

Coyle, Jai

From: Airport Developments <Airport.Developments@AirservicesAustralia.com>
Sent: Thursday, 5 December 2019 8:34 AM
To: Whale, Daniel
Cc: 'airspace.protection@casa.gov.au'
Subject: AIRSERVICES RESPONSE: YSTW-MA-009 - Dev, 284 Gidley Appleby Road, Gidley NSW 2340 [SEC=UNCLASSIFIED]

Hi Dan,

I refer to your email dated 26 September 2019, advising Airservices Australia of the Organic Recycling Plant, located at 284 Gidley Appleby Road, Gidley.

Airspace Procedures

With respect to procedures designed by Airservices in accordance with ICAO PANS-OPS and Document 9905, the maximum height that the development could be at the above location, without affecting any sector or circling altitude, nor any instrument approach or departure procedure at Tamworth aerodrome is 700m (2297ft) AHD.

Note: procedures not designed by Airservices at Tamworth aerodrome were not considered in this assessment.

Communications/Navigation/Surveillance (CNS) Facilities

This proposal will not adversely impact the performance of any Airservices Precision/Non-Precision Nav Aids, Anemometers, HF/VHF/UHF Comms, A-SMGCS, Radar, PRM, ADS-B, WAM or Satellite/Links.

Summary

Airservices have no objections to the proposed Organic Recycling Plant at the above location.

Given the relatively close proximity of the development to Tamworth aerodrome, there will need to be ongoing consultation between the airport, the proponent(s) and Airservices in relation to any plant or crane operations planned for the construction of proposed development, prior to construction commencing, to ensure there will be no impacts to Airservices facilities or operations.

If you require any further information or wish to discuss any aspect of this letter, please feel free to contact me via my contact details below, or by emailing our centralised mailbox: airport.developments@airservicesaustralia.com.

Kind regards,

Richard Tomlinson

Snr. Advisor, Airport Developments

Airservices Australia

t 02 6268 4460 | m 0423 503 767

From: Whale, Daniel <d.whale@tamworth.nsw.gov.au>
Sent: Wednesday, 4 December 2019 10:54 AM
To: Airport Developments <Airport.Developments@AirservicesAustralia.com>
Subject: DA2020-0138 - 284 Gidley Appleby Road, Gidley NSW 2340 - Organics Recycling Facility

Hi,

I am seeking an update on the progress of Council's external referral of the subject DA to Airservices Australia which was made on 26 September 2019.

If someone could contact me ASAP in this regard it would be greatly appreciated.

Kind Regards,

Dan Whale Ph: 67 67 5532
Senior Development Assessment Planner
Tamworth Regional Council
Email: d.whale@tamworth.nsw.gov.au



~ Toyota Country Music Festival Tamworth 2020 - Friday 17 January to Sunday 26 January 2020 ~ www.tcmf.com.au



Coyle, Jai

From: Government Relations <government.relations@casa.gov.au>
Sent: Wednesday, 16 October 2019 8:20 AM
To: Whale, Daniel
Cc: Government Relations
Subject: CASA Response GI19/755 - Tamworth Regional Council re Organic Recycling Facility at 284 Gidley Appleby Road, Gidley - DA2020-0138 [SEC=UNOFFICIAL]

UNOFFICIAL

Dear Mr Whale

Thank you for your email below requesting comment from the Civil Aviation Safety Authority (CASA) on a proposed organic recycling facility (ORF) at 284 Gidley Appleby Road, Gidley NSW.

CASA has reviewed the relevant documentation and notes your bird and animal risk identification and mitigation comments, including the development of a pest and weed management plan which will outline the measures to manage and monitor animals including birds on-site during operation. CASA further notes the desktop wildlife hazard assessment advises the ORF is unlikely to create additional hazards to aircraft at Tamworth Regional Airport, provided that the tunnel composting and receival shed are enclosed.

