

Bob Thornton
Ballina Shire Council
PO BOX 450
Ballina
NSW 2478

Dear Mr. Thornton,

My name is Anna Edmonds and I am writing to you to express my concerns about the DA's: 1996/29 and 1996/30, regarding amendments to increase extraction at two current quarries.

My husband and I have been raising our young family in the town of Wardell for the past six years. Being long term residents of the Ballina Shire, we had to relocate to Wardell with the rising rental prices pushing us out. Being out of town, the lack of amenities for young families in the town has been a hardship that we have had to endure.

We have been extremely excited lately, as we have had new paths starting, a new park and jetty. I have especially enjoyed seeing other residents using the new amenities, talking, waving and smiling. It has definitely breathed new life into our community and people are getting out and about more.

My family and I are concerned that the increase in truck traffic (RTA estimates 54 trucks every hour) will dampen our new found community spirit and create safety concerns for our children, specifically:

- There is no pedestrian access for the paths across Carlisle street to follow the new paths out to the golf course, an intersection known locally for crashes as traffic routinely cut the corners.
- Our school buses that run from Wardell to Alstonville will be caught in truck traffic and subsequently our children may be late or have to cancel after school activities.
- Truck traffic and the narrow roads, which inhibit overtaking, will also delay travel times in getting to Lismore for employment.

In addition, living close to a highway we have dust problems. We have to vacuum the dust out of our house everyday, the dust collects on tables, floors, walls, everywhere and contributes to our children getting reoccurring chest and eye infections. I can't fathom what havoc any increase in this will have (maybe we will have to close all our doors and windows and save for air purifiers and air conditioners, which we can't afford to run).

Lastly, the increased traffic will increase the vibrations in our home. These vibrations already move all our ornaments in our display cabinets and rattle our windows. I fear an increase will mean we will have to stick our valuables down so they don't break if they move and bump into each other, and realign them daily.

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

enquiries refer

in reply please quote



As local residents, my family is concerned that we have not been consulted or involved in this process. Also, we are concerned that council is utilising outdated environment and traffic reports.

We ask that the council require updated reports and consult actively with our community so that we may participate in keeping our community on a positive track and reduce health and safety concerns that arise from these proposals. It would be a shame to negatively impact a community that has recently been an atmosphere of renewal.

Thank you for your time.

Yours Sincerely,

The Edmonds Family

Mrs. Anna Edmonds
Mr. Troy Edmonds
Miss. Jamie-Lee Edmonds
Miss. Jenavieve Edmonds
Mr. Justyn Edmonds
Mr. Jaydee Edmonds



LEGISLATIVE COUNCIL

URGENT

COPY

The Honourable Amanda Fazio MLC

Tuesday 14 September 2010

Hon. Tony Kelly MLC
Minister for Planning
Level 34
Governor Macquarie Tower
1 Farrer Place
SYDNEY NSW 2000

Dear Tony,

I have been forwarded urgent representations from Nicole Eldridge regarding a development application submitted to Ballina Shire Council for modification to exiting quarry operations along Carlisle Street, Wardell.

From the information provided by Ms. Eldridge, it seems the increase in truck movement will result in excessive noise and house movement resulting in damage to houses, as well as a major concern for residential safety, especially for the local children wishing to cross the street or play.

Ms. Eldridge has also written directly to Ballina Shire Council opposing the DA.

Please find attached a copy of this correspondence for your immediate consideration.

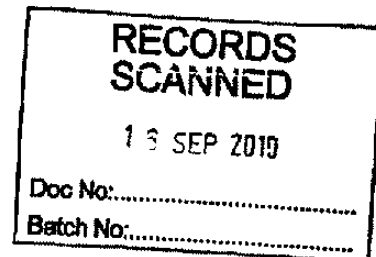
I look forward to your response. If you require any further information, please contact my office on 9230 3593.

Yours sincerely

Hon Amanda Fazio MLC

cc Hon. Barbara Perry MP
Minister for Local Government

~~Ballina Shire Council~~



PARLIAMENT OF NEW SOUTH WALES
Macquarie Street, Sydney, NSW 2000 Australia
Tel: 61 2 9230 3593 Fax: 61 2 9230 3591
email: amanda.fazio@parliament.nsw.gov.au

Peggy Georgiou - Re: Trucks along Carlilse Street Wardell

From: Amanda Fazio
To: nicole eldridge
Date: 14/09/2010 12:58 PM
Subject: Re: Trucks along Carlilse Street Wardell

Thanks Nicole,

I will make representations supporting your stance to Ballina Council, the Minister for Planning and the Minister for Local Government.

I will advise you once my office has received a response.

Regards

Hon Amanda Fazio MLC
President
Legislative Council of New South Wales

>>> nicole eldridge <nicoleeldridge@hotmail.com> 14/09/2010 11:01:08 am >>>
Hi Amanda,

As a member of the NSW ALP, I felt compelled to email you with a letter of objection I have sent to Ballina Shire Council in regard to a DA which I believe will be approved by Council very soon.

I have attached my letter of objection I hope you will look into the DA. Councillors believe 800 quarry trucks a day along a 50km residential street is reasonable!

I will contact Ballina Branch of the ALP in regard to this outrageous DA.

I look forward to reply and intervention.

Kind Regards,

Nicole Eldridge
50 Carlilse Street
Wardell
0416161824

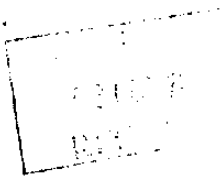
file:///D:/Temp/XPGrpWise/4C8F719EDOMGRP2POGRP2200200008112761C1\G... 14/09/2010

TechnoDocOne ECM Document Number: 162862

①

3.10.2010

Mark Hounis.
71 Carlisle St
Wardell.



Dear,

I am writing this letter to oppose the DA application 1996-29 and 1996-30.

It seems, that whenever the village of Wardell gets to it's feet it is pushed down again!

It doesn't seem that long ago, that, we residents of Wardell were told not to do any improvements to our properties, in the next few years, because there was a chance, the new highway was going straight through them (RTA)

Dodged a bullet.

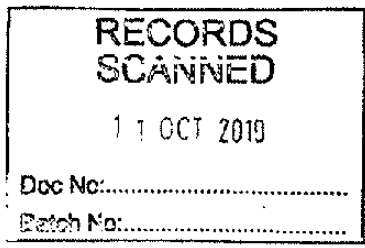
In the 1960's the village had the Pacific Highway barreling straight through the middle of it.

IS THIS the village 'The council forgot'?

The Cinderella of Ballina Shire?

I'm pleading with you to look for an alternative route, for the thousands of possible trucks, travelling along Carlisle St Wardell.

I am a shift worker, who lives on Carlisle st. I finish work at 11:00pm and get home close to 12:00pm. I wind down for a couple of hours before bed I'm woken some mornings as early as 6:00am. With changing truck trays and hydraulic braking.



②

It is not my choice to work nights, I have to pay the mortgage, on my house that has Huge Trucks passing it every morning.

If I knew there was a chance, there would be thousands more trucks passing. I wouldn't have purchased the property.

We can see that Ballina Council has put alot of effort into Wardell over the past few years, and we appreciate it ten fold. So why dress it up, to rip it down again, with something this extreme.

Picture this.

We are lying in our beds asleep. It's 6:00am Saturday morning. All of a sudden hammering sounds getting louder, as a truck approaches the Corvale / Bath at intersection. Louder and louder hammering of hydrolic brakes. Then a loud hiss of decompression. Here we go again.

The transfer of gearing up, and acceleration, as the truck speeds up. Louder and louder.

It now hits uneven road surface, and the back tray. WHAM! Steele on Steele. It's 6:00am now acceleration. Now comes the audible rattling of the windows. Louder and louder. Rattling, acceleration, clanging. Now the house is shaking (honestly). Too loud to sleep. Then goes away. Ten minutes later it starts all over again.

THERE MUST BE AN ALTERNATIVE ROUTE

(3)

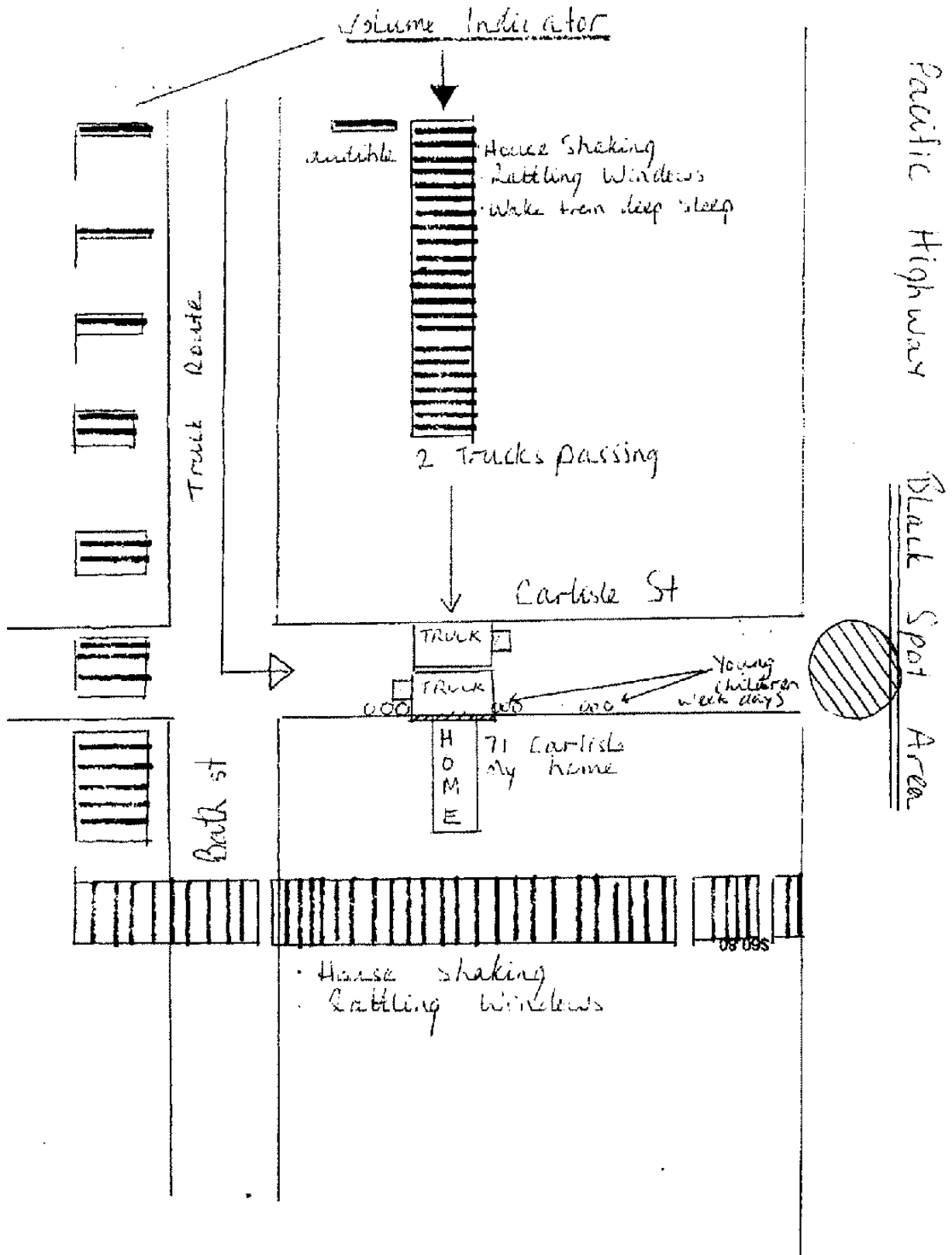
There is the Safety Factor to consider also. Not only lack of sleep and well being.

Sometimes trucks pass each other on Carlisle st going opposite ways, and the road isn't wide enough for both of them, so one goes onto the grass edge of my front lawn, where I have been walking my dog minutes before! In the week days this grass edge, has young children standing on it waiting for the school bus As many kids as 5 or 10. Its crazy to see these massive trucks going past kids, with only inches separating them. You get chills.

The intersection of Carlisle St and the Pacific Highway, is notorious for accidents. I've seen many. A car with three children in it, got T boned by another car doing 100 kmph. The kids were ok, but the young woman in the back of the other car, was thrown out onto the highway. unconscious. The driver was waiting in agony, with blood profusely pouring from his head. It is a noted Black Spot area.

Please Please address this issue with certainty. Wardell needs to be nurtured. It has so much potential as a jewel in the Shires crown. Think of Tourism and future family housing. I hope I've given you a little insight to our predicament. Thank you for your time Mark Haines

Mark Haines



8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

23/07/2010 10:04 0200032100

UNCL

PAGE 01/01

23/07/10
Bob Thorton
Ballina Shire Council

Kerry Kelly
705 Bagotville Rd
Bagotville 2477

Re DA 1996/29, DA 1996/30

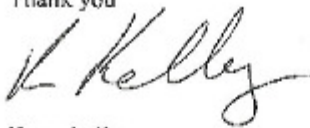
Dear Mr Thorton,

Please except this objection to the planed increase of extraction from quarries on Old Bagotville Rd. My reasons are as follows, the roads in this area are not suitable for any increase in traffic let alone trucks. Just have a look at the holes and patch work in the road over the Barrage.

Also this area has a significant kosla population which is already under threat.

Bagotville, Wardell and Meerschaum Vale are populated by families whos life style and safety will be at risk with the increase of heavy traffic. The speed limits on most of these roads remain at 100km. what a nightmare.

Thank you



Kerry kelly

pls respond to this letter .

8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**

Bob Thornton

DA1996/29 & DA1996/30

23 July 2010

Kerry Kelly
705 Bagotville Road
BAGOTVILLE NSW 2477

Dear Kerry

Council acknowledges receiving your letter dated 23 July 2010. It has been allocated document number 1589578 and forwarded to the Planning Section.

As this matter relates to the assessment of a development application (DA), you may view its progress at Council's DA on-line website: <http://da.ballina.nsw.gov.au>. Council will provide you with the outcome of the assessment, in writing, once the DA is finalised.

If you require any further information please contact the above section quoting the document number.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Paul Hickey', with a horizontal line underneath.

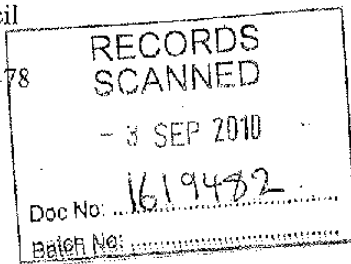
Paul Hickey
General Manager

ACKNOWLEDGED

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Cathrine Tarrant
42 Carlisle Street
Wardell NSW 2477
PO Box 334

29 August 2010



Dear Sir,

RE: Concerns regarding DA 1996/30 and 1996/29

1. I refer to the applications to modify Development Application 1996/30 and 1996/29 and request that Ballina Council consider the significant and long term impact this application has not only on the local residents of the Wardell village but also to the safety and well-being of my children.
2. I am a property owner and reside at 42 Carlisle Street, Wardell with my partner and our four children aged (3), (5), (11) and (16) years of age.
3. I have read and support the objections which have been lodged by members of the Wardell community and again refer Ballina Council to the hardcopy of those letters of objection since all data files relating to the DA have been removed from the Council's DA on-line website.
4. The application to modify is inconsistent with the vision of the Wardell community and the Ballina Council. The Ballina Council has defined Wardell as 'a village...the smallest urban centre in the Shire with an approximate population of 500 people'. Considerable time and money has been spent into the future planning direction for Wardell to improve the lifestyle of it's residents. This planning and vision is what led to my family locating to Wardell three months ago.
5. I am concerned to hear that Ballina Council had consented some time ago for Carlisle Street to be used as a primary haulage route for heavy vehicles to quarry materials to the Pacific Highway for the next 20 years. Unfortunately, this information was not provided to my family at the time we purchased our home and we now reside in a Street which is not only a tourist route and within close proximity to the Pacific Highway, but is also a main thorough fare for quarry trucks. The idea of my children being raised within a safe and 'village setting' now appears to be an illusion as there is potential for some 54 trucks per hour to be driving past my front door (refer to RTA letter dated 15 July 2010). I ask Council to consider the short term and long term impact that heavy vehicles will have driving past the front of my home every 70 seconds, 5 ½ days per week. I ask Council to consider all surrounding residents in this community and the detrimental effect it will have on our community.

1

6. I am concerned that Council has received these applications to modify the existing DA and that little community consultation has been held by Council to resolve the many issues which have been raised by the residents. I acknowledge that the material in these quarries is a much needed resource to build and maintain our roads however the current haulage route down Carlisle Street (through the village of Wardell) is unsafe and negligent.
7. I have been advised by Bob Thorton that Council is meeting on the 23 September 2010 to make a determination on the applications and that further objections need to be submitted prior to the Business Paper of 9 September 2010. I am therefore submitting this letter outlining my concerns and request that Ballina Council respond to each of these concerns prior to the Paper being prepared.
8. **Unresolved Concern - Traffic Impact Study dated April 2010 refers to outdated sources and is not representative of existing or future traffic conditions; the study significantly underestimates the impact on surrounding roads and the community.**

- 8.1 The Traffic Impact Study prepared by Ardill Payne and Partners on behalf of SEE Civil Pty Ltd fails to adequately describe the existing traffic and road conditions in the vicinity of the development and along the haulage routes. The study is isolated to the proposed development (Montis Quarry) and fails to mention the wider traffic network (i.e, likely impact of external quarries in the vicinity, cane industry). I refer Council to paragraph 2.2.3 of the Development Application which acknowledges that external parties also contribute to the road network.
- 8.2 Paragraph 3.1.3 of the Study states that 'Carlisle Street from Wardell Road to the Pacific Highway is a typical two lane urban street with a six metre wide bitumen seal and grass verges and shallow table drains each side. Carlisle Street is in good condition and has a speed limit of 50 km/h'. This description is incorrect and fails to acknowledge how conditions may be impacted over time. Carlisle Street is showing signs of fatigue as a result of the heavy vehicle movements. There are pot holes forming and the edging of the road is receding. There is no centre or road line markings, the shallow drains have inadequate fall resulting in saturation of surrounding areas and there are no kerbs or channelling.
- 8.3 At page 19 of the Study, it is stated that 'The additional traffic movements generated by the proposed development will be relatively minor when compared to the existing traffic volumes on surrounding roads'. The data submitted by Ardill Payne and Partners in Table 1 and 2 is not reliable as it is significantly outdated and does not reflect the current reality of the traffic volumes.

8.4 Paragraph 3.3 of the Study states that 'a longstanding resident and adjoining landowner, to his knowledge no accidents have occurred on Old Bagotville Road'. This information was obtained in 2005 by way of personal communications between the landowner and an Ardill representative. The information is out dated and does not reflect the wider view of the local community.

8.5 The Study states that 'the additional traffic will not impose any major social or physical detriment upon the local residents and road users' (refer to paragraph 5.3). It is evident in the letters of objection that the residents of Wardell consider there will be short term and long term social and physical detriment should these applications for modification be granted. I again refer Council to these objections which clearly describe the concerns of the Wardell community:-

- Objections to DA due to increase in noise pollution.
- Objections to DA due to increase in truck and dog and quarry related traffic.
- Objections to DA due to increase in air pollution.
- Objections to DA due to degradation of road surfaces.
- Objections to DA due to danger to community members.
- Objections to DA due to school bus route.
- Objections to DA due to speed at which trucks travel.
- Objections to DA due to environmental impact.
- Objections to DA due to pedestrian safety.
- Objections to DA due to haulage routes.
- Objections to DA due to operation times.
- Objections to DA due to heavy vehicle movements.
- Objections to DA due to impact on local residents.
- Objections to DA due to structural damage to property.
- Objections to DA due to property market decline.
- Objections to DA due to threat to fauna and flora.

