



Contact: Ben Hanks
Email: ben.hanks@waternsw.com.au
TRC ref: DA2020-0138
File No:

Megan Mather
Snr Waste Management Officer
Tamworth Regional Council
Via email only – M.Mather@tamworth.nsw.gov.au

27 May 2020

Dear Megan,

Re: Organic Recycling Facility, proposed to be located at 284 Gidley Appleby Road, Gidley, NSW, 2340

WaterNSW would like to thank Tamworth Regional Council for the opportunity to comment on the proposed organic recycling facility currently under development assessment.

WNSW notes the comments of the Northern Regional Planning Panel dated 20 February 2020, reproduced below:

"certainty of water sources to meet operational needs of the proposal and evidence that the proposed sources would be acceptable to Water NSW".

Tamworth Regional Council will therefore need to seek advice on obtaining a water supply work approval and linking this approval to a Water Access licence (WAL) as per the requirements of the *Water Management Act 2000* (the WM Act).

Requirement to obtain a Water Supply Work Approval

WaterNSW are currently operating according to the WaterNSW Operating Licence 2017-2022. This operating licence specifies, in part, the division of customers between WaterNSW and the Natural Resource Access Regulator (NRAR) in relation to applications for water supply work approvals. Under the Operating Licence Tamworth Regional Council (and Councils in general) are a customer of NRAR.

In discussions with you about this facility it was apparent that Tamworth Regional Council intends to construct and use several items that meet the definition of water supply works as per the WM Act.

As such the comments of the Northern Regional Planning Panel (above) are best directed to NRAR. For any water supply works such as pumps, pipes, bores or dams that are proposed to be used to extract water from a water source for this facility, Tamworth Regional Council will need to seek advice and if necessary make application to NRAR for a water supply works approval for these works.

Requirement for a Water Access Licence

A water supply work approval does not provide the approval holder with a right to take water unless the approval holder also has a WAL. The WAL must be of sufficient volume, located in the correct water source and be linked to the relevant water supply work approval prior to any water being extracted.

Tamworth Regional Council would need to undertake an analysis of how much water is required to be used on site, and then make application to link that volume of water to the water supply works approved by NRAR. The volume of water able to be extracted from the authorised works would also be reliant on the extraction limit (if any) placed on the water supply work approval by NRAR.

Applications to link WALs to water supply work approvals are referred to as 'Dealings' and all applications for dealings in NSW are made to WaterNSW.

Additional information about dealings is located on our website

<https://www.waternsw.com.au/customer-service/water-licensing/dealings-and-trade>

You can obtain further information about this letter by contacting WaterNSW on 1300 662 077 or email customer.helpdesk@waternsw.com.au.

Yours Sincerely,



Ben Hanks
Snr Water Regulation Officer
Customer Assessments and Approvals Team
WaterNSW



4 September 2020

File No: NTH19/00240/04

Your Ref: DA2020-0138

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

Attention: Mitch Gillogly – Team Leader – Development Assessment

Dear Sir / Madam,

**RE: Development Application 2020-0138 – Additional Traffic Impact Assessment
Lot 61 DP 707563; 284 Gidley Appleby Road, Gidley.**

I refer to your email of 21 August 2020 requesting further comment from Transport for NSW in relation to the abovementioned development application.

From 1 December 2019, all functions and responsibilities of Roads and Maritime Services will now be vested in an integrated Transport for NSW (TfNSW). Our key interests are for the safety and efficiency of the transport network, the integrity of State infrastructure and the integration of land use and transport in accordance with Future Transport Strategy 2056.

It is understood that the Consent Authority has requested the applicant to respond to TfNSW comments of 6 July 2020 relating to key intersections along the identified transport routes. TfNSW has reviewed the additional information and provides comment in **Attachment A** to assist the Consent Authority in making a determination.

If you have any further enquiries regarding the above comments please do not hesitate to contact the undersigned on (02) 6640 1362 or via email at: development.northern@rms.nsw.gov.au

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Matt Adams'.

Matt Adams
Manager Land Use Assessment
Regional Customer Service Northern
Regional and Outer Metropolitan
Transport for NSW

Enc. Attachment A

ATTACHMENT A - Further comment relating to DA2020-0138 - Tamworth ORF Gidley

For context, this attachment must be read with TfNSW letter of 4 September 2020.

The following comments relate to the corresponding numbered items in Pitt & Sherry's response of 18 August 2020 and include general advice to inform the Consent Authority's determination where any works are required in relation to a classified road;

1. Oxley Highway and Appleby Lane intersection

The TIA proposes line marking of the existing widened shoulder opposite the Oxley Highway and Appleby Lane intersection to achieve a minimum Austroads basic right-turn (BAR) treatment and address the increase in turning traffic over the life of the development. The impacts arising from the transfer of highway traffic onto the shoulder are proposed to be managed by routine monitoring for pavement defects and intervention to re-construct pavement where defects are identified.

