

# Myuna Coal Mine – Modification 2 Submission

Application Number: MP10\_0080-Mod-2  
Exhibition Period 31/7/2020 to 27/8/2020

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## 1.0 Introduction

This submission relates to the Myuna Coal Mine – Modification 2, which is currently on public exhibition on the NSW Government Major Projects Website ([planningportal.nsw.gov.au/major-projects/project/35026](http://planningportal.nsw.gov.au/major-projects/project/35026)).

My family and I live in Arcadia Vale, near the Myuna Colliery. We use the Wangi Road at least 4 times per day, during weekdays, and on most weekends. We usually access this road via Donnelly Road.

I have read the *Myuna Colliery Modification report for modification to project approval MP10\_0080, prepared for Centennial Myuna Pty Limited, July 2020* (EMM, 2020) (the “Mod Report”) and understand the proposed modification to MP10\_0080.

I **object** to the proposed modification, as the proposed trucking of coal on local public roads (particularly Wangi Road) poses an unacceptable risk to road users. The Traffic Impact Assessment does not adequately consider the risk posed by coal trucks using Wangi Road or include adequate measures to mitigate this risk.

I also believe that the socio-economic assessment and public consultation process were both inadequate for this modification.

## 2.0 Inadequate Assessment of Road Safety Risk

### 2.1 Traffic Accident Data

The Traffic Impact Assessment (TIA) prepared by EMM utilised traffic accident data from 2014 to 2018 (inclusive). Why wasn’t more recent data included in the assessment? Or older data, that includes fatalities that have occurred on Wangi Road?

Section 7.3.2 (iii) of the Mod Report states that “The annual traffic accident volumes for the assessed road network indicate that safety concerns are relatively minor and do not generally warrant further safety upgrades along the assessed road network”. This appears to be based on the fact that only 10 accidents were recorded on Wangi Road during the assessment period (2014-2018) and that none of the recorded accidents involved heavy vehicles. It was also noted that the decrease in magnitude of accidents in recent years was evidently a benefit from road safety improvements that have been installed along Wangi Road over the last 5 years.

The assessed road network was not subject to the additional volume of fully laden coal trucks entering and exiting Wangi Road (at a rate of 20 truck movements per hour) that is proposed as part of this modification. Therefore, it is difficult to understand how past performance (accident volumes) can be used to demonstrate that further safety upgrades are not required on the road network, especially when additional risk is being introduced by the presence of the coal trucks.

The Mod Report acknowledged that the 10 accidents recorded during the assessment period were primarily at intersections yet there is no discussion about the potential for accidents at the Wangi Point Road intersection, which has no turning lanes and is located near the base of a hill in a 90km/hr speed zone. The traffic study, undertaken as part of the TIA, showed that motorists typically travel at 10% above the speed limit at this point in the road, so, regardless of the “adequate sight distance” and “low minor road traffic volumes”, surely the risk of collision at the Wangi Point Road intersection will increase when coal trucks are entering and exiting this intersection.

### 2.2 Intersection Performance/Traffic Delays

The TIA assessed the morning and afternoon peak hour intersection and daily road traffic flow impacts of the proposed modification and found that “minimal additional traffic delays are anticipated at the intersection of Wangi Road/Wangi Point Road”. Is this referring to traffic delays for traffic entering Wangi Road from Wangi Point Road i.e. coal trucks? If so, I believe the more appropriate assessment should be the risk of delays to traffic travelling north on Wangi Road as a result of coal trucks entering from Wangi Point Road.

## **2.3 Mitigation and Management**

The mitigation and management measures contained in Section 7.3.4 of the Mod Report (and Section 5 of the TIA) are totally inadequate for the proposed modification.

### **2.3.1 Truck Volumes**

Section 2.4.1 of the TIA states that tube counts were undertaken on Wangi Road from 19 to 25 November 2019. Intersection traffic counts were undertaken during peak periods on 21 August 2019 and 19 November 2019, with the identified peak times on Wangi Road being between 7am-8am in the morning and 3pm-4pm in the afternoon (refer Section 2.4.2 of TIA).