9. **Unresolved Concern – Inadequate community consultation between the Ballina Shire Council and the Wardell Community to identify the concerns raised by residents.**

9.1 Despite numerous written objections being made to Council, there has been no attempt to negotiate solutions as part of reducing the impact these applications will have upon the residents and community as a whole.

10. **Unresolved Concern – Inability to access Public Information from Ballina Shire Council website.**

10.1 On 28 August 2010 I attempted to view the Ballina Shire Council DA's Online webpage and found that all documentation including the Development Application and letters of objection have been removed from this site therefore preventing myself and community members to ensure accuracy of information being presented to Councillors. This is concerning given that I was able to access this information on and prior to the 12 August 2010. I have since been advised that Council is under no obligation to list this information on-line for public viewing as the DA is an amendment to a 1996 Application.

11. **Unresolved Concern – Safety of my children when walking along Carlisle Street; this is one of the primary haulage routes.**

11.1 Carlisle Street has no bus shelter or footpath for my children to access their school bus routes (i.e. intersection of Pacific Way and Carlisle Street – ages 5 and 11; and intersection of Bath Street and Carlisle Street – age 16). There is no safe access route for my children and this is of significant concern to my family as the current road conditions are extremely dangerous due to the haulage operation time being within the school bus timetable.


11.2 My children cannot safely walk to the local park which has a newly built playground because of no safe access route and heavy vehicles using Carlisle Street. An increase to the heavy vehicles will increase the risk to my children when using the existing pathway which consists of the road itself, driveways, property accesses, grass verges and pipe crossings. The shallow drains cause rain/storm water to saturate the grassed pathway creating a hazard for our children as they are inclined to walk on the road rather than stand in pools of water.

11.3 I have observed other children who reside in Carlisle Street standing on the road while waiting for the school bus and being easily distracted while they play and talk with one another as there is no designated footpath or bus shelter for them to follow. They are often unaware of the dangers that present when heavy vehicles are approaching - I have observed these heavy vehicles (quarry trucks) to be travelling over the 50km/h speed limit.

11.4 I refer Council again to the RTA letter dated 15 July 2010 which states that 'If quarry operations were to operate simultaneously there will be potentially 54 truck movements per hour.' The potential of 54 trucks per hour (one every 70 seconds) is of great concern as this will increase the risk to my children while they wait for the school bus.

- 11.5 The 'Wardell Masterplan' indicates that there will be a shared pathway built in March 2011 at Bath Street and Carlisle Street. This design option/project description does not reduce the existing or future risks which are created by these heavy vehicles. To my knowledge there are no other plans (other than street lighting) to improve the access route on Carlisle Street.
12. I ask Council to consider all of the objections made by the residents of Wardell as well as the objections raised in my letter. I further ask Council to consider the following actions before making a determination on the application for modification to DA 1996/30 and DA 1996/29;
- 12.1 That the existing Traffic Impact Study be revoked by Council and that an independent body (external referral body) be appointed by Council to carry out a thorough Traffic Impact Study that is relevant to the current traffic conditions impacting on local residents within the existing vicinity of the sites, surrounding areas and the haulage routes.
- 12.2 That the Traffic Impact Study include the cumulative impact of all operating quarries including any pending applications to extract or increase extraction of materials in this vicinity. That the Study also include the additional impact of other heavy vehicle movements such as cane hauling and support trucks for quarrying.
- 12.3 That future monitoring of existing traffic be conducted in a manner that excludes the possibility of quarry related haulage trucks taking alternative routes when they know when traffic counting is being conducted at a particular route. This is for the purpose of acquiring data which adequately reflects the actual traffic movements.
- 12.4 That the independent body (external assessor) of the Traffic Impact Study not have any conflict of interest or pre-existing history with either party (i.e. connection to Ballina Council or the Applicant which is noted within the existing Study).
- 12.5 That Council initiate a formal community consultation process with residents of the Wardell community and surrounds with the aim of identifying the concerns and identifying possible amicable solutions to reduce the impact on the local community.
- 12.6 That Council staff involved in the consultation process have knowledge of the local geography, traffic and living conditions in the community.
- 12.7 That the Council extend the date for determination pending the completion of the independent Traffic Impact Study and community consultation process.

Regards,


Cathrine Tarrant

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Copies of this objection letter have been forwarded to:

council@ballina.nsw.gov.au
Ballina@parliament.nsw.gov.au
Janelle.Saffin.MP@aph.gov.au
major@ballina.nsw.gov.au



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

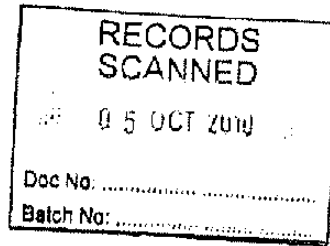


DON PAGE, M.P.
MEMBER FOR BALLINA

OFFICE: Shop 1
7 Moon Street
Ballina NSW 2478
PHONE: (02) 6686 7522
FACSIMILE: (02) 6686 7470
MAIL: PO Box 1018
BALLINA NSW 2478
WEBSITE: www.donpage.com.au

29 September 2010

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Dear Mr Hickey

I am making representations on behalf of Ms Bonita Avery of 85 Carlisle Street, Wardell 2477 regarding Development Applications 1996/29 and 1996/30.

I enclose a copy of correspondence received from Ms Avery expressing concern at the time and frequency of quarry "truck and dogs" passing her home. Ms Avery believes she is experiencing well beyond the current Development Application limits.

Ms Avery also raises a number of issues in her correspondence and it would be appreciated if you could arrange to look into these and advise me of the outcome so that I may respond to her.

Thank you for your assistance in this regard. I look forward to hearing from you.

Yours faithfully

Don Page MP
MEMBER FOR BALLINA

encl.
DP:tg

From: "Avery, Bonita" <Bonita.Avery@det.nsw.edu.au>
To: "bobt@ballina.nsw.gov.au" <bobt@ballina.nsw.gov...>
Date: 27/09/2010 8:44
Subject: Quarry trucks 5:47am

CC: "stephenr@ballina.nsw.gov.au" <stephenr@ballina...>
Dear Bob,

Please accept this as my further complaint in relation to the Quarries at Old Bagotville and the related Development Applications 1996/29 & 1996/30.

The first of the quarry 'truck and dogs' passed my home at 85 Carlisle Street Wardell at 5:47am this morning. This was then followed by a further 14 'truck and dogs' before 7am. My understanding is that the current DA limits the truck numbers to 80 per week. We are experiencing WELL beyond these numbers.

The Quarry traffic going through a residential area at the numbers, speeds and times that we are experiencing is unacceptable.

Please respond as to;

•
What action the Council has taken to rectify times of operation?

•
What action the Council has taken to rectify the heavy volume of quarry traffic?

•
If the council is powerless to address these breaches of the current DAs, I would like some direction on who I should be addressing my complaints to.

•
What consideration has Council given to the fact that these DAs refer to only 2 of the quarries at Old Bagotville?

Also;

•
Does the Council own one of the quarries at Old Bagotville and what are the Council's plans to begin extraction from this quarry?

•
Has (as is rumoured), the Council approached the Jali Land Council to lease and begin extraction on their quarry?

Thanking you in anticipation of a response.

Bonita Avery
hm 66879 532 mob 0402 589 044

.....
This message is intended for the addressee named and may contain
privileged information or confidential information or both. If you
are not the intended recipient please delete it and notify the sender.
.....

From: "Avery, Bonita" <Bonita.Avery@det.nsw.edu.au>
To: "bobt@ballina.nsw.gov.au" <bobt@ballina.nsw.gov...>
Date: 27/09/2010 10:41
Subject: 80+ Quarry trucks reached befor 10:30am

CC: "stephenr@ballina.nsw.gov.au" <stephenr@ballina...>
Dear Bob,

Please accept this as my further complaint in relation to the Quarries at Old Bagotville and the related Development Applications 1996/29 & 1996/30.

There have been in excess of 80 quarry 'truck and dogs' past my home at 85 Carlisle Street Wardell by 10:30am on Monday morning. My understanding is that the current DA limits the truck numbers to 80 per week. It would be nice to think that this now means we will have a truck free rest of the week...

The quarry traffic going through a residential area at the numbers, speeds and times that we are experiencing is unacceptable.

Thanking you in anticipation of a response.

Bonita Avery

hm 66879 532
mob 0402 589044 / 0448 879 532

.....
This message is intended for the addressee named and may contain
privileged information or confidential information or both. If you
are not the intended recipient please delete it and notify the sender.
.....

From: "Avery, Bonita" <Bonita.Avery@dot.nsw.edu.au>
To: "stephenr@ballina.nsw.gov.au" <stephenr@ballina...>
Date: 18/09/2010 6:42
Subject: Quarry trucks 5:52am on a SATURDAY

CC: "mayor@ballina.nsw.gov.au" <mayor@ballina.nsw.g...>
Dear Stephen & Bob,

Please accept this as my further complaint in relation to the Quarries at Old Bagotville and the related Development Applications 1996/29 & 1996/30.

The first of the quarry 'truck and dogs' passed my home at 85 Carlisle Street Wardell at 5:52am on a SATURDAY morning. This was then followed by 5:54, 5:55 and 6:03... This was not the way most residents of a village would be expected to be awoken on a Saturday morning.

The Quarry traffic going through a residential area at the numbers, speeds and times that we are experiencing is unacceptable.

The first (and second) of the outbound, loaded trucks just passed my door at 6:31am. This is clear evidence that the Quarry is operating outside its legal operating hours.

I would like to know what the council has done to date to rectify this situation, what is being planned to address our concerns and, if the council is powerless to address this, I would like some direction on who I should be addressing my complaints to.

Bonita Avery
hm 66879 532 mob 0402 589 044

16/9/2010

Dear Stephen,

Please accept this as my complaint that the first of the quarry 'truck and dogs' passed my home at 85 Carlisle Street Wardell at 5:49am. Trucks then continued at a rate of 2x5:59, 1x6:07, 1x6:14, 1x6:16, 1x6:26, 3x6:27 and so on. This is 10 trucks in less than 40 minutes. In my opinion (based on noise, house vibration and the bouncing of the trucks) the 3 trucks at 6:27am were the only ones traveling at the 50km/p/hr speed limit, all others were considerably faster and considerably louder as they bounced over the uneven road surface.

My understanding is that quarry related noise should not begin until 7am and that the trucks should not exceed 80 trucks per week under the current DAs. Residents have counted trucks on numerous occasions to bring these problems to the attention of the council and we would appreciate your support. Should you require any further information, please don't hesitate to contact me.

Surely this is unacceptable under the present Development Applications 1996/29 & 1996/30.

I would appreciate the opportunity to discuss these and other concerns with you.

Bonita Avery
hm 66879 532 mob 0402 589 044

.....
This message is intended for the addressee named and may contain privileged information or confidential information or both. If you are not the intended recipient please delete it and notify the sender.
.....

1 July 2010.

DA 1996/29 and DA 1996/30

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: Regulatory Services

Dear Sir/Madam

RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 – MODIFICATION TO EXISTING QUARRY OPERATIONS

As property owners in Carlisle Street Wardell we wish to object to **both** applications for modification to existing quarry operations in Old Bagotville Road, Wardell.

We think it is imperative that Council look at both applications, along with the existing quarry that is not yet operating in the near vicinity, to gain a true picture of how approval of these modifications would affect the residents of Wardell.

We wish to object on the following grounds:

Pedestrian Safety:

The Ardill Payne report states “*due to the sparsely populated rural nature of the locality, there is no measurable pedestrian traffic in the vicinity of the site.*” Whilst this may be true for the immediate vicinity of the quarry site it is **not** true for the extent of the haulage route.

The haulage route travels along two of Wardell’s main pedestrian thoroughfares – being Carlisle and Bath Streets. Whilst both these streets have a wide streetscape there is no footpaths and only narrow bitumen. There is only swale drains and no kerb and gutter so that whenever it is wet underfoot pedestrians walk on the edge of the road pavement. As Council is well aware Wardell’s main recreation ground, community golf course and Sport & Recreation Club is located in Bath Street. Many village residents walk to and from these recreation grounds along Carlisle and Bath Streets at all times of the day.

Wardell’s largest residential housing estate is also located in Pine Street with access off Bath Street. Many residents from this estate walk to and from local facilities along Bath Street and Carlisle Street. Residents (including many young children) from Cabbage Tree Island (CTI) regularly walk between Wardell and CTI and Lumleys Lane along Bath, Carlisle and Back Channel Roads.

There has already been three pedestrians hit by traffic in Wardell in recent years and one of these incidents was in Carlisle Street, between Bath Street and the Pacific Highway. I fear that with the additional traffic, in particular heavy vehicle movements, pedestrian safety of all residents is being put at further risk.

Public Transport/School Buses

The Ardill Payne report has understated the amount of public transport/school buses travelling on the haulage routes of these quarries.

Back Channel Road: As Council would well be aware this is the main road to Cabbage Tree Island (CTI) and CTI school. Children are transported from Wardell to CTI by Jali's minibus travelling along Carlisle, Bath, Wardell Road and Back Channel Road to and from each week day. The Ballina Buslines also transport children from CTI to Wardell and Ballina travelling along Back Channel Road, Carlisle Street and the Pacific Highway.

Carlisle Street: School buses stop in at least two places along Carlisle Street to pick up children travelling to and from Alstonville, necessitating the bus to travel along Carlisle Street and Wardell Road.

Pacific Highway: School buses (travelling direct from Evans Head) stop on the north western corner of the Pacific Highway/Carlisle Street intersection to pick up children travelling to Ballina.

Bath Street/Wardell Road: School buses turn off Bath Street into the Pine Street residential estate, an estate which houses many school aged children.

Other Public Transport: The Community Bus transports the elderly and disabled of Wardell to and from Ballina on a Wednesday each week. This bus travels these same streets when a client lives in the vicinity.

Cabbage Tree Island residents are regularly transported by bus along these same routes by the CTI/Jali mini bus.

The safety of children travelling to/from school, and other residents using public transport, will be further jeopardised by the additional heavy vehicle movements placed on these roads by approving these applications.

Noise / Amenity of Village:

Whilst the Ardill Payne Traffic Impact Statement states that the increase in traffic volumes will be hardly noticeable on the Pacific Highway and Bruxner Highway the following table outlines the amount of traffic that could possibly occur if all three quarries are at peak production (which is likely given the need for such a resource). As you can see from the following table if all three quarries are at a peak production it is possible there will be an additional 52 vehicles per hour passing through the Bath Street/Carlisle Street intersection. That is almost **a truck per minute** – hardly imperceptible particularly with regard to noise and the amenity of this village.

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Quarry	Truck Loads / Day	Vehicle Movements/Day (including employees vehicles)	Truck Movements/Annum	Additional Vehicles / hour
Montis 96/30 Average	24	60	12,480	6
Montis 96/30 Peak	104	220		21
Eatons 96/29 Average	24	60	12,480	6
Eatons 96/29 Peak	104	220		21
Shale Quarry 2006/718 Average		20		2
Shale Quarry 2006/718 Peak		100		10

While the additional traffic from one quarry may be imperceptible to the Pacific or Bruxner Highways it is imperative that Council consider the safety and amenity of the Wardell village when assessing these applications. Council must also consider that not only do these roads carry heavy vehicles from these quarries but for six months of the year there is cane haulage and mud trucks running 24 hours per day. There is no mention of cane industry transport in the Ardill Payne reports.

Wardell has fought long and hard to have only recently had the speed limit on the Pacific Highway lowered to 80kmh in an effort to improve the safety and amenity of the village.

Council would also be aware that traffic on the Pacific Highway through the village, in particular heavy vehicle traffic, has increased greatly in the past few years since the opening of the Yelgun-Chinderah bypass (RTA figures are quoted that B-doubles have increased 400%).

The Noise Impact Statement states that the road traffic noise at the Carlisle Street intersection in the absence of quarry trucks was 50-52 decibels. This noise level jumped to 65.6 decibels with quarry trucks. This is a considerable increase in noise level. It is also noted that this monitoring occurred in the middle of the day and not in the early morning when noise would be much more annoying. No measurements were taken in the period between 6.00am and 7.00am when trucks could potentially be passing this intersection on route to the quarry.

The NSW EPA website quotes that the *"impact of noise depends both on the noise level and its characteristics and how it is perceived by the person affected."*

Ballina Council website quotes that *"Noise is not only annoying; it is potentially harmful to health."*

Having already suffered from the additional highway traffic caused by the opening of the Yelgun-Chinderah Bypass I can assure Council that the residents of Wardell will be affected by the noise caused by additional heavy vehicle movements from these quarries and will find this additional noise annoying. Is Council prepared to deal with noise complaints regarding these additional heavy vehicle movements?

Code of Conduct for Drivers

Whilst the Ardill Payne report refers to a Code of Conduct for truck drivers there is no such copy included in the report, and in reality truck drivers are not abiding by 50km speed limits within the village. There is no mention of limiting the use of exhaust brakes.

A Code of Conduct should clearly state:

- i) Restrictions to haulage routes
- ii) Speed limits to be observed
- iii) Restriction to hours of transport operations including arrival at site
- iv) Requirements for vehicle maintenance to address noise and exhaust emissions
- v) Behavioural requirements for drivers, including use of exhaust brakes
- vi) Load coverage requirements.

The Ardill Payne report quotes that *“a commitment to speed management, ensuring compliance with truck load limits, and a covered load policy is anticipated to soften the impact of the development on other road users and the road network”*. The residents of Wardell are already experiencing a problem with truck speed management through the Carlisle/Bath Street intersection, so how is Council going to improve this by allowing additional trucks on these residential streets? Is it possible for Council to limit the number of vehicles per day exiting the quarry, and if so how will this be regulated?

Impact on Road Pavement

The Ardill Payne report states that 12,500 truck movements per annum is unlikely to significantly impact upon the existing road pavements. However, what will the impact be if all three quarries are operating with an additional 30,000+ heavy vehicle movements on the streets of Wardell? Road pavements deteriorate noticeably during a cane season, so there would have to be significant impact if these applications are approved.

Haulage Routes

Whilst the existing haulage routes are all directed through the village of Wardell, there is opportunity for a **three directional split** to occur before reaching the village. Material travelling to the Alstonville Bypass could be directed along Old Bagotville Road and Bagotville Road and back onto Wardell Road; material travelling to Evans Head and the south could be directed along Old Bagotville Road, across the barrage and rejoin the Pacific Highway at Broadwater, or head via Kilgin to Lismore and Coraki; material travelling to the Ballina Bypass would therefore be the only trucks passing through Wardell thus considerably reducing the impacts on residents and the village. It is understood that there is currently similar impositions upon the Teven Quarry insofar as not allowing full trucks to travel over the Teven Bridges.

