

**COMMUNITY MEETING
NEW ITALY HALL
SUNDAY 8 AUGUST 2021**

RECORD OF MEETING

Meeting commenced: 11.00am

Attendance: 45 persons, including 11 volunteers from The New Italy Museum Inc. (NIMI). Also in attendance via a video-link from Sydney were Mr Joe Sgro (New Italy Holdings Pty Ltd) and Mr Wayne Gersbach (Memphis Strategic)

Apologies: Cr Robert Mustow (Mayor, Richmond Valley Council), Cr Robert Hayes (Richmond Valley Council), Mr Glenn Costello

Purpose of meeting: To enable members of the New Italy community to ask questions about a proposed service station and restaurant complex to be constructed at New Italy (ref: DA 2021/0330) – Mr Sgro and Mr Gersbach represented the developer (New Italy Holdings Pty Ltd).

Welcome and introduction: Ms Gail Williams (President, NIMI)

Chair: Mr Peter Blackwood (Secretary/Treasurer, NIMI)

Format of these notes:

1. In response to a question from an attendee the chair advised that notes of the meeting would be taken and later published on NIMI's website. Further, the chair advised the meeting that an audio-recording of the meeting was not being taken.
2. Attendees who proposed questions and made statements have not been named in these notes, other than Cr Daniel Simpson, Richmond Valley Council (RVC) – in attendance -and Mr Glenn Costello, former resident of New Italy who requested his written statement to be read to the meeting.

DISCUSSION – QUESTIONS AND ANSWERS

1. **Q. (Per the chair – submitted prior to meeting): The DA seems to have been lodged by a company ... New Italy Holdings Pty Ltd ... given the Museum committee is supporting the development are any of the shares in this company owned by any members of the New Italy Museum Inc.'s committee or their families or associates? Also, are any of these people or their families getting any financial benefit or handouts from the developer?**

A. The chair responded as follows: With a very minor and easily explained exception, the short answer is an emphatic NO. The exception relates to a very minor business arrangement between the developer and a member of the committee who operates a graphic design business. That member has been providing graphic design services to the New Italy Museum Inc. free of charge for

many years – one of those services recently was the development of a plan for a Heritage Trail within the confines of the New Italy Museum site. The developer (Joe Sgro) saw the drafts of this Trail and asked if a plan could be drawn up that enabled the Trail to be made accessible to patrons of the proposed service station development. A fee-for-service arrangement was then agreed between the developer and the graphic design business for the design of a plan that would link the Heritage Trail with the service station development.

2. **The chair then invited Mr Gersbach to provide a brief overview of the key elements of the DA.** Mr Gersbach commenced by acknowledging the community meeting held in July 2019 at which an undertaking was given to residents to inform them of progress on the development – some of the community had provided their email addresses for that purpose. Mr Gersbach apologized for not having followed through with that undertaking – he said that a number of complications arose in having all the various issues examined by the relevant experts (e.g., in the post-bush fire scenario) and the delays in finalizing reports had interfered with being able to provide the feedback. Mr Gersbach then explained the various elements of the proposed service station and restaurant complex, including its proposed understated design –single storey and ‘shed-like’ –raw concrete + colorbond, to complement museum buildings.
3. Mr Gersbach also commented on various “economic” aspects of the proposed development – e.g., the provision of 150+ FTEs (full-time equivalent jobs) for the local community and the flow-on effect of wages being spent across the local community. Mr Gersbach’s comments included observations of (a) the impact on communities of highway bypasses – e.g., Kempsey & Bulladelah (“success stories”) and noted outcomes for various Hume Hwy towns –all different, and (b) statistics from the 2011 and 2016 census which showed declining and ageing population trends in both New Italy and Woodburn and the potential economic implications of such trends.
4. **Q. (Per the chair – submitted prior to meeting): Were there any other sites considered? Was North bound at the Iluka turnoff considered? There is already an overpass for a safer entry and exit than the New Italy site. The land has already been cleared and there are no houses to impede on. I work at Harwood and I know that everyone I work with really want this centre at the Iluka site I mentioned.**
 - A. Mr Gersbach said he was familiar with the Iluka turnoff site which is in the Clarence Valley LGA and service stations are not permitted under the zoning for that site - it would require re-zoning to enable the development. The New Italy site was preferred – zoning enables development (with consent) for a service station and restaurants and is considered a more appealing site because of the adjacent New Italy Museum. Mr Sgro also added that the ‘Italian’ character of the site was appealing and added to the unique type of offer that was possible.

5. Q. (Per the chair – submitted prior to meeting): Why is this centre proposed when Ballina has a new centre only 30 minutes north?

A. Mr Sgro said that the growth in highway traffic has led to fuel companies seeking more sites to be developed – he exemplified the loss of 30 service station sites by Shell as a result of road re-development. He added that the relative proximity to Ballina in terms of driving time is not a reason to discount the suitability of New Italy as a site for northbound traffic.

