



Martins Creek Quarry Project

OBJECTION Response by BRENDA TANNER (NAG Area 12)

to 'R34- Additional Information' provided to IPC Dec 2022 by Umwelt (on behalf of Daracon PTY Ltd)

Overview

The responses and objections provided in this document are based on my review of the information provided by Umwelt in *'R34 – IPC Additional Information Request – Final'*.

Each slide will review specific pages of the above document, where I believe there are inconsistencies, distortions or errors. Where applicable there will be cross-references to the information provided in SSDA 6612 (used as the primary document by IPC at a Public Hearing at Total College in Nov 2022).

Although my review will remain limited to Umwelts' responses to questions posed by IPC (which mainly relating to transportation aspects of SSDA6612), it **MUST** be understood, by IPC, that I, **AND THE COMMUNITY, REMAIN WHOLLY OPPOSED TO THE EXPANSION OF MARTINS CREEK QUARRY.**

Over-arching Statement

The information provided by Umwelt in the 'R34 - *Additional Information Request*', is **over-reaching, mathematically incorrect, and padded with historic quotes and data that are erroneous and taken out of context.**

There remains a **flagrant disregard** for Environment, Social, Intergenerational and Amenity impacts in the responses from both DPIE and Daracon.

It's important to note that Daracon aren't just asking to expand quarrying activity at this RURAL RESIDENTIAL site, they intend to expand on site production to include processing of construction materials – so operations will not be limited to the extraction industry!

Para 2 – Proposed Project Amendments

Page 3 – The figures quoted on this page imply that Daracon believes they have been approved for total annual extraction rate of 1.6Mtpa – 500,000Tpa by road and 1.1Mtpa by rail

Para 2.1

Makes a statement '*reduction in road transportation 1.45Mtp to 500,000tpa*' – Why restate the concession (incorrectly); when in fact 1.45Tpa was the total tonnage originally applied (in 2019) and not just by road. In SSDA 6612 the new TOTAL Extraction applied for is 1.1MTpa

Para 2.2

States: '*For this reason, the production limit of upto 1.1Mtpa is being sought for rail haulage*'. This together with 500,000 by road means their claiming an extraction rate of 1.6Mtpa

Page 4

Cont'Para 2.2 – '*At this time, there is no viable rail unloading facilities to enable rail haulage.....*' – Where are the studies to substantiate this statement? Nearly all other extraction industries in the Hunter & NSW successfully use rail. ALSO, If they're going to develop the rail siding at MCQ in next 2-4 year, there must be unloading facilities in the region, or are Daracon saying they're going to develop these facilities too?

Para 2 (continued)– Proposed Project Amendments

Page 4 – Appears to be making a case for breaching the daily/hourly limits (whilst remaining in annual limits) due to adverse weather conditions interrupting production and haulage.

It should be made clear there can be NO BREACH of limits even if annual production levels are reduced due to prolonged adverse weather.

Major construction projects will be affected/delayed too, so everyone plays catch-up.

Page 5

– ‘*No road haulage on Saturday*’ – Why not state Saturday and Sunday? If not clearly stated, then it allows interpretation!

Third paragraph where it speaks of ‘*Theoretical Maximums*’ – the Applicant is trying to make the case that it’s highly likely there won’t be 250 days of Quarry traffic per year. IF the applications is agreed THIS WILL BE the NUMBER OF DAYS ALLOWED and therefore IT’S NOT THEORETICAL. All calculations must be made on maximum figures, otherwise risk/impact cannot be quantified!

Fourth paragraph/Final sentence – *Daracon advise customers are seeking to book projects well into 2023*

This renders a 25-year application un-necessary and again in SSDA 6612, only speaks of approved NSW Infrastructure projects to 2025.

Para 2.3 – Mathematical errors, which allow for over extraction

Opening statement speaks about ‘*changing market conditions that have allowed Daracon to further consider road haulage requirements*’ and revise their figures down.