Sec 94 Contributions

It is noted that Sec 94 (Heavy Vehicle Road Haulage) Contributions had not been paid for the existing quarries. Perhaps Council should be considering using these contributions and future payments to install a quiet road surface for that part of the haulage route which lies within the village of Wardell.

We urge that Council consider these applications together, whilst also keeping in mind the already approved quarry, and consider the abovementioned impacts with regard to the residents of Wardell. While there may be a need for this resource it should not be at the cost of the safety and amenity of the Wardell village and its residents.

Yours faithfully

Lucy & Richard Bennett
53 Carlisle Street
WARDELL NSW 2477

lucyben@iprimus.com.au

Postal address – PO Box 1392 BURNIE TAS 7320

Luke Cassidy & Mia Spain
 93 Carlisle Street
 (PO Box 373)
 Wardell NSW 2477

16/07/2010

To Whom It May Concern:

RE: SEC 96 DA 1996/29 & DA 1996/30 – MODIFICATION TO EXISTING QUARRY OPERATIONS

DA NO 1996/29 – Property: Lot 3 DP 619233, Old Bagotville Road, Wardell

AND

DA NO 1996/30 – Property: Lot 1 DP 787102, Old Bagotville Road, Wardell

We are writing in objection to the above applications currently before the Ballina Shire Council. As a property owners and residents in Carlisle Street Wardell we object to the applications due to the adverse affects that increased truck and dog numbers will have on the Wardell community.

The numbers of trucks and additional quarry related traffic anticipated to pass through the residential streets of Wardell are presented in the table below.

Quarry	Truck loads/day	Vehicle movements/day ^a	Truck movements/annum	Additio vehicles
Montis 96/30 Average	24	60	12,480	6
Montis 96/30 Peak	104	220		21
Eatons 96/29 Average	24	60	12,480	6
Eatons 96/29 Peak	104	220		21
Shale Quarry 2006/718 Average		20		2
Shale Quarry 2006/718 Peak		100		10

^aincludes employees vehicles

The affects on the residents of Wardell due to the expansion of the quarries will impact as follows:

1. Road pavement:

The roads of Wardell do not have curb or guttering. They have not been designed to cope with high volumes of heavy traffic. Whilst the there is a wide grassed edge along the majority of Carlisle and Bath Streets the paved area is barely wide enough for trucks and cars to pass one another without being forced in the soft edges of the road.

The road pavement suffers during the cane season when cane haulage and mud trucks run day and night from July to February. The Ardill Payne report states that 12,500 truck movements per annum are unlikely to significantly impact upon the existing road pavements. However, the impact of all three quarries operating with an

additional 30,000+ heavy vehicle movements on the streets of Wardell will be noticeable based on the impact seen from cane and mud trucks alone. It is also worth noting that as there is no mention of cane industry transport in the Ardill Payne reports, the combined impact of the cane and quarry trucks on Wardell's roads and residents has not been considered.

2. Safety:

Traffic

The intersection of Bath and Carlisle Streets are not adequate for the amount of truck traffic proposed. There is no turning lane and poor visibility. The turn off the Pacific Highway into Carlisle Street is also a potential hazard. The turning lane is not adequate to accommodate multiple truck and dogs as well as the normal residential traffic that uses the roads. Wardell residents have fought to have the speed limit on the Pacific Highway lowered to 80km/hr in an effort to improve the safety of the village. The potential for accidents is increased in peak times such as school holidays.

The increase in truck and dog traffic poses a potential danger to all Carlisle and Bath Street residents when entering and exiting their properties. The Ardill Payne report quotes that "*a commitment to speed management, ensuring compliance with truck load limits, and a covered load policy is anticipated to soften the impact of the development on other road users and the road network*". Truck speed has been a problem in the residential area for some time and multiple residents have complained to the council and police but with no avail.

Pedestrians and children:

The Ardill Payne report states "*due to the sparsely populated rural nature of the locality, there is no measurable pedestrian traffic in the vicinity of the site.*" Whilst this may be true for the immediate vicinity of the quarry site it is not true for the extent of the haulage route.

Wardell is home to many young families. If this application is approved the additional trucks will pose great danger to school aged children playing in front yards, using the roads as thoroughfares and waiting for school buses.

Carlisle Street is the direct route to Cabbage Tree Island for those travelling from the Pacific Highway or any area of Wardell. As a resident of the western end of Carlisle Street I know that this road is frequently used by pedestrians, bike riders and mobility scooters. It is of additional concern that unaccompanied children and young adolescents use either walk this road or wait at its edge for a lift. There are no foot paths along this stretch of road either in the residential area or out towards Cabbage Tree Island. I wish to draw particular attention to the width of the bridge at the western end of Carlisle Street and poor visibility approaching the bridge from both the east and west.

The main recreation ground in Wardell is located along Bath Street on the northern side of Carlisle Street and the tennis courts, business district, river and newly refurbished family park and wharf area on the southern side of Carlisle Street. This means that residents from both the northern and southern sides of the village must cross over Carlisle Street to access these facilities.

3. Noise:

The level of noise currently experienced by Wardell residents is far greater than would be expected in a village with the atmosphere of Wardell. The noise from the increased truck and dog traffic would surely compromise our quality of living.

4. Dust and air pollution:

Excessive dust is already produced by the current truck and dog traffic on Wardell roads and is exacerbated during dry periods. Increasing the truck and dog traffic and other quarry related traffic by three times will obviously increase dust and air pollution. This is a concern not only due to degradation to the air quality but potential for the settled dust to become pollutants in Bingal Creek and the Richmond River.

5. Vibration:

The volume of trucks currently using Carlisle street has increased with the development of the Ballina and Alstonville bypass projects. During this time we and our neighbours have noticed increased structural damage to our homes. Many of the homes in this area are older buildings, increased vibration from three times the current volume of extrication being transported past our homes will surely have a greater impact.

The council accepting such a proposal will negate the village atmosphere of Wardell. It seems to be against the planning that Ballina Shire Council has developed for the future upgrade of the town area and a scenic walking path to follow Bingal Creek and join the western end of Carlisle Street. Whilst we do not begrudge the owners of the quarry the opportunity to extract the resources and understand the need for the product, the cost to the Wardell community is too great. We urge the council to engage in community consultation so that a compromise between the need for resources and the needs of a community can be found. We strongly urge the council to reject these applications as they have been presented as it is in the best interest of the residents of Wardell.

Regards

Luke Cassidy and Mia Spain.

Dear Sir

Thanks for your letter regarding
the quarries

st
My concerns are mainly
the noise at the banging of
the trucks at 52 Carlisle st
this is on already for about
3 years du to sewerage pipe
crossing the street at the
above adres

Truck speed

Loud braking at Carlisle
street before they enter the P. Hwy

Regards John and Agra
Vambouarsen

£

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

I wish to object to the two development applications DA 1996/29 and DA 1996/30 on the grounds of -

- The increase in road traffic through the region of Wardell and Meerschaum Vale. According to RTA estimates this will result in approximately one truck per minute. This is totally unacceptable in a community of this size and character. This region is not an industrial area, people live because they don't wish to live in an industrial area. This will result in an increase in noise pollution both in the volume of noise and the daily and weekly time span during which the noise will be present. It will also greatly increase the amount of dust pollution during the hours of quarry operation.
- The fact that continued growth in production and consumption, or resources and consequent waste, is destroying our environment and way of life in this region, and globally. Any increase in extraction from these quarries will result in –
 - A shortened life span of the quarry, resulting in fewer resources for future generations.
 - An increase in CO2 emissions from the increased activity of extraction itself, as well as the increased development activity that will result from the extra quarry resources available to developers and governments.

If the openly stated objective of the Ballina Shire Council is "sustainability", then growth in any aspect of consumption or production is not the answer, it is the problem.

Perry Cornish

72 Justelius Rd
Meerschaum Vale
NSW 2477

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478

#1584011
SCANNED
16 JUL 2010

18 Byron St.
East
Wardell NSW
2477

1996
REGARDING DA NO ~~1196~~/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards


Ann Cleary

1584299
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

From: mia spain [miaspain@hotmail.com]
Sent: Monday, 23 August 2010 3:14:49 PM
To: Ballina Shire Council
Subject: ATTN: General Manager. DA 1996/29 and 1996/30

Dear General Manager,

RE: DA 1996/29 and 1196/30

A community meeting about DA 1996/29 and 1996/30 was held on the 19th of August at the Wardell community hall. A panel of community representatives have been established to liaise with council regarding these DA's and their potential impact on our community. As a community representative I am writing to request an extension to the DA submission period for DA 1996/29 and DA 1996/30.

In addition I have written to Phillip Silver to request a meeting between the community representatives and council to clarify the development application and approval process.

If you would like to contact me please do so via this email or my number is 0412 218 143.

Regards

Mia Spain

8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY

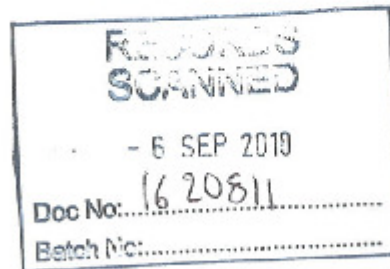


DON PAGE, M.P.
MEMBER FOR BALLINA

OFFICE: Shop 1
7 Moon Street
Ballina NSW 2478
PHONE: (02) 6886 7522
FACSIMILE: (02) 6886 7470
MAIL: PO Box 1018
BALLINA NSW 2478
WEBSITE: www.donpage.com.au

3 September 2010

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Dear Mr Hickey

I am making representations on behalf of Ms Mia Spain of Wardell regarding DA1996/29 and DA1996/30 for the increase in extraction rates for quarries at Old Bagotville Road, Bagotville.

I enclose herewith a copy of her email which is self explanatory and would appreciate if you could arrange to look into the issues she has raised.

I am most concerned about the advice from the RTA to Council that there will be potentially 54 truck movements an hour along Old Bagotville Road if quarry operations were to operate simultaneously. This number of heavy vehicle movements would double the traffic along this road and would severely impact on the Wardell community, particularly those people living in Carlisle and Bath Streets.

Thank you for your assistance in this regard. I look forward to your advice and comments in due course.

Yours faithfully

A handwritten signature in blue ink, appearing to be "Don Page".

Don Page MP
MEMBER FOR BALLINA

encl.
DP:cd

Toni Graham - Impact of quarry expansion on Wardell

From: mia spain <miaspain@hotmail.com>
To: <don.page@parliament.nsw.gov.au>
Date: 26/08/2010 10:13 AM
Subject: Impact of quarry expansion on Wardell

Dear Don,

Thankyou for returning my call yesterday. As discussed I have attached 2 letters of objection and the RTA report. I have also attached the minutes from the community meeting. There is an additional letter that I would like to send you though as all documents have been removed from the council web site I will have to scout around and see if I can get a copy.

Briefly, there are two DA's currently before Ballina Shire Council to amend two current quarries.

- DA 1996/29 seeks to increase extraction from 50 000 tonnes/yr to 150 000 tonnes/year with a total extraction of 975 000 tonnes or 20 year, whichever comes first.
- DA 1996/30 seeks to increase extraction from 50 000 tonnes/yr to 150 000 tonnes/year with a total extraction of 1.5 million tonnes or 27 year, whichever comes first.

Although the official exhibition period for the DA's is now closed, council has informed us that they will take submissions until the 6th of September.

The RTA (see attached) estimates this level of extraction will result in 54 truck movements per hour through Wardell. As residents we are concerned about the impact that this will have on our lives, the safety of road users, the environment, the structural integrity of our homes and, should we wish to sell due to the impact of the truck and dog traffic, the values of our properties.

We are concerned as we do not have a dialog with council.

- We fear that council is not getting an accurate picture of what is happening in Wardell and the impact the truck traffic will have.
- The environmental impact statements that the council is using to inform decision making regarding these DA's are from 1996 and inaccurate.

Additionally, the current number of truck movements and hours of operation are outside those prescribed in the environmental report for current quarry development, as has been the case for at least 6 months. Widening of Old Ragotville Rd to accommodate more trucks has also commenced, raising suspicions in the community.


The community is concerned that both the council and quarry owners are not operating in good faith and that we as community members are not having our concerns addressed. If we are not communicating we can not possibly come to a compromise.

To discuss this further please contact me via this email or mobile number 0412 218 143.

Regards
Mia Spain.

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8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**

File No: 23NT110/00-35 & 23NT110/00134 Michael Baldwin	RECORDS SCANNED 27 JUN 2010 Doc No: _____ Batch No: _____	
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The General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Development Applications 1996/29 and 1996/30 Increase in Extraction Rates for Quarries at Lot 3 DP 619233 and Lot 1 DP 787102, Old Bagotville Road Bagotville.

Dear Sir

I refer to your letters dated 16 June 2010, your references DA 1996/29 and DA 1996/30.

The Roads and Traffic Authority (RTA) offers the following comments for consideration by Council when assessing the subject development applications.

- The increased extraction rates have the potential to cumulatively increase peak heavy vehicle movements along Old Bagotville Road. If quarry operations were to operate simultaneously there will be potentially 54 truck movements per hour along this road. This is an approximate doubling of the potential maximum vehicle movements under the current extraction rates.
- Consideration should be given to widening the narrow section of Old Bagotville Road between the quarry accesses to allow two way movements of haulage vehicles.
- Sight distance at the quarry accesses with Old Bagotville Road should be available to accommodate the 85th percentile speed of vehicles travelling along Old Bagotville Road.
- The accesses with Old Bagotville Road should be designed to Austrorads BAR and BAL standards to allow through traffic to safely pass turning vehicles.
- If Wardell Road is to be used as a haulage route to Alstonville, the swept path of haulage vehicles turning left at the intersection of Wardell Road and Carlisle Street needs to be checked. This will be necessary to ensure haulage vehicles turning left at this intersection also not have to cross the centreline in Wardell Road while negotiating the left turn.
- Council should consider a contribution towards the maintenance of the surrounding road network for haulage of material from the quarries.

If you have any further enquiries regarding this matter please contact Michael Baldwin on 6686 1832 or email land_use_northern@rta.nsw.gov.au.

Yours faithfully,



David Bell
Regional Manager, Northern Region

19 JUN 2010

Roads and Traffic Authority

1 Victoria Street, Sydney NSW 2160
Post Office Box 274, Carlton NSW 2161, DX7619
www.rta.nsw.gov.au | 02 66401300

8.1 DA's 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

community meeting regarding Development Applications 1996/29 & 1996/30

Meeting opened 7:02 pm Thursday 19/8/10, attendance recorded and attached

Introduction by Mia Spain of why the meeting is being held and the details of DA's 1996/29 & 1996/30

- that each DA seeks to modify the approved quarry by increasing the permissible maximum rate of extraction from 50,000 & 56,000 tonnes per annum to 150,000 tonnes per annum
- that a report from the RTA says there is a potential for 54/hour should this proceed

Community members voiced their individual concerns some of which are as follows:

- safety for family
- heavy traffic flow
- hours of operation
- damage to roads
- school bus safety
- road surface
- inadequate road widths
- noise issues
- vibration to homes
- speed at which heavy trucks travel
- no pedestrian footpaths
- the already heavy traffic on the road
- environmental concerns
- wildlife concerns

Concern was raised that the Environmental Impact Study that is being used is from 1996 and that this is inadequate.

Mayor Silver advises that it is recommended that 3-4 delegates from the meeting make an appointment with the Mayor to discuss the process of development applications, and any other questions we may have such as:

- why all the submissions to council have not be put on the council's website
- the DA application could not be downloaded off BSC's website and that this needs to be addressed

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

- what are the steps involved on finalizing the DA and what are the time frames ie: who looks at the application, when does it go to council, what other impact studies are required and by whom, what role if any does the RTA have etc
- what is available for us from the BSC to monitor noise, vibration, number of trucks, speed of trucks etc

Councillor Wright advises that we need to request that any other applications pending (ie: other quarries) be considered for their joint impact, not individually.

Delegates chosen are as follows:

Mia Spain David Judge
Rhonda Sly Cath Tarrant/Wendy Knight

The delegates will report back to a future meeting for consideration of further action at that time. All meeting attendees are encouraged to gather evidence supporting their concerns.

Meeting closed 8:15pm

DL & CA Bolt
321 Old Bagotville Road
WARDELL NSW 2477

15 July 2010

Rod Willis
Group Manager
Regulatory Services
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

1554000
ACKNOWLEDGED

#1583677

SCANNED

15 JUL 2010

Dear Mr Willis

We write in response to your letter dated 15 June 2010 advising that Council is in receipt of an application to modify the approved development by increasing the permissible maximum rate of extraction from 56,000 tonnes per annum to 150,000 tonnes per annum at Lot 1 DP 787102, Old Bagotville Road, Wardell.

Our property is located adjacent to the subject quarries. Since South East Excavations (SEC) commenced working the quarries, there has been a substantial increase in the number of trucks utilising Old Bagotville Road. A major concern is the amount of dust created by the truck and dogs. There has been a number of occasions when we have had to almost completely stop due to the poor visibility caused by the dust.

Another major concern, is the roadway outside Monti's property. The 'S' bend in Old Bagotville Road, 100 metres east of Monti's farm entrance is extremely narrow and any traffic coming towards you is not visible. We have already experienced on a number of occasions, close encounters with the trucks. The trucks themselves are fitted with UHF radios and they communicate with each other and are aware of where each vehicle is situated at any one time. The majority of the general public would not have these radios in their vehicles. The only way we can feel confident about exiting our property is to also have a UHF radio in use at all times. We have recently purchased hand held UHF radios so that our vehicles all have a radio that we are able to use to ensure our safety.

The village of Wardell is enjoyed by a blend of older residents and young families. When considering this DA, Council must take into consideration the impact of the increase of traffic flow, road degradation and the safety of all residents.

Ballina Shire Council must in their consideration of this DA, approve the improvement and sealing of Old Bagotville Road. To ensure the safety of all who use Old Bagotville Road, they must also approve roadworks to remove the 'S' bend in the road to provide better visibility for all who utilise Old Bagotville Road.

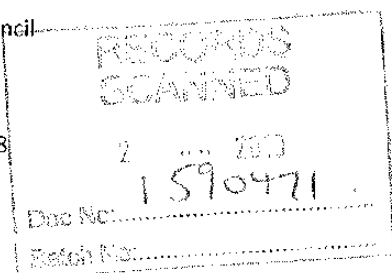
Yours sincerely



Desmond & Catherine Bolt

2817

Ballina Shire Council
P O Box 450
Ballina NSW 2478



Ballina Environment Society
P O Box 166
Ballina NSW 2478
22/07/2010

DA No. 1996/29 and DA No. 1996/30

Dear Sirs

Re: DA NO 1996/29 – Lot 3 DP 619233 Old Bagotville Road, Wardell

And

DA NO 1996/30 – Lot 1 DP 787102 Old Bagotville Road, Wardell

With reference to the above DA's Ballina Environment Society Inc request that you receive the following submission indicating that this organisation does not support the application by Messrs Ardill Payne and Partners on behalf of the McGeary and Varoli quarries at the above addresses for expansion of existing quarry operations

This application, if successful, will result in more than double the amount of heavy vehicles travelling along unsealed public roads in the vicinity of the quarries and then through the narrow streets of Wardell to access the Pacific Highway.

