

Patrick Morrissey

4 January 2018

General Manager
Byron Shire Council
Station St
Mullumbimby NSW 2482

Attention: Mr. Phil Holloway & Mr. Tony Nash

Dear Phil and Tony,

**RE: Customer Request No. 9,763 and sediment pollution and the solution to both issues:
Applying Policy 4.17 and sealing the remaining 1/3 of Mafeking Rd Goonengerry.**

I refer to my meeting yesterday with Mr. Nash at the Council Chambers regarding the above 2 matters.

Customer Request No. 9,763

Customer Request No. 9,763 was lodged on or about 17 October 2017, some 10 weeks ago which and remains outstanding. The purpose of this Customer Request was to determine whether the dust being generated by the road base being used by Council or its contractors is an ongoing OH&S issue for adjacent residents and if so it would be incumbent on Council to change the way it managed the road so as not to exacerbate a health issue for residents. I look forward to the Customer Request being processed.

Sediment Pollution caused loose road base being washed off Mafeking Rd.

I kindly remind you that since July 2015, over 2 and one half years ago, I've brought to Council's attention via letters, meetings at the Works Depot, on site meetings and Public Access Address to the full Council the systemic probable breach of the Protection of the Environment and Operations Act (POPE Act) 1997 by Byron Shire Council, particularly as it relates to polluting my property which is protected by a legally binding Conservation Agreement with the NSW Minister for the Environment, the highest environmental protection possible for private land in NSW.

The Solution: applying Policy 4.17 and sealing the remaining 1/3 of Mafeking Rd.

As a result of an onsite Meeting with Mr. Evan Elfid, Team Leader Infrastructure Planning, in October 2017, the following table was supplied by Council as a preliminary estimate of the cost of sealing the remaining 1.4km at a proposed seal of 5m on a formation width of 6.2.

I note that whilst a proposed seal of 5 meters appears appropriate, given the topographical constraints and extra cost involved, a 6.2 formation width may not be desirable or cost effective on every section of the road.

As a result of the meeting with Mr. Elfid and subsequent onsite meeting with Cr. Basil Cameron, a decision was made to consult all landowners with properties adjacent to the unsealed section (specifically those with driveways to houses on the unsealed section) as to whether they support the sealing of the remaining 1/3 of the road and if so would they be willing to make a contribution to the cost of 2 coats of seal at a 5 meter width as per the table supplied by Council.

Importantly, ALL property owners (about 12 with driveways off the gravel section), support the sealing of the remaining 1.4km and about 2/3 or about 8 out of 12 property owners are willing to contribute 100% of the seal component, on a pro rata basis (width of property fronting road), based on figures supplied by Council. This represents between \$50,000-\$60,000 being 'pledged' by residents which demonstrates a high level of commitment. The remaining 1/3 supported the sealing yet were not in a position financially to make a contribution.

Mafeking Road unsealed segment				
Length: 1.4km				
Formation width: 6.2m average				
Proposed seal width: 5m				
Description	unit	qty	rate	amount
Preliminaries				
Geotechnical Investigation	item	1	\$ 8,000.00	\$ 8,000.00
Site establishment	item	1	\$ 2,000.00	\$ 2,000.00
Sed & erosion control	item	1	\$ 1,500.00	\$ 1,500.00
Pavements				
Traffic control	hr	178.5	\$ 45.00	\$ 8,032.50
Grader 140H	hr	50.5	\$ 130.00	\$ 6,565.00
Roller smooth	hr	59.5	\$ 75.00	\$ 4,462.50
Truck & dog	hr	68	\$ 115.00	\$ 7,820.00
100mm DGB20	ton	2016	\$ 24.00	\$ 48,384.00
Supervisor	item	1	\$ 1,500.00	\$ 1,500.00
sub total				\$ 80,434.00
construction risk allowance 10%	item	1	10%	\$ 8,043.40
Total (Pavement Preparation)				\$ 98,377.40
ie. \$70.27 ex gst / lin metre of road				
Wearing Surface				
Engineering tests	item	1	\$ 2,000.00	\$ 2,000.00
sealing preparation & supervision	item	1	\$ 1,500.00	\$ 1,500.00
10mm Prime Seal	m2	7000	\$ 4.50	\$ 31,500.00
14/10 double double	m2	7000	\$ 9.00	\$ 63,000.00
sub total				\$ 98,000.00
construction risk allowance 10%	item	1	10%	\$ 9,800.00
Total (Wearing Surface)				\$ 107,800.00
ie. \$77.00 ex gst / lin metre of road				
Note - no allowance for batter work for road widening etc.				

The following points are also worth noting.

- Council referred to sealing the remaining 1/3 of Mafeking Road as a 'New Essential Infrastructure Gap' in its recent Special Rate Variation - Funding Our Future Document as OPTION 3 on p.14 confirming Council considers this work an **essential infrastructure gap**.
- Mafeking Road is a 'through road' to Lismore and the only through road to Upper Coopers Creek and when Repentance Creek Road causeway is flooded.
- Mafeking Road cuts across a very steep gradient, including a large rhyolite ridge line on the high side of the road that dramatically increases the velocity of surface runoff of rainfall and therefore road base sediment washing off and polluting properties on the lower side of the road.

None of these important factors apply to either Grays Lane or Skinners Shoot Rd, both no through roads, where residents have initiated the sealing of a road and to which staff make unreasonable

comparisons. Mafeking Road warrants Council support much more than these other 2 roads and these points need to be emphasised in the allocation of Council funds.

Therefore may I request that staff, as soon as possible, preferably via a report to the 2 February 2018 Council Meeting, request a small allocation of funds to conduct the required technical tests to determine a more accurate costing for sealing the remaining 1/3 of Mafeking Road and to draft up a series of funding options from various sources including the resident contributions referred to above.

I note the table supplied by Council has a footnote stating no allowance made for batter work for road widening. It is the expressed desire of residents that the bare minimum road widening occur to accomodate a 5 meter seal to make the project as cost effective and as minimally intrusive on the steep topography as possible.

Thank you for your time. Please ring to discuss.

Kind Regards

Patrick Morrissey