



By email: office@hazzard.minister.nsw.gov.au

19 April 2013

Mr Brad Hazzard MP
Minister for Planning and Infrastructure

**Re: Further Representations – Mackas Sand Modification Application –
Alternate Haul Route to Lot 218 DP1044608 onto Nelson Bay Road**

Dear Minister Hazzard

In the interests of public safety, the Tomaree Ratepayers and Residents Association Inc made a detailed submission on 13 November 2012. Since then our Association has had correspondence with the Minister for Transport (Roads & Maritime) and the Minister for Environment.

We had highlighted concerns with the original Traffic Study and in February 2013 another study was done by the Consultants.

We have ascertained that Mackas Sand Pty Ltd was approved by the EPA in 2009 (Development Consent 08_0142) for an extraction rate of 2 million tonnes (mt) per annum - 1mt/pa from lot 218 accessing via Lavis Lane and Cabbage Tree Road roundabout; and 1mt/pa from lot 220 accessing the road network at Lemon Tree Passage roundabout approximately eight kilometres away.

In the modification application, approval is being sought to vary the access point for lot 218. The access point for Lot 220 remains unchanged.

The proposed new access point for Lot 218 is located on a single lane road (Nelson Bay Road – the only way in and out of the Tomaree Peninsula) approximately 3 kilometres away from Lemon Tree Passage roundabout. This change results in trucks from **both** lots now having to pass through Salt Ash (Richardson Road) roundabout, and yet the RMS has indicated that this is safe!

Our concerns relating to public safety continue to be are based on the following.

- This sand mining company currently extracts less than 0.5mt/pa from both lot 218 and 220. However, the company is **approved (copy of RMS letter attached)** for a total extraction rate of 2mt/pa which is 25% of what this



modification is application is being based on. **The traffic study is based on 0.5mt/pa, not the approved extraction rate.**

- The proposed intersection is based on 0.5mt/an. This gives an average of 5 loaded 33 tonne B-doubles leaving the site each hour for 16 hours with a peak of 8 loaded 33 tonne B-doubles each hour. Total peak truck movement 16 trucks each hour as per the consultant's February report. (8 loaded trucks out and 8 empty trucks in).
- If the same criteria is used for the approved tonnage for Lot 218 of 1mt/hr then an average 8 loaded 33 tonne B-doubles leave the site each hour for 16 hours with a peak of 12 loaded 33 tonne B-doubles each hour. Total peak truck movement 24 trucks each hour.
- The revised access point to Lot 218 results in trucks from both lots 218 and 220 having to pass through Salt Ash roundabout.
- We have been advised by truck drivers that the Salt Ash roundabout has an adverse camber which impacts on the turning of heavy trucks - the bigger the load the greater the impact, and yet this roundabout is to be used for the empty trucks to do a U turn to access the left in-left out access road.
- The **total peak truck movement** must be used when considering the risks to road users. It must be assumed that at some time in the future approved extraction rates will be achieved.
- The February traffic study submitted refers to light and heavy vehicles only. If it is, it would appear from the figures that light and heavy vehicles have been grouped together. This breakdown of traffic flow gives insufficient information to accurately assess the impacts of heavy vehicles. We would expect a traffic study being used to determine the impacts of heavy vehicles would define heavy vehicles. Normally one would have a traffic breakdown that includes:-
 - Light vehicles – private car and utilities
 - Light commercial – vans and small trucks with a single back axle
 - Heavy trucks – single unit trucks with a double back axle and larger.

Without this breakdown it is impossible to tell how many heavy (as described above) are included in this study and without this information one cannot determine what will be the possible impacts of additional heavy vehicles. For example if only 3 heavy vehicles/hour are currently using the Salt Ash roundabout then approval of this proposal could increase heavy vehicle movement by 300% to 800% (0.5mt/an to 2mt/an)

Due to the Modification application and the potential impacts on road safety TRRA would request that -



1. As the current EPA licence has been temporarily modified at the request of the proponent to a maximum of 0.5mt/pa from both lots (only 25% of the maximum approved licence) that this proposal should only be approved if the tonnage extracted is reduced in line with the current EPA licence or the proponent be required to apply for a new reduced licence.
2. Any future increase in extraction should result in the proponent and other businesses operating sand extraction businesses in the same area and planning to use Nelson Bay Road to be required to fund the full upgrade of Nelson Bay Road to a four lane approved haulage road and this should be constructed to meet road haulage requirements at minimal cost to the ratepayers of Port Stephens Council and the taxpayers of the State of NSW.

Could the Minister please ensure that this letter is referred urgently to the independent Planning Assessment Commission who we understand will be the decision maker on this application.

Yours sincerely,

Margaret Wilkinson (via email)
Hon Secretary
Tomaree Ratepayers and Residents Association Inc.

Copy:

- Craig Baumann, Member for Port Stephens and Parliamentary Secretary for Regional Planning
- Port Stephens Council Economic Development Division