These streets have no defined footpaths and are used extensively by pedestrians to access local services and by school-children travelling to and from school. The haulage route will include two of Wardell's main pedestrian thoroughfares and the application to state that –"due to the sparsely populated rural nature of the locality, there is no measurable pedestrian traffic in the vicinity" – is misleading.

If these applications are successful and both quarries operate at peak capacity then this could result in excess of 50 trucks per hour passing through the Bath Street/ Carlisle Street intersection in Wardell Village, not a pleasant prospect for the residents to look forward to

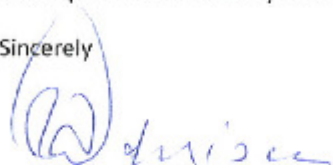
Approval of these applications will have a negative environmental impact on the residents of Wardell and those living in the vicinity through increased vehicle movements, increased noise, increased exhaust fumes and diminished air quality as a result of excessive dust generated by quarrying and increased traffic.

Flora and Fauna will also be adversely affected by these proposals, the proponents do not appear to have taken these concerns into account when submitting their applications

8.1 DA 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

In conclusion, The Ballina Environment Society echoes the wishes of the residents of Wardell and district in requesting that Ballina Shire Council reject the applications of both quarries to increase their operations and to say that we strongly object to DA 1996/29 and DA 1996/30

Sincerely



Neil Denison

For The Ballina Environment Society Inc

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



Bonita Avery
85 Carlisle Street
Wardell NSW
2477

1570781
ACKNOWLEDGED

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

My objection is for following reasons:

- **The increase in noise pollution** - at present, with the quarry truck & dogs going past, I am unable to use the front bedroom of my home due to the noise. The trucks hit the crossroads of Carlisle and Bath Streets and because the road surface is uneven, a large 'bang' is made. This happens at all hours of the day including early in the morning and the windows of my house shake. It is impossible to sleep in this room due to this and an increase in traffic would make it even worse. We are in a village setting here and should not have to even consider the possibility of this level of noise in our community.
- **The increase in air pollution** - The dust exhaust generated by the quarry truck & dogs is already unacceptable, by increasing the amount of trucks, that will surely increase as well. We live out here to breathe clean air not toxic fumes.
- **Property Damage** I have had structural damage to my home due to the shaking of my house from the trucks. After 10 years of living in Wardell, this has only become apparent since the quarry truck & dogs started.
- **The increase in truck & dog and quarry related traffic** The truck & dog and related quarry traffic is presently a danger due to the large number of trucks on Carlisle street especially where it crosses Bath street. To increase this traffic threefold would make it extremely dangerous considering the already substantial volume of traffic along this road coming from Meerschaum Vale. This is a residential area in a 50 km zone *not the Pacific Highway*.
- **The degradation of road surfaces** - the road surface has degraded to a point where it needs to be resurfaced at Carlisle and Bath street. This has dramatically deteriorated since the large number of quarry trucks started using it. Our streets were not designed to carry heavy truck traffic at such a volume and to increase it would make this even worse. Who will bear the cost of fixing our roads when they must be repaired due to the weight heavy truck & dogs?
- **The danger to community members** - Many of the residents here chose to live in a small quiet village where they could let their children play outside their homes and walk to the shop for the newspaper. We have a large group of regular walkers and with no footpaths, they walk along Carlisle street, Wardell Road and related streets for exercise and enjoyment. This is now

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

dangerous because of the quarry trucks, there is no pedestrian crosswalk where they can safely cross and they should not have to worry about their safety when going out for a leisurely walk.

- **This is a school bus route** - there are many children who catch the school bus along Carlisle Street every morning at the time when the truck & dogs are barrelling past. Our parents deserve not to be worried when their children are waiting for the school bus. There is no bus shelter or indication that it is a school bus route, the truck & dogs seem unaware that there are even children waiting for the bus.
- **The environmental impact is too great.** We are in a unique place in Wardell with Bingal Creek and the Richmond river at our door step. What impact will the increased quarry truck & dog and quarry related traffic have on our environment? What is the environmental impact on the quarry site itself? Has an environmental impact study been completed?
- **The speed at which these trucks travel.** Wardell Village has a speed limit of 50 km per hour, but these trucks travel much faster than that. Residents have made numerous complaints about this but without a speed camera, the police have difficulty enforcing the speed limits of the truck & dogs and related quarry traffic. With this in mind and increase in the trucks numbers is an *accident waiting to happen.*

In conclusion, turning Bagotville Road and Carlisle Street, which is residential, into a highway for truck & dog vehicles and related quarry traffic is not the answer to having the material for our roads. We live in a quite village setting and it is incredibly unjust to ask the residents of this area to even consider a threefold quarry extraction increase as an option. We already have been understanding with increased truck & dog traffic from the Alstonville Bypass and Ballina Bypass but were tolerant due to the impending completion of these projects but this is too much to ask, it impacts on our lifestyle and property values at an unacceptable rate. I urge Ballina Shire Council to reject this DA application in its entirety and listen to its residents when they say 'We object strongly to DA 1996/30.'

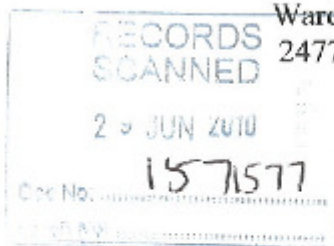
Regards



Bonita Avery

Ballina Shire Council
Regulatory Services Group
PO Box 450
Ballina NSW
2478

Victor Webber
97 Carlisle Street
Wardell NSW



Dear Sir/Madam,

In Reference to DA NO 1196/30 – Property: Lot 1 DP 787102, Old Bagotville Road, Wardell

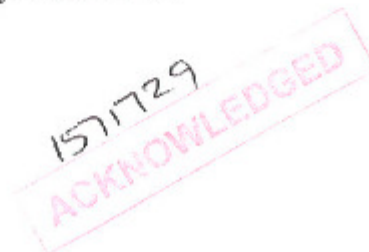
I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Yours sincerely *V. M. Webber 97 CARLISLE ST, WARDELL.*

Victor Webber



8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**

Ms Gwen Seznec and Mr Rick Easton
133 Gahans Road
Meerschaum Vale NSW 2477
Tcl.: 02 6683 4610
Email: g.seznec.10@scu.edu.au

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Meerschaum Vale, 16 July 2010

Dear Sir

RE: SUBMISSION – DA #1996/30 (LOT 1 DP 787102)

As Ballina Shire residents since 2003, we feel very concerned by the above Development Application (DA), which we believe will have a significant impact on local residents and the environment due to the increased heavy vehicle traffic, dust, and noise.

We believe that this DA should also be considered in conjunction DA #1996/29, as they are in the same general area (Old Bagotville), close to each other, and lodged by the same operator (SEE Civil Pty Ltd). Additionally, the impacts would be compounded should both DAs be approved, even though the reports for each DA only consider the impacts of each individual development.

The combined impact of both DAs is extremely significant for our small rural community, and we believe that this application should not be approved due its detrimental effects on our community. We have detailed our concerns below.

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Additionally, when taking into consideration the other DA (1996/29) by the same operator for a quarry located near this site, the resulting traffic variations are double the figures mentioned above with an extra 88 truck movements per day (almost 9 per hour) on average days, and up to 409 extra truck movements per day on peak days, that is almost 41 truck movements per hour. Thus on peak days quarry truck movements would be increased by over 5,000%.

Overall, should this DA be approved, this would mean an additional 11,476 truck movements per year for this quarry alone, and up to an extra 22,978 truck movements p.a. for both quarries combined.

This to us appears extremely significant as we talking about traffic on small rural and village roads, usually quite narrow, with a large part being unsealed (i.e. most of the Old Bagotville Road access). Thus this proposed increase in heavy vehicle traffic can hardly be considered minor. The figures above clearly show a sizeable heavy vehicle traffic increase, which will have a **major** impact on the area.

Finally we disagree with the consultants who state that there will be no significant impact of road pavement. According to their figures, there will be an extra 138,023 tons of quarry material transported every year for this quarry alone (and an extra 285,523 tons when combined with the other DA #1996/29) with 11,502 additional truck movements p.a. for this quarry, using heavy haulage vehicles. It is improbable that this will not detrimentally affect the unsealed surface of Old Bagotville Road, nor any of the other small roads that these trucks use.

2. IMPACT ON LOCAL RESIDENTS

The DA does not discuss the impact of dust raised by quarry trucks on the unsealed Old Bagotville Road. Also it does not make any mention of the fact that it is likely that most, if not all, residents along Old Bagotville Road would be solely reliant on rainwater for drinking and day-to-day water. Thus the dust raised by the extraction process as well as dust raised by the traffic on Old Bagotville Road would significantly affect these residents as it will settle on rooves and contaminate drinking water reserves.

The reports refer to noise intensity, but was the noise frequency also investigated? The increase in truck movements would mean more constant road noises, which would be detrimental to the amenity of people residing along the roads used by the trucks. In many cases, one of the reasons

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Thus we believe that Council should investigate the impact of the proposed development on existing flora and fauna, and properly assess the environmental impacts of the proposal.

CONCLUSION

We believe that this DA is not appropriate as it stands and should not be approved, as it will have a significant detrimental impact on our community, in particular for residents living near the quarry and along the roads used by the quarry trucks. We are particularly concerned by the major increase in heavy vehicle traffic that this development would generate, with issues ranging from road safety, impacts on residents' amenity, damage to road pavement, and the detrimental impact on the local fauna and flora.

We also believe that Council should not consider this DA in isolation of the other DA (1996/29) as their combined impact is significant, and it is their combined impact that our community will have to bear.

Yours faithfully

Ms Gwen Seznec and Dr Rick Easton

Ballina Shire Council
PO Box 450
Ballina NSW
2478

10 BATH ST
Wardell NSW
2477

REGARDING DA NO 1996/30

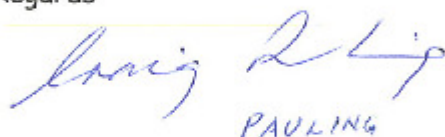
Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards


PAULING



1573670
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



ACKNOWLEDGED

75 Carlisle St .
Wardell NSW
2477

REGARDING DA NO ¹⁹⁹⁶~~1196~~/30


Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards


Philip O'Connor

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



REGARDING DA NO 1196/30


Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards


K Janissen

1580 237
ACKNOWLEDGED

Ballina Shire Council
PO Box 450
Ballina NSW
2478

Wardell NSW
2477

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

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I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to **DA 1996/30**.'

Regards



1573695
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



KEVIN GEEGHAN
2 BATH ST
Wardell NSW
2477

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to **DA 1996/30.**'

Regards

1573695
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



Greg Bryant
11 Cedar St
Wardell NSW
2477

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

A handwritten signature in black ink, appearing to read "Greg Bryant".

1571710
ACKNOWLEDGED



Wardell Progress Association
C/O Wardell Post Office
Wardell NSW 2477

President: Patrick Carney

At Our bimonthly meeting a motion was passed seeking council to seriously consider DA 1996/29 and DA1996/30.

The meeting felt that the residents of Carlisle Street and the village in general would be severely affected if the Das were allowed in their present form.

At the moment Carlisle Street is narrow with no footpath and the increase in traffic would present danger to the residents of Wardell who use this part of town.

Increase in traffic would also endanger school children who catch buses in this street.Noise and Dust pollution would also be an ongoing problem.

If the DAs are passed in any form it is felt that those benefiting should provide better roads and footpaths to this part of town to reduce the possibilities of accidents and also the speed of the trucks and the time frame in which they operate would need to be monitored

Patrick J Carney

President

Wardell Prog Assoc

185548

KNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



David Wheeler
11 Cedar St
Wardell NSW
2477

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

A handwritten signature in black ink, appearing to be "D. Wheeler".



8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY



DON PAGE, M.P.
MEMBER FOR BALLINA

OFFICE: Shop 1
7 Moon Street
Ballina NSW 2478
PHONE: (02) 6686 7522
FACSIMILE: (02) 6686 7470
MAIL: PO Box 1018
BALLINA NSW 2478
WEBSITE: www.donpage.com.au

3 September 2010

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Dear Mr Hickey

I am making representations on behalf of Ms Cathrine Tarrant, 42 Carlisle Street, Wardell NSW 2477 regarding DA 1996/29 and DA 1996/30 for two quarries on Bagotville Road, Wardell.

I enclose herewith a copy of her letter which is self explanatory and would appreciate if you could arrange to look into the issues she has raised.

Thank you for your assistance in this regard. I look forward to your advice and comments.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Don Page".

Don Page MP
MEMBER FOR BALLINA

encl.
DP:cd

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

DirectorateOffice Ballina - Letter of Objection for DA 1996/29 and 1996/30 and pending DAs

From: "Tarrant, Cathrine" <Cathrine.Tarrant@community.nsw.gov.au>
To: <council@ballina.nsw.gov.au>, <Ballina@parliament.nsw.gov.au>, <Janelle.Saffin.MP@aph.gov.au>, <major@ballina.nsw.gov.au>
Date: 02/09/2010 3:27 PM
Subject: Letter of Objection for DA 1996/29 and 1996/30 and pending DAs

I am a resident of the Wardell community, please see attached my letter of objection.

I am requesting that Ballina Shire Council respond to my concerns prior to the business paper being submitted.

Regards,

Cathrine Tarrant
Phone: 66835 851 (w)
Home: 66879708

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SCANNED
16 JUL 2010

17 Bath Street

Wardell 2477

15 July 2010

General Manager
Ballina Shire Council
Ballina 2480

Dear Sir

RE: OBJECTION TO SEC 96 DA 1996/29 AND DA 1996/30 – MODIFICATION TO EXISTING QUARRY OPERATIONS

As the property owner of Bath Street (corner of Carlisle Street) I am writing to express my absolute objection to BOTH proposals on the following grounds

NOISE POLLUTION:

The current volume and noise of the truck and dog vehicles travelling through the village is already horrendous. I have changed bedrooms in my home just so that I can sleep past 6.00am when the first vehicles start clanging past, (although I have clocked a truck as early as 5.40am). As soon as 6.00 hits they start coming through often at a rate of one every three minutes. If this increase is approved I can only imagine it means one per minute or alternatively extended hours and Sundays as well, this seems to be in conflict with the Wardell Village Concept Master Plan which states "One of the unique features of the Wardell Village is the river and village atmosphere". This amount of truck traffic is more like a Highway than a village

AIR POLLUTION:

The dust exhaust generated by the quarry trucks would obviously increase and again that sort of pollution is not why I chose to live in Wardell.

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

the original document image

ROAD PAVEMENT:

The road degradation particularly at the intersection of Bath and Carlisle streets is already apparent; any increase in truck numbers will only make it worse

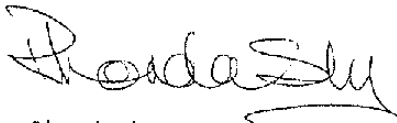
Community Safety:

There are six school buses travelling through Bath and Carlisle Streets and the safety of the children travelling to and from school will be jeopardised by the additional heavy vehicle movements on these roads. In addition there are no footpaths for pedestrians in the village, so we are forced to share the road with the trucks. Add to this is the speed that the trucks travel through the village, there is a speed limit of 50kph but I can assure you that is not being complied.

I ask that you seriously consider the adverse impact of this increase to the quarry extraction rate.

In support of my statements I request that you conduct noise tests, quantify the traffic and the speeds that they travel through the village.

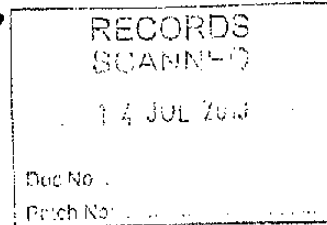
Yours sincerely



Rhonda Sly

By, P & J Small & J Shelley
P.O. Box 1, Wandell 2477
12th July 2010

MR. R Thornton
Regulatory Services Dept
Ballina Shire Council
Ballina 2478



your ref. DA. 1996/30
DA 1996/29

Dear Sir

Re Wandell quarries increased extraction
As possibly one of the closest property owners to
M^cGeary Bros., Old Bagotville Road quarry approx 300m
from our southern boundary. (apart from the adjoining owners
I & other families members hereby lodge an objection
to any increase in the tonnage per year.

As you well know M^cGeary Bros. have leased
their quarry out to contractors that are from out of
the Shire. I believe most of the material is being used
for the Adlamville "By Pass Road". We have put up
with the constant noise, dust, & blasting so far as we
considered it would all be over when the by pass is
completed.

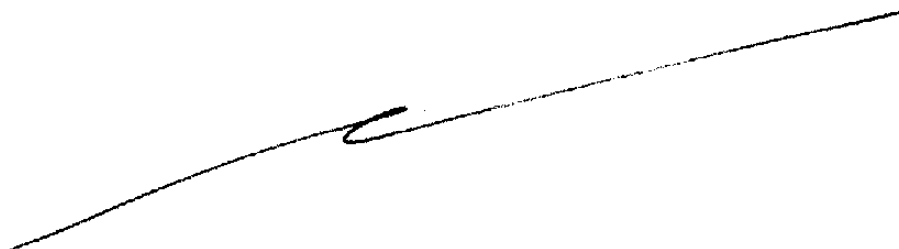
I am not one usually to complain. However we
did lodge a complaint some months ago in regard
to a one off huge blast, (note the previous & last
few blasts have been reasonable.) When I phoned
the quarry manager he said yes that was a big one
I feel sure he was sorry he said that. The blast
on this one occasion was so immense it shook
our house so much so causing cracking of the
brickwork. We also notified Ballina Council, they
sent an officer out to the quarry. A few days
later the council officer phoned me saying as

as far as the test showed the blast was within regulations. I am sorry to say I consider the test report by the quarry operators must have been manipulated or have been taken from a smaller blast

Anyhow as I said previously we wish to lodge an objection to any increase in tonnage. I consider a D.A. approval is a deal, to ask for a huge increase is totally unreasonable. Council must consider their ratepayers & not always big business.

Yours sincerely

Peter Small



8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478

#1584013
SCANNED
16 JUL 2010

254 RIVER DRIVE

Wardell NSW
2477

1996
REGARDING DA NO 1996/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

D J Powell
D J POWELL

1584320
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478

#158401 ✓
SCANNED

16 JUL 2010

254 River Drive
Wardell NSW
2477

REGARDING DA NO ¹⁹⁹⁶ ~~1196~~/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

J. M. Powell
Jennifer M. Powell

1584320
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



NIKKI POIDEVIN
238 RIVER OR
Wardell NSW
2477

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

NIKKI POIDEVIN

1580244
ACKNOWLEDGED

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478

10 BATH ST

Wardell NSW
2477

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

G. Pauling



1573670
ACKNOWLEDGED

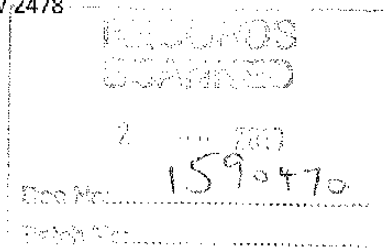
8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

acknowledged 28/7
R.

