/watch?v=o2n-B_ySxsw

Climate Change and benefits of Light Coloured Roads.

Cooling Cities:

Lateline story: https://www.abc.net.au/lateline/cities-need-adapt-to-deadly-heatwaves/5495392

The Daily Telegraph article on Myrtle Street, Chippendale:

https://www.dailytelegraph.com.au/newslocal/city-east/city-trials-a-lighter-bitumen-in-chippendale-to-reduce-ambient-temperature-and-save-on-energy-costs/news-story/55ff1b0d7a18eab596ba82c4678e878f

The Street Cooler website: http://www.streetcoolers.com.au/home

Sourceable article on a South Australian Government trial in Adelaide 2020,

https://sourceable.net/new-project-will-cool-adelaides-roads/?utm_source=Sourceable+News+Alerts&utm_campaign=d43f6e56f0-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_ea334d3ea4-d43f6e56f0-593745933

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Netherlands 2016 research document – re trials: https://www.h-a-d.hr/pubfile.php?id=1119.pdf

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https://www.tac-atc.ca/sites/default/files/conf_papers/uzarowskil_-_reducing_urban_heat_island_effect_using_lcap.pdf

Sourceable article on Lighter pavement really does cool cities when it's done right:

https://sourceable.net/lighter-pavement-really-does-cool-cities-when-its-done-right/

Sourcable information sourced from the Conversation: https://theconversation.com/au

Rammed Earth Houses

https://www.earthscapewalls.com/about

https://www.plannedlivingarchitects.com.au/rammedearthhouse

https://www.yourhome.gov.au/materials/rammed-earth

Rhyolite Dust

Hunter Valley Gardens Photo source: https://www.hunterresort.com.au/hunter-valley-gardens/

Maitland Mercury article photo source:
https://www.maitlandmercury.com.au/story/6432387/partys-up-and-racing-for-paceways-30th/

Photo source Australian Harness Racing: https://www.harness.org.au/media-room/news-article/?news_id=12608

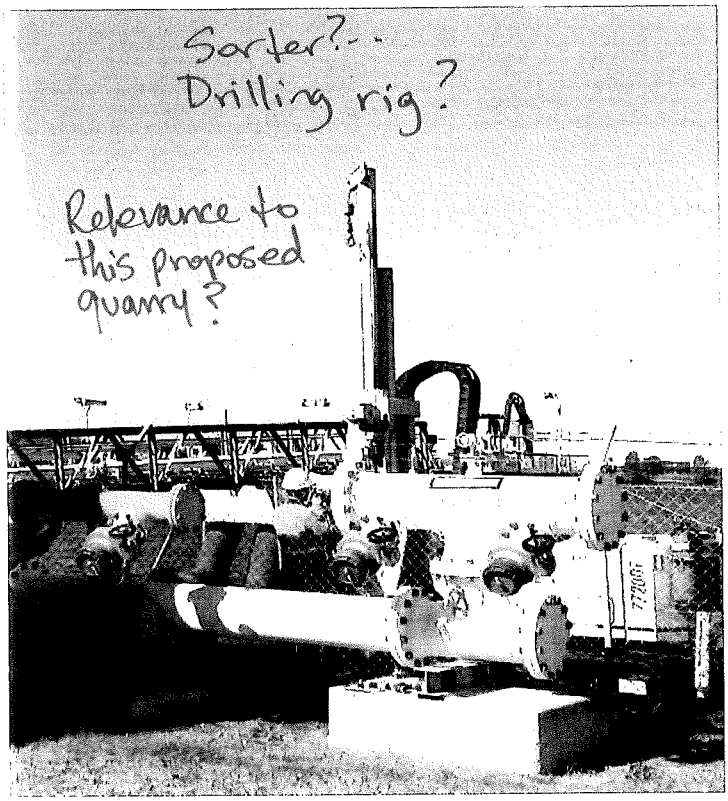
Photo source: https://www.hrnsw.com.au/trotstv/replays/47308

