

Council Reference: DA08/1247
Your Reference: MP06_0030 (Mod 2)



30 April 2018

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Attention: Anthony Barnes

Dear Sir / Madam

Proposed modification of the Dunloe Park Sand Quarry (MP06_0030 Mod 2) with regard to the proposed increase in heavy vehicle movements

I refer to your email dated 26 April 2018 requesting Council to provide comment on the proposal. Upon review of the documentation associated with Mod 2, please find below Council's comments:

Traffic

Council's initial traffic comments on Mod 2 related to concerns with the sight distances at the intersection of site's access road with Pottsville Road. The resulting Road Safety Audit (RSA) prepared by Bitzios proposed the removal of significant vegetation within the road reserve (along with other measures) to enable appropriate sight distances and other significant road safety issues to be resolved.

Council's Traffic Engineer has reviewed the RSA and GHD's draft Response to the RSA (dated March 2018) and provided feedback to GHD as summarised below:

Option 1 - Proposed speed reduction (to avoid removal of major trees)

Councils do not have jurisdiction over speed limits in NSW. However, previous advice from RMS and application of their speed zoning guidelines, the proposed speed reduction to address a particular site specific hazard, would not be supported. The proposed change would not result in changes to driver behaviour.

Option 2 - Install signage

The proposed signage only warns motorists that there is an intersection approaching. Whilst technically the access is not an intersection it is recommended that the following signage is installed to better inform motorists that trucks may be entering the priority road.

S/B approach		N/B approach	
W2-4 (L)	W5-22	W2-9(R)	W5-22
			

Option 2 – Extend Concrete pavement / raised median

The existing driveway is of concrete construction for the exiting lane. Extending this treatment across the whole of the driveway has no significant benefit and is not supported.

Placing a raised median on the Quarry access may inhibit heavy vehicle turns from the quarry and is not supported.

Clear zone – Option 1

There is concurrence with the Option 1 findings, which include:

Option 1: Consider the low risk condition (no recorded crash history) on Pottsville Road

The initial discussion between Greg Sciffer of RMS and GHD is that the clearing of trees or reduction of speed limit in the area is not to be considered as the only option/s for the assessment of RSA result. The level of risk should also be determined to validate the need for treatment with respect to the actual road conditions and history of road crashes (i.e. Is there a warrant to address the limited clear zone along Pottsville Road?). As discussed, there are other solutions that can be used to increase the level of driver's awareness and direct the drivers within the defined road lanes (i.e. clear linemarkings, REGP) which are discussed in this option.

The following factors are being considered for the viability of this alternative treatment:

- Risk is considered low due to the low traffic volume and no recorded crash history. Refer to the following sections of the road safety audit:
 - Section 2.2 of the RSA Report – AADT (bi-directional) 1517 veh/day
 - Section 2.3 of the RSA Report – no recorded crash history in proximity to the study area.
- Drivers of vehicles (i.e. quarry trucks, service vehicles) coming in and out of the Dunloe Quarry access are all subject to Holcim's safety training and regular safety review which includes the road safety requirements in the quarry access intersection and along Pottsville Road.
- The following road improvement works will be recommended to direct drivers (particularly around curves) and preventing run-off-road crashes:
 - Apply new and clear pavement linemarkings (i.e. no overtaking barrier lines, edge lines, auxiliary lane continuity line).
 - Consider audio-tactile edge lines
 - Apply new road edge guide posts (REGP)
 - Apply retroreflective raised pavement markers (RRPM)
 - Install relevant signages such as W1-3 on approaches to bend and D4-6 (chevron alignment markers).



D4-6

Accordingly, please be advised that Council does not support the recommendations of the RSA (which include significant tree clearing). Rather, it is considered appropriate that the Clear Zone provisions in GHD's draft Response to the RSA, dated March 2018 (as noted above) be adopted for the proposed development, with additional signage warning motorists that trucks may be entering the priority road.

