

Our Ref: 1646/PJ/ARG/061212

6 December 2012

Mr David Kitto
Director, Mining & Industry Projects
Department of Planning & Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear David

**Re: Mackas Sand Project - Access Road Modifications (08_0142 MOD1)
Response to submissions**

Thank you for the provision of two further submissions with regard to Mackas Sand Access Road Modifications (08_0142 MOD1). Note that 'the EA' refers to the Environmental Assessment exhibited from 7 November 2012 to 21 November for the current modification, and 'the original EA' refers to Umwelt 2009, *Environmental Assessment of Sand Extraction Operations from Lot 218 DP 1044608 and Lot 220 DP 1049608, Salt Ash*.

1.0 Sue Fidler

- **The tables on the web site, supposedly explaining the proposal, [are] incomprehensible**

The website www.mackassand.com.au does not contain tables explaining the proposal. We have no comment in regard to other information that may be on <http://majorprojects.planning.nsw.gov.au> site.

- **Nelson Bay Rd is already a busy road, I believe it takes more traffic than the Pacific Highway at Raymond Terrace**

Personal opinion is noted.

- **Sometimes we have to wait up to 5 minutes to get out of our driveway**

Noted.

- **Any more traffic on this single lane rural road will obviously make it busier and noisier especially when the noise is coming from fully loaded semis and B-doubles. It appears that the original Lavis Lane proposal took into account the effect of noise on "affected" residents but this one, as far as I can see, does not. Why not?**

No changes to net heavy vehicle numbers are currently proposed. The proposed modification will result in up to a maximum of 8 laden trucks per hour using a 3.3 kilometre section of Nelson Bay Road that would not have been used by quarry traffic from Lot 218 that travelled to Newcastle and Sydney but would have been used by quarry traffic providing sand to Raymond Terrace, Nelson Bay and other

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destinations to the north. Similarly unladen trucks returning from markets in Newcastle and Sydney to Lot 218 will use approximately a 5.5 kilometre section of Nelson Bay Road that would not have been used if the Lavis Lane route was used. Traffic assessment undertaken by TPK & Associates as set out in Appendix 5 indicates that the proposed modification will not adversely impact on the road network and that Nelson Bay Road will be able to operate at acceptable levels.

The proposed modification will not result in increased road traffic noise levels on main roads such as Nelson Bay Road from those considered in the original EA (Umwelt 2009). The proposed modification will remove potential road noise impacts on residences adjacent to Lavis Lane and Stockton Bight Track that would have resulted from transport of quarry product from Lot 218.

In regard to the proposed new haul road, the potential for increases to the current noise environment were discussed with neighbouring and nearby residents during the EA process. Neighbours are aware of the potential and scope for noise impacts and did not identify any significant and unresolved concerns in relation to noise caused by the project at that time. Subsequent consultations with neighbouring and nearby residents indicate that no neighbours have significant concerns relating to potential noise impacts to date. There are no residences that are not associated with the development that will be impacted to a greater extent than for the currently approved operation.

As discussed, traffic noise impacts will be transferred from Lavis Lane which has several residences beside it to the proposed new haul route which passes no residences that are not associated with the development other than at the proposed intersection at Nelson Bay Road. Lavis Lane is a local road and Nelson Bay Road is a State road that is designed for and subject to significantly higher traffic levels. The distance between residences and the proposed new haul route will be equal to or greater than that of residences adjacent to Lavis Lane and Oakvale Drive and as a consequence traffic noise impacts are not expected to exceed existing approved noise controls that have been established for these routes.

- **Any extra traffic is also going to make it more dangerous with merging trucks into an 80k zone and there have been quite a few serious accidents on this stretch of road in recent years**

As set out in Appendix 5 of the EA, traffic analysis undertaken for the proposed modification indicates that the proposed sand extraction operations will not have an adverse impact on the road network and that the site connection to Nelson Bay Road can operate at acceptable levels.

- **There is also the added danger of being in front of a fully loaded truck, and there will be a lot more of them than there are at present, when turning into our driveway. This also applies to all the residents on our side of the road. Our daughter, a few years ago, was hit from behind doing this. Fortunately it was a small car that time. It still wrote off her car.**

Noted. The proposed new intersection will be designed in accordance with relevant roads design standards and in consultation with Roads and Maritime Services. The final intersection design will need to be approved by Roads and Maritime Services.

- **Because of the problems that peak hours bring I suspect that the majority of truck movements will be concentrated outside those hours. It is my understanding that 16 (?) trucks per hour per day is only an average over a 24 hour period and not a timetable. Those outside peak hour times are our quiet times at present but will become intolerable otherwise. I invite you to visit our place to see what it is like now and anticipate the future for us**

As set out in Section 4.6 of the EA, there will be a maximum of 8 laden trucks per hour leaving the quarry on Lot 218 which combined with returning trucks would generate a maximum of 16 trucks per hour. Mackas Sand thanks the respondent for the invitation and will be in contact shortly to discuss the proposal.

