



19 March 2021

File No: NTH18/00059/10
Your Ref: DA282-11-2004-1-Mod 4

The Director
Industry Assessments
Planning Industry & Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Patrick Copas

Dear Sir,

RE: Response to Submissions – Modification (No 4) to Australian Bay Lobster Facility, Chinderah. 9484 Tweed Valley Way, Chinderah. Lot 1 DP1192506

I refer to your email dated 8 March 2021 requesting comment from Transport for NSW (TfNSW) in relation to the abovementioned development application. The matter referred is the Response to Submissions, and it was referred through the NSW Planning Portal.

As detailed in previous correspondence, the key interests of TfNSW 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*. Our roles and responsibilities in respect to State road infrastructure were clearly set out in our letter dated 28 August 2019.

Transport for NSW Response

TfNSW understands that the matter currently before us is the Response to Submissions (RTS) in relation to Modification 4 of the approved development for Australian Bay Lobster. In responding to this matter, reference is made to our previous letter dated 28 August 2019, and email from our Matt Adams to your Patrick Copas dated 15 February 2021.

TfNSW has reviewed the referred information and provides the following comments to assist the Consent Authority in making a determination.

1. It is noted that the Traffic Impact Assessment (TIA) has been updated. However, it does not appear to make reference to condition 4.34 and the current status of the Traffic Management Plan (TMP). With the modification proposed, there appears to be an uplift in traffic movements, and background traffic movements in this location have changed over the last 8 years, including completion of a northbound highway service centre and associated traffic facilities.

In this respect, it would be expected that the TMP be updated to reflect the projected increase/changes in traffic movements, and adjustments/mitigation measures relevant to the modification. If the TMP (construction and/or operational) has been updated, TfNSW would welcome an updated copy.

2. TfNSW Freight Branch have reviewed the amended TIA with respect to the impact of heavy vehicle movements on the Pacific Highway interchange. A number of comments and recommendations are provided in **Attachment A** to inform the Department's decision.
3. The matter of the site access licence has been referred to by the consultant (p 11) of *ablp* report. The status of that licence must be clarified in the final documentation prepared.
4. It is noted that flooding on and adjacent to the site is dealt with in conditions 4.13 – 4.16. TfNSW understands that the proposed approach is to fill the site, and that flood mitigation measures have been and will continue to be put in place. These measures must ensure that there is no adverse impacts on the M1 Pacific Motorway.
5. Finally, it would be appreciated if DPIE could undertake a compliance check to confirm if the original conditions of the consent have been met, particularly condition 4.34.

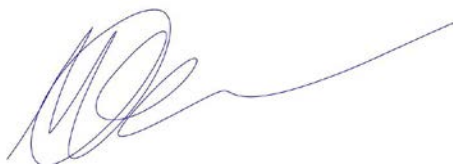
Any roadwork on classified (State) road/s is to be designed and constructed in accordance with the current Austroads Guidelines, Australian Standards and [TfNSW Supplements](#).

The developer will be required to enter into a Works Authorisation Deed (WAD) with TfNSW for any roadwork deemed necessary on the classified road. The developer will be responsible for all costs associated with the 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](#).

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.

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

Yours faithfully,



Matt Adams
Team Leader, Development Services
Community and Place | Region North
Regional & Outer Metropolitan
Transport for NSW

Attachment A – Comments from TfNSW Freight Branch

For context, this attachment must be read with TfNSW letter of 19 March 2021.

A1 - Comment

Page 16 states that there is anticipated 375,000m³ of fill material to be hauled to the site annually, and page 27 states that the modification requires the importation of approximately 2,000,000 m³ of fill over a five year period. However an annual haul rate of 375,000m³ will mean fill will be hauled over a period greater than a five years.

Recommendation

It is requested the proponent confirms the annual fill volume and over what period fill will be hauled to the site.

A2 - Comment

Page 17 states maximum fill haulage per day is 1,500t, and with an average pay load per vehicle of 33-35t, this generates up to 33 maximum loaded vehicles per day. However 1500t divided by 35t is 43 loaded vehicles per day.

Recommendation

It is requested the proponent confirm the maximum number of loaded vehicles per day as the current calculations may underestimate heavy vehicle trips to and from the site.

A3 - Comment

Page 17 states maximum fill haulage per day is 1,500t, generating up to 33 loaded vehicles per day. On page 27, it states that the proposal will require approximately 2,500t tonnes per day, equating to 56 loaded vehicles per day.

Recommendation

It is requested the proponent confirm vehicle generation figures for the proposal as the TIA contains two different figures.

A4 - Comment

Page 19 states that although an AUL treatment is warranted, the curvature of the highway off ramp means vehicles will generally turn from the through lane regardless of whether an AUL treatment is provided.

The current BAL layout means that loaded southbound heavy vehicles coming off the Pacific Motorway will be decelerating and turning from the through lane on Tweed Valley Way.

Considering the speed of the road (80km/h) and the number of heavy vehicles accessing the site, stronger justification is required of why an AUL treatment is not necessary. An AUL treatment will reduce conflict between the slow manoeuvring of turning heavy vehicles with following through traffic.

Recommendation

The proponent needs to clearly justify why an Austroads type AUL treatment is not required.