



MARTINS CREEK QUARRY PROJECT APPEAL

Buttai Gravel Pty Ltd v Independent Planning Commission & Ors (Land and Environment Court proceedings 2023/252084)

Thursday 30 January 2025

On 8 August 2023, Buttai Gravel Pty Ltd filed a Class 1 Application in the Land and Environment Court of NSW, appealing to the Court against the Commission's 13 February 2023 decision to refuse State significant development application SSD-6612 for the Martins Creek Quarry Project. Maitland City Council and Dungog Shire Council are also parties to the Court proceedings opposing the grant of consent to the Project.

The Application sought consent to extract, process and transport by road and rail up to 1.1 million tonnes per annum of quarry materials over a 25-year period from Martins Creek Quarry.

Now that the Court-ordered section 34 conciliation conference, which commenced on 21 March 2024, has concluded without resolving the appeal, the Court has listed the appeal for hearing from **17 to 28 March 2025**.

The hearing will commence at Station St, Martins Creek at 10:00AM (the "on-site component"), the precise venue of which will be advised at a later date. Following the on-site component, the rest of the hearing will resume at the Land and Environment Court at 225 Macquarie Street, Sydney.

The Court typically provides an opportunity for some members of the public to be heard during the hearing. Please note that the Court's policies limit the number of people that can be heard, and that the Court may not be able to accommodate all people who express an interest in being heard.

If you wish to apply to be heard during the hearing, please send an expression of interest email to ipcn@ipcn.nsw.gov.au with the title "Martins Creek Quarry – Hearing – EOI" in the subject heading by **28 February 2025**.

Please note that even if you previously applied to speak at the 21 March 2024 section 34 conciliation conference for this matter, you will need to register a separate expression of interest in order to be considered to be heard at the hearing.

Your expression of interest email must include the following information:

- your full name and contact details (email, phone number, address);
- whether you wish to be heard on-site or in Court;
- whether you represent any other person or group; and
- the topic(s) that you wish to address.

The Independent Planning Commission will contact people who have expressed an interest to confirm next steps and other arrangements.

Written submissions previously provided to the Independent Planning Commission as part of the determination of the application will be provided to the Court.

In the appeal, the Court will stand in the place of the Independent Planning Commission as the consent authority.