The TIA determined that the local road network's busiest "peak hour" was between 3pm and 4pm and therefore truck movements will be restricted to 5 trips (10 movements) per hour to avoid potential impacts during the local road network's busiest peak hour period. Why only restrict movements during the busiest "peak hour"? What about the morning peak hour i.e. between 7 and 8am, when people are going to work and taking their children to school? Why is the morning peak not being treated the same as the afternoon "peak"? And what about between 4pm and 5pm, when workers are returning to their homes? The data in Appendix A of the TIA shows this 4pm-5pm period is almost as busy as the 3pm-4pm peak period (for Wangi Road).

### **2.3.2 Road Upgrades**

There are no proposed road upgrades as part of the modification, except for on the Wangi Point Road. This is a private road controlled by Centennial Myuna and the proposed upgrades are to allow two trucks to pass each other when entering/exiting Wangi Point Road. What about the public roads, in particular Wangi Road, which will bear the brunt of the impact from this proposed modification?

There is no turning lane at the Wangi Road/Wangi Point Road intersection for vehicles turning into Wangi Point Road and only a short, 45 metre, right turn bay for vehicles turning into Wangi Road. This means motorists travelling on Wangi Road will almost certainly be impacted by coal trucks entering and exiting Wangi Point Road at the intersection. This impact may just be "minimal additional traffic delays" (as coal truck drivers complete their turn onto Wangi Road and gain speed up the hill, or reduce speed and complete their turn into Wangi Point Road), however the potential for near misses and/or collisions at this intersection is also likely, particularly given the speed limit on this section of Wangi Road. Section 4.4.1 of the TIA only assessed the requirement for a left turning lane from Wangi Road onto Wangi Point Road. It did not assess the adequacy of the (45 metre) turning bay for traffic entering Wangi Road from Wangi Point Road. This (45 metres of turning bay) is clearly an inadequate amount of road to allow a fully loaded coal truck to accelerate and safely join the traffic flow on Wangi Road without causing an obstruction.

The same motorists (that have been delayed by the merging truck) will then accelerate past the coal trucks once they get to the overtaking lane. As a regular user of the Wangi Road/Donnelly Road intersection (at least 4 times per day during weekdays) I know only too well how difficult it is to turn right onto Wangi Road at times, especially during peak periods. It is made more difficult by the fact that motorists turning right into Buttaba Hills Rd need to use the overtaking lane on Wangi Road to access the turning lane for Buttaba Hills Road. I have seen many near misses at the Donnelly Road intersection as motorists negotiate the right-hand turn onto Wangi Road (from Donnelly Road), only to almost collide with motorists preparing to turn right at Buttaba Hills Road. Similarly, there are often near misses (and, I'm sure, a few bingles) at the Buttaba Hills Road intersection as motorists attempt to enter Wangi Road at the point where the overtaking lane ends. The addition of 10 coal trucks an hour travelling in a northbound direction on Wangi Road will only exacerbate the issues at these two intersections.

The Wangi Road is a critical road connecting the communities of Rathmines, Buttaba, Wangi and Arcadia Vale with Toronto and Morisset (and beyond). Apart from the obvious risk of causing personal injury or death and/or damage to property, any accidents on this road also have the potential to block the road and cause significant delays for motorists, including residents from these local communities. I have personally witnessed a number of accidents on Wangi Road, including one at the intersection of Buttaba Hills Road in June 2019 (and one just last week near Dora Creek). Both of these accidents resulted in Wangi Road being temporarily closed

whilst the accident sites were cleared. The likelihood and consequence of an accident on Wangi Road as a result of the proposed modification will surely increase with the addition of 31,250 coal trucks per year.

If this modification is approved, these impacts could potentially be felt by motorists 11 hours a day, 6 days a week for many years (depending on the modified development approval conditions). Yet, there is no proposal to upgrade Wangi Road to mitigate the above risks. Not even to include the installation of appropriate turning lanes at the Wangi Point Road intersection or widening of the road to accommodate extended overtaking lanes in the northbound direction. This is an accident waiting to happen.

### **2.3.3 Additional Signage**

Section 7.3.4 (iii) proposes to install signage to warn motorists of turning trucks approximately 100 metres from the intersection of Wangi Road/Wangi Point Road. It is claimed that this will “facilitate the safe transport of coal on the public road network”. Signage is a poor control and will do little, if anything, to “facilitate the safe transport of coal” on Wangi Road. Most motorists would probably not take any notice of these signs. In fact, most motorists would probably not even realise there is an intersection at Wangi Point Road and therefore would not be expecting coal trucks to be turning there anyway.