CASA has no issues with the Environmental Impact Statement (EIS) including the desktop wildlife hazard assessment. CASA does not object to the proposal provided that the tunnel composting system and receival shed are enclosed. Wildlife monitoring as described in the EIS is recommended. The monitoring could be part of a Bird Management Plan which also includes, but is not limited to, land use including avoiding standing water, storage of waste in closed containers and landscaping that avoids the use of trees and shrubs attractive to birds and bats. Bird monitoring and management should also apply during construction.

Technical enquiries can be directed to the Tamworth Aerodrome Inspector by email at: Aerodromes@casa.gov.au.

I trust this information is of assistance.

Yours sincerely

Melissa Cashman
Manager
Government Relations

CASA\Corporate Services Division

p: 131 757

Aviation House, 16 Furzer Street, PHILLIP ACT 2606
GPO Box 2005, Canberra ACT 2601

www.casa.gov.au



From: ConveyancingTeam <conveyancingteam@essentialenergy.com.au>
Sent: Thursday, 24 October 2019 4:45 PM
To: Development
Subject: Email from Essential Energy - Referral Plan Set - DA2020-0138 Organic Recycling Facility

Thank you Stephanie

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development other than:

- Entry to the property crosses a 66kV powerline, ground clearance needs to be maintained, as it will be a road way, they will need to determine that there is sufficient clearance to meet EE's design requirements for road crossings for this level of voltage
- The vegetation plan shows screening trees being planted around the site, these need to be well away from the proposed new powerline being constructed into the site.

Essential Energy makes the following general comments:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure. <https://energy.nsw.gov.au/sites/default/files/2018-09/ISSC-20-Electricity-Easements.pdf>
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

Should you require any clarification, please do not hesitate to contact us.

Regards,

Michelle Murray
Conveyancing Officer
Governance and Corporate Services



T: 02 6589 8207 (Ext 88207) | conveyancingteam@essentialenergy.com.au
PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au
General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

From: Development <Development@tamworth.nsw.gov.au>
Sent: Tuesday, 22 October 2019 9:37 AM
To: ConveyancingTeam <conveyancingteam@essentialenergy.com.au>
Subject: Referral Plan Set - DA2020-0138 Organic Recycling Facility

Good Morning Michelle,
As requested, please find attached the site and landscaping plans lodged with the subject application.

If you have any further enquiries relating to this application today, please ask to speak with Sam Lobsey or Mitch Gillogly. Alternatively, Dan will hopefully be back in the office tomorrow.

Kind regards,
Stephanie Walsh | Business Support Officer – Building Certification
Planning and Compliance
Tamworth Regional Council

Ph: (02) 6767 5555
Email: development@tamworth.nsw.gov.au

[Submit Large Electronic Documents Here](#)

(NB: your email will be sent to a Council group development email Inbox. Please include as much information as necessary such as Application Numbers, Relevant Council Officer Names or nature of email in Subject Line and Message Section of the email to ensure your email is allocated to the right officer).



From: Joanne Cheoung <Joanne.Cheoung@jhgc.com.au>
Sent: Wednesday, 18 December 2019 11:16 AM
To: Whale, Daniel
Cc: Adam Bishop; Teena Renes
Subject: RE: URGENT Assistance Review for DA 2020 - 0138 for Organic Recycling Facility at 284 Gidley Appleby Rd Gidley NSW

Hi Daniel,

I confirm that I have not received your response regarding contact details from Council for clarification of the issue being part of Wallamore Road being in the rail land to date.

While I was awaiting your response, I obtained instructions from TfNSW (on behalf of RailCorp) in respect of the contents contained in Mr Bishop's email dated 11 December 2019 and now advise you by using the same numbering system in Mr. Bishop's mail as follows:

1. Fencing

It is noted that the fencing requirement may be unnecessary and onerous given the current status of the rail corridor, being partly fenced and having multiple private driveways and part of the rail corridor being used as Wallamore Road as put forward by Mr. Bishop. As such, TfNSW agrees that this requirement should not be a condition of consent of this DA. However, it is JHR and RailCorp's obligation to maintain rail corridors regardless of the current status of the rail corridor to ensure to prevent unauthorised entry to the rail corridor. Accordingly, TfNSW agrees to replace our fencing requirement with the following:

Council must, within 3 months of receiving written advice from RailCorp, install and maintain fencing along the rail corridor boundary in accordance with JHR's engineering standards should RailCorp require. Council is liable for and indemnifies RailCorp and JHR against all claims for which RailCorp and JHR are or may become liable, in connection with the fencing between Lot 61 DP 707563, being the subject development site and Lot 1 DP 1077646 being the rail corridor. "

2. Noise and Vibration

Noted.