Ballina Shire Council

P O Box 450

Ballina NSW 2478



Far North Coast Branch

NSW National Parks Association

317 Pimlico Road

Pimlico 2478

22/07/2010

DA No. 1996/29 and DA No. 1996/30

Dear Sirs

Re: DA NO 1996/29 – Lot 3 DP 619233 Old Bagotville Road, Wardell

And

DA NO 1996/30 – Lot 1 DP 787102 Old Bagotville Road, Wardell

With reference to the above DA's the Far North Coast Branch of the National Parks Association of NSW Inc request that you receive the following submission indicating that this organisation does not support the application by Messrs Ardill Payne and Partners on behalf of the McGeary and Varoli quarries at the above addresses for expansion of existing quarry operations

This application, if successful, will result in more than double the amount of heavy vehicles travelling along unsealed public roads in the vicinity of the quarries and then through the narrow streets of Wardell to access the Pacific Highway.

These streets have no defined footpaths and are used extensively by pedestrians to access local services and by school-children travelling to and from school. The haulage route will include two of Wardell's main pedestrian thoroughfares and the application to state that –"due to the sparsely populated rural nature of the locality, there is no measurable pedestrian traffic in the vicinity" – is misleading.

If these applications are successful and both quarries operate at peak capacity then this could result in excess of 50 trucks per hour passing through the Bath Street/ Carlisle Street intersection in Wardell Village, not a pleasant prospect for the residents to look forward to

Approval of these applications will have a negative environmental impact on the residents of Wardell and those living in the vicinity through increased vehicle movements, increased noise,

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

increased exhaust fumes and diminished air quality as a result of excessive dust generated by quarrying and increased traffic.

Flora and Fauna will be adversely affected by these proposals, the proponents do not appear to have taken these concerns into account when submitting their applications. The surrounding waterways will also be adversely affected by increased operations.

In conclusion, this organisation echoes the wishes of the residents of Wardell and district in requesting that Ballina Shire Council reject the applications of both quarries to increase their operations and to say that we strongly object to DA 1996/29 and DA 1996/30

Sincerely

A handwritten signature in blue ink, appearing to read 'Neil Denison', written over a circular stamp or seal.

Neil Denison

Secretary

National Parks Assn., Far North Coast Branch

14th July 2010-07-14

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

Attention: Regulatory Services

Dear Sir/Madam

RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 – MODIFICATION TO EXISTING QUARRY OPERATIONS

As property owners in Bath Street Wardell we wish to object to **both** applications for modification to existing quarry operations in Old Bagotville Road, Wardell.

Pedestrian Safety:

Under no circumstance should the quarry output of material be increased at all until we have footpaths in Wardell. It is dangerous enough as it is trying to go for a walk with no footpaths. There are no footpaths out to the Recreations ground / Golf course / Recreation Club from the village. A lot of children and residents make use of these facilities. The indigenous people of Cabbage Tree Island regularly walk from the island into Wardell and also out to the housing estate at Lumleys Lane.

We need footpaths along the length of Carlisle Street and Bath Street to the Recreation Grounds

It is very dangerous for pedestrians at 7.30 – 8am with traffic heading along Carlisle Street towards the Pacific Highway because the sun is in the drivers eyes. There has already been a pedestrian critically injured because of this situation. School children are out at this time of morning.

To increase the amount of trucks on our roads in Wardell would simply ruin our village atmosphere. The proposed Upgrade of the Pacific Highway was designed away from the Wardell township to preserve the village atmosphere.

Other issues of noise pollution, impact on road pavement should be considered.

Yours truly

Mrs Isabella Moore

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478

#1584018
SCANNED
16 JUL 2010

350 Old Baggotville Rd.
Wardell NSW
2477

REGARDING DA NO 1996/29 and DA NO 1996/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA applications in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 106,000 tonnes per annum to 300,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject these DA applications in their entirety and listen when I say 'I object strongly to DA 1996/29 and DA 1996/30.'

Regards

Sharne McGeath

P.T.O.

1584576
ACKNOWLEDGED

1247 Wardell Rd
Meerschaum Vale

Ballina Shire Council,

We hereby lodge our objection to your proposed amendments to increase quarrying on Old Bagotville Rd.

I find it very difficult to understand why this local council is considering such an amendment as this will impact greatly on residents in the surrounding area.

The people of Wardell and adjacent communities have had to put up with the increase of trucks on the highway and those that use Wardell Rd to Alstonville for quite some time.

The state Highway upgrade acknowledges the importance of removing these heavy vehicles from local communities and your council decision could cause an increase in this heavy traffic ????

The local community consists largely of families trying to "Live the Australian Dream". This area has offered them the opportunity to purchase a property at a reasonable price where other areas have become out of reach for most. Why should we be forced to endure the noise and dangers of these extra heavy vehicles and consequently the reduction in property values?

The streets in this area are part of an advertised tourist route which has become a popular, sedate, drive for many. The increase in heavy vehicles WILL obviously deter these tourists which in turn will affect local businesses.

Casual cycling is also very popular in this area, with many riders enjoying the safety and therefore the stress relief this sport brings. Heavy vehicle traffic will see the end to this activity by, mostly town based people. Where do they go then?

The intersection of the Highway and Carlisle Street at Wardell has seen many accidents with lives lost.

The nationwide trend is to improve road safety. Why would Ballina Council go against this?

We hope the elected council members consider these FACTS before a decision is made.

Col & Nancy McAndrew

66834429

06/10/10

8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**

From: Knight, Wendy (Ballina) [Wendy.Knight1@community.nsw.gov.au]
Sent: Tuesday, 29 June 2010 4:22:29 PM
To: Ballina Shire Council
Subject: FW: DA Application No 1996/29

Dear Sir/Madam

I am a local Aboriginal community member of Wardell and am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tonnes per annum.

My partner and I are in the process of purchasing my parents property in Carlisle St, Wardell and have already noticed an increase in the traffic of trucks and dust and damage to the road along that street since my parents left the area. Are you aware of the number of young children who live in Carlisle St? We have 4 children aged from 15 yrs to 3 yrs, go for a drive to Wardell on a week day morning when they are all out waiting for their school buses and the trucks are rushing past them with a full load.

This is totally unacceptable in a village setting where our community value a quiet and safe lifestyle. There will, without a doubt be further increases in noise and air pollution, an increase in traffic and as a result further degradation to road surfaces. Already with the traffic of trucks our children are at risk but with the inevitable increase of traffic so is the likelihood of some one being seriously hurt. Along with these points, has the environmental impact to our land and local community been considered?

As a soon to be rate payer and local community member I urge Ballina Shire Council to reject both DA applications in its entirety and listen when I say "I OBJECT STRONGLY".

Wendy Knight

☎ Office 02 66835604 ☎ Mob 0437 664 393
☎ Fax 02 66835626 email wendy.knight1@community.nsw.gov.au

Please consider the environment before printing this e-mail

=====

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=====

01/04/2012 11:57:00 AM 17011 11/04/2012

PETITION

SCANNED**To the Members of Ballina Shire Council**

16 JUL 2010

This petition from the residents of Wardell draws attention to their opposition to the proposal to amend the permissible rate of extraction from 50,000 to 150,000 tonnes per annum from the quarry at Old Bagotville Road, Bagotville Lot 3 DP 619233 and from 56,000 to 150,000 tonnes per annum for Lot 1 DP 787102 **DA 1996/29 + DA 1996/30**

Your petitioners therefore request that Ballina Shire Council reject these proposals based on the the increase number of truck and dogs that would be going through the village , the increase in noise which is already excessive, the danger to pedestrians especially children as this is part of their school bus route and the wear on the road. We feel this is in complete conflict with the Wardell Village Concept Master Plan which states "One of the unique features of the Wardell Village is the river and village atmosphere"

	NAME (please print)	ADDRESS	SIGNATURE
1	SUE WARDROBE	40 RICHMOND ST WARDELL	<i>Sue Wardrobe</i>
2	JOEL CARSON	7 RIVER STREET	<i>Joel Carson</i>
3	E. Canning	36 Richmond St, Wardell	<i>E. Canning</i>
4	W. Cronin	4/19 Richmond St Wardell	<i>W. Cronin</i>
5	Laurel Lawerty	50 Richmond St. Wardell	<i>Laurel Lawerty</i>
6	SUE STEEL	34 LINDSAY CR. WARDOLL	<i>S. Steel</i>
7	ROBYN MAZOUZIAN	121 Sneesby Ln Wardell	<i>R. Mazouzian</i>
8	GABBY MAZOUZIAN	121 SNEESBY L. WARDOLL	<i>G. Mazouzian</i>
9	Bernie O'Neill	17 Cedar St Wardell	<i>B. O'Neill</i>
10	MARLOVE KEMP	64 FITZROY ST WARDOLL	<i>M. Kemp</i>
11	Rox Kemp	64 FITZROY ST WARDOLL	<i>Rox Kemp</i>
12	Cadma Dephoff	41 FITZROY STREET WARDOLL	<i>Cadma Dephoff</i>
13	Marie Preston	27 Richmond st Wardell	<i>M. Preston</i>
14	Cheryl Moran	85 Carlisle St Wardell	<i>Cheryl Moran</i>

PETITION

	NAME (please print)	ADDRESS	SIGNATURE
15	M Clarke	555 River by Empire Vale	<i>M Clarke</i>
16	D. ROBBIE	Pacific Hwy Wardell	<i>D Robbie</i>
17	J. Doyle	2 Bridge Drive Wardell	<i>J Doyle</i>
18	S MORRIS	35 BRIDGE DRIVE WARDELL	<i>S Morris</i>
19	R. BARNES	47 Richmond ST Wardell	<i>R Barnes</i>
20	Kay Miller	11210 Pacific Hwy Wardell	<i>Kay Miller</i>
21	Mark McDonald	3A Richmond St Wardell	<i>Mark McDonald</i>
22	Jon Pochlan	7 Richmond ST Wardell	<i>Jon Pochlan</i>
23	Judy Small	Thurgate Lane Wardell	<i>J Small</i>
24	Peter Small	Thurgate Lane Wardell	<i>P Small</i>
25	Jodie Shelley	231 Coolgardie Rd, Wardell	<i>J Shelley</i>
26	Les Higgins	Thurgate Lane Wardell	<i>L Higgins</i>
27	Joe Moore	47 Bath St Wardell	<i>Joe Moore</i>
28	M HEWITT	59 Carlisle St Wardell	<i>M Hewitt</i>
29	S PROSSER	30 MELBURN AVE COOLGARDIE	<i>S Prosser</i>
30	R COMIN	1042 PIMLICO RD WARDELL	<i>R Comin</i>
31	P. O'CONNOR	25 Carlisle St Wardell	<i>P O'Connor</i>
32	M. Smith	79 Carlisle St Wardell	<i>M Smith</i>
33	J. Smith	79 Carlisle St Wardell	<i>J Smith</i>
34	R. KEANEY	25 Bridge Dr Wardell	<i>R Keane</i>
35	Chris Fuller	18 Wilson St Wardell	<i>Chris Fuller</i>
36	SEAN GRANT	33 River Drive Wardell	<i>Sean Grant</i>

PETITION

	NAME (please print)	ADDRESS	SIGNATURE
37	H CREWETT	114 PINE ST WARDELL	H Crewett
38	Wendy Knight	42 CARLILE ST, WARDELL	<i>[Signature]</i>
39	T. STRZELCZYK	4156 RICHMOND ST WARDELL	<i>[Signature]</i>
40	A. SVABENIC	Nr. 10 PATCHES BEACH	<i>[Signature]</i>
41	M Hainla	71 Carlisle at Wardell	<i>[Signature]</i>
42	J. O Baaron	52 EARLILE ST WARDELL	<i>[Signature]</i>
43	P. Goff	129 Sneekys Lane E Wardell	<i>[Signature]</i>
44	Ahrol Steel	34 Lindsay Crescent Wardell	<i>[Signature]</i>
45	KIRSTY GENAT	108 PINE ST, WARDELL	<i>[Signature]</i>
46	Julie Partic	RICHMOND ST	<i>[Signature]</i>
47	Jim Crawley	20 WILSON ST, WARDELL	<i>[Signature]</i>
48	Leslie Moore	47 Bath St Wardell	<i>[Signature]</i>
49	PAT Carney	17 Richmond St Wardell	<i>[Signature]</i>
50	Bev Durrant	3 Richmond St Wardell	<i>[Signature]</i>
51	Selma Carney	17 Richmond St Wardell	<i>[Signature]</i>
52	S. DUNCAN	63 RIVERBANK RD PIMLICO	<i>[Signature]</i>
53	Keri Barber	18 Thurgates Lane Wardell	<i>[Signature]</i>
54	Luan Rukuda	5/36 Filgray St Wardell	<i>[Signature]</i>
55	Rose LEGSON	911 Pimlico RD WARDELL	<i>[Signature]</i>
56	Rhonda Sly	17 Bath St Wardell	<i>[Signature]</i>
57			
58			

PETITION

To the Members of Ballina Shire Council

This petition from the residents of Wardell draws attention to their opposition to the proposal to amend the permissible rate of extraction from 50,000 to 150,000 tonnes per annum from the quarry at Old Bagotville Road, Bagotville Lot 3 DP 619233 and from 56,000 to 150,000 tonnes per annum for Lot 1 DP 787102

Your petitioners therefore request that Ballina Shire Council reject these proposals based on the the increase number of truck and dogs that would be going through the village , the increase in noise which is already excessive, the danger to pedestrians especially children as this is part of their school bus route and the wear on the road. We feel this is in complete conflict with the Wardell Village Concept Master Plan which states "One of the unique features of the Wardell Village is the river and village atmosphere"

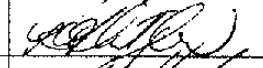
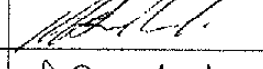
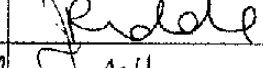
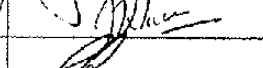
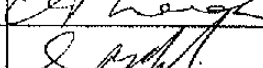
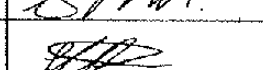





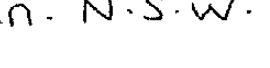
	NAME (please print)	ADDRESS	SIGNATURE
57	Craig Scott	153 Pine st	
58	Robo Anno	Pimlico rd.	
59	John C. Thomas	Pimlico Road -	
60	Joshua Bolt	Cabbage Tree islands	
61	Russell Kramp	28 Richmond	
62	Rob WOODWARD	978 Pimlico	
63	N. Eldridge	CARLISLE ST, WARDELL	
64	Ben MANNIN	Carlisle St, Wardell	
65	Kelli McLean	9 Richmond St WARDELL	
66	Tom Houston	11 River st Wardell	
67	Vicki O'Sullivan	17 Fitzroy St Wardell	
68	C. Crozina	48 Richmond St W	
69	Anthony Lucas	348 Annie Park rd Paddyton NSW	
70	S. Eldridge	Carlisle St, Wardell	

PETITION

To the Members of Ballina Shire Council

This petition from the residents of Wardell draws attention to their opposition to the proposal to amend the permissible rate of extraction from 50,000 to 150,000 tonnes per annum from the quarry at Old Bagotville Road, Bagotville Lot 3 DP 619233 and from 56,000 to 150,000 tonnes per annum for Lot 1 DP 787102

Your petitioners therefore request that Ballina Shire Council reject these proposals based on the the increase number of truck and dogs that would be going through the village , the increase in noise which is already excessive, the danger to pedestrians especially children as this is part of their school bus route and the wear on the road. We feel this is in complete conflict with the Wardell Village Concept Master Plan which states "One of the unique features of the Wardell Village is the river and village atmosphere"

	NAME (please print)	ADDRESS	SIGNATURE
71	Emma Taylor	13 River St, Wardell	
72	R. Whitlow	SANDALWOOD PARK	
73	R. SHALCOMBE	901 Pimlico Rd	
74	R. Debe	Pimlico Rd	
75	V. JAY KHURANN	350 Old Bagotville Rd	
76	C. VAN RUTZEMAN	135 BACK CHANNEL RD	
77	C. Heath	37 Algonquins St Janna	
78	S. McLeod	83 Carlisle St Wardell	
79	S. Packham	7 Richmond St Wardell	
80	Jean Marlawa	66 Lumsleys Lane Wardell	
81	M. McDowell	BACKMANNER RD WARDILL	
82	M. Kennert	912 Pimlico Rd	
83	J. DAYLIGHT	21 WOODFORD ST MACLEAN	
84	L. Laurie	21 WOODFORD ST	

Maclean. N.S.W.

PETITION

	NAME (please print)	ADDRESS	SIGNATURE
85	R. Cobis	Empire Vale	<i>R. Cobis</i>
86	Shantelle	Wardell	
87	S. Harper	Empire Vale	<i>S. Harper</i>
88	In Bardell	Bridge Ave WARDELL	<i>In Bardell</i>
89	M Ferguson	Cabbage Tree Island	<i>M Ferguson</i>
90	Rose Ferguson	CTI	
91	Heidi Froggatt	Wardell -	<i>H. Froggatt</i>
92	DES JOHNSTON	BALLINA	<i>Des Johnston</i>
93	JUDITH ELSWORTH	BALLINA	<i>J. Elsworth</i>
94	SHARNE MURPHY	WARDELL	<i>S. Murphy</i>
95	Luke Cassidy	93 CARLISE WARDELL NSW	<i>L. Cassidy</i>
96	Steve CHURCHILL	WARDELL	<i>S. Churchill</i>
97	<i>John</i>	Wardell	<i>John</i>
98	Vin Spin	95 Carlise St Wardell	<i>Vin Spin</i>

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC



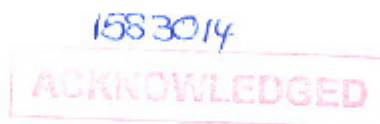
D & L Judge
P.O. Box 127
Wardell N.S.W 2477

13th July 2010

Dear Sir/Madam

D/A's 1996/30 & 1996/29
Lots 1 & 3 D.P 787102 & 619233

Old Bagotville Rd Wardell



We wish to object to the above D.A's for the following reasons.

The D.A's state 24 trucks or 48 movements per day on a 60/40 basis. To-day 13/7/2010 we did a count as listed below and this would be indicative of a normal day.

7-15 to 8-15 am	16 trucks & dogs
8-15 9-15	15
9-15 10-15	12
10-15- 11-15	14
11-15 12-15	15
12-15 1-15	15
1-15 2-15	15
2-15 3-15	14
3-15 4-15	6

122

As you can see this is well in excess of 48 and working on a 60/40 this makes the situation much worse. During the latter part of last year when trucks were doing both Ballina and Alstonville we counted 18 trucks a hour each way and this did not include those turning at Bath street heading towards Alstonville..

Noise is of a major concern especially in Summer as all windows and doors have to be closed to get any relief from noise. The road also has uneven areas on both sides of the road in front of us(40 Carlisle St) and especially when empty the trucks thump over these areas.

It is stated that it is unlikely both quarries will be operating at the same time but do we have any guarantees as once passed we have no control

In 2004 as part of process to have our block rezoned we had a noise study done with the monitor being placed 15m from eastern most side of boundry and it was well above acceptable levels and thus was not recommended to be rezoned until highway was relocated. Why was no monitor placed near our place (corner Carlisle St & Pacific Highway as the trucks have to slow down and change down to approach Pacific Highway. Also many of the trucks use jack brackets to approach highway. And I am sure figures would be much worse than in 2004. Also this corner is a known blackspot and with this much transport at this corner is a recipe for disaster.

Are all materials going locally and once again once approved how can this be controlled.