The existing widened shoulder currently supports existing property accesses and a bus stop facility. Any proposed changes to the intersection must consider the ongoing safe operation of these property accesses and the bus stop facility.

Drawing no. SY220054-P02 identifies the extent of the line-marking proposed to formalise the BAR treatment over the existing road shoulder. The extent of a BAR treatment is determined by the relevant design vehicle and the Oxley Highway is a gazetted route for B-doubles. Where the existing shoulder pavement does not provide the required geometry there will be an increased risk of pavement impacts and safety concerns for through traffic passing turning vehicles, particularly where relevant design vehicles are unable to pass in the 100km/h speed environment.

It is noted that previous intersection improvements delivered by TfNSW have provided pavement widening and the warranted left turn treatment. The proposed approach to monitor pavement impacts does not provide certainty of how and when the applicant would be required to intervene.

TfNSW recommends that the Consent Authority condition a requirement for the warranted BAR treatment. As the intersection supports B-doubles, the Consent Authority should obtain strategic drawings and swept path analysis demonstrating that the required pavement geometry will be available for the warranted treatment, including any adjustments to road shoulders and drainage, prior to any change in line-marking. Where shortfalls in geometry are identified then such shortfalls must be addressed by suitable pavement upgrades prior to the commencement of development traffic. Note general advice below with respect to works.

2. Manilla Road and Appleby Lane intersection

The TIA identifies the proposed increase in vehicles turning at the Manilla Road and Appleby Lane intersection, when combined with background traffic volumes, will meet the warrants for an Austroads shortened auxiliary left-turn (AUL-S) treatment. The TIA proposes not to provide the warranted turn treatment and to introduce additional traffic under existing conditions. The TIA proposes advanced warning signage and ongoing monitoring of safety performance to manage the increased risk of rear-end crashes in the 100km/h speed environment.

It is noted that previous intersection improvements delivered by Council have achieved the warranted right-turn treatment. Drawing no. SY20054-P04 demonstrates the warranted left-turn treatment within the road reserve, but does not identify the extent of property acquisition required to achieve the upgrade. The TIA identifies property acquisition as the key challenge to achieving the warranted treatment and TfNSW acknowledges the potential timeframe required to complete acquisition. TfNSW sees merit in the proposed interim management measures as the applicant is the Roads Authority with respect to acquisition, and has the capacity to monitor road performance and deliver a future upgrade.

The interim measures are reliant on available sight lines and driver awareness in the 100km/h environment. There is a risk that through traffic may attempt to overtake slow moving heavy vehicles turning from Manilla Road. Noting the proposed approach does not provide certainty of how and when the applicant will be required to provide the warranted treatment, TfNSW recommends the Consent Authority identify the proposed timeframe for completing the warranted treatment.

TfNSW recommends that the warranted AUL-S treatment be provided to accommodate the increase in turning traffic. Any condition of consent should specify the timeframe for completing the upgrade. Where interim measures are approved to manage the increase in turning traffic under existing conditions, then the Consent Authority should be satisfied of the level of risk and an independent Road Safety Audit can be obtained to inform a decision.

3. Appleby Lane and Gidley Appleby Road intersection

The TIA identifies constraints to road pavement geometry and applicable sight distances at the Appleby Lane and Gidley Appleby Road intersection. Both intersections are local roads and the Consent Authority should seek the advice of the Roads Authority with respect to these roads. TfNSW supports any the proposed advanced warning signage and maintaining minimum sight distances from a road safety perspective. Where practicable, the minimum intersection treatments should be required.

4. Site Access and Gidley Appleby Road intersection

TfNSW acknowledges the proposed changes to the site access on Gidley Appleby Road. TfNSW supports the Consultant's recommendation for advanced warning signs to heighten driver's awareness of the access.

General Advice to the Consent Authority

TfNSW highlights that in determining the application under the *Environmental Planning and Assessment Act 1979*, it is the Consent Authority's responsibility to consider the environmental impacts of any roadworks which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of project approval.

Any roadwork on classified (State) roads is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and [TfNSW Supplements](#).

The developer will be required to enter into a Works Authorisation Deed (WAD) with TfNSW for any roadwork deemed necessary on the classified (State) road. The developer will be responsible for all costs associated with such roadwork and administration for the WAD. It is recommended that developers familiarise themselves with the requirements of the WAD process. Further information can be obtained from the TfNSW [website](#).