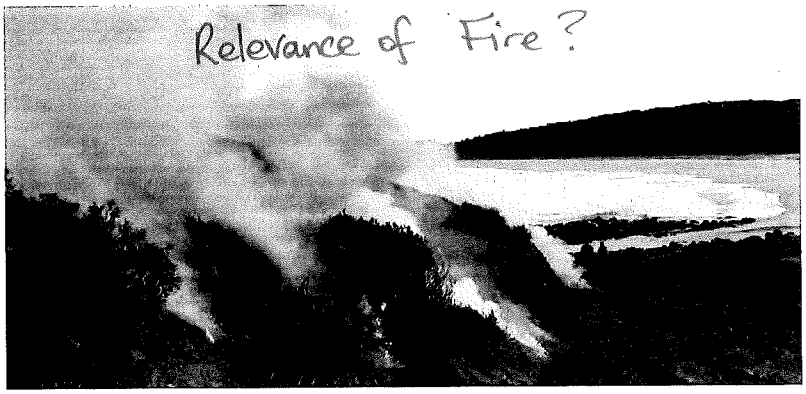
SEPP 33 Screening Assessment

Deep Creek Quarry – Environmental Impact Statement

20203112

25 May 2021





KLEINFELDER
Bright People. Right Solutions.

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Phone: +61 2 4949 5200

Objection of Amanda Albury

APPENDIX X: SEPP 33 SCREENING ASSESSMENT

Kleinfelder Australia Pty Ltd
ABN: 23 146 082 500
Suite 3, 240-244 Pacific Highway, Charlestown, NSW 2290
Phone: +61 2 4949 5200
www.kleinfelder.com.au

25 May 2021
20203112

Ironstone Development Pty Ltd
PO Box 2185
Greenhills
NSW 2323

Attention: Tim Mullaney

Subject: SEPP 33 Screening Assessment
Proposed Deep Creek Quarry, The Bucketts Way Limeburners Creek NSW 2324

1 INTRODUCTION

This letter provides a screening assessment of the proposed Deep Creek Quarry (DCQ) against the NSW *State Environmental Planning Policy No 33—Hazardous and Offensive Development* (SEPP 33). Part 1, Clause 3 of SEPP 33 defines 'potentially hazardous industry' and 'potentially offensive industry' as stipulated in **Table 1** below.

Table 1: SEPP 33 definitions of 'potentially hazardous industry' and 'potentially offensive industry'.

Term	Definition
Potentially hazardous industry	Means a development for the purposes of any industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality— a) to human health, life or property, or b) to the biophysical environment, and includes a hazardous industry and a hazardous storage establishment.
Potentially offensive industry	Means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

Actions undertaken at the DCQ of relevance to the SEPP 33 screening assessment include:

- Blasting – estimated to occur 16 times a year. Explosives will not be stored onsite. (4) 1) 17-25 2) 2 per month 3) every day
- Storage of diesel fuel, while unconfirmed, to a quantum of 5,000 L.
- Storage of lubricating oils and greases.

2 PROPOSED WORKS

Documents contradict themselves and this should have been re-written – errors and omissions fixed up and then reissued to the Gov Depts. + general public.

2.1 Blasting

As currently proposed, each blast event at the DCQ will include a 9000 kg blast producing approximately 11,600 m³ / 30,600 tonnes of product. This quantity estimate would equate to approximately 16 blasts per year to produce a total 500,000 tonnes (as per the SSD application). 11,600m³ = 30,600 tonnes

So how many blasts a year?

Licenced contractors will be utilised for blasting events, bringing explosives used for blasting to site for each event. As such, explosives will not be stored at the DCQ. — they will be travelling by road around everyone Vehicles which is completely unacceptable another reason why this must be refused.

Page number of errors and contradictions regarding proposed blasting.

Blasting at the DCQ will be restricted to between the hours of 9am to 4pm Monday to Friday. Blasting will not occur on Saturdays, Sundays or on Public Holidays. Again in other documentation it states Monday to Saturday Blasting – varies how many per year and even mentions every day – again the documentation should be thrown in the bin.

