

<p>Neighbourhood Forum 5</p> <p>Wollongong's Heartland</p>		<p>Coniston, Figtree, Gwynneville, Keiraville, Mangerton, Mount Keira, Mount St Thomas, North Wollongong, West Wollongong, Wollongong City.</p>
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**SSD-33042483 Manildra - Port Kembla Bulk Liquid Terminal
Submission by Neighbourhood Forum 5 - 10 August 2022**

Neighbourhood Forum 5 (NF5) operates under the auspices of Wollongong City Council to advise Council and other levels of government on community concerns and respond to current initiatives. At its meeting 3 August, NF5 agreed to lodge a submission to the NSW Department of Planning and Environment to address the concerns expressed by members.

- 1 The use of road transport is considered to be in need of review by both the proponent, and the NSW Government should give further consideration to the use of rail between Bomaderry and Port Kembla
 - a) It is noted that the proponent plans to use road transport rather than rail transport, and to use A-Double tankers. These are very large trucks, 35 metres in length, that are appreciably longer than B-Doubles at 23 metres (and semitrailers at 19 metres) and this raises major concerns for the safety of motorists on this route.
 - b) In a two-page Manildra brochure, it is claimed that the South Coast rail corridor has limited capacity. However, in July 2022, TfNSW announced that the NSW Government had just completed \$40 million rail upgrade to 13 kilometres of track on the South Coast Line to a 25-tonne axle loading between Berry to Bomaderry and to the tunnels between Kiama and Berry (see <https://www.transport.nsw.gov.au/news-and-events/media-releases/40-million-rail-upgrade-south-coast-line-complete>).
 - c) It is also of concern that the Transport Impact Assessment dated 26 April 2022 does not even consider the use of rail. Nor does it adequately address the cumulative impact of the proposed increase in truck movements, 13 loaded ones and 13 empty ones each day on roads that already have no shortage of heavy trucks.

- 2 If existing rail infrastructure cannot be used, NF5 requests that consideration be given to the imposition of consent conditions that would:
 - a) Specify the routes that trucks must use, and specifically prohibit routes that would take trucks
 - i) over Downies Bridge on Old Port Road, and or

ii) through the residential areas of Berkeley, Lake Heights, Warrawong and Windang i.e. the use of King Street and Northcliffe Drive are prohibited.

- b) Apply a levy on the proponent for Council and State Road upgrades and repairs, e.g. An amount of 3 cents per net tonne km is considered to be appropriate indicator for road system costs for heavy truck operations that cause significant wear and tear to road pavements.

It is noted this rate was accepted in a series of decisions in the New South Wales Land and Environment Court (Justice Stein, 1989, Transcript of Judgement re Baulkham Hills Shire Council and another party, New South Wales Land and Environment Court). This Court has upheld in a number of cases the right of Local Government Councils under the New South Wales Environmental Protection and Assessment Act, 1979 to impose additional road use charges on heavy truck haulage as a condition of development consent where road haulage is involved.

Further comment is given in a 1990 Report of the Wollongong City Council Coal Transportation Task Force. This report noted, inter alia, that the NSW Roads and Traffic Authority had then suggested that an average external cost of pavement wear and tear due to bulk haulage is 3 cents per net tonne kilometer.

- c) Require the applicant to undertake and transparently publish the results of traffic surveys at regular intervals with a view to confirming the traffic projections provided in the application.
- d) Restrict the hours of operation to exclude Sundays, Public Holidays and between 9.00 pm and 7.00 am

- 3 NF5 also supports and requests consideration be given that Wollongong City Council adopted unanimously a motion at its meeting of 1 November 2021 based on a Lord Mayoral Minute that in part resolved to:

Write to Minister for Planning and Public Spaces expressing concern that further intensification and concentration of the production, storage and transport of highly volatile products at Port Kembla, approved under the State Environmental Planning Policy (Three Ports), could have potential negative impacts on:

- a) The community with cumulative noise and pollution levels on adjoining access roads;
- b) Council assets and local amenity especially trucking noise; and
- c) The Port through increased risk of a chain reaction with cumulative hazardous operations.

Please contact the undersigned if any clarification and/or further information is required

Yours Faithfully

John Riggall

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