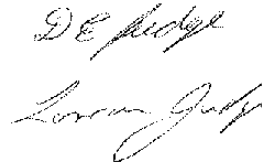
8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

5. Starting times especially on Saturdays are not always adhered to and many times in morning are too early and also very few stick to the 50 kpm .
5. The bump at the corner of Bath & Carlisle st can be heard from our place and we always know when a truck is coming or going.

Finally as we have had a read of the N.S.W Draft Road Noise Policy we fail to see how this D/A will meet or has met the existing policy

We urge council to not approve these D.A's under these conditions unless all these matters can be addressed for the residents of Carlise St and Wardell

Yours faithfully

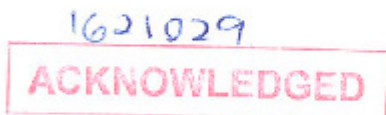
The image shows two handwritten signatures in cursive. The top signature appears to be 'D.E. Judge' and the bottom signature appears to be 'G.L. Judge'. Both are written in dark ink on a white background.

D.E. & G.L. Judge



Joan Hodgson
12 Bath Street
Wardell
NSW 2477
1/9/2010

Ballina Shire Council
PO Box 450
Ballina
NSW 2478



Regarding Development Applications 1996/29 & 1996/30

To Whom It May Concern,

I live at 12 Bath Street, Wardell and it has come to my attention that the form letter I submitted regarding my opposition to the amendments to Development Applications 1996/29 & 1996/30 is being weighted less than a personalized letter due to no new issues being raised on it. I submitted the form letter as I am 83 years old and do not see well so writing a letter on my own is difficult. I am submitting this letter with the help of my neighbour.

I am totally opposed to the amendment to the above mentioned Development Applications due to the following reasons;

1. The noise as the quarry trucks go past the intersection near my house at the corner of Carlisle and Bath Street is too loud as the

intersection is uneven. The trucks make a loud bang particularly when they go past empty.

- 2. There are no footpaths on Carlisle Street and it is dangerous for pedestrians to walk along the street with the heavy trucks going past.*
- 3. School children catch their school buses along Carlisle Street which is the route the trucks take. This is particularly dangerous.*

It is for these reasons I wholly and completely oppose the amendments to DA 1996/29 & 1996/30. Should you require anything further please do not hesitate to contact me.

Regards,



Mrs Joan Hodgson

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

20 Justelius Road

Meerschaum Vale 2477

20/09/2010

To whom it may concern,

Ballina Shire Council

RE. Development application - Quarry DA's 1996/29 and 1996/30

We would like to express our concern regarding the impact of greater truck traffic in the areas surrounding these quarries. We are regular users of Wardell and Bagotville road which are narrow roads, particularly when trucks are passing by. The increased volume of truck traffic would adversely affect the road surface, which isn't always the best anyway. My partner Rob is a cyclist and his friends – these areas are popular with cyclists and the roads already do not have adequate verges. This is exacerbated with greater truck traffic.

Whilst we do not live in the immediate area and may not be directly affected by the truck noise, dust and air pollution we do empathise with our friends and neighbours who will be.

Thank you for considering this objection to the above DA's.

Yours sincerely

Emily Wah Day and Rob Hewetson.

#1584550
SCANNED
16 JUL 2010

15 July 2010

Marie & John Harrison
41 Carlisle Street
WARDELL NSW 2477

Mr Rod Willis
Group Manager
Regulatory Services

Dear Mr Willis

RE: DA NO 1996/29 & DA NO 1996/30

We would like to register our objections to the above development applications. Our objections are as follows:

1. **Noise Level** – The extra traffic on this street will have a major impact on our lives. There are days now when coupled with cane trucks running for six months of the year and the increased traffic on the highway, it is impossible to hear telephone, TV or radio. As our house is closest to the highway this also means the noise from the vehicles braking and changing gears.
2. **Speed** – At times this has also been a problem.
3. **Tremors** – With the weight and speed of the vehicles the ground and the house shakes.
4. **Safety** – This is an urban area and the street is not designed for such heavy traffic. As there are no footpaths for pedestrians this is a major danger.

As residents we feel that the noise level at present is bad enough without us having to endure any more.

In anticipation of our concerns being taken seriously.

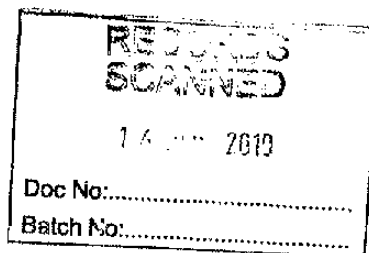
Yours faithfully

J. Harrison
M. J. Harrison

Marie & John Harrison
Ph: 02 6683 4967

1584550
ACKNOWLEDGED

Ballina Shire Council
PO Box 450
Ballina NSW
2478



Wardell NSW
2477

REGARDING DA NO 1996/29

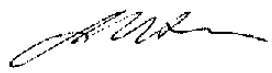
Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/29.'

Regards


Mark Haines
71 Carlisle st Wardell

This is unbelievable! Please, there must be some other alternative, to thousands of trucks, passing my bedroom window. I am a shift worker, and my sleep is important, if I am to function in my workplace!!

Ballina Shire Council
PO Box 450
Ballina NSW
2478

Wardell NSW
2477

REGARDING DA NO 1196/30

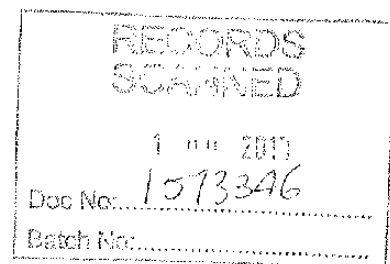
Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards



1573695

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Ballina Shire Council
PO Box 450
Ballina NSW
2478



REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards

A handwritten signature in blue ink, appearing to be 'K. Fowler'.

1580229
ACKNOWLEDGED

A red rectangular stamp with the word 'ACKNOWLEDGED' in bold, capital letters. Above the stamp, the number '1580229' is handwritten in blue ink.



The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478

email: council@ballina.nsw.gov.au

Re: DA 1996/29 & 30 - Designated Development: Increased Quarry Extraction - Old Bagotville Road

The above development applications have been brought to Friends of the Koala's attention at very late notice. Although the closing date has passed, we are submitting this objection for your consideration.

As the two development applications are in close proximity to each other and have been lodged by the same proponent, we believe they should be considered in conjunction with each other as their impacts will be compounded if both are approved.

Although these are designated development proposals the reports only consider the impacts of each individual development and there appears to be no environmental impact assessment. In our view they will have significant environmental impact and demand more careful investigation and assessment.

Koala is known to persist in the vicinity of the quarries, having been recorded by Friends of the Koala and the Atlas of NSW Wildlife. We have been reliably informed that the development as it is presented does involve some loss of koala habitat in an isolated clump. Indeed the existing quarries destroyed koala habitat which was surveyed by the National Parks and Wildlife Service (NPWS) many years ago.

NPWS has mapped key habitat and regional wildlife corridors nearby and Council's new LEP indicates that Lot 3 DP6129233 will be partially surrounded by E2-zoned land.

The significant increase of heavy vehicle movements which will result from these applications should they succeed can be expected to increase the risk of road kill for Koala.

We are convinced that these development proposals will have a detrimental impact on the remnant Koala population which persists in the locality. In our view they are not appropriate as they stand and should not be approved.

Yours sincerely

Lorraine Vass
President

18 July 2010
Koala Rescue and Information
6622 1233

PO Box 5034
East Lismore NSW 2480
info@friendsofthekoala.org
www.friendsofthekoala.org

*Volunteers working for koala conservation on the Northern Rivers.
Friends of the Koala services the local government areas of Ballina, Byron, Kyogle,
Lismore, Richmond Valley and Tweed.
It is a member of the New South Wales Wildlife Council, Inc.*

**RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 –
MODIFICATION TO EXISTING QUARRY OPERATIONS**

1

Susan M Felsch
95 Carlisle Street
(PO Box 50 Wardell)
Wardell NSW
2477

Saturday, 10 July 2010

General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Attention: Regulatory Services

Dear Sir

**RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 – MODIFICATION
TO EXISTING QUARRY OPERATIONS**

DA NO 1196/29 – Property: Lot 3 DP 619233, Old Bagotville Road, Wardell

AND

DA NO 1196/30 – Property: Lot 1 DP 787102, Old Bagotville Road, Wardell

As a property owner and resident in 95 Carlisle Street Wardell I wish to object to **both** applications for modification to existing quarry operations in Old Bagotville Road, Wardell.

I think it is critical that Council look at both applications, along with the existing quarry that is not yet operating in the near vicinity, to gain a true picture of how endorsement of these modifications would have an effect on the residents of Wardell.

***Very disappointed that there has been no Community Consultation on this Application seeing it has the potential to have such a negative impact on the safety and future amenity of our Village.*

I wish to object on the following grounds:

Pedestrian Safety:

The Ardill Payne report states "*due to the sparsely populated rural nature of the locality, there is no measurable pedestrian traffic in the vicinity of the site.*" Whilst this may be true for the direct locality of the quarry site it is not true for the scope of the haulage route.

**RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 –
MODIFICATION TO EXISTING QUARRY OPERATIONS**

2

The haulage route travels along two of Wardell's main pedestrian thoroughfares – being Carlisle and Bath Streets. These streets are quite narrow, there are, as yet, no footpaths, and with only swale drains and no kerb and gutter, whenever it is soggy underfoot pedestrians walk on the edge of the road pavement. As Council is well aware Wardell's main recreation ground, community golf course and Sport & Recreation Club is situated in Bath Street. Many citizens walk to and from these recreation grounds at all times of the day.

Wardell's biggest Residential housing estate is also situated in Pine Street with access off Bath Street. Many residents from this estate walk to and from local services along Bath Street and Carlisle Street.

Two pedestrians have been struck by vehicular traffic in Wardell in recent years. One of these incidents was in Carlisle Street, between Bath Street and the Pacific Highway. I fear that with the added traffic, in particular heavy vehicle activities, pedestrian safety for all residents is being compromised.

Public Transport/School Buses

The Ardill Payne report has minimalist the amount of public transport/school buses travelling on the haulage routes of these quarries.

Back Channel Road: As Council would well be aware this is the main road to Cabbage Tree Island (CTI) and CTI School. Children are transported from Wardell to CTI by Jali's minibus travelling along Carlisle, Bath, Wardell Road and Back Channel Road to and from each week day. The Ballina Buslines also convey children from CTI to Wardell and Ballina travelling along Back Channel Road, Carlisle Street and the Pacific Highway.

Carlisle Street: School buses stop in at least two places along Carlisle Street to pick up children travelling to and from Alstonville, which necessitates the bus to travel along Carlisle Street and Wardell Road. There are no bus shelters for the children to wait.

Pacific Highway: School buses (travelling direct from Evans Head) stop on the north western corner of the Pacific Highway/Carlisle Street intersection to pick up children travelling to Ballina. There is no bus shelter here for the children to wait.

Bath Street/Wardell Road: School buses turn off Bath Street into the Pine Street residential estate, an estate which houses many school aged children.

Other Public Transport: The Community Bus transports the elderly and disabled of Wardell to and from Ballina each Wednesday, weekly. This bus travels these same streets when a client lives in the vicinity.

Cabbage Tree Island residents are frequently transported by bus along these same routes by the CTI mini bus.

**RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 –
MODIFICATION TO EXISTING QUARRY OPERATIONS**

3

The safety of children travelling to/from school, and other residents using public transport, will be further compromised by the additional heavy vehicle movements positioned on these roads by approving applications 'DA 1996/29 & DA 1996/30'.

Dust:

During dry periods is excessive and extremely discomforting. Speed of heavy vehicular traffic makes this worse.

Enter & Exit to property: Extremely hazardous entering and exiting my property from excessive speed of trucks which should be adhering to 50k/p/h speed limit. I have contacted Council previously with complaints about speed and was told this is a police traffic issue. I followed this up with Police and the matter remains unresolved.

Noise:

Despite the fact that the Ardill Payne Traffic Impact Statement state that the increase in traffic volumes will be hardly noticeable on the Pacific Highway and Bruxner Highway the following table outlines the quantity of traffic that could possibly occur if all three quarries are at peak production (which is likely given the need for such a resource). As you can see from the following table if all three quarries are at a peak production it is possible there will be a further 52 vehicles per hour passing through the Bath Street/Carlisle Street intersection. That is almost a **truck per minute** – hardly indiscernible particularly with regard to noise and impact on road pavement.

Quarry	Truck Loads / Day	Vehicle Movements/Day (including employees vehicles)	Truck Movements/Annum	Additional Vehicles / hour
Montis 96/30 Average	24	60	12,480	6
Montis 96/30 Peak	104	220		21
Eaton's 96/29 Average	24	60	12,480	6
Eaton's 96/29 Peak	104	220		21
Shale Quarry 2006/718 Average		20		2
Shale Quarry 2006/718 Peak		100		10

While the added traffic from one quarry may be indiscernible to the Pacific or Bruxner Highways it is imperative that Council consider the safety and amenity of the Wardell village when assessing these applications. Council must also consider that not only do these roads carry heavy vehicles from these quarries but for six months of the year there is cane haulage and mud trucks running 24 hours per day. There is no mention of cane industry transport in the Ardill Payne reports.

Wardell has fought long and hard to have only recently had the speed limit on the Pacific Highway lowered to 80kmh in an effort to improve the safety and amenity of the village.

**RE: OBJECTION TO SEC 96 DA 1996/29 & DA 1996/30 –
MODIFICATION TO EXISTING QUARRY OPERATIONS**

4

Council would also be aware that traffic on the Pacific Highway through the village, in particular heavy vehicle traffic, has increased greatly in the past few years since the opening of the Yelgun-Chinderah bypass (RTA figures are quoted that B-doubles have increased 400%).

The Ardill Payne report quotes that *“a commitment to speed management, ensuring compliance with truck load limits, and a covered load policy is anticipated to soften the impact of the development on other road users and the road network”*.

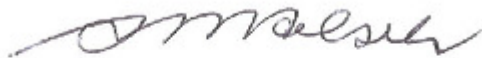
The residents of Wardell already have a problem with truck speed management, so I am not sure how this will be improved with the allowance of additional trucks on these residential streets. I have contacted Council previously with complaints about speeding over the 50 KPH in Carlisle and Bath Streets and was told this is a police traffic issue. I followed this up with Police and the matter remains unresolved.

Impact on Road Pavement

The Ardill Payne report states that 12,500 truck movements per annum are unlikely to significantly impact upon the existing road pavements. However, what will the impact be if all three quarries are operating with an additional 30,000+ heavy vehicle movements on the streets of Wardell? Road pavements deteriorate noticeably during a cane season, so there would have to be significant impact if these applications are approved.

We urge that Council consider these applications together, whilst also keeping in mind the already approved quarry, and consider the abovementioned impacts with regard to the residents of Wardell. Whilst there may be a need for this resource it should not be at the cost of the safety and amenity of Wardell village and its residents.

Yours truly



Susan M Felsch
0266834336 /M. 0427834336

8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**

From: Susan Felsch [susefelsch@hotmail.com]
Sent: Monday, 12 July 2010 5:50:27 PM
To: Mayor Phil Silver
Subject: Objection to Bagotville Quarry Applications

Dear Mayor Silver

As you would be aware there has been two Development Applications to extend the use of the two Bagotville quarries.

I think it is critical that Council look at both applications, along with the existing quarry that is not yet operating in the near vicinity, to gain a true picture of how endorsement of these modifications would have an adverse effect on the residents of Wardell.

Attached is my objection to the two DA's submitted to extend the movements from the Bagotville quarries.

Could you please note the plight of our residents who I believe, will be severely compromised by these developments being approved.

Kind Regards

Sue Felsch

02 66834336 / M. 0427 834 336

Find it at CarPoint.com.au New, Used, Demo, Dealer or Private?

Sue Felsch

95 Carlisle St

Wardell 2477

H. 0266834336

M. 0427834336

Letter sent by Sue Felsch re concern Council Contact Assigned Person

From: susefelsch@hotmail.com
To: davidwright@ballina.nsw.gov.au; raintree88@optusnet.com.au;
bens@ballina.nsw.gov.au; mayor@ballina.nsw.gov.au
Subject: re Council contact person DA's Bagotville Quarries
Date: Thu, 12 Aug 2010 18:09:43 +1000

Dear Mayor and Councillors of C Riding,

Re: DA's 1996/29 and DA 1996/30 - Modification to existing Quarry operations, Old Bagotville Rd.

Last week I spoke via phone to the designated contact person, Bob Thornton, re above DA and the removal of the traffic counter on road in front of 93 Carlisle St after only two weeks and one of the weeks being washed out as far as quarry operations work. Bob told me that he was not aware of the counter being put in place as well as its removal?

My concern with this person is that he really does not seem to know or be aware of industries / happenings in our area.

I will outline why:

1. He asked me to explain what the "mud trucks" were that are mentioned in letter of objection? I explained that they carried the waste mud from the Mill back to the cane farms.
2. Bob then asked me "what mill is that?" (*not aware that there was a sugar mill at Broadwater*)
3. He told me that Carlisle St was a designated main road! (*I certainly do not believe this to be the case*).
4. He spoke of assuming the flow of trucks would quieten down once the Alstonville Bypass is completed until the Wardell Bypass commences.

To me when one 'assumes' - this word makes an **ass** out of **U** and **me**. Obviously no assurity can be given in writing to state this is the case!

Our residents are in real fear of the adverse impact the approval of this quarry will have on us all. Would it not be appropriate to have a fully informed contact person acting in this position.

Your reply would be appreciated.
Kind Regards

Sue Felsch

To: susefelsch@hotmail.com
Cc:

Dear Sue,

Re: D.A. 1996/29 & 1996/30 - Modification of Consent for Existing Quarry Operations on Old Bagotville Road, Bagotville.

I refer to your e-mail of 12 August about the processing and assessment of the subject applications and advise as follows:

(i) The Council uses traffic counters for a broad range of its operations and while the traffic count data it holds is available for development application assessment, the particular counter you refer to was placed in Carlisle Street following a request from the local progress association to assist it with formulating a submission to the Council. The limitations on the data and its use were outlined to Pat Carney of the Association by Council's Civil Services Manager, Mr John Truman. This was done outside the framework of the normal assessments processes and consequently Mr Thornton would have had no knowledge of the counter's placement and could not reasonably be expected to know about it;

(ii) Mr Thornton is a highly experienced town planner who is relatively new to Ballina and it is considered entirely proper that he clarify matters outlined in submissions to make sure, as far as we can, that we have understood what people are saying. I would have thought that this would give you some confidence in the assessment process;

(iii) A number of different Council staff including engineers, various environmental officers, and town planners, are involved in the assessment of these applications. Some of Mr Thornton's responsibilities, as the co-ordinating town planner, are to obtain the various specialists' assessment reports, ensure that the submissions made to the Council are provided to these other staff for their consideration in undertaking their work, complete the statutory and development assessments, prepare compiled reports, and make recommendations to Council's designated officers and/or the Council about the determination of the applications. These matters are not dealt with by just one officer;

(iv) The road system serving the Bagotville quarries comprises both regional (i.e. main) and local roads. Until recently, that section of Carlisle St between the highway and Bath St was a regional road. You are correct. The referred to section of Carlisle Street is a local road;

(v) Council staff will make a number of assumptions in dealing with any application. Where these are significant to outcomes then they are analysed and/or checked. This is an entirely appropriate way to manage its application assessment responsibilities;

(vi) The Council and its assessment officers are aware of the concerns of local residents and of the impacts that industry, including quarries, can have on local amenity. We will seek to strike a balance between the needs of the wider community for quarry products, and the local impacts of such industries. The submissions made by local residents are an important part of this process and they will be carefully considered.