- **All we have to look forward to is a dramatic drop in our quality of life, constantly interrupted sleep and a big reduction in our property value**

It appears Sue Fidler's residence is located adjacent to Nelson Bay Road approximately 1.5 kilometres west of the proposed new intersection on a relatively open section of the Main Road. At this location quarry trucks travelling both east and west are likely to be travelling at a constant speed of 80 km/h and will not be accelerating or braking unless slowed by other traffic on the road. As a result noise impacts from quarry traffic are likely to be typical of any other trucks travelling along the Main Road.

- **My eastern most paddock is very near the access road and I fear constant dust pollution, with the prevailing winds being generally easterly, to our pastures will have a very detrimental effect on the well being of our livestock**

As described within Section 4.8 of the EA, potential air quality impacts will be actively managed through the sealing of 200 metres of the haul route closest to Nelson Bay Road, and the watering of unsealed portions of the haul route as required.

- **The original proposal giving access through Lavis Lane had none of the above effects**

It is considered that there will not be significant impact to the matters raised due to the current proposal.

2.0 Tomaree Ratepayers & Residents Association Inc

Submission preliminaries are noted. It is noted that the traffic assessment included a peak traffic assessment of 8 heavy vehicles in and 8 heavy vehicles out per hour. Eight loads per hour Monday to Saturday, not including Sundays and public holidays, would be more than the 1 million tonnes of product approved within Project Approval 08_0142.

As set out in Appendix 5 of the EA, traffic analysis undertaken for the proposed modification indicates that the proposed sand extraction operations will not have an adverse impact on the road network and that the site connection to Nelson Bay Road can operate at acceptable levels.

As set out in Section 4.6 of the EA, it is proposed that a maximum of 8 laden trucks per hour will leave the quarry during daytime periods. Mackas Sand Pty Ltd also propose to limit laden truck movements from Lot 218 to 5 trucks per hour during evening and night time periods and on Sundays and Public Holidays.

- **The application for Lot 220 was approved in 2008 and has already created an impost on the people that use the Nelson Bay Road every day to get to work and the tourists that are the lifeblood of our economy**

Mackas Sand operation on Lot 220 was approved in September 2009 (Project Approval 08_0142) and operates in accordance with this approval.

- **Access to Lot 218 has already been approved through to Lavis Lane in 2009. This access has already been amended once including a resumption of private land. This avoids the problem of large trucks moving up and down on both sides of the narrow part of Nelson Bay Road and the inevitable congestion at the Salt Ash roundabout and at the intersection of the new entrance to the mine as trucks slow down/accelerate out of the mine**

Project Approval 08_142 has not been modified. The resumption of land referred to was subsequently rescinded by Council. The proposed modification will result in quarry traffic being removed from Lavis Lane with quarry traffic accessing Nelson Bay Road approximately 3.4 kilometres east of the Lavis Lane. All laden trucks leaving Lot 218 will travel west along Nelson Bay Road and Cabbage Tree Road to access markets in Newcastle, Hunter and Sydney regions. Unladen trucks will return to the quarry via Nelson Bay Road travelling east to Salt Ash roundabout at which point the truck will turn and then travel west approximately 2 kilometres back along

Nelson Bay Road to the proposed new haul road intersection. Consequently, the proposed modification will result at peak times of quarry transport in up to an additional 8 trucks per hour using Salt Ash roundabout compared to traffic if Lavis Lane was continued to be used. This increase in traffic is the equivalent of one additional truck every 7.25 minutes during peak periods of quarry transport and is not expected to adversely impact on traffic flow through and around Salt Ash roundabout.

- There is no indication of how much of the 2 million ton capacity of the two mines will be utilised

Production levels are determined by a range of factors, including market demand, and consequently approval has been given for a maximum production rate of 1 million tonnes from Lot 218 and 1 million tonnes from Lot 220 under Project Approval 08_0142.

- Clarification Required - can Mackas Sand Pty Ltd change production levels after the approval of the proposed haul road? The licence is due for renewal 30 Nov 2012

Project Approval 08_142 limits production from Lot 218 to 1 million tonnes per year. Any increase in production beyond 1 million tonnes from Lot 218 if it were to be sought would require a modification to consent. Variation of Environmental Protection Licences is undertaken through application to the Environmental Protection Authority (EPA) using the forms available at <http://www.environment.nsw.gov.au/licensing/licenceforms.htm>

- The application should be refused on the grounds that it is not clear what capacity the roads will have to carry and the traffic study contains insufficient controls to ensure public safety

As set out in Appendix 5 of the EA, traffic analysis undertaken for the proposed modification indicates that the proposed sand extraction operations will not have an adverse impact on the road network and that the site connection to Nelson Bay Road can operate at acceptable levels. The proposed new intersection will be designed and constructed in accordance with relevant road design standards and will require approval from Roads and Marine Services.

If you require further information or clarification, please do not hesitate to contact me on 4950 5322.

Yours sincerely



Peter Jamieson
Director