2.2 Hazardous Materials at the DCQ

2.2.1 Diesel

While currently unconfirmed if required, the DCQ may include the provisions of a 5,000 L fuel tank for diesel onsite just as a back-up for onsite machinery. This tanker will self- bunded and stored on an impermeable surface within a bunded refueling pad. Diesel fuel will be delivered to site machinery by a private contract daily. DAILY! fuel bombs in bushland surrounded by private homes.
Diesel will be transported, stored, handled and managed in accordance with regulations and industry standards. Fuel tankers, where utilised, will be parked in a temporary bunded area on an impermeable surface while re-fuelling, and spills in the collection area will be contained and managed in accordance with emergency response procedures. Any incidental contamination will be classified and disposed of in accordance with waste legislation. all flows to Deep creek.

2.2.1 Oils and Greases

bunded – what in the ground that floods?

Small quantities of hydrocarbons, typically oils and greases for maintaining plant and equipment will be stored onsite at the DCQ. These will be stored in a bunded tank, installed in accordance with relevant Australian Standards. Recovered oil and grease material will then be collected for removal by a licensed recycling contractor. extra vehicles of fuel tanker truck and waste disposal truck
Oils and greases will not be stored within the same bund as other flammable liquids, and as such would not be subject to the SEPP 33 screening thresholds. As a result, the storage of these materials is not considered potentially hazardous in terms of SEPP 33.

– causing air born fumes – not on no way!
Actually I disagree as they can catch fire – explode or run into Deep creek

3 SEPP 33 ASSESSMENT

3.1 Blasting

As stated under Section 5.5 of the DCQ Noise and Vibration Impact Assessment (NVIA), blast vibration and overpressure levels will be significantly below the 5% exceedance criteria published under the Australian and New Zealand Environment and Conservation Council (ANZECC) document *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration – September 1990*[1] at assessed residential receivers. It is noted that maximum of 5% of blasts per year can exceed these criteria and still achieve compliance (Spectrum Acoustics, 2021[2]). What happens to peoples ear drums, mental health, well being and enjoyment in peace on our Properties?
It is highlighted that whilst explosive materials will be periodically used at the DCQ for blasting, there will be no storage of explosive materials at the site outside of these times. Explosive material would be brought to the site on an as-needs basis by the specialist contractor, and would be handled and used in accordance with relevant Australian Standards. And the victims wildlife, people and our animals are harmed, injured or killed by a disasterous DA if its approved.

3.1 HAZARDOUS MATERIALS

The guideline *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33* (SEPP 33 Guideline) (NSW Department of Planning, 2011[3]) defines hazardous materials as "*…substances falling within the classification of the Australian Code for Transportation of Dangerous Goods by Road and Rail*[4]." Hazardous materials are further defined under Chapter 7.1 of SEPP 33 Guideline as substances falling within the classification of the Australian Code for Transportation of Dangerous Goods by Road and Rail (Dangerous Goods Code). Materials stored onsite of relevance to the SEPP 33 Screening Assessment are summarised in **Table 2**.
These highly explosive chemicals and or powders are being transported on public roads where everyones safety is further at risk.
All should be under Sepp 33 Legislation and it should not be waived.

[1] Australian and New Zealand Environment and Conservation Council (1990). *Technical Basis for Guidelines to Minimise Annoyance due to Blasting Overpressure and Ground Vibration – September 1990.* Environmental Noise Control Committee

[2] Spectrum Acoustics (2021). *Noise and Vibration Impact Assessment, Deep Creek Quarry, Limeburners Creek, NSW.* Spectrum Acoustics Pty Ltd, Cardiff NSW

[3] NSW Department of Planning (2011). *Hazardous and Offensive Development Application Guidelines – Applying SEPP 33,* NSW Government, ISBN 978-1-74263-154-7

[4] National Transport Commission (2020). *Australian Code for Transportation of Dangerous Goods by Road and Rail,* Commonwealth of Australia, ISBN: 978-1-921604-69-0

Table 2: Hazardous material storage at the DCQ

Material	Australian Dangerous Goods Class	Description	Storage Quantity	Storage Location	SEPP 33 Trigger
Diesel (fuel)	Class 3, C1	Combustible liquids. Flashpoint above 61 °C but not exceeding 93 °C	5000 L (if required)	Above ground, self-contained tank	Diesel would not be stored with other Class 3 materials and would therefore not be subject to the SEPP 33 Guideline.
Lubricating and hydraulic oils and grease	Class 3, C2	Combustible liquids. Flashpoint above 93 °C	Amount under SEPP 33 threshold	Workshop area	Lubricating and hydraulic oils and grease would not be stored with other Class 3 materials and would therefore not be subject to the SEPP 33 Guideline.

