

3 March 2011

Dear Councillor,

RE : KIN KIN QUARRY

This community was always excluded from the process of approval for the above development.

The Council's own version of events, as it was recently put before the Court, is as follows :

- In 1987 a quarry was advertised. The Public Notice did not suggest anything like the current development. The Council says there was no requirement for it to do so.
- The application lodged at that time described a small rural quarry, lasting 3 years. The Council now says this application was an initial proposal only, but they always knew a large commercial quarry was to be developed. Residents weren't told this. Council says there was no requirement to tell them.
- In 1988, the Council consented to extending the 3 year term to 30 years. Residents weren't notified so that they could consider lodging objections if they wished. Council says that there was no requirement to notify the public of this.
- In 1993, Council approved a plan from Readymix for a large quarry extracting rock from the whole face of the range. Residents weren't notified so that they could consider lodging objections if they wished. Council says that there was no requirement to notify the public of this.
- Despite the above, the original 1987 approval was the only one available to the public through normal searches. The Council says that any interested person should have known to search further, for letters etc, to discover size and output.
- In 2003, the Council extended the lifetime of the quarry out to 2030. The residents weren't told – again, no requirement.
- In 2006, the Council accepted a Management Plan from Neilsens for an enormous operation, proposing the haulage route for many trucks per day on the Pomona- Kin Kin Road out to the Bruce Highway. Residents weren't told – there was no requirement.

No notification has ever been given that a large commercial quarry was to be developed. Indeed, even when immediate neighbours made specific enquiries in this regard in 1997, they were advised in writing that the quarry would only ever be a small operation, not of a commercial nature. No community consultation has ever taken place. We feel that we have been completely left in the dark.

The Kin Kin Community Group challenged this approval process in the Planning & Environment Court last year, resulting in that Court's determination that it would not interfere. Nevertheless, many residents of the hinterland area feel that the system let them down badly. We feel that our lives will now be severely affected by a development approval into which we had no input whatsoever.

The secretive practices of the Council continue. Residents have formally requested that Council properly supervise this development and ensure safety, environmental preservation and compliance with approval conditions, but received little, if any, advice in response. In September last year, the most affected residents, those living in the Separation Area immediately surrounding the quarry wrote to all Councillors notifying you of various serious infringements by the operator. It was, and still is, considered by those residents that these activities constituted a Material Change of Use and the Council should have closed down the operation pending the making of a fresh application. That action, unfortunately, was not taken. Rather, Councillors voted in secret for a Show Cause Notice to be issued. Now, the Council and residents are left with this operation proceeding under the vague and crude conditions of the 1987 approval.

We, the undersigned residents, hereby request that you take whatever action possible to ensure that the Council :

- Sets down and rigorously enforces an acceptable limit on the output of this operation, giving particular consideration to the capacity of haulage routes. As far as we are aware, the approval remains silent on output. In setting down this limitation, Council officers will necessarily need to consult with all relevant authorities as well as the community and the residents living on all perceived haulage routes. It would be of paramount importance to consult with relevant State and Federal authorities, as well as independent road safety experts and traffic engineers.
- Vigilantly supervises the output determined to be allowed, so that a modern application may be demanded if that output is exceeded.
- Sets down and rigorously enforces proper environmental controls, in particular relating to erosion and sediment, in consultation with all relevant authorities, independent experts and members of the community who have expertise in this area, some with generations of acquired local knowledge.
- Ensures that all pre-commencement conditions demanded by the approval are met prior to any commercial operation beginning.
- Establishes an acceptable line of communication so that residents of this community are kept informed, in a timely fashion, of all action taken.
- Ensures that best practices are employed by this operation. (Their conduct, to date, falls well short of our expectations in this regard.)

This situation provides a perfect opportunity for our Council to demonstrate that this area's international registration as a Biosphere has been worthwhile.

Yours faithfully,

The undersigned residents.