

To the Commissioner, Independent Planning Commission NSW

The proposed amendments to the Martins Creek Quarry Expansion Project do not satisfactorily address our concerns and we remain opposed to the expansion.

In respect of the response from Umwelt on behalf of Daracon:

Daracon has proposed a small (10%) reduction in proposed road haulage rates and additionally a reduction in the peak daily laden truck movements. The latter is estimated by Daracon to represent a 43% reduction in peak haulage rates, otherwise a 20% reduction (p. 6). It is not clear how a 10% overall reduction can translate to a 20-43% reduction in daily road haulage limit.

The revised proposal still presents a peak rate of one truck movement every 2.5 minutes which we find unacceptable.

The Interim Environmental Management Plan (IEMP) imposed on Daracon required that no more than 75,000 tonnes of product be dispatched per 2 month period, which would equate to a limit of 450,000 tpa (not less than the IEMP limits as claimed on p. 8 of Daracon's response). Daracon notes that 6 complaints were received in an 8 month (approx.) period in 2019 under these constraints. It is unclear from the documents whether Daracon has been transporting this amount, or a lesser amount of 150,000 tpa noting on page 36 a reference to "the currently approved limit of 150,000 tpa". If Daracon has only been transporting 150,000 tpa in recent times, then claims of reduced (but notably not nil) complaints must be considered in this context. In any case, a relative reduction in complaints is not evidence of an acceptable situation.

We cannot accept the claim that "the Project will not result in unacceptable noise impact along the haul route". This claim by Daracon has no supporting evidence.

The Social Impact Assessment (SIA) acknowledged that there would likely be ongoing impacts on and changes to the amenity and character of affected communities as a result of the Project.

The Umwelt/Daracon report asserts that not all existing quarries in the Hunter region can meet requirements for specific types of gravel product required by the various industries that use gravel. However, the response from the DPE indicates that seven applications for hard rock quarries in the Hunter Valley (of which six are greenfield) have been lodged. Might these go some way to meeting requirements within a short to medium time frame without expanding Martins Creek Quarry?

Intergenerational equity

In Daracon's response, several statements regarding contributions to intergenerational equity are in fact clearly direct benefits to the company rather than having any impact on intergenerational equity, for example, "flexibility and contingency to adapt to future market and specification requirements".

Traffic

Throughout the document Daracon asserts that a return to the levels of noise and traffic volumes consistent with the years in which Railcorp controlled the quarry would be "acceptable". When people feel that they have no real choice or power in a situation, then the least injurious option might be characterised as "acceptable" but in the absence of free choice (e.g. to have no quarry or at least no expansion of the quarry), it cannot be characterised as "acceptable" without robust evidence.

Section 3 of Umwelt's response on behalf of Daracon also notes that the revised Project "will have an acceptable impact upon the overall operation of the principal intersections along the primary haul

route.” (That word “acceptable” again – acceptable to whom?). The document notes that the two signalised intersections are predicted to suffer from increasing delays but notes that “this would be due to the continual traffic growth along the New England Highway...”. The signalised intersection at Melbourne Street and Flat Road banks up not primarily because of New England Highway traffic, but due to the volume of traffic coming along Flat Road (at least half of which attempts to go straight ahead to Lawes St or north to Morpeth) and is also contributed to by traffic coming from increased development around Morpeth, so it is hard to credit the accuracy of this claim about traffic effects.

The increase in road traffic noise “... is predicted to be less than 2 dB”. How this figure was arrived at is not explained. Is this averaged over 24 hours per day for 365 days per year? A more appropriate means of calculation would be to estimate the impact during the hours the trucks are operating. Additionally, an averaged figure does not reflect the lived experience of noisy vehicles: the noise impact relates to the acute noise of the passing vehicle, the duration of the impact and the frequency with which such noise escalations occur. A 2dB increase related to passing trucks does not pass the “pub test” for credibility.

Daracon notes that Brandy Hill Quarry and Teralba Quarry both transport through residential areas. The fact that both these quarries may do this does not make it acceptable to residents, and notably, there was considerable community opposition to Brandy Hill Quarry’s recent expansion. It is also important to note that in the case of Brandy Hill Quarry, a considerable load (300,000 tpa) will utilise roads already being impacted by Martins Creek Quarry, including Paterson and Flat Roads, creating an additive traffic burden.

The response by the Department of Planning and Environment to the Commission’s questions acknowledges a number of unsatisfactory areas of the road network with respect to safety. We note that there are currently no plans to address the safety deficiencies in the area of most concern to us, namely, Tocal Road at Bolwarra Heights. The pavement is narrow and there is additionally no footpath. The DPE has said in its response that existing footpaths and pedestrian crossings in Paterson, Bolwarra Heights and East Maitland “would allow for the safe movement of pedestrians in these urban centres”. This is inaccurate. There are *no* pedestrian crossings in Paterson, Bolwarra Heights or Bolwarra, and no footpath in Bolwarra Heights from Lang Road to the corner of Hilldale Drive.

Both Daracon and DPE cite a historical absence of accidents involving quarry vehicles as evidence of lack of safety concerns. As will be outlined below, the population growth of Maitland and Dungog LGAs gives reason for concern.

Population growth

None of the traffic or related safety concerns, nor the reported level of complaints noted in 2019 have taken into consideration the very significant population growth that has occurred in Maitland and Dungog LGAs, as well as LGAs west of Maitland which contribute to traffic volumes using Tocal and Flat Roads. The references in the Umwelt/Daracon response refer to a 2021 Traffic Assessment from SECA Solution but we were unable to find anything other than a 2016 traffic assessment on either the IPCN or DPE websites, so it is not clear that traffic assessments have taken increased road usage into account. Maitland is the second fastest growing LGA in NSW. According to <https://www.yourcouncil.nsw.gov.au/council-data/maitland/2020/population/> the population in Maitland LGA increased by 10.2% in the 5 years prior to 2020, with a further 3.5% growth from 2020-2021 (compared to the national average of 0.2%; <https://population.gov.au/data-and-forecasts/dashboards/fastest-growing-local-government-areas>). Dungog LGA saw an increase of 6% in the 5 years prior to 2020 (<https://www.yourcouncil.nsw.gov.au/council-data/dungog/2020/>). In Bolwarra Heights, areas east and west of Tocal Road have seen a great deal of development. Whilst

quarry trucks may not have been involved, there are already frequent accidents at the corner of Tocal Road and Hunterglen Drive. Slowing to 40km/hr through Paterson will likely have the effect of banking up a large queue of cars, making it even more difficult for cars to enter Tocal and Paterson Roads. The ongoing, even accelerating, population growth means that increasingly more people will be affected by noise and traffic, such that predictions about traffic impacts should be cautious, and predictions about community amenity need to consider the increasingly urbanised nature of what used to be more clearly semi-rural areas.

Summary

Although Martins Creek Quarry has existed in the current location for more than 100 years, the local area has undergone significant change. In particular, the expansion of housing developments has increased the population greatly, resulting in increased traffic noise and road congestion. Regarding the revised proposal, it is not appropriate to have up to 246 quarry truck movements a day on community roads. Daracon's own SIA acknowledged that there would likely be ongoing impacts on and changes to the amenity and character of affected communities as a result of the Project. For these reasons we remain opposed to the expansion.

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