As they are bringing to an area of natural bushland surrounded by private homes if approved anything they say they dont need to do - they must be forced to do so —

They must be as above —

As stipulated above in **Table 2**, both diesel and lubricating oils and grease will be stored away from other flammable material, assuming that diesel storage onsite at the DCQ will occur at all. As such, the storage of diesel and lubricating oils and grease is not subject to further assessment under the SEPP 33 Guideline. It must be. if this project is approved.

Transport of diesel fuel to the DCQ is currently proposed to occur on a daily basis, pending the procurement of the storage tank onsite. Diesel will be transported, stored, handled and managed in accordance with regulations and industry standards. The minimum quantity for the transport of Class 3 materials under the SEPP 33 Guideline equates to the following:

- More than 500 loads per year.
- More than 30 loads per week.
- More than one tonne per delivery.

Why every day — oh - thats to be used in their diesel generators to produce electricity (or solar) Diesel for machinery — a delivery every day by a fuel tanker ? - - - - what for really?

This threshold is highly unlikely to be exceeded during the construction and operation of the DCQ. As such no further assessment is required. — How Convenient to play the game self monitoring, self Regulating, self Reporting — who would check they dont exceed the above fuel movements?

4 CONCLUSION

This screening assessment has determined that operations at the DCQ are not considered hazardous or potentially hazardous and therefore a preliminary hazard analysis (PHA), prepared in accordance with the SEPP 33 Guideline, is not required for the DCQ. For limitations applying to this letter please see **Attachment 1**.

Sincerely,

Kleinfelder Australia Pty Ltd

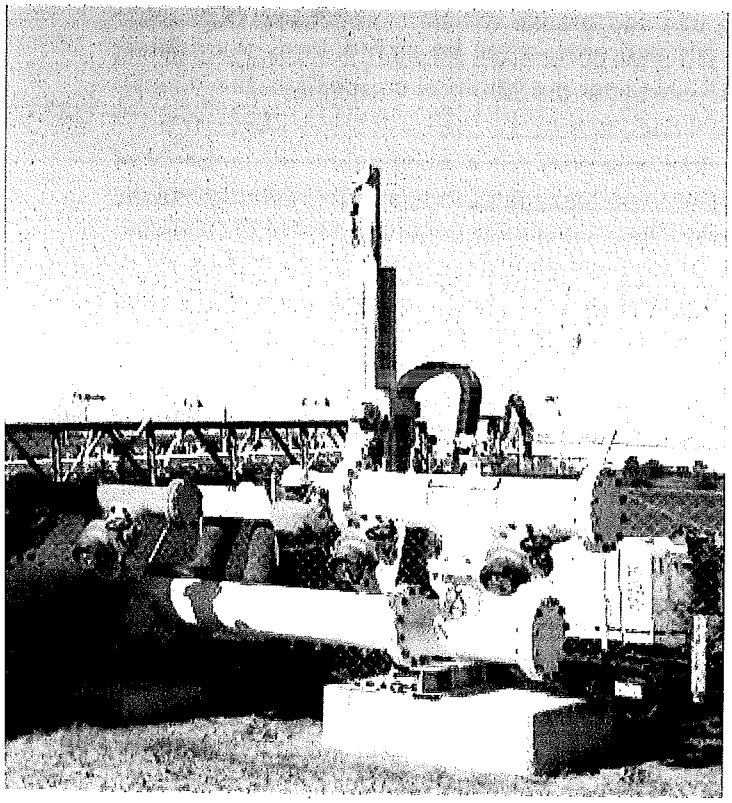
What a load of Rubbish Brad Deane!

This is all not in the area currently So if this was to come into the area the Hazards would be catastrophic.