3. Status of the Rail Corridor

TfNSW agree to remove the condition that Council provides us with evidence of any approvals between Council and TfNSW relating to the use of the rail corridor as Wallamore Road as stated in our letter. Nevertheless, TfNSW place emphasis on the importance of clarifying this issue. As such, I am instructed to continue to proceed with conversations in good faith with Council regarding this issue. I look forward to receiving the contact details of the person from you in order to commence conversations in our collective pursuit towards establishing legitimacy of Wallamore road being in the rail corridor.

Should you have any questions regarding the above, please contact the writer.

Please be advised that John Holland Rail will close over the 2019/2020 Christmas/ New Year period commencing from 5:00 pm on 20 December 2019 and reopen on 6 January 2020. I will be on leave for this period. Should you have any urgent matters during this period, please call John Holland Rail on 1300 661 390.



Kind regards,

Joanne Cheoung
Commercial Property Analyst
Country Regional Network

**JOHN
HOLLAND**

Level 1, 20 Smith St
Parramatta NSW 2150
P. +61 2 9685 5092
M.0499 800 752
W. johnholland.com.au



From: Whale, Daniel <d.whale@tamworth.nsw.gov.au>
Sent: Thursday, 12 December 2019 10:52 AM
To: Joanne Cheoung <Joanne.Cheoung@jhgc.com.au>
Subject: RE: URGENT Assistance Review for DA 2020 - 0138 for Organic Recycling Facility at 284 Gidley Appleby Rd Gidley NSW

Hi Joanne,

I have sought clarification regarding the best contact here at TRC regarding these matters.

I will advise as soon as I am provided with a contact.

Kind Regards,

Dan Whale Ph: 67 67 5532
Senior Development Assessment Planner
Tamworth Regional Council
Email: d.whale@tamworth.nsw.gov.au

6 December 2019

The General Manager
Tamworth Regional Council
PO Box 555
Tamworth NSW 2340

Attention: Mr Dan Whale

Only via email: d.whale@tamworth.nsw.gov.au

Dear Sir,

RE: Development Application No. DA 2020-0138

PROPOSED DEVELOPMENT: Organic Recycling Facility

LAND: Lot 61 DP 707563 -284 Gidley Appleby Road Gidley

I refer to your letter to State Rail Authority of NSW dated 24 September 2019 regarding the proposed Organic Recycling Facility (**Proposal**) at Lot 61 DP 707563, 284 Gidley Appleby Road Gidley (**Land**) lodged by Tamworth Regional Council (**Applicant**). Please note that JHR had not received notice of the Proposal until 6 November 2019.

Rail Corporation New South Wales (**RailCorp**) is the landowner of the Country Regional Network (**CRN**) railway lines across NSW. As of 15 January 2012, JHR has been appointed to manage the CRN. As such JHR is responsible for reviewing development applications, planning proposals and policies on lands adjoining the rail corridors to ensure that potential impacts to rail operations (current and future) are considered and addressed.

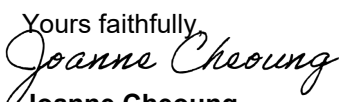
The Proposal seeks approval to construct and operate an Organic Recycling Facility. The Proposal will accept and process up to 35,000 tonnes per annum of food, garden and other organics. The proposed facility will utilise an enclosed facility to process these materials to produce various soil amendments suitable for use in landscaping and agricultural production. The Proposal would commence operation in parallel with the introduction of a food and garden organics kerbside collection service within the Tamworth Local Government Area (**LGA**).