Yours faithfully,

Rod Willis
Acting General Manager

From: susefelsch@hotmail.com
To: council@ballina.nsw.gov.au
Subject: Attention General Manager
Date: Thu, 5 Aug 2010 16:54:39 +1000

Thursday 5th August 2010

Attention General Manager,

Re:Traffic counter being removed Tuesday 3rd August from roadside 93 Carlisle St Wardell

I have objected in writing to council re DA NO 1196/29 – Property: Lot 3 DP 619233, Old Bagotville Road, Wardell and DA NO 1196/30 – Property: Lot 1 DP 787102, Old Bagotville Road, Wardell

I live at 95 Carlisle St Wardell and was happy that a road counter had been put on the road next door to my property to allow traffic number to be monitored over a reasonable amount of time. To my dismay on Tuesday this counter had been removed after barely two weeks in operation!

I hardly think this to be a reasonable estimate of monitoring as last week was very wet - in fact probably only giving a couple of days to count traffic from the previous week. As soon as the counter was put in place truck traffic was conspicuous by its absence.

Today I have spoken, by phone, to DA Reference person at Council - Bob Thornton. Bob said that the counter was to monitor traffic over a two week period.

If this is the case I would request of you to repeat monitoring for a two week period where rain is not interrupting quarry operations?

Speaking with my neighbours a reasonable period to monitor would be more like 3 months.

I am very disappointed that there has been no community consultation mentioned re this DA as the approval will certainly interfere with the safety and serenity of this village.

Today, I find it extremely difficult to even drive out of my driveway because of the high number of trucks and the speed they are travelling.

Yours Sincerely

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC



PARLIAMENT OF NEW SOUTH WALES
LEGISLATIVE ASSEMBLY



DON PAGE, M.P.
MEMBER FOR BALLINA

OFFICE: Shop 1
7 Moon Street
Ballina NSW 2478
PHONE: (02) 6686 7522
FACSIMILE: (02) 6686 7470
MAIL: PO Box 1018
BALLINA NSW 2478
WEBSITE: www.donpage.com.au

3 September 2010

Mr Paul Hickey
General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Paul,
Dear Mr Hickey

I am making representations on behalf of Mrs Susan Felsch of 95 Carlisle Street, Wardell 2477 regarding increased heavy vehicle movements in Wardell following DA's for the modification of quarries in Bagotville.

I enclose herewith a copy of her email which is self explanatory and would appreciate if you could arrange to look into the issues she has raised.

Thank you for your assistance in this regard. I look forward to your advice and comments.

Yours faithfully

A blue ink signature of Don Page, written in a cursive style.

Don Page MP
MEMBER FOR BALLINA

encl.
DP:cd

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Doni Graham - Susan Felsch Wardell Resident re Quarry Objections Bagotville

From: "Susan Felsch" <susanfelsch@bigpond.com>
To: <don.page@parliament.nsw.gov.au>
Date: 27/08/2010 10:25 AM
Subject: Susan Felsch Wardell Resident re Quarry Objections Bagotville

Dear Don

My neighbour, Mia Spain, has contacted you re our concerns with the DA for modification of Bagotville quarries.

The unexpected increase in traffic that is occurring due to this increase is having an enormous impact on myself and other residents who reside along this haulage route.

Please see 4 attachments -

- My submission sent to BSC before the closing date.
- Concern re traffic counter being not a true estimate because of heavy rain for one of the two week period that it was in place
- *(Mon. July 26 -52mm. / Tues. 27th July 45mm / Wed 28th July 19mm.)*
- My email sent to Councillors re concern of knowledge of area of person allocated to be our contact person on reply received from council from receipt of my submission
- Reply via email sent to me re my concerns of contact person.

I would be grateful for any advice assistance and support you may be able to give.

Yours sincerely

Susan Felsch
Carlisle St
Wardell 2477
66834336 / 0427834336

file:///D:/Temp/XPG/GrpWise/4C7792B5DOMGRP1POGRP120020000B01AD66B1\GW}00001.HTM 27/08/201

8.1 **DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC**

Attention: **Bob Thornton**

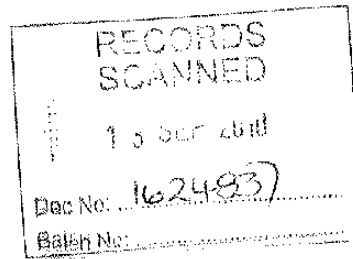
7th September 2010

Ballina Shire Council

PO Box 450

BALLINA NSW

2478



Dear Sir,

RE: OBJECTION TO SEC. 96 DA 1996/29 and DA 1996/30 MODIFICATION TO EXISITING QUARRY OPERATION

I am writing as a resident of Carlisle Street Wardell regarding the above noted DA applications made by Ardill Payne & Partners. To increase the truck movement above to what already goes up and down the 50km residential street would be an absolute outrage and an insult to loyal residents of Carlisle Street Wardell.

Due to the lack of community consultation apart from a simple DA letter in the mail to residents I felt compelled to write to Ballina Shire Council and list the reason why I oppose to the DA 1996/29 and 1996/30.

Increase of Truck Noise and House Movement:

- At present there is ongoing truck movement from the quarries and cane trucks, these trucks are extremely large with trailers attached and are already causing **house damage**, I have to listen to my windows rattle each time the truck drives past, at present I already have noticed cracks appearing in my walls and I am very concerned about how to get them repaired, the cost of repair and whether it is worth my time and money to fix them.
- Carlisle Street is a **50km residential zone**, I can inform Council that the speed limit is not obeyed and at times air brakes are used going down Carlisle Street towards the Pacific Highway, I have an outdoor area at the front of my home but rarely use due to the truck noise and movement.
- The **road surface** in Carlisle Street is uneven and at present trucks hit the unbalanced parts and bangs very loudly waking you from your sleep or shocking you when you are in your garden, the trailers rattle along behind the trucks as gears are being changed with loud breaking as they turn down Bath Street.

Residential Safety:

- Carlisle Street is currently a lovely area for children to play, ride their bikes and meet friends. At present I can count **15 children** living very close to me. The children catch the bus across the road to go to their local primary and high schools and they gather together every morning. The idea of trucks passing the children frightens me. There is **no suitable bus shelter or signage** to highlight children are waiting or crossing the road to catch the bus, this being an important safety issue for all children living in the village of Wardell.
- There are **no footpaths** along Carlisle Street for residents to step away from oncoming traffic, I have already witnessed and assisted two people who have been hit by cars in the past causing serious injury. The increase of trucks along Carlisle Street will make it **dangerous** for walkers and a risk to cars reversing out of their driveways.
- The Carlisle Street turnoff onto the Pacific Highway is currently recognised as a black spot an increase of the quarry trucks and cane trucks will put many **lives at risk**.

Wardell deserves the respect from Ballina Shire Council and its Councilors to remain a lovely little riverside village where children can play outside and walk/ride their bikes safely to the local shop. Residents and home owners deserve to live in Wardell without the harassment and stress of ongoing early morning and evening truck noise and damage to their homes.

I urge Ballina Shire Council to **reject** the proposal DA 1996/29 and 1996/30 on behalf of the residents of Carlisle Street and consider the needs of the local residents/rate payers. An alternate route is an absolute necessity and if there is no alternative route then I encourage Council to **reject** the DA application in its entirety.

I OBJECT STRONGLY TO THE DA 1996/29 & 1996/30.

Regards,



Nicole Eldridge

50 Carlisle Street

PO Box 215

WARDELL NSW 2477

02 66251415 Work

04 16161824 Mobile

Ballina Shire Council
PO Box 450
Ballina NSW
2478



Jessica Doyle
PO Box 167
Wardell NSW
2477

1577535

ACKNOWLEDGED

REGARDING DA NO 1196/30

Dear Sir/Madam,

I am writing in regard to the above mentioned DA application in relation to the submission by Ardill Payne & Partners whereby they seek to modify the quarry by increasing the permissible maximum rate of extraction from 50,000 tonnes per annum to 150,000 tons per annum.

This is totally unacceptable in a village setting where we value a quiet lifestyle. There will be an increase in noise & air pollution, an increase in traffic, degradation of road surfaces, danger to our children and community members and an environmental impact that is too great to consider for our village.

I urge Ballina Shire Council to reject this DA application in its entirety and listen when I say 'I object strongly to DA 1996/30.'

Regards



NOTICE TO ALL DRIVERS

18 January, 2011

See Civil has recently had a number of complaints about trucks speeding, making excessive noise and impacting public safety when travelling through the Wardell village area.

I would ask all drivers to read and sign this notice recognising that you understand this content.

All drivers are requested to observe the highest safety standards, travel at slow speed and not to use air brakes around or in the village of Wardell when travelling to or from the Wardell Quarry Sites.

Drivers are aware they are not to travel through the village before 7am and we would further request that trucks not congregate or form cues of trucks when in the village. Please spread out and take all precautions to protect the residents of Wardell, in particular, children and elderly persons.

Drivers are formally advised to observe the following standards:

- Travel at less than 50 (preferably 40kph) between the highway and the bridge at the end of Carlisle Street
- Travel at less than 60kph (preferably 50kph) on old Bagotville Road between the bridge and quarries.
- Do not use air brakes in or around Wardell village
- Cover loads at all times
- Go over bumps in the village area very slow, particularly when empty to minimise truck body noise
- Be courteous and respect the residents and visitors of Wardell
- Minimise dust from wheels going on road verges when passing other vehicles on Carlisle Street. Also minimise speed on gravel sections of old Bagotville Road in the vicinity of houses to minimise dust impact on residents
- Do not congregate or travel in cues of trucks around or in Wardell.

SEE Civil and the Residents Group of Wardell will monitor truck movements to and from the quarry and SEE **will not load trucks** who we believe are not trying to assist SEE Civil minimise the impact of truck movements on local residents and the entire community in the Wardell area.

Thanks you for your cooperation, assistance and immediate adherence.

Regards

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC



Craig Long
CEO

**NAME OF
COMPANY:** _____

REGO NO: _____

DRIVER: _____

(print name)

SIGNATURE: _____

(sign)

DATE: / /

Department of Lands

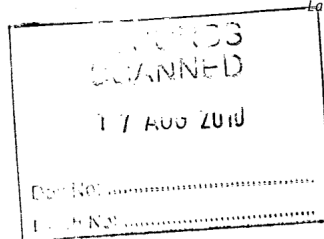
Land Administration & Management
Property & Spatial Information

**Crown Lands Division
Far North Coast**

Level 1, 76 Victoria Street
PO Box 272
GRAFTON 2460
T (02) 6640 3400
F (02) 6642 5375

www.lpma.nsw.gov.au

The General Manager
Ballina Shire Council
PO Box 450
BALLINA NSW 2478



Our Ref: 10/09947, DOC10/67428
Your Ref:1996/30

16 August 2010

Attention: Bob Thornton

Dear Sir

Re: Development Application DA 1996/30 by Ardill Payne and Partners

I refer to your letter of 15 June 2010 informing the Land and Property Management Authority (LPMA) of the above DA regarding an amendment application to increase the permissible rate of extraction at Lot 1 DP 787102 at Old Bagotville Road, Wardell.

I apologise for the delay in our response and acknowledge that this submission is past the due date.

The subject land adjoins a Crown public road which is formed on the north western boundary of lot 1.

While the proposal does not directly impact on the Crown estate please ensure that the applicant does not undertake any activity on the Crown land or use the Crown land for any purpose associated with the development. The proponent may not:

- ◆ encroach upon the Crown public road,
- ◆ remove any vegetation from the Crown public road,
- ◆ stockpile materials, equipment or machinery on the Crown public road,
- ◆ direct stormwater discharges on the Crown public road, or
- ◆ use the Crown public road as asset protection zone.

If you wish to discuss this matter further please contact me on 6640 3413.

Yours sincerely

Jim McDonald
Environmental Officer
Far North Coast

Note that the Department of Lands was abolished and replaced by the Land and Property Management Authority under the Public Sector Employment and Management (Departmental Amalgamations) Order 2009 commencing on 1 July 2009.

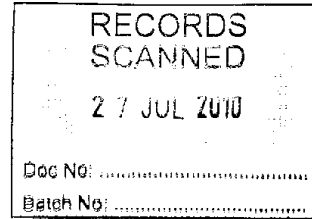




**Industry &
Investment**

OUT10/10953

Rod Willis
Regulatory Services
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Mr Willis,

Re: DA 1996/30 Lot 1 DP 787102, Old Bagotville Road, Wardell

Thank you for your letter of 16th June 2010 regarding the amended proposal relating to the above extraction operation. I&I NSW has assessed the documentation and has no concerns to raise regarding the proposed amendments.

The resource continues to be a valuable source of road materials for the region.

Yours sincerely,

A handwritten signature in cursive script that reads "C Gilmore".

Cressida Gilmore
Senior Geologist – Land Use
21 July 2010

MINERALS & ENERGY DIVISION
PO Box 344 Hunter Region Mail Centre NSW 2310
Tel: 02 4931 6666 Fax: 02 4931 6726
ABN 72 189 919 072- 002
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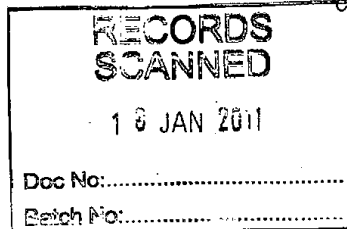


Environment,
Climate Change
& Water

Our reference: LIC 09/689 Doc 10/35702

Contact: Peter Lynch, 0266402502

Rod Willis
Group manager
Regulatory Services
Ballina Shire Council
PO BOX 450
BALLINA
NSW 2484



17 JAN 2011

Dear Mr Willis,

Section 96 (2) Application- Eatons Quarry -Lot 3 DP 619233.

I refer to the Section 96 (2) Application to increase the extraction rates for Eatons Quarry, Lot 3 DP 619233, to 150,000 tonnes per year and "*Results of Noise Monitoring at Eatons Quarry Pit, Old Bagotville Road, BAGOTVILLE, NSW 2477. Gerry Hall, November 16 2010*". We have reviewed the document and provide the following comments.

Noise

We note the advice that *Noise Management Plan* is fully implemented for this stage of the operation and *Eatons Quarry Pit* complied with the EPL noise limit of 43 d BA as assessed in "*Results of Noise Monitoring at Eatons Quarry Pit, Old Bagotville Road, BAGOTVILLE, NSW 2477. Gerry Hall, November 16, 2010.*"

We recommend the following condition of approval of the Section 96 (2) Application: Quarry operations must be conducted in accordance with *Eatons Pit Noise Management Plan November 2010* and "*Results of Noise Monitoring at Eatons Quarry Pit, Old Bagotville Road, BAGOTVILLE, NSW 2477. Gerry Hall, November 16 2010*" to achieve the existing license limit for noise .

If you have any enquiries or wish to discuss this matter please contact Operations Officer, Peter Lynch on telephone (02) 6640 2502.

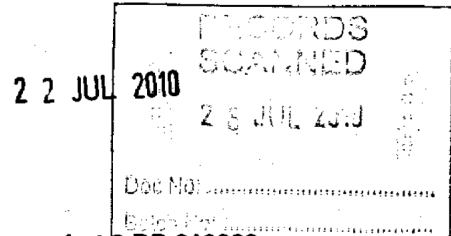
Yours sincerely

Scott Ensbey
Acting Head, Environmental Management Unit - North Coast
Environment Protection and Regulation

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Tel: (02) 6640 2500 Fax: (02) 6642 7743
ABN 30 841 387 271
www.environment.nsw.gov.au

Your reference:
Our reference: FIL LIC 09/689 Doc 10/27413
Contact: Peter Lynch

Rod Willis
Group manager
Regulatory Services
Ballina Shire Council
PO BOX 450
BALLINA
NSW 2484



Section 96 (2) Application- Eatons Quarry -Lot 3 DP 619233.

Dear Mr Willis,

I refer to the Section 96 (2) Application to increase the extraction rates for Eatons Quarry, Lot 3 DP 619233, to 150,000 tonnes per year.

The Department of Environment, Climate Change and Water (DECCW) has reviewed the proposal and recommends that the Section 96 (2) Application to increase the extraction rates for Eatons Quarry -Lot 3 DP 619233 to 150,000 tonnes per year is **not** approved.

Noise

The "Noise Impact Assessment for Eatons Pit" conducted by *Ambience Audio Services* found that at a near receiver the noise levels from the quarry were above the Environment Protection Licence (EPL) noise limit of 43 dBA for each of the 5 measurements; the maximum exceedence was 9.8 dBA above the Environment Protection Licence noise limit of 43 dBA.

Given that Eatons Quarry is not currently complying with the EPL noise limits, DECCW has concerns that with an increased rate of extraction, Eatons Quarry may not be able to comply with EPL noise limits. The "Noise Management Plan" includes a range of noise mitigation strategies, intended when implemented, to achieve compliance with the licence noise limit. No noise modelling appears to have been undertaken to demonstrate that the strategies are likely to achieve the desired result.

DECCW recommends the *Noise Management Plan*, drafted in response to the Pollution Reduction Program on the EPL, be fully implemented and compliance to noise limit of 43 dBA assessed prior to any increase in extraction rates being considered for approval.

DECCW does not propose to amend the licence for Eatons Quarry to increase the extraction rates to 150,000 tonnes per year until the *Noise Management Plan* proposed by the South East Excavations has been fully implemented and noise levels comply with the current noise limit in the licence.

Sediment basins

The sediment basins must meet the design and operational standards of *Managing Urban Stormwater: Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. This document requires that at a minimum 90 percentile five-day rainfall event (standard: greater than

The Department of Environment and Climate Change is now known as the Department of Environment, Climate Change and Water

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Department of **Environment and Climate Change**

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

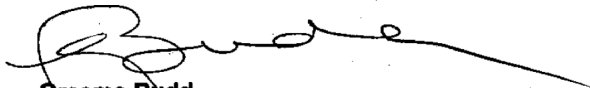
three years) be used to determine basin sizing for quarries. However, we note that the 85 percentile event has been used in the *Erosion and Sediment Control Plan* (ESCP). The existing basin capacity at the premise may therefore be insufficient, as it only just meets the required capacity calculated, incorrectly, in the Plan.

In addition the ESCP calculations do not distinguish between each of the three existing basins at the premise. Each basin at the site has very different characteristics including but not limited to, size catchment area and slope. The report compares only overall required basin capacity with the existing available collective capacity of three basins. This may mean under or over sizing of individual basins with the risk of an authorised discharges from any undersized basins. In this context it should be noted that the licence for the premise will nominate a discharge point from each basin and discharge from each point will need to comply with a water quality limits, including 50 mg/litre total suspended solids up to the design five-day rainfall event. The report needs to demonstrate that each basin is correctly size for its particular catchment characteristics.