Brad Deane

Environmental Advisor
Environmental Management, Approvals and Compliance
bdeane@kleinfelder.com
Mobile: 0411 293 242

ATTACHMENT 1: STATEMENT OF LIMITATIONS



STATEMENT OF LIMITATIONS

This letter has been prepared by Kleinfelder Australia Pty Ltd (Kleinfelder) and may be used only by the Client and its designated representatives or relevant statutory authorities and only for the purposes stated for this specific engagement within a reasonable time from its issuance, but in no event later than two (2) years from the date of the letter.

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The findings and conclusions contained within this letter are relevant to the conditions of the site and the state of legislation currently enacted in the relevant jurisdiction in which the site is located as at the date of this letter.

Additionally, the findings and conclusions contained within this letter are made following a review of certain information, reports, correspondence and data noted by methods described in this letter including information supplied by the client or its assigns. Kleinfelder has designed and managed the program for this letter in good faith and in a manner that seeks to confirm the information provided and test its accuracy and completeness. Howèver, Kleinfelder does not provide guarantees or assurances regarding the accuracy, completeness and validity of information and data obtained from these sources and accepts no responsibility for errors or omissions arising from relying on data or conclusions obtained from these sources. Errors within the documentation, EIS and Appendicies.

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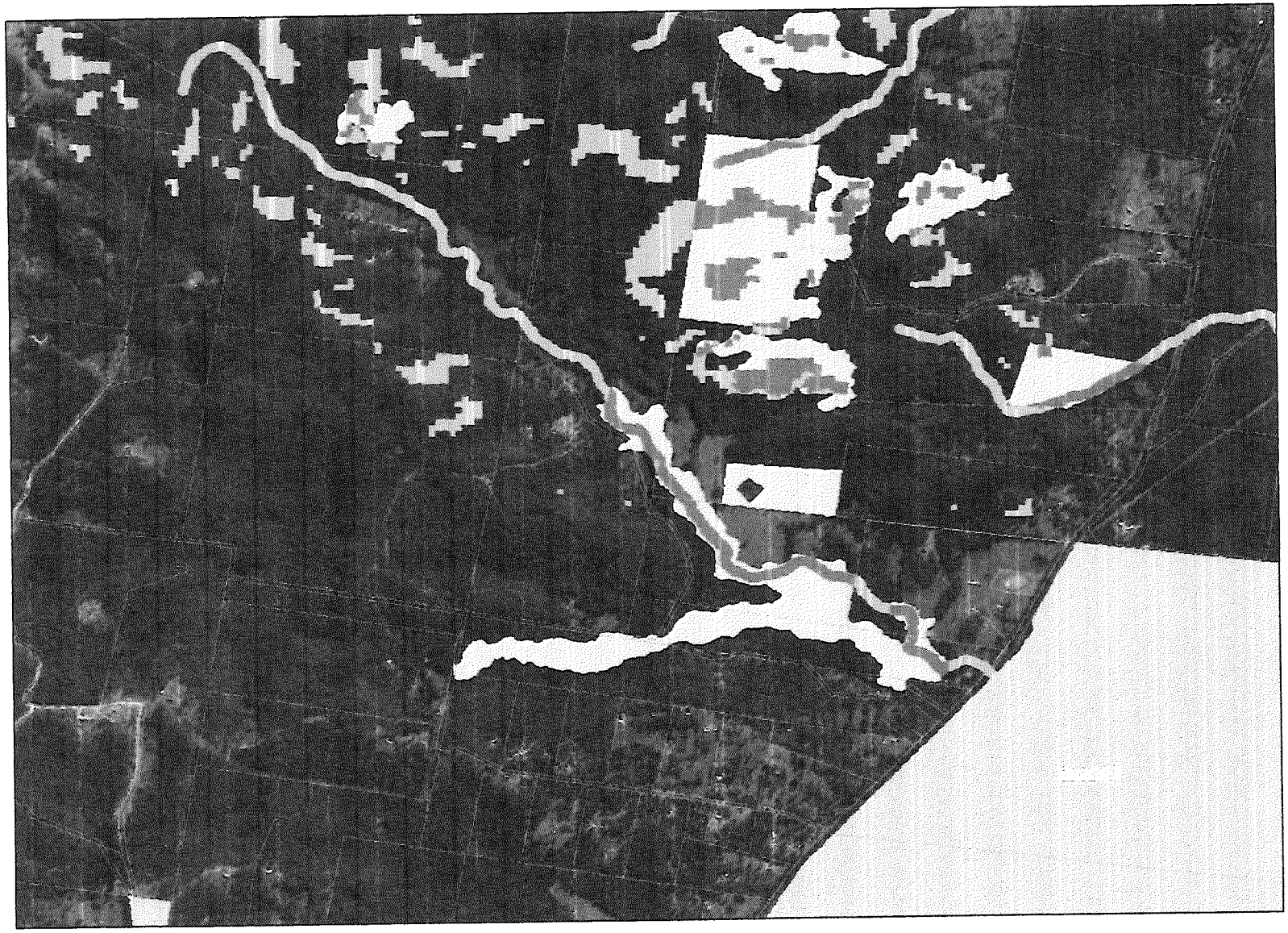
what a poor disclaimer, And why write such dribble!