So, by their own admission the market is CONTRACTING, so the requirement for a Mega Quarry is negated. And the extraction limit should remain at 500,000Tpa

Table 2.1 – Mathematical Errors with the revised figures Daracon are proposing:

Component	Proposed Reduced Rates	Total Daily Movements	Total Daily Tonnage	Total Tonnage pa
Hourly Road Haulage Limit (32.5 tonnes per truck)	12 Laden trucks per hour (0700 – 1500)	84 trucks	2,730	901,875 (250 days)
	9 Laden trucks per hour (1500 – 1800)	27 trucks	877.5	
		Total 113 movements	3607.5	
Hourly Road Haulage Limit (48 tonnes per truck with PBS Permit)	12 Laden trucks per hour (0700 – 1500)	84 trucks	4032	1.332MTpa (250 days)
	9 Laden trucks per hour (1500 – 1800)	27 trucks	1296	
		Total 113 movements	5328	

80 Laden movements per day = 7 TRUCKS PER HOUR. Which is still 14 truck movements through Paterson every hour.

One Truck every 4 minutes!!!! A truck with each sip of your coffee!!!!

The question MUST be asked, and answered, who is going to ‘police’ the actual number of trucks and tonnage being shipped. Daracon has a history of over extraction and under reporting.

Para 2.3 (continued)

With the main focus of their argument still focused on truck haulage the data provided in the 'R34' document **ONLY relates to quarry product, there is NO mention of product/service deliveries to the quarry** such as: FLY ASH (for mixing in the crushing process), Construction Materials, etc.

Surely, these must be accounted for in the total movements per day as they will be traversing the main haulage route.

PAGES 7&8

The information provided on these pages is IRREVELANT!

1. ALL quotes have been taken out of context
2. IEMP was TEMPORARY as stated, so no longer relevant
3. Testimony from James Ashton is, I believe, mis-quoted
4. The quarry was only certified for 300,000Tpa as a ballast quarry with a 2-year dispensation to Railcorp from 2010- 2012

With all due respect - IPC should refrain from considering this erroneous information and contain their deliberations to the objections and facts presented at the November 2022 Public Hearing and in the written objections.

- ✓ Dungog Council OPPOSE THE EXPANSION
- ✓ Maitland Council OPPOSE THE EXPANSION
- ✓ 926+ members of the community OPPOSE THE EXPANSION - All of whom have lived experience OR know the area!!

Additional Information to IPC Question 1

3.1 – Strategic justification

Page 9: Table 3.1 – States Martins Creek Quarry TPA Production is 449,000 – SO WHY HAS 500,000 Tpa been referenced previously? Quantities appear to be approximate throughout Umwelt document!

Reference to Karuah East Quarry | Seaham Quarry | Teralba Quarry | Brandy Hill Quarry – All sited (by hearsay) as having extraction constraints. ALL OF WHICH lift by May 2023 – which means they will all be back to full production, further helping regional supply.

Martins Creek only represented <5% of the regional supply

Page 12 : Statement relating Martins Quarry produces high quality blue aggregate – Daracon keep referring to this as being important in road base construction. This is in fact a TRAGIC MISUSE of this rock, which should only be reserved for Rail Ballast and higher tensile concrete used in construction. Other quarries in the region produce much more suitable rock for road base!!

Page 12: Paragraph – ‘High Demand for Quarry Product’ explains why Daracon would mis-use this rock – because they will use it in their own region projects, **so double-dipping on profits**

Page 13: Comments from Mr Connor are erroneous and out of context.

Other comments about supporting submissions being from developers citing shortages – These are most likely Daracon customers. Also, NSW Infrastructure projects with funding are only until 2025. Plus there’s about to be a recession, so housing development is likely to decline for the next 5 years

Additional Information to IPC Question 2

PAGES 14 - 16

Daracons' response to this question is oblique – They are stating that only one train can be loaded per day, implying it is linked to timeslot availability on the train network.

