



16 April 2026

The Planning Secretary
NSW Department of Planning, Housing and Infrastructure
Via Major Projects NSW Planning Portal

Dear Sir/Madam

**Comment Submission –
State Significant Development Modification Application MP05_0099-Mod-2 -
Beach Road, Gerroa - Regional Quarries & Concrete Pty Limited**

Reference is made to the above-mentioned application and request for Advice on Draft Conditions of Approval made by NSW Department of Planning, Housing and Infrastructure (DPHI) on 07 April 2026.

It is noted that the requested information detailed within Council resolution 25/373OC, has not been addressed in full through the Modification Report submitted for MP05_0099-Mod-2 or as amended.

Engineering staff have reviewed the Supplementary Submissions Report. It has been advised that Section 2.2 of the Supplementary Submissions Report stated that the use of greater proportion of larger vehicle configurations will not increase impact on road pavements for an equivalent tonnage of material transported, however no project/site specific data (ESA per annum) was provided to demonstrate this.

The proponent should determine how much the pavement design life will be reduced by if the modification is granted. Section 7.1 of Austroads Publications (Guide to pavement technology part 2) requires the assessment to give consideration to the number of trips required to transport the freight as the number of trips is inversely related to the payload, not only to the damage due to a single vehicle pass (e.g. ESA). Council needs to understand the impact to pavement based on cumulative ESA. The pavement deterioration is not a linear figure per annum (for example: if the pavement design life will decrease by 10% in the first year this doesn't mean that the pavement design life will decrease by 30% in 3 years' time).

It is suggested that the proponent provide project specific data based on the above and determine the decrease to the pavement life cumulatively in accordance with Austroads Publications – Part 2 – Guide to Pavement Technology.

In the circumstance that the requested information is not provided prior to determination and further assessment is a condition of the approval, it is requested that DPHI consider the following amendments to the Draft Conditions in red below:

32B. The Proponent must:

- a) **Engage a suitably qualified Engineer to prepare a Pavement Condition Assessment of the routes on existing local council roads (identified in the traffic safety and assessment per condition 32A) to determine the impacts of increased heavy vehicle**

load and whole of life road deterioration using project specific data based on the and determine the decrease to the pavement life cumulatively in accordance with Austroads Publications – Part 2 – Guide to Pavement Technology.

The condition assessment is to include (but not limited to) a cost assessment and schedule of the accelerated pavement deterioration, maintenance and end of life replacement required. The findings of the assessment must be submitted to the Department, TfNSW, KMC and SCC for information by 30 November 2026.

Amendments to Condition 9 are proposed where Kiama Municipal Council does not have a Section 94 Contributions Plan for the subject site (now Section 7.11). The Development Consent handed down by the Land and Environment Court (L&EC) had powers to impose a Section 94 contribution condition outside of an adopted contributions plan; the condition should 'stand alone':

Section 94 Contributions

9. The Proponent shall pay a contribution of:

- (a) 30 cents per tonne of material hauled from the site to SCC; and
- (b) 20 cents per tonne of material hauled from the site to KMC, for the maintenance/repair of public roads, to the satisfaction of the Planning Secretary.

Note: These contribution rates shall be paid **annually** and indexed in accordance with *ABS All Groups Sydney, from the date of the original determination until the date of payment the applicable Contributions Plan.*

Preference is made for the proponent to prepare the requested information prior to determination, to ensure suitability of the activity and application of the imposed conditions.

Should you have any questions or wish to discuss further, please do not hesitate to contact Brayden Stratford, Environment and Health Coordinator on 4232 0444 or by email council@kiama.nsw.gov.au.

Yours faithfully



Brayden Stratford
Environment & Health Coordinator