If you write a Report you are accountable to what you have written. eg (letter, Report, document etc).

There are so many errors and omissions in these documents and even on the one page each sentence Contradicts itself. With so many errors I have a hard time beleiving it is "typing errors". I beleive it is calculated and if the DPIE/ Ipc or Ministers approve this project with all their documents you are approving and Condoning false, misleading documentation to produce Reports for the Woodbury family that their entire proposed quarry if approved will have little to no impacts on anyone or anything. This is beyond Truthful to approve such a Catastrophic DA as this proposed Quarry would be.

Deep Creek is a Zoned Protected Creek of the Karuah River Port Stephens Great Lakes Marine park. This needs to be upheld by IPCN panel and the proposed Quarry refussed.



NSW GOVERNMENT

Transitional Native Vegetation Regulatory Map

Legend

- Cadastre
- Local Land Services Regions
- Local Government Area

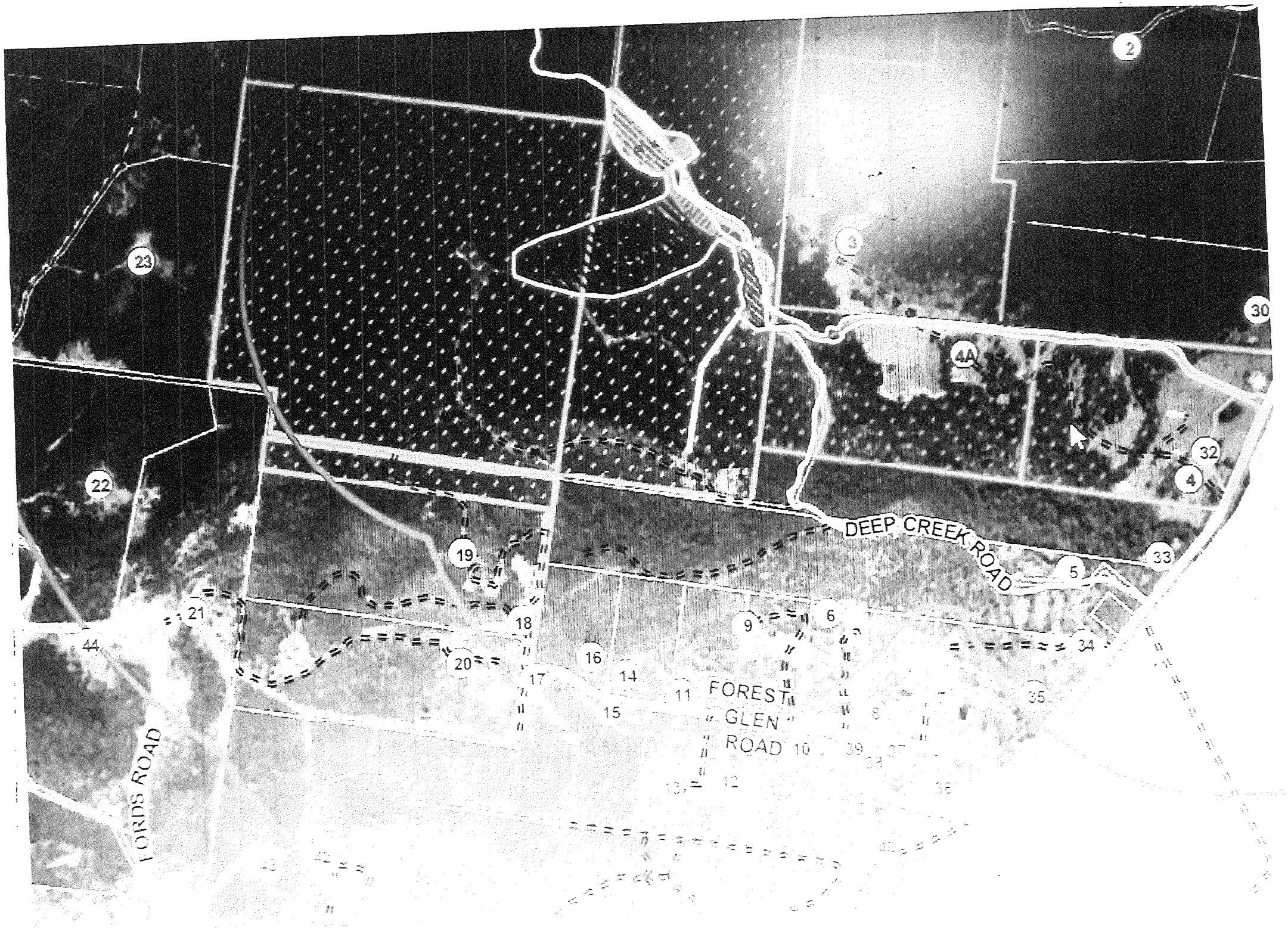
Native Vegetation Regulatory Map (in force)

