



13th January 2018

NSW Department of Planning and Environment

Your reference: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8930

Re: Salt Ash Sand Project, Janet Parade, Salt Ash NSW: MP 07_0094 MOD 4 – OBJECTION

Introduction

Tomaree Ratepayers and Residents Association Inc. (TRRA) objects to the proposed modification of conditions of this consent, requested by ATB Morton (Redisand), to increase the number of truck movements to allow an increase in the production rate from the approved 201,000 tonnes per annum to a maximum of 400,000 tonnes per annum and to increase the operating hours from the approved 7:00am to 5:00pm to 6:00am to 6:00pm.

The Tomaree Ratepayers and Residents Association (TRRA Inc) represents the interests of the 26,000 people living on the Tomaree Peninsula located at the eastern extremity of Port Stephens LGA. Our key objective is to act and be a representative voice in all matters that will enhance and protect their residential amenity and the local environment, both natural and built.

The Tomaree Peninsula is a unique area of land almost completely surrounded by the Stockton Bight, Tasman Sea and Port Stephens waterways, with Nelson Bay Road the **only** access road to the Peninsula, connecting with Newcastle some 50km away, the Williamstown RAAF Base and airport/aerospace complex, Medowie, Raymond Terrace and the Pacific Highway.

Many residents of the Tomaree Peninsula travel along Nelson Bay Road daily for employment either to the RAAF Base/airport, to Newcastle or to other locations, and most would use the road at least weekly for shopping, medical appointments, leisure etc.

TRRA have been very concerned about the rapid increase in sand extraction around the Salt Ash/Williamstown area over the past 5 years. We appreciate the increased demand for building sand particularly for the Sydney market but the increase in sand truck movements along Nelson Bay Road is becoming unacceptable, especially with sections of the road only being single lane. The constant need to continually change from dual to single lane and then back again, three different speed limits and through a number of major roundabouts increases the likelihood of a serious accident. This is difficult enough without the threat of having to contend with increasing numbers of huge sand trucks, including many with trailers.



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The Sydney Morning Herald reported on 21/12/2017 that 'NSW truck deaths have increased by more than 86 per cent in 12 months, as police report increased heavy vehicle traffic connected to major construction projects'. To date the Salt Ash/ Williamstown area has been fortunate to have escaped a fatality involving the huge sand trucks/trailers, however many of our local residents report living in fear of travelling along the road.

The Port Stephens Examiner issue of 4 January 2018 carried an article about another local sand mining company being fined by regulators three times in as many months for exceeding permitted levels of truck movements. A former Nelson Bay Road resident who left the area is quoted as describing the noise from trucks as "unbearable at times" and "trucks would wake you up in the early hours of the morning", "it was just horrible". Port Stephens MP Kate Washington was also quoted as saying the company's breaches had been "reducing the quality of life of near-by residents". For this reason we object to the proposal to start operations an hour earlier.

The traffic implications of the proposed modification is our major concern.

As we finalised this submission, an accident occurred at Paul's Corner roundabout (junction of Nelson Bay Road and Richardson Road, which will be transited by all trucks servicing the Janet Parade project. This provided a graphic illustration of the risks.



Photo from article '**A truck rollover at the Paul's Corner roundabout in Salt Ash that caused significant traffic delays through Thursday is now cleared**' in Port Stephens Examiner, January 11 2018

<https://www.portstephensexaminer.com.au/story/5161645/truck-rollover-at-pauls-corner-roundabout-now-cleared-photos-video/?cs=762>

Delay in application processing and modified EA requirements

We note that this application was lodged in 2013 and that the Department's original 'requirements for environmental assessment' were issued in June 2013, along with acceptance that the application be treated as a 'modification' of the original approved project. In 2015, ABT Morton and the Department agreed that the status of the application be changed from 'active' to 'on-hold'.

Presumably following notification by the applicant that they wished to proceed, an email from the Department dated 10 March 2017 (Appendix A to the EA) updated the requirements with slightly changed wording, most significantly including:

'a detailed assessment of the potential environmental, social and economic impacts of the proposal, with a particular focus on the following key issues:

- Noise;
- Air quality;
- Traffic and transport, particularly with respect to heavy vehicle numbers on Cabbage Tree Road and Nelson Bay Road (including intersections with Janet Parade and Richardson Road); and
- Cumulative impacts, with a particular focus on other quarrying activities (both existing and proposed) in the locality.'