### **2.3.4 Driver Awareness and Training**

The inclusion of “Driver awareness and training” or a Driver’s “Code of Conduct” that focuses on “good driver behaviour” is another poor control. It is a “soft” (or administrative) control which relies on drivers to “do the right thing”. It also relies on Centennial Myuna and the trucking contractor to enforce the code and discipline drivers for breaches of the code.

## **3.0 Inadequate Socio-economic Assessment**

The TIA and socio-economic assessment do not adequately assess the impact of the proposed truck movements on the road surface of Wangi Road.

Section 4.6 of the TIA states that “the existing road pavement width and surface conditions along both Wangi Road and Wilton Road are considered to be generally good such that significant additional road pavement damage is considered unlikely to occur”. Section 7.4.2(i)(a) of the Mod Report states that the proposed truck movements “can be accommodated by the existing road network with minimal overall impact to road capacity or traffic delays and no intersection improvements are warranted”.

What about the effect of 31,250 fully laden coal trucks turning in and out of Wangi Point Road every year? Surely this would have some impact on the road surface over time. There is nothing in the proposal regarding repairs to Wangi Road (or Wilton Road) or provision of funds for the replacement/ upgrade of the road surface if/when it is damaged as a result of coal truck movements. This is surely a negative economic impact, especially for the road’s owner/manager. This of course flows on to motorists through wear and tear to their vehicles and possible damage as a result of potholes and debris on the road. I understand that the coal trucks will be covered and they will pass over a wheel wash before leaving the mine site, however this does not stop 100% of debris from falling off the trucks nor does it prevent road damage (resulting in loose debris on the road surface).

There are no further mitigation or management measures proposed for socio-economic impacts, other than those mentioned above (in Section 2.3) and the covering of loads and washing of wheels prior to the trucks leaving Myuna and the Cooranbong Entry Site (CES). The quality of the road surface affects all road users – this should be addressed and not dismissed “given the scale of the proposed modification”.

## **4.0 Inadequate Consultation**

Section 6 of the Mod Report details the Stakeholder Consultation undertaken for the modification. This “consultation” was limited to contact with the NSW Department of Planning, Industry and Environment (DPIE), Lake Macquarie City Council (LMCC), Transport for NSW (TfNSW) and the Community Consultative Committees (CCCs) for Centennial Myuna, Centennial Newstan/Awaba and Centennial Mandalong and included:

- Sending a letter to DPIE on 14 May 2020 to “introduce the proposed modification and seek advice with regard to the assessment pathway and scope of this MR”. DPIE responded on 1 June 2020 to confirm the assessment scope and appropriate approval pathway i.e. the application will be assessed as a Section 4.55(2) application under the EP&A Act.
- Sending a letter to LMCC on 22 May 2020 to “introduce the proposed modification and notify LMCC that an MR will be submitted to DPIE”. LMCC responded to the letter on 11 June 2020 and acknowledged that the proposed modification has potential to impact the public road network (namely Wangi Road and Wilton Road).
- Sending a letter to TfNSW on 22 May 2020 to “introduce the proposed modification and notify TfNSW that an MR will be submitted to DPIE”. TfNSW responded to the letter on 20 June 2020 and provided commentary on the content of the TIA.
- Providing a presentation to the Centennial Mandalong CCC on 23<sup>rd</sup> June 2020 to introduce the proposed modification and notify them that a MR will be submitted to DPIE. Section 6.6 of the Mod Report notes that no feedback was received from the CCC however the CCC minutes on the Centennial Mandalong website note that one CCC member commented in the meeting on extra truck movements impacting Dora Creek.
- Sending correspondence to members of the Centennial Newstan/Awaba CCC and Centennial Myuna CCC on 22<sup>nd</sup> and 30<sup>th</sup> June 2020 (respectively) to “introduce the proposed modification and notify them that an MR will be submitted to DPIE”. No feedback was received from the CCCs.

The only “community” consultation undertaken for this modification was that undertaken with the 3 CCCs, as described above. This can hardly be described as “consultation” as there was little opportunity for the CCCs to meet and discuss, or respond to Centennial, before the modification application was submitted to DPIE and placed on public exhibition on 31 July 2020. This was the same day that the modification was advertised in the Newcastle Herald (as per Section 4.55(2) requirements).