- Category 2 - Vulnerable Regulated Land
- Category 2 - Sensitive Regulated Land
- Category 2 - Sensitive & Vulnerable Regulated Land
- Land Excluded from Local Land Services Act 2013
- Werriwa & Monaro CEEC Advisory Layer

0 0.23 0.6 1.12 kilometres

N

Map extract date: 29-Aug-2021


2
3
4A
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DEEP CREEK ROAD
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FOREST
GLEN
ROAD
10
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12
36
FORDS ROAD

Planning & Environment

Penalty Notice issued to Karuah East Quarry Pty Ltd (Karuah East Quarry Project, PA 09_0175, Port Stephens LGA)

2 October 2018

On 2 October 2018, the Department issued a $15,000 Penalty Notice to Karuah East Quarry Pty Ltd (KEQ) for failing to construct noise mitigation measures required as conditioned by their approval. Following self-reported noise limit exceedances and complaints to the Department of excessive noise levels, an investigation found noise mitigation measures, such as noise barriers and shields on equipment, were inadequate. Noise mitigation is a key component in protecting amenity for local residents and the Department expects noise mitigation measures to be implemented as described in approval documents. KEQ are proposing to utilise a planned 5 month shut down period (beginning September 2018, for construction of additional fixed plant) to complete further works to mitigate noise emissions. The Department will continue to monitor KEQ to ensure noise mitigation measure are constructed and effective.

Page last updated: **29/11/2018**

The Department acknowledges the Traditional Custodians of the land and pays respect to all Elders past, present and future.

Over one area to be destroyed if proposed Quarry area

Many roads being cut in, and a lot of bushland cleared, this bushland is moving into one of the main arms of Deep Creek. This is in Midcoast Council area. **These roads being built through many of Deep Creek's gullies.**

One of many Deep Creek gullies, partly cleared and piles of dirt. Looking towards The Bucketts Way, where the last remaining group of trees are present and will be removed if Council/Dept. does not stop this from proceeding and reject this entire project. **How can people look for artifacts in an altered bushland area?**

This proposed Quarry is not in Keeping with the entire area or amenity of the area, bushland forests/wildlife/people our animals

"home business" means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve--
(a) the employment of more than 2 persons other than those residents, or
(b) **interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or**
(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
(d) the exhibition of any signage (other than a business identification sign), or
(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,
but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.
Note : See clause 5.4 for controls relating to the floor area used for a home business.