As such, it is recommended that the comments provided to GHD on 28 March 2018 (noted above) form the basis of an appropriate condition, as opposed to the proposed wording of Condition 35A (noted in your email of 18 April 2018). Suggested wording for such a condition is noted below:

The Proponent must implement all recommended road improvement works listed in Option 1 of Section 3.4 Clear Zone Assessment of the (Draft) Response to Road Safety Audit prepared by GHD, dated March 2018, in consultation with Council. Additional signage (as required by Council) shall also be installed. The works must be implemented prior to any increase in truck movements associated with Mod 2.

Any works within the road reserve will trigger the requirement for a S138 approval from Tweed Shire Council as the road authority. However, it should be noted that assessment of any proposed vegetation removal is not supported to be part of a S138 application. In general, any works within a road reserve that do involve impact upon vegetation and/or other biodiversity values are assessed through a Development Application or Part V Review of Environmental Factors prior to any approval being granted.

S94 Contributions

It appears that the original approval applied incorrectly a one-off heavy haulage contribution of \$47,250, as opposed to the requested annual fee of this amount, as per the provisions of the Section 94 Plan at the time. Please note that heavy haulage fees are no longer charged. Rather, TRCP is charged at a trip rate. Accordingly, the proposed Mod 2 additional trips are considered to trigger Section 94 contributions.

In the event that Mod 2 is approved, please ensure that Condition 13 is amended to reflect the additional truck movements proposed. To this end, the increase in truck movements from 8/hr to 24/hr (resulting in an average 125.71 trips per day) triggers an additional **\$173,480** under the Tweed Road Contribution Plan. Accordingly, the following amendments to Condition 13 are requested (changes shown in bold & struck through):

- 13A. *Prior to carrying out any ~~development~~ **increase in truck movements associated with Mod 2**, or as otherwise agreed by Council, the Proponent shall pay Council ~~\$47,250~~ **\$173,480** in accordance with Council's Tweed Road Contribution Plan and ~~\$399.40~~ in accordance with ~~Tweed Council Section 94 Plan No. 18.~~*

Ecological Concerns

As previously advised, Council has not received any correspondence from the Department of Planning, the proponent, or their consultants in relation to any of the matters raised by Council on 5 February 2018, namely:

- *Vegetation removal, including general biodiversity impact and specifically core koala habitat;*

- *Potential impacts of additional truck movements (koala mortality) **both within the site and on Pottsville-Mooball Rd;***
- *Inconsistency with the development provisions of the Tweed Coast Comprehensive Koala Plan of Management;*
- *No consideration of the Tweed-Brunswick endangered koala population status; and*
- *Concerns with the accuracy of the Environmental Assessment.*

As your email of 6 February 2018 highlighted, OEH has also raised concerns with impact upon koalas "...as an issue needing to be addressed upfront". Council considers it critical that the Department suitably consider and assess these issues prior to any determination of Mod 2. Council are willing to assist in this regard through the review and analysis of information provided.

Amenity Impact

Although the local road network may have the capacity to adequately accommodate the proposed increase in traffic movements, it is considered appropriate that the potential impact upon the local amenity be addressed.

With an overall extraction limit of 300,000 tonnes per annum, the current restrictions on truck movements provides for a maximum of 80 trucks per weekday (for approximately 300 days of the year). The proposed increase in heavy vehicle movements are likely to result in a significant peak in the number of trucks, with 240 truck movements per weekday for approximately 100 days of the year.

Although the modelling associated Noise Impact Assessment found that the increase in truck movements would result in compliance with relevant noise criteria, the proposed Mod is not considered to have adequately addressed overall amenity impacts associated with such an increase in the peak truck movements from a general road user perspective and local residential amenity for dwellings around the quarry and along the haul route.

For further information regarding this matter please contact Colleen Forbes on (02) 6670 2596.

Yours faithfully

Lindsay McGavin
MANAGER DEVELOPMENT ASSESSMENT AND COMPLIANCE