It is noted that Appendix F of the Mod Report includes an “Approvals Update” from Centennial Coal which is undated and provides no evidence of actual consultation with the CCCs.

#### **4.1 Newstan/Awaba CCC**

According to Centennial’s website the last meeting of the Newstan/Awaba CCC was held in March 2020. There was no mention in the update presentation for this meeting of a proposed modification to MP10\_0080 (refer March 2020 Newstan CCC presentation on Centennial website). Why not? (Refer **Section 4.3** regarding opportunities for consultation).

#### **4.2 Myuna Colliery CCC**

The Myuna Colliery CCC currently only has one active community member, since one community member passed away in 2019 and another resigned. The last meeting of the Myuna CCC was held in October 2019 – it was attended by one community member, the Chairman and 3 representatives of Centennial Myuna. The LMCC representative was an apology for this meeting and the minutes show he emailed the CCC indicating he will seek someone from LMCC to replace him on the CCC. This is hardly a CCC representative of the local community.

The meeting scheduled for April 2020 did not proceed due to COVID, instead an update presentation was emailed to committee members with an invitation to provide comments, feedback and questions to Centennial for response. There was no mention in this update presentation of a proposed modification to MP10\_0080 (refer Myuna CCC presentation on Centennial’s website). This was confirmed by the only remaining CCC community member on social media on 14 August. I personally contacted the Myuna CCC chairperson via email on 10 August regarding the modification and he advised that the CCC “will be reviewing the modification” and that they were making plans to meet ASAP. This was 3 days before the exhibition period was to end i.e. on 13 August 2020.

#### **4.3 Opportunity for Consultation**

Section 7.3.1 of the Mod Report (and Section 2.4 of the TIA) notes that traffic surveys (including tube and intersection counts) were performed in 2019. This indicates that Centennial Myuna were assessing the suitability of the road network in preparation for the modification prior to the CCC meetings for Centennial Newstan (in March 2020) and Centennial Myuna (in June 2020). Therefore, there was adequate time to consult with the CCCs prior to those meetings. Why didn't Centennial engage with the CCCs (or at least the Myuna CCC, as it is the CCC that represents the community most affected by this modification) prior to June 2020?

Also, I understand that Section 4.55(2)(c) of the EP&A Act only requires Centennial Myuna to notify the community of the modification application via an advertisement in the Newcastle Herald, however I think, given the impact that this modification will have on the local community (and, in particular, Wangi Road users), there is an expectation that some community consultation would have been undertaken by Centennial prior to the modification being submitted to DPIE (other than through the established CCCs). I understand that this is difficult in the current climate, with COVID, however there are other ways to communicate with the community i.e. letter box drops, newsletters, social media.

#### **4.4 Notice of Modification**

I note that the exhibition period for this modification was extended by 2 weeks, following a request by the State MP for Lake Macquarie, Greg Piper. If not for Greg's intervention, and the now-public knowledge of Centennial's planned modification (via social media and, subsequently, local news reports), many people in the local community would not have known about this modification and therefore would not have had the opportunity to have their say. This is wrong.

I believe the guidelines/law should be changed to make it a requirement of the applicant to ensure the community is notified of these types of applications, and not just through an advertisement at the back of a newspaper. This is out-dated and does not reflect the way most people communicate these days.

#### **5.0 Conclusion**

The Mod Report does not adequately assess the risk (to public road users) posed by the addition of 31,250 coal trucks per year on Wangi and Wilton Roads. The mitigation and management measures that have been proposed to reduce the potential impact of the proposed modification on the local road network are inadequate.

The socio-economic assessment is also inadequate as it fails to address socio-economic impacts caused by the proposed modification on local roads and road users.

The consultation process for this modification has also been inadequate and, quite frankly, extremely disappointing. I sincerely hope Centennial Myuna take my feedback (and the feedback from other community members who have taken the time to make a submission) on board, as it reflects the sentiment of many people in the local community. A lot of people feel that Centennial tried to "sneak" this modification through with little-to-no consultation and are disappointed/angry about this. Centennial may have some work to do to repair their reputation.

In conclusion, reducing truck movements between 3pm and 4 pm on weekdays, adding a few road signs and getting drivers to sign a Code of Conduct will not mitigate the increased risk of traffic accidents on the public road network as a result of this modification, and therefore, this modification should not be approved.