6. Q. (Per an attendee): Shouldn't the RMS (TfNSW) be consulted about entry and exiting traffic? The safety of movement on and off the highway is an issue – possibly may need to extend the slip road off the highway and improvement of Swan Bay New Italy Road from the exit onto the highway. Also, the RVC had installed traffic counters on Swan Bay New Italy Road – could the results be made public?

A. Mr Gersbach explained that the DA does not attempt to explain how any road changes should be carried out – these would be specified by the relevant authorities – e.g., TfNSW or RVC.

The chair advised that NIMI will ask RVC to publicise the traffic counter results.

7. Q. (Per an attendee – also, a similar question was submitted prior to the meeting): There is no signage for southbound traffic wishing to turn into New Italy via the u-turn bay, other than a Swan Bay New Italy Road sign at the u-turn bay – this is dangerous – traffic continuing southbound may not appreciate the reason for New Italy bound traffic merging into the right-hand lane before the deceleration lane, and New Italy bound traffic that are not aware of the need to merge right then decelerate are not given sufficient prior warning to do so. Also, how will the traffic arrangements work with southbound B-doubles trying to access the service station? Is this going to improve?

A. The chair advised that some New Italy residents had raised this concern with TfNSW early in 2021 and, in fact, NIMI had written to TfNSW on 1 March 2021 about the same issue and had suggested solutions to the lack of signage. The chair also advised that an advice was received from TfNSW on 7 May 2021 that a tourist sign (white on brown) is to be installed 500m north of the u-turn bay – the sign will read “NEW ITALY MUSEUM USE – SWAN BAY NEW ITALY RD – 500m ON RIGHT”. This was due to have been installed by early July 2021 – NIMI will contact TfNSW to pursue the installation of the sign. The chair noted that TfNSW has said it has agreed to the sign on a trial basis – it will monitor the performance of the u-turn bay for any safety impacts. The chair offered NIMI's correspondence to TfNSW for attendees to review.

Mr Gersbach re-stated that the proposed service station is intended and designed for northbound traffic and that highway traffic rarely access services on the opposite side of a highway. This is particularly the case for B-double vehicles.

Note: Following the meeting NIMI contacted TfNSW to enquire when the southbound sign (above) will be installed. The following response was received from TfNSW:

“ there are a few issues currently preventing us from completing the installation. As the Pacific Highway upgrade is a recent project there is no dial before you dig information at this time. As such our teams are required to do extensive research and discussions with our business partner, Pacific Complete, before we can dig any holes. As you will appreciate if we were to damage a fibre optic cable the implications would be significant and the fines substantial.

Additionally, as these signs are larger than our standard signs we are required to have specific designs completed for the footings and posts.

The signs are to hand and the designs are expected to be completed by next week.

Supply of posts is expected to take a further 4 weeks, noting supply is impacted by COVID-19.

Install would be undertaken as soon as practical.

My current estimate is that we are looking at a further 6 weeks as a minimum.”

8. Q. (Per an attendee): I live at 1251 Swan Bay New Italy Road – built a new home in this quiet spot in 2013 – if the service centre is built the exit road from the service centre will be right in front of my property – truck noise, lights, traffic! What are you going to do for the residents? I would like to see some drawings and paperwork of some sound barrier wall to prevent this.

A. Mr Gersbach referred to the acoustic report by Koikas and the various analyses and charts in that report. He noted that the Koikas analyses had used conservative traffic volumes (e.g., higher volumes than could reasonably be expected) and assumed items of plant would be located on the roof of the proposed facility, whereas a plant room will be constructed to house such items. Accordingly, the analyses measured “worst case” noise outcomes against the maximum permissible levels. The analyses concluded that those outcomes would still be within the permissible levels.

Mr Gersbach noted that RVC had requested further detail in relation to this matter and that Koikas will clarify its findings, as its report is understandably ‘technical’.

Mr Sgro added that the developer is prepared to construct fencing, etc. on any affected properties to address any impacts of noise – any such construction would be done in consultation with the individual property owners and RVC.

9. Q. (Per an attendee): I live approx. 1km south of New Italy on a property that is adjacent to the eastern side of the highway – I am concerned about the noise from heavy vehicles using exhaust brakes for deceleration into the proposed service station.

A. Mr Gersbach undertook to refer this issue to Koikas Acoustic for advice – contact details were obtained from the questioner and an undertaking was given to provide a response after further examination.

10. Q. (Per an attendee): Where do Koikas Acoustic get their measurements from? My Google search has produced numbers that are different from those mentioned in the report (e.g., noise from a vehicle starting, noise from a motorbike).

A. Mr Gersbach explained that the recording levels are averaged to account for sound levels that vary over time. Koikas' report accounts for all types of noise generated – vehicle noise, plant and equipment, the opening and closing of car doors, engine start-ups and braking etc.

11. Q. (Per an attendee): Noted that traffic noise had increased since the highway was completed in December 2020 - when were the acoustic surveys of the area around the proposed service station conducted. Also, can you give assurances that Lot 3 cannot and will not be subdivided?

A. Mr Gersbach referred to the Koikas report and advised the noise surveys were conducted in December 2020.

Mr Sgro advised that it is his understanding that Lot 3 could not be subdivided and assured the questioner that he has no plans to further develop Lot 3.