"home industry" means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following--
(a) the employment of more than 2 persons other than those residents,
(b) **interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,**
(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
(d) the exhibition of any signage (other than a business identification sign),
(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,
but does not include bed and breakfast accommodation or sex services premises.
Note : See clause 5.4 for controls relating to the floor area used for a home industry.
Home industries are a type of
"light industry" --see the definition of that term in this Dictionary.

"home occupation" means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve--
(a) the employment of persons other than those residents, or
(b) **interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise, or**
(c) the display of goods, whether in a window or otherwise, or

(d) the exhibition of any signage (other than a business identification sign), or
(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,
but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

And a definition of "light industry" ..

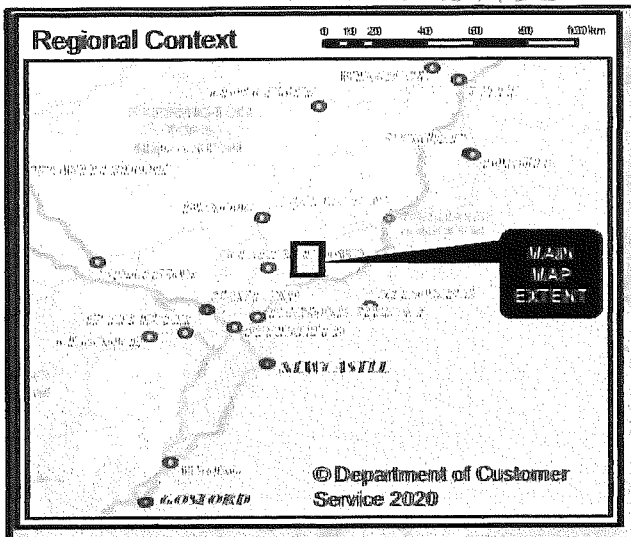
"light industry" means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following-
(a) high technology industry,
(b) home industry,
(c) artisan food and drink industry.
Note : Light industries are a type of
"industry" --see the definition of that term in this Dictionary.

11) **What is Council going to do about this wrongful approval, turning Forest Glen Road into a commercial/industrial street?**

12) We request assistance please to lodge a GIPA document for all the information regarding the prefab, welding, spray painting property at 181 Forest Glen Road.

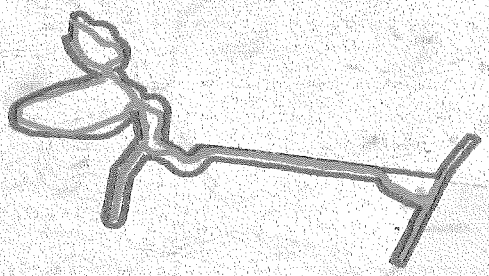
a) All the Council visits to the property and the corresponding documentation (date and times included).
b) Council staff decisions, conclusions that this "development" is "compliant with SEPP". SEPP what exactly and compliant to what"? This has all been done in secret. The very people being impacted already by this property (us included), have been kept "in the dark completely" of what has actually been approved. How is this considered to be transparent, honest and above board?
c) All documentation submitted, regarding this property of 181 seeking approval to run an inappropriate business in Forest Glen Road.
d) What criteria was given for this approval? We know nothing. Is Council saying they also do not know? How is that possible, because the Planning Portal I filled in, went straight back into the relevant Council Department, who contacted me.
e) What conditions do they have, if any to operate a what business "a development"?
f) How did Council know they had filled in the Planning Portal for a "comply and development"? Therefore Council must have documented records of "a development", and what that means exactly.
g) Council must know as Bruce advised that Council Staff deemed it was compliant, yet what does that actually mean to the rest of us (victims of an anti-social business to people around them, that are already impacted)?
h) Or does Council not have any idea what has and will happen on this property of 181?

20220312 - EPBC - Fig 1 - Locality



This map is to show how this proposed Quarry must be refused by IPCN panel.

Nothing like it in the entire area



Legend

Development Footprint