Exhibition period

We strongly object to the application being placed on the public exhibition only over the Christmas/New Year period (7/12/17 to 15/1/18). Clearly this is a time of the year when local residents (those that will be effected) may be too busy with family and friends or away on holiday to even notice the advertising of the application, yet alone have the time to read the details and prepare a submission. It is not clear from the Department's website whether there has been any direct notification of residents on Janet Parade and along the directly affected length of Nelson Bay Road – if not, may affected residents are unlikely to be aware of the proposal.

We read the invitation in the EA to contact the Redisand town planner, Luke Johnson, for further information and note that we did so and that Mr Johnson was very helpful.

Volume of Sand and Market Demand

We understand from the application that the net volume of sand extracted over the life of the sand mine will not be changed. We question why, if the mine is currently only operating at 35% of the current approval capacity, the applicant needs to double the potential production rate.

No evidence is supplied of the projected demand within the short term (next 12 to 24 months) or longer term. It is not sufficient to make the following general assertion:

'The proposed modification of the project approval, with regards to increased tonnage and operation hours, reflects the market demand. With a number of sand quarries closing throughout Sydney in recent history, demand within the region has increased exponentially.'

If this mine is only extracting at 35% capacity then we also question at what capacity the other mining sites in the area are operating, and submit that the overall balance of supply of and demand for sand needs to be considered with an independent estimate of the demand for the Sydney market in particular.

Current Road Condition

The Traffic Impact Assessment by SECA Solutions dated November 2017 (Appendix D) states: on

*'The current two-way traffic flow on Nelson Bay Road in the locality of Janet Parade, allows for a current level of service of E and would indicate that the road **should provide 2 lanes of travel in both directions, as provided on other sections of the road to the east and west of Janet Parade**' (p15) (our emphasis).*

The report also states

*'The existing and future flows along Nelson Bay Road will continue to operate within this standard, although it can be seen that the current traffic flows in this location are **above the theoretical threshold for this type of road**, with the next level up (being a 6R classification) having a capacity of 12,000 plus vehicles per day and allows for 4 or more travel lanes' (SECA report p15). (our emphasis)*

The report identifies the current traffic flows as being at 'Level of Service E' (the highest load level for two lane rural roads with a speed limit of 100km/hr, according to the table:

'Level of Service E "occurs when traffic volumes are at or close to capacity and there is virtually no freedom to select desired speed or to manoeuvre within the traffic stream.' (p16)

The report acknowledges that the speed limit on the stretch of Nelson Bay Rd at the Janet Parade intersection is 80km/hr. This presumably has the effect of reducing the road's capacity, and would push the current (and proposed) level of service even further towards the upper limit.

The report argues that the proposed increase of up to 50 truck movements per day will make only a minor difference to the overall traffic on Nelson Bay Road which would remain at Level E. However, this diverts attention from the fact that the number of heavy truck movements could more than double under the modification, if approved:

'For the future capacity of 400,000 tonnes per annum this gives the total number of trucks per annum in the order of 11,115 inbound and outbound per year. This represents an increase of around 5,532 trucks per annum inbound and outbound' (Section 4.1 Traffic Generation p12)

The report goes on to state:

'Based on being operational for 50 weeks per year, allowing for traditional Christmas shut down the summary of traffic movements is provided below.

- 250 working days per year, at 12 hours per day Monday to Friday;
- 50 working Saturdays, 5 hours per day
- 3.5 truck movements per hour per direction

The current consent allows for 3 trucks per hour per direction averaged over 10 hours and with the proposed expansion this will increase to 3 or 4 trucks per hour per direction averaged over 12 hours.

The quarry will operate from 6.00 AM to 6 PM per day Monday to Friday'

As there is no proposal to operate on Saturdays, these calculations of hourly movements must be questioned – it seems that there would actually be a further increase in the hourly rate of truck movement during Monday to Friday. The concentration of trucks would also potentially increase if the proposal to increase the hours of operation is not approved due to noise concerns of residents.

We submit that no increase in the number of truck movement should be approved until at least the entire length of Nelson Bay Road west of Janet Parade is upgraded to at least 2 lanes in each direction.