This is untrue and mis-leading – It would be related to **minimizing costs and maximizing profits**, using day light hours to load and dispatch trucks (cheaper mode of transport), then using night time to load and dispatch trains.

This allows Daracon to:

- **Minimizes number of staff on site per shift**
- **Minimises equipment /assets required**
- **Minimises development of the site to allow multi-function loading**
- **Maximise operating profits**

OPERATING THIS SITE 24/7 WILL HAVE SEVERE HEALTH AND ENVIROMENTAL IMPACTS TO RESIDENTS IN A 10KM RADIUS OF THE QUARRY, WITH DUST, WATER, NOISE, LIGHT POLLUTION. RSC RELATE DISEASE WILL INCREASE IN THE AREA.

In para. 4 – *'dispatch 600,000tpa by Train would require 6 – 8 trains per week'*, BUT go on to say they proposed to load 2- 3 trains in 24 hour period. This would equate to 16 – 21 trains to per week which would mean 1.8 Mtpa being shipped

Additional Information to IPC Question 2

Page 16

States 'that if production limited, prior to completion of proposed road upgrades, to current levels of 150,000Tpa, then rail spur would be delayed 2-4 years.'

This is a 'black-mailing' statement as they state in SSSA 6612, it would take 2-4 years to build the rail spur even if production limits were increased. Daracon statements are hedging - It appears they're hoping to maintain primary haulage by road, and only under duress extend the rail spur.

States: 'Without an approval in place, Daracon is unable to confirm the quantum of future rail markets'

A project of this size SHOULD have information and data based on indepth research, analysis and modelling –

Daracon's approach throughout this application process appears to have been totally unsubstantiated and limited to speculation, hearsay and 'conversations with mates'. There has been NO independent studies by either the Applicant OR DPIE – they are both working from flawed and subjective data.

States: 'The now proposed road haulage limit of 450,000Tpa will remain the upper limit and Daracon now seeks approval to transport 1.1Mtpa by rail'

THIS EQUATES TO 1.55Mtpa EXTRACTION RATE – THIS EXCEEDS 1.1Mtpa TONNAGE REQUESTED IN THEIR APPLICATION

Additional Information to IPC Question 3

Page 17

Daracons' response is arrogant, oblique and over-reaching. To compare the Quarry haulage to that of a poultry farm in Bungonia is insulting.

In relation to the bullet point statements – Yes, Martins Creek is a brownfield site; HOWEVER, it's instigation was ONLY for the sole purpose of railway ballast – nothing more. It was never intended as a Mega Quarry site.

Bungonia, is in NO WAY comparative to Paterson – 2021 Census has Bungonia population at 496 and Paterson at 960 (double the population). Bungonia, is a much more remote village without a tourist industry. Paterson is a growing community with rural residential developments.

Haulage route from Bungonia to M32 is sparsely populated UNLIKE the 23 km haulage route to New England Highway at East Maitland, that has established residential dwellings the entire length, together with schools, businesses and a college – THERE IS NO COMPARISON

Page 18/19

Daracon is trying to justify Martins Creek expansion with comparison to Teralba and Brandy Hill – NEITHER of these quarry sites are situated in a residential village – they are well outside the residential areas.

The haulage routes for both quarries traverse very limited distances on residential roads before they intersect a major road.

These can't be used as a justification or comparison to the Martins Creek Quarry.

Providing a repetition of Daracon haulage numbers (which as stated in Slide 6 are working beyond the tonnage applied for) is just a desperate attempt to make them looked victimized.

Additional Information to IPC Question 4

Daracons' response to this question FAILS to ADDRESS any of the social, environmental or amenity impacts that have been raised by the community.

Daracon are using 'precedence' as their argument – Yes, the quarry has been in Martins Creek 100 years; HOWEVER, back then product would have been taken out by rail and small 4-cylinder engine trucks. The men in Martins Creek would have worked in the quarry and on the railway – NONE OF WHICH IS THE CASE IN 2023 and beyond!