DECCW requests that the above issues be addressed and a revised *Erosion and Sediment Control Plan* be prepared prior to approval of the Section 96 (2) Application. A revised ESCP should also include an amended site diagram identifying and labelling each discharge point to be referenced in the licence. The diagram should also show each basin's catchment boundary.

If you have any enquiries or wish to discuss this matter please contact Operations Officer, Peter Lynch on telephone (02) 6640 2502.

Yours sincerely



Graeme Budd
Head Environmental Management Unit North Coast
Environment Protection and Regulation

Your reference:
Our reference: FIL LIC 09/688 Doc 10/27441
Contact: Peter Lynch

Rod Willis
Group manager
Regulatory Services
Ballina Shire Council
PO BOX 450
BALLINA
NSW 2484

RECORDED SCANNED 23 JUL 2010 Doc No: Batch No:
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22 JUL 2010

Section 96 (2) Application- Montis Pit -Lot 1 DP 787102.

Dear Mr Willis,

I refer to the Section 96 (2) Application to increase the extraction rates for Montis Pit, Lot 1 DP 787102, to 150,000 tonnes per year.

The Department of Environment, Climate Change and Water (DECCW) has reviewed the proposal and recommends that the Section 96 (2) Application to increase the extraction rates for Montis Pit, Lot 1 DP 787102, to 150,000 tonnes per year is **not** approved.

Sediment basins

The sediment basins must meet the design and operational standards of *Managing Urban Stormwater: Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. This document requires that at a minimum 90 percentile five-day rainfall event (standard: greater than three years) be used to determine basin sizing for quarries. However, we note that the 85 percentile event has been used in the *Erosion and Sediment Control Plan (ESCP)* for Montis Pit. The existing basin capacity at the premise may therefore be insufficient, as it only just meets the required capacity calculated, incorrectly, in the Plan.

DECCW requests that the above issue be addressed and a revised *Erosion and Sediment Control Plan* be prepared prior to approval of the Section 96 (2) Application..

Noise

The *Noise Impact Assessment* for Montis Pit makes no reference to blasting. An assessment of the potential noise impacts from an expected increase in blasting needs to be evaluated.

The *Noise Impact Assessment* for Montis Pit conducted by *Ambience Audio Services* found that the noise emission from Montis Pit were approximately 6 dB(A) below the Environment Protection Licence (EPL) noise limit of 43 dB(A). We note that the noise monitoring was undertaken in the absence of pre-blast drilling, which we understand from our site inspection in 2009 occurs continuously for a week, four times in year. This drilling is associated with a high noise emissions and potentially tonal characteristics attracting a correction factor (penalty) of up to 5 dB(A).

The Department of Environment and Climate Change is now known as the Department of Environment, Climate Change and Water

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Department of **Environment and Climate Change**

DECCW recommends that a revised Noise Report for Montis Pit be prepared to address the impacts of pre-blast drilling operations and blasting.

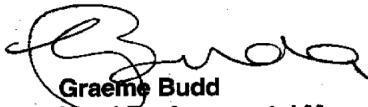
This might include for example:

1. Revision of the noise monitoring to include the contribution of pre-blast drilling and further noise monitoring to demonstrate compliance with the licences noise limit, or;
2. Augmentation of the noise mitigation strategies in the report with the commitment to cessation of crushing and screening operations whenever pre-blast drilling is occurring.

DECCW does not propose to amend the Environment Protection Licence for Montis Pit to increase the extraction rates to 150,000 tonnes per year until a Noise Report for Montis Pit is drafted which addresses the above concerns.

If you have any enquiries or wish to discuss this matter please contact Operations Officer, Peter Lynch on telephone (02) 6640 2502.

Yours sincerely



Graeme Budd
Head Environmental Management Unit North Coast
Environment Protection and Regulation



Environment,
Climate Change
& Water

Rod Willis
Group manager
Regulatory Services
Ballina Shire Council
PO BOX 450
BALLINA
NSW 2484

RECORDS
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30 AUG 2010
Doc No:.....
Batch No:.....

27 AUG 2010

Section 96 (2) Application- Montis Pit -Lot 1 DP 787102.

Dear Mr Willis,

I refer to the Section 96 (2) Application to increase the extraction rates for Montis Pit -Lot 1 DP 787102, to 150,000 tonnes per year, our letter of the 22 July 2010 and the revised *Erosion and Sediment Control Plan (ESCP) of May 2010 for Lot 1 DP 787102* (referred to in the report as Montis Quarry).

We note that Lot 1 DP 787102 has previously been referred to as Montis Pit. (Lot 2 DP 787102, Old Bagotville Road, Bagotville has previously been referred to as Montis Quarry). It would be useful to have consistent names when referring to these sites.

In our letter of the 22 July 2010 DECCW requested that a revised Erosion and Sediment Control Plan be prepared prior to approval of the Section 96 (2) Application.

DECCW has reviewed the revised *Erosion and Sediment Control Plan of May 2010 for Lot 1 DP 787102*, drafted by *Payne and Partners*.

The ESCP appears to be accordance with design and operational standards of *Managing Urban Stormwater: Soils and Construction: Volume 1 and Volume 2 E. Mines and quarries*. (We note that a 90 percentile five-day rainfall event has been used to determine basin sizing.)

Noise

As outlined in our letter of the 22 July 2010 DECCW recommend that a revised Noise Report for Montis Pit be prepared to address the impacts of pre-blast drilling operations and blasting.

This might include for example:

1. Revision of the noise monitoring to include the contribution of pre-blast drilling and further noise monitoring to demonstrate compliance with the licences noise limit, or;
2. Augmentation of the noise mitigation strategies in the report with the commitment to cessation of crushing and screening operations whenever pre-blast drilling is occurring.

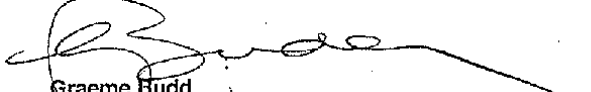
As previously advised DECCW does not propose to amend the Environment Protection Licence for Montis Pit to increase the extraction rates to 150,000 tonnes per year until a Noise Report for Montis Pit is drafted which addresses the above concerns.

The Department of Environment and Climate Change is now known as the Department of Environment, Climate Change and Water

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If you have any enquiries or wish to discuss this matter please contact Operations Officer, Peter Lynch on telephone (02) 6640 2502.

Yours sincerely



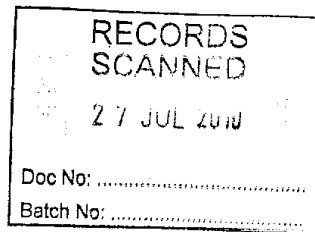
Graeme Budd
Head Environmental Management Unit North Coast
Environment Protection and Regulation



**Industry &
Investment**

OUT10/10955

Rod Willis
Regulatory Services
Ballina Shire Council
PO Box 450
Ballina NSW 2478



Dear Mr Willis,

Re: DA 1996/29 Lot 3 DP 619233, Old Bagotville Road, Bagotville

Thank you for your letter of 16th June 2010 regarding the amended proposal relating to the above extraction operation. I&I NSW has assessed the documentation and has no concerns to raise regarding the proposed amendments.

The resource continues to be a valuable source of road materials for the region.

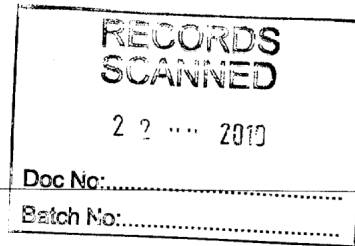
Yours sincerely,

A handwritten signature in cursive script that reads "C Gilmore".

Cressida Gilmore
Senior Geologist – Land Use
21 July 2010

MINERALS & ENERGY DIVISION
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ABN 72 189 919 072- 002
www.industry.nsw.gov.au

File No 23NTH10/00135 & 23 NTH10/00134
Michael Baldwin



The General Manager
Ballina Shire Council
PO Box 450
Ballina NSW 2478

Development Applications 1996/29 and 1996/30 Increase in Extraction Rates for Quarries at Lot 3 DP 619233 and Lot 1 DP 787102 Old Bagotville Road Bagotville.

Dear Sir

I refer to your letters dated 16 June 2010, your references DA 1996/29 and DA 1996/30.

The Roads and Traffic Authority (RTA) offers the following comments for consideration by Council when assessing the subject development applications.

- The increased extraction rates have the potential to cumulatively increase peak heavy vehicle movements along Old Bagotville Road. If quarry operations were to operate simultaneously there will be potentially 54 truck movements per hour along this road. This is an approximate doubling of the potential maximum vehicle movements under the current extraction rates.
- Consideration should be given to widening the narrow section of Old Bagotville Road between the quarry accesses to allow two way movements of haulage vehicles.
- Sight distance at the quarry accesses with Old Bagotville Road should be available to accommodate the 85th percentile speed of vehicles travelling along Old Bagotville Road.
- The accesses with Old Bagotville Road should be designed to Austroroads BAR and BAL standards to allow through traffic to safely pass turning vehicles.
- If Wardell Road is to be used as a haulage route to Alstonville, the swept path of haulage vehicles turning left at the intersection of Wardell Road and Carlisle Street needs to be checked. This will be necessary to ensure haulage vehicles turning left at this intersection also not have to cross the centreline in Wardell Road while negotiating the left turn.
- Council should consider a contribution towards the maintenance of the surrounding road network for haulage of material from the quarries.

If you have any further enquiries regarding this matter please contact Michael Baldwin on 6686 1832 or email land_use_northern@rta.nsw.gov.au.

Yours faithfully,

David Bell
Regional Manager, Northern Region

19 JUL 2010

Roads and Traffic Authority

31 Victoria Street Grafton NSW 2460
Post Office Box 576 Grafton NSW 2460 DX7610
www.rta.nsw.gov.au | 02 66401300

Conditions Applicable to DA 1996/29

The following conditions are to be inserted after condition No 7

- 7A A 1.2 metre wide footpath is to be constructed from the bust stop on the North-Western side of Carlisle Street to connect with the footpath in Bath Street. As part of this footpath a pedestrian refuge is to be constructed in Carlisle Street in the vicinity of the bus stop.
- 7B Prior to the Issue of the Construction Certificate, engineering design drawings shall be submitted to and approved by Council under Section 138 of the Roads Act 1993 for the following civil works. Details are to be in accordance with the Northern Rivers Local Government *Development Design and Construction Manuals* (as current at the time of construction works commencing), Austroads and/or RTA guidelines. Where details are not addressed in these Manuals, the design is to comply with the requirements of Council's *Subdivision Code*.
- At the developer's expense, Old Bagotville Road is to be upgraded to a minimum 8m wide gravel formation from the intersection of Old Bagotville Road - Montis Road south for a distance not less than 650m. The pavement must be designed to carry a vehicle load of 15 tonnes and comply with the requirements of the Northern Rivers Local Government Development Design & Construction Manuals.
- 7C Prior to issue of the Construction Certificate, the following fees and bonds for civil works are to be paid to Council (including the amount of goods and Services Tax payable):
- Inspection Fee: equal to 3% of the estimated cost of the related civil works
 - Maintenance bond: equal to 5% of the estimated cost of the related civilworks.
- A maintenance period of 12 months will apply to all related works from the date of commencement of operations. The bond may be used by Council to maintain, repair or rectify works that are failing.

The following condition is to be replace condition No. 11

- 11 The annual rate of extraction shall not exceed 150,000 tonnes. Details of the actual extraction rates are to be submitted to Council on a quarterly (3 monthly) basis. Prior formal development consent is to be obtained from Council for any proposed extraction in excess of this amount.
- For the purpose of calculating the annual rate of extraction, the extraction period is to be from 1 July to 30 June.

The following condition is to replace condition No 14

- 14 General quarry operations are to be restricted to the hours 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturday. No work is to be undertaken on Sundays or Public Holidays

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

The following condition is to replace condition No 16

- 16 A road maintenance levy of \$0.329/tonne hauled shall be paid quarterly to Council. The levy is to increase annually in accordance with the mechanism for indexing the Section 94 Contribution Plan for Ballina Shire – "Heavy Vehicle Traffic Generating Development – Maintenance & Construction of Roads", commencing February 2011 for the life of the extraction..

The quarterly extraction rates referred to in Condition No 11 are to be provided to Council for the period January – March, April – June, July – September, October – December. The extraction rate statements and payments must be received by the end of the following month.

The following condition is to be inserted after condition No 16

- 16A A "remittance form" as issued by Council shall be submitted to Council for each quarter, either accompanying the required payment or as a "nil" return. The information required includes applicable quarter, quantities of material, tonnage rate, contribution payments and the like and be certified by a company officer.

An annual audit of quarry sales by volume and weight shall be undertaken by an independent auditor and submitted to Council. This audit shall also provide a reconciliation between the sales and the contributions that have been paid to demonstrate compliance with the terms of the consent. The annual cycle shall be the financial year unless otherwise notified by Council.

Quantitative/volumetric surveys of the site shall be undertaken periodically by a practising registered surveyor at the cost of the applicant/operator upon written request by Council. The surveyor shall use the methodology supplied by Council to determine the weight of the extracted material and reconcile such with quarterly and annual returns. Where the survey indicates that more material has been extracted than indicated by returns, the applicant/operator shall pay a contribution in respect of the outstanding amount.

The following condition is to replace condition No 17

- 17 Operation of the site shall be in accordance with recommendations included in Eaton's Pit Noise Management Plan November 2010 and "Results of Noise Monitoring at Eaton's Quarry Pit, Old Bagotville Road, Bagotville NSW 2477, Garry Hall, 4 February 2011.

The following conditions are to be inserted after condition No 21

- 21A No more than 220 trucks are to be loaded at the quarry in any week.
- 21B All trucks being loaded or waiting to be loaded, or waiting to be weighed are to remain wholly on the site during these periods. No trucks are to be loaded or wait on the public road.

The following condition is to replace condition No 22

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

- 22 All operation must be carried out in accordance with the submitted Erosion and Sediment Control Management Plan prepared by Ardill Payne and Partners, dated May 2010.

The following condition is to be inserted after condition No 25.

- 25 A water truck designed to suppress dust from exposed surfaces and access roads shall be available at the site or in the immediate vicinity at all times. Exposed surfaces and access roads including Old Bagotville Road shall be regularly wetted to suppress dust generation.

The following condition is to be inserted after condition No 33.

- 33A In the event of a pollution incident on the premises, that has caused, is causing, or is likely to cause harm to the environment, the occupier shall report the incident to Council immediately the occupier or occupier's managers on site become aware of the incident.

The following condition is to replace condition No 34

- 34 It is an offence to dig, disturb, remove materials or vegetation, encroach upon, stockpile materials, store equipment or machinery, direct stormwater discharges upon Crown land or public road without the permission of the Land and Property Management Authority. To ensure no offence is carried out the applicant shall have the Crown road surveyed, marked and stabilised with vegetative batters of not less than 1(v):3(h) when and if the extractive activities occur in close proximity to the crown road.

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

Conditions applicable to DA 1996/30

The following condition is to be inserted after condition No 6.

- 6A A 1.2 metre wide footpath is to be constructed from the bust stop on the North-Western side of Carlisle Street to connect with the footpath in Bath Street. As part of this footpath a pedestrian refuge is to be constructed in Carlisle Street in the vicinity of the bus stop.

The following condition is to replace condition No 10

- 10 The annual rate of extraction shall not exceed 150,000 tonnes. Details of the actual extraction rates are to be submitted to Council on a quarterly (3 monthly) basis. Prior formal development consent is to be obtained from Council for any proposed extraction in excess of this amount.

For the purpose of calculating the annual rate of extraction, the extraction period is to be from 1 July to 30 June.

The following condition is to replace condition No 13

- 13 General quarry operations are to be restricted to the hours 7.00am to 5.00pm Monday to Friday and 8.00am to 1.00pm Saturday. No work is to be undertaken on Sundays or Public Holidays

The following condition is to replace condition No 15

- 15 A road maintenance levy of \$0.329/tonne hauled shall be paid quarterly to Council. The levy is to increase annually in accordance with the mechanism for indexing the Section 94 Contribution Plan for Ballina Shire – "Heavy Vehicle Traffic Generating Development – Maintenance & Construction of Roads", commencing February 2011 for the life of the extraction..

The quarterly extraction rates referred to in Condition No 10 are to be provided to Council for the period January – March, April – June, July – September, October – December. The extraction rate statements and payments must be received by the end of the following month.

The following conditions is to be inserted after condition No 15

- 15A A "remittance form" as issued by Council shall be submitted to Council for each quarter, either accompanying the required payment or as a "nil" return. The information required includes applicable quarter, quantities of material, tonnage rate, contribution payments and the like and be certified by a company officer.

An annual audit of quarry sales by volume and weight shall be undertaken by an independent auditor and submitted to Council. This audit shall also provide a reconciliation between the sales and the contributions that have been paid to demonstrate compliance with the terms of the consent. The annual cycle shall be the financial year unless otherwise notified by Council.

Quantitative/volumetric surveys of the site shall be undertaken periodically by a practising registered surveyor at the cost of the applicant/operator upon written request by Council. The surveyor shall use the methodology supplied

8.1 DAs 1996/29 & DA 1996/30 - Increase in Quarry Extraction Rates.DOC

by Council to determine the weight of the extracted material and reconcile such with quarterly and annual returns. Where the survey indicates that more material has been extracted than indicated by returns, the applicant/operator shall pay a contribution in respect of the outstanding amount.

The following condition is to replace condition No 16

- 16 Operation of the site shall be in accordance with recommendations included in Monti's Pit Noise Management Plan November 2010 and "Results of Noise Monitoring at Monti's Quarry Pit, Old Bagotville Road, Bagotville NSW 2477, Garry Hall, 4 February 2011.

The following conditions are to be inserted after condition No 20.

- 20A No more than 220 trucks are to be loaded at the quarry in any week.
- 20B All trucks being loaded or waiting to be loaded, or waiting to be weighed are to remain wholly on the site during these periods. No trucks are to be loaded or wait on the public road.

The following condition is to replace condition No 21:

- 21 All operation must be carried out in accordance with the submitted Erosion and Sediment Control Management Plan prepared by Ardill Payne and Partners, dated May 2010.

The following condition is to be inserted after condition No 24.

- 24 A water truck designed to suppress dust from exposed surfaces and access roads shall be available at the site or in the immediate vicinity at all times. Exposed surfaces and access roads including Old Bagotville Road shall be regularly wetted to suppress dust generation.

The following condition is to be inserted after condition No 32.

- 32 In the event of a pollution incident on the premises, that has caused, is causing, or is likely to cause harm to the environment, the occupier shall report the incident to Council immediately the occupier or occupier's managers on site become aware of the incident.

The following condition is to replace condition No 33

- 33 It is an offence to dig, disturb, remove materials or vegetation, encroach upon, stockpile materials, store equipment or machinery, direct stormwater discharges upon Crown land or public road without the permission of the Land and Property Management Authority. To ensure no offence is carried out the applicant shall have the Crown road surveyed, marked and stabilised with vegetative batters of not less than 1(v):3(h) when and if the extractive activities occur in close proximity to the crown road.

Additional Conditions to both DAs

No trucks attending this quarry are to enter Carlisle Street, Wardell prior to 7.00am or after 5.00pm. This information is to be passed on to truck drivers and trucking companies by the Quarry Operators on an annual basis.