The Land is immediately adjacent to the non-operational West Tamworth to Barraba rail corridor and the proposed facility is located over 600m from the Land's boundary along the rail corridor. Please note that this letter is prepared and provided on the basis of the following authority:

- *State Environmental Planning Policy (SEPP) (Infrastructure) 2007* (the ISEPP); and
- *Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)* (the Guideline) <http://www.rms.nsw.gov.au/documents/projects/guideto-infrastructure-development-near-rail-corridors-busy-roads.pdf>

As such, RailCorp and JHR request that should the DA be approved, Council and the Joint Regional Planning Panel – Northern must take into considerations comments and impose conditions outlined in **Attachment A**.

Thank you again for requesting JHR to comment on this Proposal. If you have any further questions, please contact the writer on (02) 9685 5092 at your earliest convenience.

Yours faithfully,

Joanne Cheoung
Commercial Property Analyst
John Holland Rail
Country Regional Network

Attachment A

Proposed Conditions of Consent

Please note: RailCorp is the rail authority for this section of railway line, however, JHR are responsible for the operation of the infrastructure and will take responsible for the review and approval of the following Conditions.

Fencing

Issue

The rail corridor is an unfenced rail corridor by the relevant legislation.

Recommended Condition

It is essential to prevent unauthorised entry. Accordingly, Council is requested to impose a condition that the boundary fences along the rail corridor should be installed and maintained during construction and operation in accordance with JHR's engineering standards which are available at <http://jhrcrn.com.au/media/2071/crn-cp-511-v1-1.pdf>.

In addition, the applicant is required to submit an application to install the boundary fences to JHR for its endorsement and for RailCorp's approval. Please advise the applicant to contact our Third party works team via CRN.3rdpartyworks@jhgc.com.au for more information and also refer the applicant to JHR website; <http://www.jhrcrn.com.au/what-we-do/property-services/third-party-work-enquiries/>.

Finally, in order for the Applicant to install fencing along the rail corridor, the Applicant must provide us with a survey done by a registered surveyor to define the common boundary along the rail corridor and to obtain RailCorp's approval to the definition of the common boundary.

Noise, vibration & air quality

Issue

The Guideline provides that for development that is in or immediately adjacent to a rail corridor the consent authority must be satisfied that the development would not be adversely affected by rail noise, vibration or air quality due to the volume of traffic the rail line carries.

Comment

As the Land is immediately adjacent to the rail corridor, Council is requested to advise the Applicant that the Proposal will not be adversely affected by rail noise, vibration and air quality should the rail corridor become operational in the future.

Status of the rail corridor

Issue

As advised in my email dated 13 November 2019, the Environmental Impact Statement (EIS) does not contain information relevant to the rail corridor. In fact, the EIS does not have mentioned the rail corridor at all. the rail corridor is identified as Lot 1 DP 1077646, a title search of which indicates that the registered proprietor is State Rail Authority of NSW being a predecessor of RailCorp. A copy of the title search is **attached** for your information.

Conversely, a considerable portion of the rail corridor appears to have been used as an informal road named as Wallamore Road. In addition, the EIS states that Wallamore Road is owned by Tamworth Regional Council.

Recommended condition

As such, it is requested that Council provide us with evidence of any approvals between Council and TfNSW relating to use of the rail corridor as Wallamore Road.

From: Kate Wingett <kate.wingett@dpi.nsw.gov.au>
Sent: Friday, 24 January 2020 12:02 PM
To: Whale, Daniel; Lobsey, Sam
Cc: Byron Stein; Sarah Britton; Mather, Megan; Adam Bishop
Subject: TRC---DA-202-0138-284 Organic Recycling Facility, Gidley Appleby Road, Gidley - NSW DPI response

Dear Mr Whale and Mr Lobsey ,

On 5 November, 2019, NSW DPI recommended Tamworth Regional Council on DA-202-0138-284 to:
"seek(s) independent advice on animal biosecurity risks and mitigations from someone with expertise in poultry biosecurity. It is recommended that a suitably qualified expert with expertise in poultry biosecurity undertake a HACCP approach to identify potential biosecurity risks at every critical control point of the proposed facility and to identify actions to address these risks. "

This recommendation also highlighted the need to assess the animal biosecurity risks associated with this proposal, including vermin and wild bird control, animal disease spread to the neighbouring and local poultry farms and re-inoculation of the maturing compost.