There is a vagrant disregard and failure to acknowledge any of the impacts to the communities and residents around the quarry and along the haulage routes. This is ALSO reflected by DPIE itself, stating that today's generations are responsible for ensuring against intergenerational impacts to health, biodiversity and productivity – WELL THAT'S WHY THIS COMMUNITY IS FIGHTING BACK.

Neither Daracon or DPIE have any compunction about destroying community, environment or the health of the residents and taxpayers who live in this area.

Additional Information to IPC Question 4 - Continued

Page 23 – In response to ‘The Objectives of the Project in terms of Intergenerational equity’ statements:

- The extract rock is NOT for IMMEDIATE LOCAL area
- The 24/7 operation of the quarry site will cause dust / noise / water and light pollution to all residents within 2-3km radius and will HAVE SERIOUS HEALTH IMPACTS
- Rehabilitating the site at cessation makes NO DIFFERENCE to the ecological destruction of the additional 21 Hectares of Land – ONCE KOALAS AND OTHER ENDANGERED SPECIES ARE DESTROYED, THEY ARE GONE!
- Flexibility for unplanned events – Daracon has FAILED TO PROVIDE ANY SATISFACTORY PLANS FOR SUCH EVENTS. Studies that have been referred too in SSDA 6612 were from Daracon’s own data (NOT INDEPENDENT studies) and were developed prior to the series of La Ninas that occurred in 2022.
- There are NO employment opportunities for local people, Daracon will re-deploy staff from other sites

Additional Information to IPC Question 5

Page 24 – Daracon’s statement *‘In comparison to the original project and ADA Daracon has made substantial reductions:*

The tactic of overstating production levels only to reduce them on re-submission is WIDELY USED in commercial negotiations - appearing as though concession have been made, but the Applicant is still getting exactly what they want. IPC NEED TO BE AWARE THERE HAS BEEN NO CONCESSION ON AMENITY, SOCIAL OR ENVIRONMENT IMPACT.

Page 25 – *‘Key Mitigation measure intend to improve social impacts’:*

Construction of new access road: This ‘new’ road enters Dungog Road on a blind corner and just prior to 100km zone. Also, when does Daracon intend to start construction as they have already purchased the land and more recently a neighbouring property in preparation. (BRAZEN!!)

Upgrades to Gostwyck Bridge – This is a heritage bridge which was never intended/built for 32.5 tonne trucks and has NO passing. All that is being modified is a widening of the approach, to allow trucks and traffic to queue.

Establishment of Noise Bunds and Noise Attenuation – This was NOT discussed in SSDA 6612. Where is the data, analysis, and plans to show the supposed attenuation of noise and reduction of dust? Bunds only offer reduction in the horizontal plan - The physics of dispersal is omni-directional meaning both will rise and will be dispersed by prevailing winds.

Additional Information to IPC Question 5 - Continued

Page 26 - Reference to the preparation of a Traffic Management Plan and Drivers Code of Conduct

Plans are only effective when overseen and properly managed?

Daracon already stated at the Public Hearing (Nov22) that they have NO jurisdiction over sub-contracted drivers once they leave the quarry. NSW highway police are NOT going to have a permanent detachment on the haulage route, so how will this Plan be enforced?

Page 27 – Para 1 – *‘Recommend Condition B65 requires SIMP to be developed in consultation with Dungog Shire Council, CCC & Stakeholders...’*

It should be **MANDATORY** that any **SIMP be developed with all the named parties** PRIOR to the re-opening of the Quarry.

IRRESPECTIVE OF FINAL APPROVED EXTRACTION RATES - Program monitoring should be ‘stepped’ such that:

For the first 5 years of operations, there should be YEARLY independent surveys of all those involved with SIMP Development and all residents

Reducing to every 2-years, from 5- 10 years of operation, then every 3-years.

Additional Information to IPC Question 5 - Continued

Page 28 – Is rhetoric, considering that in SSDA 6612 it stated that at least two of the most major Safety Management plans, didn't have to be in place for at least 6-months after commencement of operations.