Currently if a major accident was to occur at the Janet Parade intersection, the entire Tomaree Peninsula would be cut-off with no other vehicular access possible.

Traffic Flows and Cumulative Impacts

We question the validity of comments such as in section 4.3.1 of the Traffic Impact Assessment:

'It can be seen that the development will have a relatively low impact upon the overall daily traffic movements in the general locality of the subject site. At peak operations, there will be an additional 25 truck movements associated with the site per day inbound and outbound, giving a potential increase in traffic movements of 50 trucks per day over the current situation on both Janet Parade and Nelson Bay Road west of Janet Parade.

This will potentially increase flows on Nelson Bay Road to the west of the intersection with Janet Parade from 16,200 vehicles per day (based upon data from the surveys completed by Seca Solution) to 16,250, an increase of around 0.3% over the existing flows.' (SECA Report p15)

An increase of 0.3% increase in traffic may have a 'relatively low impact' if the 50 vehicles were average suburban family cars but in this case we are considering a potential doubling of the number of movements of huge truck and trailer combinations with a payload of up to 40 tonnes!

The Department of Planning EA requirements (Appendix A) requires the application to consider the 'Cumulative impacts, with a particular focus on other quarrying activities (both existing and proposed) in the locality.'

We can find no analysis in the Report of the *cumulative* impacts from all quarrying/mining activities in the area and submit that the application not be decided without a full study being undertaken and the results made publicly available to inform submissions.

A brief comment is made of a sand mine proposed at Bobs Farm but no figures are provided of the number of existing sand truck movements from all neighbouring sand mines or the proposed Cabbage Tree Road/Bobs Farm mines, nor approved maximum number of movements.

TRRA, along with many other interested parties, objected to the original and subsequent modification application by Mackas Sand for alternative access onto Nelson Bay Road (08-0142 MOD 1 and 2), including from Lots 218 and 220. We said at that time that allowing direct access onto another of the single lane stretches of Nelson Bay Rd would pose a significant safety risk to traffic. Similar concerns have been expressed by TRRA and local residents in relation to the proposed sand quarry in Cabbage Tree Road (SSD 6125).

Local residents have told a public meeting, held when the same sand mining company applied for an increase in truck movements, that the trucks are not evenly spaced out during the hour and that in reality a number of trucks travel together and that due to the requirement for the sand to arrive at specified times in Sydney, trucks actually arrive at the entrance to the mine well before authorised opening times.

We raised concerns about the increased cumulative number of sand trucks arising from the proposal for the Cabbage Tree Rd sand mine proposal on the capacity of roundabout at the intersection of Nelson Bay Road and Cabbage Tree Road. This intersection has truck movements from *all* existing sand mines using Nelson Bay Road as well as the major construction work at the RAAF Base, along with daily commuters using the airport and RAAF base and travelling into Newcastle. The SECA report examines the capacity at Richardson Road and Masonite Road but fails to provide actual usage figures for the Cabbage Tree Road intersection apart from a general comment that it was observed '*during the morning and afternoon peak period and minimal delays and congestion were noted. The overall level of service is very good at this location and there is plenty of spare capacity for additional traffic flows at this intersection.*' Once again no account has been taken of the approved (and proposed) truck movements from all quarrying operations in the area, compared to what was observed.

It is also unclear if the effect of the 1.5 million annual visitors to the area has been considered. A general comment is made that most of the tourist traffic is over weekends and summer period, however some mines/quarries have approval for operation on Saturdays.

Conclusion

We submit that the application should be refused on the grounds that:

- Nelson Bay Road at the intersection of Janet Parade is already at the limit of capacity for a two lane undivided road and is already unsafe until it is upgraded to dual lanes in both directions, as is widely acknowledged to be necessary.
- No evidence has been presented of the expected increase in demand for sand and that the currently approved extraction rates at this and other nearby mines will not be sufficient to meet the increase, particularly bearing in mind that this operation is currently only operating at 35% capacity.
- Any increase in truck movements, either in absolute numbers or numbers per hour, will pose an increased safety risk along many kilometres of Nelson Bay Road, Richardson Road and Cabbage Tree Road, and no proper assessment has been made (as required by the EA requirements) of the cumulative effect of current and proposed truck movement from all quarrying operations using these roads.

I note that we have no objection to this submission being published in full.

Nigel Waters

Convenor, Planning Committee

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