



BELLINGEN SHIRE COUNCIL

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Our Ref: DW721425
Your Ref: GD14/0098
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20 January 2017

People with an Interest in Road Safety for Waterfall Way

Email: friendsofwaterfallway@gmail.com
Caroj2@bigpond.com

Attention: Caroline Joseph

Via email: council@clarence.nsw.gov.au

Dear Ms Joseph

Modification to DA2014/0098 – Request for Public Meetings

Thank you for your submission dated 9 January regarding the request to hold public meetings regarding the above Development Application.

I advise that Bellingen Shire Council is not the planning authority responsible for the assessment of this application and that the Council has provided its response to the Clarence Valley Council (CVC) regarding this modification which does not increase the annual heavy vehicle movements which was previously approved.

In summary, the application to CVC is to modify an existing development consent issued by CVC for the hard rock quarry. This quarry operates from 242 Faheys and Bulgins Roads, Hernani, but has an identified haul route to Waterfall Way. The proposed modification seeks to increase the permissible daily truck movements from 20 loaded trucks per day to 66 loaded trucks per week day and 36 loaded trucks every Saturday. The proposed operational change is to facilitate peaks in demand for the supply of quarry product.

No modification is sought to current approved extraction rates (and therefore the modification will not increase annual truck movements along Waterfall Way) or to condition 13A of the development consent which prohibits laden quarry trucks from the quarry east of the intersection of Waterfall Way and Maynards Plains Road on a Saturday.

As you are aware the matter was considered by the Joint Regional Planning Panel (JRPP) on 15 December 2016 and at this meeting the JRPP deferred the determination of the modification application on the grounds that:

- No assessment was provided for proposed amendments to Condition 1 [The proposed amendment to condition 1 is to remove reference to an erosion and sediment management plan]

- Further road impact assessments were required to ensure adequate road conditions and safety
- There was a lack of adequate arrangements for monitoring of compliance
- There was a lack of adequate consultation with Bellingen Shire Council stakeholders.

As a result, CVC staff has been requested to provide:

- Further assessment by Council of proposed amendments to condition 1
- A review of an updated traffic impact assessment by the Applicants, including:
 - A road pavement impact assessment on the haul route;
 - Assessment of the intersection of Bald Hills Road and Waterfall Way using current traffic data;
 - Assessment of the intersection of Cornells Road and Bald Hills Road
- Details of the outcome of Council negotiation with the Applicant to ensure appropriate monitoring and compliance arrangements for quarry truck movements
- Evidence that the RMS and Bellingen Council have been further consulted with particular regard to the impacts of peak truck movements through Dorrigo and Bellingen.

Given that the JRPP have instructed CVC to perform further consultation, it is not appropriate that the Council interfere with this process and it has sought a response from the CVC as to how it will progress with these instructions and a copy of your submission has been forwarded suggesting that this is an opportunity for the CVC to hold such consultation and how it may address the concerns of the "People with an Interest in Road Safety for Waterfall Way" as specifically detailed in the submission acting as the planning authority responsible for administering the Development Application operational conditions.

Should you require any further information on the matters raised in this correspondence, please contact Matt Fanning, Deputy General Manager Operations on telephone (02) 6655 7300 or via email council@bellingen.nsw.gov.au.

Yours faithfully



Matthew Fanning
DEPUTY GENERAL MANAGER OPERATIONS

cc email: council@clarence.nsw.gov.au