12. Q. (Per an attendee): Local residents are concerned that traffic exiting the proposed service station will use Swan Bay New Italy Road to access destinations to the west of the New Italy area, rather than returning to the highway.

A. Mr Gersbach commented that it is expected that the bulk of traffic exiting the service station will return to the highway.
Mr Sgro commented that the section of Swan Bay New Italy Road from the exit point from the service station to the entrance to the highway will need to be upgraded. The DA does not attempt to outline any details of this upgrading because the requirements can only be specified by the appropriate road authority – eg., RVC.

13. Q. (Per an attendee): Has any attention been given to noise from the proposed development that will funnel down to Forest Road and Mahogany Road (approx. 2.5 kms to the west of the site)? Noise from the highway can be heard in those locations.

A. Mr Gersbach noted that the acoustic report does not mention noise impact for the vicinity of those roads and commented that the modeling would indicate that any noise from the development would be within the permissible levels. Nevertheless, Mr Gersbach agreed to ask Koikas to examine that issue.

14. Q. (Per an attendee): Has the DA considered the impact of road noise from the development on the health of residents?

A. Mr Gersbach agreed to refer this matter to both the traffic and acoustic experts for advice on this.

15. Q. (Per an attendee): Has the DA considered the impact of the development on a particular snake and species of melaleuca (endangered)?

A. Mr Gersbach referred to aerial photographs taken in 1988 and 1998 which showed the extensive clearing that had occurred on the site at those times. The ecological study that was done for the DA concluded that the development will not cause harm to any species but that certain offset arrangements will be required to address any clearing of vegetation – these arrangements involve a technical process to which the developer will be required to adhere.

16. Q. (Per an attendee): Referred to difficulties with the internet service at New Italy - will the proposed service station offer free WiFi for New Italy residents?

A. Mr Sgro commented that difficulty with internet access at New Italy was raised at the community meeting in 2019. He explained that he has engaged a specialist internet company to advise on ways to address the problem – the major issue is the forest throughout the New Italy area that disrupts/interferes with transmissions - one possible solution is to install a tower on site at New Italy which would relay signals for New Italy residents although other solutions may present - in the event the DA is approved further consideration is to be given to this issue.

17. The chair invited Cr Daniel Simpson to address the meeting. Cr Simpson made 3 points:

1. It is his view that the proposed development is a bad fit for the New Italy Museum – the “peace and tranquility” of the site (quoted from NIMI’s 2019-2024 Strategic Plan) will be lost if the development proceeds. Also, residents who moved to New Italy for peace and quiet will lose that facility.
2. Customers of the service station whose next destination is a location west of New Italy (e.g., Casino) will likely use Swan Bay New Italy Road as a short-cut, rather than returning to the highway and passing through Woodburn. Also, Swan Bay New Italy Road would be used by employees of the service station who live in the New Italy area.
3. Noted the conflict between the developments permitted with consent under the zoning tables and the prohibited developments mentioned in the RVC’s LEP 2012 – commented that this will be an issue.

Mr Gersbach noted also that the Historic New Italy Strategic Plan includes an objective for the museum to capitalise on the site’s highway frontage and that the Plan had been developed prior to the service station approach.

Further examination of local traffic implications would be undertaken, as required by TfNSW and Council.

In relation to the issue of permissibility Mr Gersbach referred to the provisions of the RVC's LEP which expressly permit 'service stations' and 'restaurants' in the RU1 zone.

- 18. The chair referred to an email received by a New Italy resident:** noted that the resident's concerns/comments about noise, impact on local roads and environmental issues (potential for environmental degradation) had been raised by other residents attending the meeting and responses have been provided by the developers. The same resident's comments about the negative impact on NIMI's facilities (museum/café) will be separately addressed by NIMI and directed to that resident.
- 19. The chair read an email from Glenn Costello, recent resident of New Italy and former President of the Ballina Chamber of Commerce:** The email expressed strong support for the proposed development.
- 20. The chair invited an attendee to make a statement about the proposed development:** The points made were:
1. There has been an underestimation of the population figures quoted in the DA – New Italy encompasses an area far greater than the 3000 acres referenced in the DA – Swan Bay New Italy Road IS a major thoroughfare for the local community and additional traffic exiting the proposed service station onto the road will create safety issues for residents who regularly use the road.
 2. Traffic accessing New Italy via the highway from the north are already facing safety issues – these issues will worsen with northbound traffic entering the deceleration lane to enter the proposed service station.
- 21. Q. (Per an attendee): Can residents ask further questions of the developer in the coming days?**
- A. Mr Gersbach said he would be happy to take further questions but noted that in the coming days he will be heavily involved in responding to requests for information on the DA received from the RVC and other regulatory authorities. The chair requested that any further questions be directed via NIMI's email account: info@newitaly.org.au.
- 22. The chair thanked all attendees and reminded all that submissions on the DA are to be lodged with RVC by 16 August.**

Meeting ended: 1.15pm