



Mr Nick Wimbush, Advisory Committee Chair
Major Hazard Facilities Advisory Committee
c/- Planning Panels Victoria
Level 5
1 Spring Street
Melbourne VIC 3000

8 February 2016

Dear Mr Wimbush,

Submission in response to the Major Hazard Facilities Advisory Committee discussion paper

The Maribyrnong Truck Action Group (MTAG) would like to thank you for the opportunity to provide initial comments to the Major Hazard Facilities (MHFs) Advisory Committee to inform the preparation of the discussion paper, and now wishes to make a formal submission to the Committee. The submission largely repeats the issues raised in our initial correspondence.

MTAG is a non-political, unfunded community lobby group of residents advocating for a reduction in trucks on residential streets in Melbourne's inner west. Our common interest is a desire to improve the quality of life for our community.

We were concerned that the Terms of Reference for the Major Hazard Facilities Advisory Committee appeared to focus on land use buffers and the interface between MHFs and the immediately surrounding land, and failed to recognize the potential impact of these facilities on neighbourhoods that are not directly adjacent to MHFs.

We are pleased that the discussion paper noted:

"The Maribyrnong Truck Action Group (MTAG) (submission 21) commented on the potential impact on neighbourhoods that are not directly adjacent to MHF, such as the impact of trucks travelling to and from MHF."

However, in the earlier correspondence, MTAG indicated that the Major Hazard Facilities Advisory Committee should consider the role of the land use planning system in mitigating any potential adverse impacts on communities from trucks associated with MHFs. We are disappointed that the discussion paper does not specifically address this issue or seek input through a 'thought starter' seeking comments on how to appropriately manage the impact of MHFs beyond the interface areas immediately surrounding them.

MTAG would like to make the following comments in relation to a number of the 'thought starters' that are in the discussion paper.

In relation to **Thought Starter 2**, “*How should planning address areas surrounding existing or proposed MHF or other hazardous industry that poses a risk to the safety of surrounding areas?*”, MTAG argues that the planning system should also require consideration of the potential impact on neighbourhoods that are not directly adjacent to MHF, particularly the impact of trucks travelling to and from MHF, as these trucks can pose a risk to the safety of the areas that they travel through.

In relation to **Thought Starter 6**, “*Should the WorkSafe methodology for Inner and Outer Planning Advisory Areas continue to be the basis for identifying risk areas around MHF and be used for the land use planning system?*” MTAG notes that this approach would only consider risk around the MHF itself and would give no regard to the potential impact on neighbourhoods that are not directly adjacent to MHF. This is not appropriate.

We believe that trucks travelling to and from MHFs can pose a risk to the safety of people in the areas that they travel through, particularly where MHFs are poorly located or where there is a lack of appropriate road infrastructure, and the trucks accessing MHFs have to travel through residential areas to get to their destination from the freeway / highway network.

In relation to **Thought Starters 17, 18 and 19**, (“*Could or should an existing or new overlay be used to identify risk and manage development on land surrounding a MHF?*”, “*Should both use and development of land around a MHF be managed in an overlay?*” and “*Could an overlay identify inner and outer hazards areas or be applied to identified areas (whether default or modelled)?*”), this is a more appropriate approach for managing risk along roads impacted by trucks travelling to and from MHF, as compared to rezoning land along those roads. This is particularly so because multiple overlay schedules are possible and could provide a different level of control to manage risk in locations more remote from the MHF itself. MTAG also assumes that it would also be easier to remove or alter an overlay if the level of risk changed.

In relation to **Thought Starter 20**, “*Is notification of the risk status of land in proximity to a MHF important and how might it be achieved?*”, MTAG believes that residents have the right to be made aware of the risks that they may be exposed to where they live, including the risks resulting from trucks travelling to and from a MHF. An overlay on impacted land would help ensure that residents are made aware of a potential risk to themselves and their families as notification would be provided through a planning certificate or a section 32 statement.

In relation to **Thought Starters 23 and 24**, (“*Should Clause 52.10 be reviewed to provide more than just an advisory role in determining the need for permits for industrial and warehousing uses?*” and “*If so, what should such a review seek?*”) MTAG agrees that any review of Clause 52.10 would benefit from considering the matters as identified in the discussion paper, especially from clarifying what risks it addresses, particularly whether or not it addresses noise, odour, dust, vibration and public/human safety.

There are currently about 21,000 trucks a day on Maribyrnong’s residential streets. Many of these trucks are tankers heading to or from MHFs. These trucks pose huge safety risks to truck drivers, pedestrians, cyclists and other road users.

Our narrow roads, built in the 1800’s, were not designed for tankers, semi trailers or B-double trucks. Many trucks need more space to turn corners safely and can cut across lanes causing confusion for cars and other road users. Tight corners also mean trucks often mount the curb when turning, putting pedestrians and cyclists in danger. Roads like Francis Street and Somerville Road have multiple intersections and school crossings. The greater mass and inertia of trucks mean they take longer to stop and there are regular reports of trucks running red lights. Sudden stops can cause trucks to jack knife, putting all road users in danger. These incidents are not necessarily the truck driver’s fault but the presence of so many trucks on our residential streets threatens everyone’s safety.

MTAG is compiling a dossier of truck incidents in the West to highlight the unsuitability of residential streets as major truck routes and the impact that this has on the community. Over the past two and a half years, incidents have included trucks truck driving into power poles, running red lights, running through pedestrian lights, jack-knifing, losing their load, suffering mechanical failures, and hitting bridges on numerous occasions (in 2014, Metro Trains reported that 21 trucks have crashed into the Napier Street bridge in four years). Where these incidents involve fuel tankers, the consequences could be catastrophic.

In early 2014, Four Corners aired 'This Trucking Life' which highlighted systemic failures in truck safety regulation and management of driver fatigue. This was in light of an accident in Mona Vale, NSW, where suspected brake failure caused a Cootes fuel tanker to crash and explode, killing two people. A subsequent VicRoads inspection of Cootes Transport vehicles led to almost 40 percent of the fleet being taken off the road with safety defects. Cootes have a large depot in Spotswood and tanker trucks regularly use Somerville Road and Francis Street to get to one of the largest fuel depots in the state, ExxonMobil's Yarraville Terminal. The secretary of the Transport Workers Union said that drivers are forced to speed, skip rest breaks and fake their logbooks. He then went on to say that, "Petrol tankers are literally mobile bombs, they're at the most dangerous end of Australia's most dangerous industry." When these fuel tankers drive metres from our homes, schools and childcare centres every day, it is vital that government safety regulations are strict enough to protect communities like ours.

In light of this systemic failure in safety controls, other measures are required to protect the safety and amenity of residents. The land use planning system could potentially complement other regulatory frameworks to protect the safety and amenity of residents impacted by MHFs.

MTAG submits that any review relating to MHFs should acknowledge the impact that trucks travelling to and from MHFs may have on the safety and amenity of residents both immediately adjacent to MHFs and in other areas, and that the Advisory Committee should consider the role the land use planning system could play in mitigating any potential adverse impact from these trucks when preparing its advice to the Minister.

MTAG would like to thank the Major Hazard Facilities Advisory Committee for the opportunity to respond to the issues raised in the discussion paper and hopes that these comments are of assistance.

Regards,

A black and white image of a handwritten signature, which appears to be 'Samantha McArthur', written in a cursive style on a black background.

Samantha McArthur
President, Maribyrnong Truck Action Group (MTAG)