

Telephone Inquiries:
MR B D GARDINER
File No: 25-2015-2-1
Parcel No: 38098
Your Ref: PA08_0142 Mod 2

19th August 2015

DEPARTMENT OF PLANNING AND ENVIRONMENT
ATTN: JACQUI MCLEOD
GPO BOX 39
SYDNEY NSW 2001

Dear Sir/Madam,

Re: Proposed: Modification to Extractive Industry (Mackas Sand)
Property: LOT: 218 DP: 1044608
40 Stockton Bight Track, SALT ASH

With respect to proposed modification 2 to the Part 3A project PA08-0142 (our ref. 25-2015-2-1) to increase permitted vehicle movements at the above mentioned property, Council officers have reviewed the proposal and make the following comments with regards to the relevant Director Generals Requirements:

Local Infrastructure Contributions

The proposed modification will not result in such additional use of Council's road infrastructure as to warrant any amendment to existing condition 13.

Environmental Impact – Flora and Fauna

The Environmental Assessment undertaken for Modification 1 (Umwelt 2012) identified that a number of threatened fauna species have the potential to be injured or killed as a result of the traffic on the access road. As such, road usage rules were identified which included:

Minimise night traffic where possible (most fauna collisions are likely to occur at night time, particularly dawn and dusk)

Modification 1 was referred to the Commonwealth Department of Environment (DoE) and was determined to be a controlled action with approval given by DoE on 29 November 2013. DoE's approval conditions (Condition 5) included measures to aid the safe movement of ground dwelling, gliding and arboreal species across the haul road. This included:

Limiting night traffic, consistent with the requirements of the Operating Conditions and Operating Hours as specified in the Environmental Assessment Modifications

DoE Approval Condition 2 required a Landscape Management Plan to be developed for the access road area. The Landscape Management Plan (Umwelt (2013) details operational controls for the access road which includes a speed limit and limiting night time traffic to the hours of operation specified in Modification 1 and the statutory approvals.

Modification 2 has not assessed the potential impact of increased truck movements on fauna crossing the access road. As both the current State and Commonwealth approvals identify the need to minimise the truck movements at night, particularly dawn and dusk, it is considered that this issue must be addressed by the current modification.

Traffic Impact

Nelson Bay Road is a classified road and the relevant road authority is therefore Roads and Maritime Services. Accordingly, Council officers have not undertaken a comprehensive review of the traffic impact to Nelson Bay Road. It is noted however that the traffic impact assessment indicates that the road network will not be adversely affected as a result of the modification. There is no objection to the modification on the grounds of traffic impact, subject to existing traffic safety being maintained or improved.

Noise Impact

There are no objections to the proposed modification on the grounds of noise impact.

Recommendation

There is no in principle objection to the proposed modification, however, it is recommended that the assessing officer request an ecological assessment that addresses the impact of the increased traffic movements on local fauna. Additionally, it is recommended that the application be referred to the Commonwealth Department of Environment as the modification relates to changes affecting a controlled action.

Should you have any questions relating to the assessment or recommendation, please contact me on 02 4980 0213 or at brett.gardiner@portstephens.nsw.gov.au and I will be happy to help.

Yours faithfully



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