On January 9, 2020 NSW DPI received " Report of Biosecurity Expert For: Adam Bishop Principal Environmental Consultant pitt&sherry Biosecurity Risk Assessment Proposed Organic Recycling Facility Gidley Appleby Road Gidley NSW DA2020-0138-284 Tamworth Shire" authored by Biosecurity Expert Dr. Peter C. Scott Scolexia Pty Ltd Animal and Avian Health Consultancy 16 Learmonth Street MOONEE PONDS Vic. 3039.

NSW DPI are satisfied that Dr Peter C. Scott's report addresses the issues raised by the NSW DPI on 5 November, 2019 in regards to animal biosecurity risk management associated with application DA-202-0138-284.

Kind regards,

Kate

Kate Wingett | Senior Veterinary Policy & Project Officer
NSW Department of Primary Industries | Biosecurity & Food Safety
161 Kite Street | Locked Bag 21 | Orange NSW 2800
T: +61 2 6391 3717 | M: 0438 549 459
E: kate.wingett@dpi.nsw.gov.au
W: www.dpi.nsw.gov.au/biosecurity



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Our ref: DOC19/1048223-2

Mr Dan Whale
Senior Development Assessment Planner
Tamworth Regional Council
Ray Walsh House, 437 Peel Street
Tamworth NSW 2340
trc@tamworth.nsw.gov.au

Dear Dan

Organic Recycling Facility Gidley - Development Application 2020-0138 – Designated Development – Lot 61 DP 707563, 284 Gidley Appleby Road, Tamworth

Thank you for your email dated 29 November 2019 seeking advice from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment (DPIE) regarding the review of the Category 1 – Exempt land assessment associated with the Organic Recycling Facility at Gidley, Tamworth.

BCD has reviewed the documentation and is satisfied that the consultant has demonstrated that the subject land could reasonably be considered as Category 1 - Exempt land (within the meaning of the *Local Land Services Act 2013*). Therefore, the proposed development does not trigger entry into the Biodiversity Offset Scheme.

If you have any questions about this advice, please do not hesitate to contact Helen Knight, Conservation Planning Officer, via helen.knight@environment.nsw.gov.au or (02) 6883 5327.

Yours sincerely

A handwritten signature in black ink that reads 'Renee Shepherd'.

5 December 2019

Renee Shepherd
A/Senior Team Leader Planning – North West
Biodiversity and Conservation Division

Coyle, Jai

From: fiona@tamworthlalc.com.au
Sent: Wednesday, 27 November 2019 4:16 PM
To: Development; Council External Email
Subject: FW: Organic Recycling Facility - Notification of Development Application Lodgement this week.
Attachments: Notification of Development Application Lodgement for Organic Recycling Facility - 23 September 2019.pdf
Categories: **PLANNING REQUEST**

From: Brittni Wann <admin@tamworthlalc.com.au>
Sent: Wednesday, 27 November 2019 11:02 AM
To: 'Fiona Snape' <fiona@tamworthlalc.com.au>
Subject: FW: Organic Recycling Facility - Notification of Development Application Lodgement this week.
Dear TRC

Tamworth LALC have no objection to the DA – however when work commences TLALC request that a sites officer be on site

Regards

Fiona Snape
CEO
Tamworth Local Aboriginal Land Council
PO Box 57
Tamworth NSW 2340
Phone: 02 6766 9028
Fax: 02 6766 9036
Mobile: 0458 764 197



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From: Council External Email <trc@tamworth.nsw.gov.au>
Sent: Monday, 23 September 2019 5:35 PM
Subject: Organic Recycling Facility - Notification of Development Application Lodgement this week.

Hello,

Tamworth Regional Council (Council) has been working towards lodging a Development Application for the proposed Tamworth Organic Recycling Facility, located at 284 Gidley Appleby Road.

You are receiving this email as you have previously expressed your interest in being provided with any Project updates.

Council wishes to advise that a Development Application will be lodged some time this week.