ALL OPERATIONAL PROTOCOLS AND PLANS relating to Safety, Risk, Containment, Environment, Noise, Pollution and Quality, together with Standard Operating Systems MUST be in place AND ALL STAFF FULLY TRAINED prior to recommencement of operations.

These protocols and plans must be developed by independent specialists

To ensure absolute compliance and adherence to said Plans and Protocols random assessments conducted by independent assessors should be undertaken every quarter and the finding provided directly to Dungog Shire Council, DPIE and Daracon NOT via the applicant or Umwelt as this would be like letting the 'Fox run the Hen House'.

Additional Information to IPC Question 6

Daracon's response is **MISLEADING** and **INCORRECT** – All the information provided in their response to this question is historic and outdated.

It refers to their appeal to maintain extraction levels at 550,000Tpa back in 2016 NOT to their recent application to expand the quarry to be a MEGA Quarry with 1.1 Mtpa extraction rate.

Additional Information to IPC Question 7

Daracons' response is playing 'Lip service' and restating everything they put forward in their response to question 5

If they had any real intention to consider School Children, they would limit haulage to between 0930 and 1430 per day.

IF limited to these reduced hours, with the tonnage limits of the trucks, they would still be almost DOUBLE the haulage rate they CLAIM they would be making with 20 trucks per hour for 9 hours!!

[20 trucks / 32.5 tonne per truck / 5 hrs per day / 250 days per year = 812,500Tpa]

Additional Information to IPC Question 8

Daracon's response shows their level of disregard for rules.

Yes, Railcorp had an IEMP for 2-years between 2010 – 2012. THIS IEMP was not agreed with Daracon when they took over in 2012, so why were they trucking 450,000Tpa out of the quarry?

Again, this all FAILS to recognise, the total extraction limit for the quarry was (and STILL IS) 300,000Tpa being moved, by road AND RAIL – despite a court ruling.

Again, there is a lot of re-iteration of coercive statements that were covered in previous responses – HOWEVER, they are stating that they will require 800,000 of quarry material to build the rail-spur (Almost an entire years' worth of product).

How do we know this quantity of material is in fact required for such a short siding? Where are the plans?

These weren't provided in SSDA 6612.

Additional Information to IPC Question 9

All the local projects stated in Daracons' response are short term and don't require blue aggregate which as previously stated should be used for higher tensile projects.

So why, when these are all short-term projects has DPIE provisionally approved Daracons' application for 1.1Mtpa and for 25 years?

Para 6: There is a glaring contradiction with earlier responses where Daracon sited a number of local projects that this quarry will be supporting, which would mean product is transported along other regional roads and NOT in the main haulage route.

Every additional KM travelled by a truck erodes profits, so they will go any 'back road' possible to save money!

In Conclusion

In their response Daracons' data is flawed and misleading. They have made over-reaching and erroneous statements and effectively 'played the commercial hand' of go in hard and concede to what they really want.

As shown on Slide 6 of this document – haulage rates stated by Daracon, FAR exceed the annualized EXTRACTION and HAULAGE tonnage and don't account for in-bound product such as FLY ASH.

*If haulage was reduced too: 10 trucks / 5 hours per day / 250 days per year, this would still be 406,250Tpa

*Using their own calculations: 1 train per day / 5 days per week (with no siding extension required) would provision another 500,000Tpa

If these restrictions* were introduced:

- Trucks would not start moving through Paterson until 0800
- 24/7 operation would NOT be required,
- Quarry would only need to run 5 days per week
- More employment opportunities for locals, as they would require more staff on site to optimize daytime operations.

In this response there has been NO consideration for flora and fauna within the project area. Endangered species will DIE

WE ARE THE GATE-KEEPERS FOR FUTURE GENERATIONS - DON'T WANT A MEGA QUARRY RUNNING 24/7, 360 DAYS per year, severely affecting Amenity, Health, Safety and Environment of ALL RESIDENTS in the vicinity of the quarry and on the haulage routes.