Please see attached letter for your reference.

Any submissions or enquiries regarding the Development Application must be made in writing to development@tamworth.nsw.gov.au or PO Box 555, Tamworth, NSW, 2340.

Alternatively, you may contact Development and Approval Support Officers on (02) 6767 5555.

Thank you for your interest and feedback about the proposal to date.

Kind Regards,

Megan Mather | Senior Environmental Officer

Contact: Development and Approval Support Officers on (02) 6767 5555.



Coyle, Jai

From: David Thomas <David.Thomas@waternsw.com.au>
Sent: Friday, 10 January 2020 11:09 AM
To: Whale, Daniel
Subject: Fw: Tamworth Organics Recycling Facility - DA2020-0138 - 284 Gidley Appleby Rd Gidley NSW
Attachments: Environmental Impact Statement.pdf

Hello Daniel,

The proponent will need to apply for a water supply work approval (commercial purpose). The works under that application can include the existing bore plus any proposed new bores.

If this process is not integrated development, then WaterNSW will need to advertise any such application. In the ongoing drought conditions, some applications for groundwater works have been receiving objections. This can prolong assessment of an application.

Any application, integrated or not will probably need to be referred to Department of Planning, Industry and Environment (DPIE) for a groundwater assessment for an extraction limit. If the applicant is located in the Peel Alluvium, there is no guarantee that an extraction limit will be recommended.

Regards
David

David Thomas
Water Regulation Officer
Assessments & Approvals

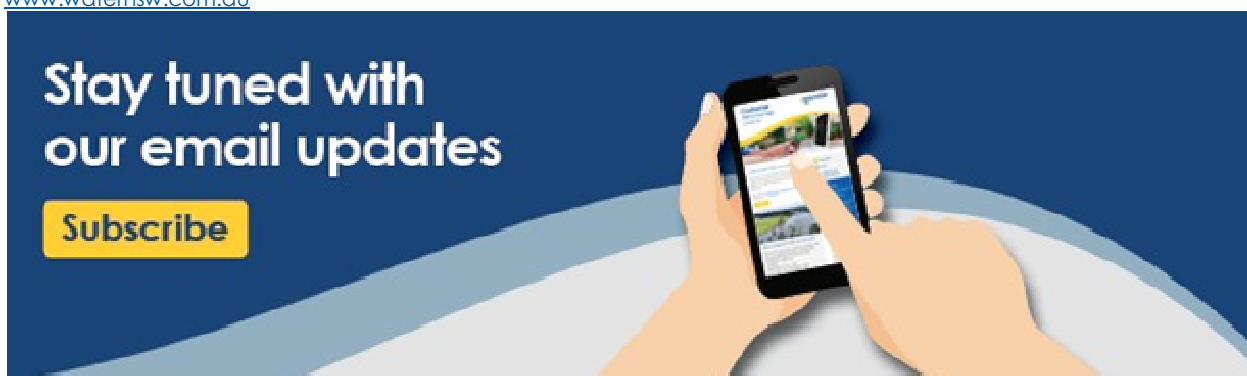


170 Peel Street
Tamworth NSW 2340

T: 02 6763 3903

david.thomas@waternsw.com.au

www.waternsw.com.au



From: Assessments and Approvals Information Request <AandA.InformationRequest@waternsw.com.au>
Sent: Thursday, January 9, 2020 1:19 PM
To: David Thomas <David.Thomas@waternsw.com.au>
Cc: Tracie Scarfone <Tracie.Scarfone@waternsw.com.au>; Assessments and Approvals Information Request

<AandA.InformationRequest@waternsw.com.au>

Subject: FW: Tamworth Organics Recycling Facility - DA2020-0138 - 284 Gidley Appleby Rd Gidley NSW

Hi David,

Can you help with the email request from Daniel Whale in regards to a DA please. Email below.

Thank you,

Ramona Nica

From: Ben Hanks <Ben.Hanks@waternsw.com.au>

Sent: Friday, 20 December 2019 4:37 PM

To: Assessments and Approvals Information Request <AandA.InformationRequest@waternsw.com.au>; Whale, Daniel <d.whale@tamworth.nsw.gov.au>

Subject: FW: Tamworth Organics Recycling Facility - DA2020-0138 - 284 Gidley Appleby Rd Gidley NSW

Good afternoon Daniel,

I am on annual leave soon and realistically – I won't be able to look at this matter before I go on leave. I have forwarded this matter to the WNSW Water Regulation Group email for reassignment.

I am out of the office til 28 January.

Regards,

Ben

Ben Hanks

Snr Water Regulation Officer



170 Peel St

TAMWORTH NSW 2340

T: 02 6763 3901 M: 0429 365 213

ben.hanks@waternsw.com.au

www.waternsw.com.au

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our email updates

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From: Whale, Daniel <d.whale@tamworth.nsw.gov.au>

Sent: Thursday, 19 December 2019 3:26 PM

To: Ben Hanks <Ben.Hanks@waterNSW.com.au>

Subject: Tamworth Organics Recycling Facility - DA2020-0138 - 284 Gidley Appleby Rd Gidley NSW

Hi Ben,

Just wanting to touch base with you regarding the subject DA currently under the assessment of Council and whether or not you (or any of your counterparts) have been involved in discussions surrounding the proposed organics recycling facility? The development will be heavily reliant upon bore water to supply necessary quantities of water for the proposed operations. The applicant has identified that an existing bore located on site (stock & domestic) would either need to be upgraded to increase capacity (which would also likely trigger a change in the licence type to commercial??), or alternatively a new bore would need to be sunk with a commercial type licence.

Council has received several submissions from concerned community members regarding water availability and the ongoing security of supply for both the proposed facility and surrounding water users once the development comes online in the future (if approved).

Happy for you to contact me any time regarding the above. I have attached a copy of the EIS for this development for your perusal.

Kind Regards,

Dan Whale Ph: 67 67 5532

Senior Development Assessment Planner

Tamworth Regional Council

Email: d.whale@tamworth.nsw.gov.au



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File No: NTH19/00240
Your Ref: DA 2020-0138

General Manager
Tamworth Regional Council
Ray Walsh House
437 Peel Street
TAMWORTH NSW 2340

Attention: Dan Whale

Dear Sir / Madam,

Re: Development Application 2020-01-38 Organic Recycling Facility Lot 61 DP707563 284 Gidley Appleby Road Gidley.

I refer to your email of 26 September 2019 requesting comment from Roads and Maritime Services in relation to the abovementioned development application.

Roles and Responsibilities

The key interests for Roads and Maritime are the safety and efficiency of the road network, traffic management, the integrity of infrastructure and the integration of land use and transport.

Oxley Highway and Manilla Road are classified (State) roads under the *Roads Act 1993* (Roads Act). Tamworth Regional Council is the roads authority for all public roads (other than freeways or Crown roads) in the local government area pursuant to Section 7 of the Roads Act.

Roads and Maritime is the roads authority for freeways and can exercise roads authority functions for classified roads in accordance with the Roads Act. Any proposed works on a classified (State) road will require the consent of Roads and Maritime and consent is provided under the terms of a Works Authorisation Deed (WAD).

In accordance with Clause 104 of *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) Roads and Maritime is given the opportunity to review and provide comment on the subject development applications as it meets the requirements under Schedule 3.

Roads and Maritime Response

Roads and Maritime has reviewed the referred information and provides the following comments to assist the consent authority in making a determination;

- The existing intersection of the Oxley Highway and Appleby Lane was assessed as having an Austroads BAR and BAL facilities for turning traffic. It only has a widened sealed western shoulder and AUL(s). The widening for what might accommodate a BAR will need to be confirmed that it meets the required design and pavement standard for a BAR. The existing line marking will need to be amended to indicate it can be used by through traffic to pass a turning vehicle.
- Intersection of Manilla Road and Appleby Lane was assessed as having a CHR and AUL. It appears from the photos in the TIA there is only an existing southbound right-turning facility and no northbound AUL for left-turning traffic. The TIAs traffic distributions (Fig. 20) for 2029 indicates an Austroads AUL(s) is required.
- Any further development in the area could trigger a need to upgrade the existing Appleby Road connections to the Oxley Highway and Manilla Road to higher standards in the future due to the limited remaining capacity of these intersections.

- The only swept paths in the TIA indicated a conflict will occur between B-Doubles entering and exiting towards Appleby Road because of the width of the Appleby Gidley Road at the access. No other swept paths were provided for the other key intersections along the transport routes between the Oxley Highway and Manilla Road. All vehicles should be able to enter and exit the site safely.
- No consideration was given to mitigating any impacts on existing school bus routes along the proposed transport routes.
- Construction of the proposed facility will increase turning traffic at key intersections, especially the Oxley Highway and Appleby Lane. The Traffic Management Plan (TMP) will need to consider how these impacts will be safely managed.
- A Road Occupancy Licence (ROL) will be required from Roads and Maritime for any traffic control measures implemented at these intersections.

Should the consent authority wish to condition the preparation of a Code of Conduct for the construction and operations of the facility, this could include, but not be limited to;

- a. A map of the primary haulage routes highlighting critical locations.
- b. Safety initiatives for haulage through residential areas and/or school zones.
- c. An induction process for vehicle operators & regular toolbox meetings.
- d. A complaint resolution and disciplinary procedure.
- e. Any community consultation measures for peak haulage periods.

All works on the classified (State) road will need to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and Roads and Maritime Supplements.

Should the Consent Authority require works on the classified State road, then the developer will be required to enter into a Works Authorisation Deed (WAD) with Roads and Maritime for any works deemed necessary on the classified (State) road. The developer will be responsible for all costs associated with the works and administration for the WAD.

It is recommended that developers familiarise themselves with the requirements of the WAD process. Further information can be accessed using the following link:

<http://www.rms.nsw.gov.au/projects/planning-principles/index.html>


Advice to the Consent Authority

The Oxley Highway and Manilla Road are important movement corridors in the State and for the local transport network. They are approved for B-Double use. The proposed development will increase turning traffic along its transport route. All of the roads assessed have a 100km/h speed limit. B-Doubles require greater headway gaps, sight distances, swept paths and turning storage which has an impact on road safety and transport.

Any further development in the area could trigger a need to upgrade the existing Appleby Road connections to the Oxley Highway and Manilla Road to higher standards in the future due to the limited remaining capacity of these intersections.

Upon determination of the application it would be appreciated if Council could forward a copy of the approval for our records. If you have any further enquiries regarding the above comments please do not hesitate to contact Greg Sciffer, Development Assessment Officer on (02) 6640 1362 or via email at: development.northern@rms.nsw.gov.au

Yours faithfully



For Matt Adams
Manager Land Use Assessment, Northern
28 October 2019



Natural Resources Access Regulator

Contact: Chris Binks
Phone: 67631465
Fax:
Email: chris.binks@nrar.nsw.gov.au

The General Manager
Tamworth Regional Council
PO Box 555
TAMWORTH NSW 2340

Our ref: IDAS1120143
File No: V19/871-4#82
Your Ref: DA2020-0138

12 December 2019

Attention: Dan Whale

Dear Dan

Re: Integrated Development – for controlled activity described as: Organic Recycling Facility.

Located at: 284 Gidley Appleby Road GIDLEY .

Natural Resources Access Regulator (formerly the Department of Industry - Water) has reviewed documents for the above development application and considers that, for the purposes of the *Water Management Act 2000* (WM Act), a controlled activity approval is not required and no further assessment by this agency is necessary.

The proposed activity is **not occurring on waterfront land** which includes:

- (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or
- (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or
- (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).

Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then NRAR should be notified.

Further information on controlled activity approvals under the WM Act can be obtained from NRAR's website: www.water.nsw.gov.au go to *Water licensing > Approvals > Controlled activities*.

Please direct any questions regarding this correspondence to Chris Binks by email to chris.binks@nrar.nsw.gov.au.

Yours sincerely

 **Rachel Daley**
- Water Regulation
Natural Resources Access Regulator