



AUSTRALIAN RAIL TRACK CORPORATION LTD

Our Reference: 65/710/405
Your Reference: DA 47/2014

29 April 2014

The General Manager
Muswellbrook Shire Council
PO Box 122
MUSWELLBROOK NSW 2333

Attention: Donna Watson

Dear Mrs Watson

RE: DEVELOPMENT APPLICATION – DA 47/2014
LOT 1, 3, 4, 5 DP 11221 – LOT 8 Section 6 DP 758740 – LOT 7 DP 71755

Thank you for your correspondence dated 7 April 2014 regarding the abovementioned Development Application.

I subsequently advise that Council should consider the State Environmental Planning Policy (SEPP) (Infrastructure) 2007 and *Development Near Rail Corridors And Busy Roads – Interim Guideline*, published in the NSW Government Gazette No.158 on 19 December 2008 when determining this application.

ARTC requests that, due to the nearby rail corridor, Council considers the following in its assessment of the application;

Noise and Vibration

ARTC requests that the Council consider the requirements of *Development Near Rail Corridors And Busy Roads – Interim Guideline* and whether any noise sensitive uses within the development are likely to be adversely affected by rail noise or vibration.

A copy of the guidelines can be found by following the below link:

<http://www.planning.nsw.gov.au/rda-guidelines/documents/DevelopmentNearBusyRoadsandRailCorridors.pdf>

To assist Council in assessing and determining the development it is recommended that all noise-sensitive proposals located within 60m of an operational railway line be subject to an acoustic assessment and may use their discretion to extend the acoustic assessment beyond the preferred 60m buffer to address development proposals that are:

- Located outside, but within reasonable proximity of the preferred 60m buffer;
- In the vicinity of steel bridges;
- Near sections of high speed track; or
- In locations where no acoustic shielding by topography or buildings exist.



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Stormwater

ARTC wants to ensure that stormwater from the development, does not affect the rail corridor and requests that Council impose as a condition of consent that the developer will ensure that stormwater does not affect the rail corridor, such as:

1. Prior to a Construction Certificate being issued, the applicant must submit details of stormwater disposal to Council for approval. The flow of stormwater toward the rail corridor must not be increased by the proposed development. All approved details for the disposal of stormwater and drainage are to be implemented in the development.

Fencing

The security of fencing along the rail corridor is essential to prevent unauthorised entry. ARTC requests that Council impose a condition of consent requiring that the boundary of the site with the rail corridor be fenced in a 1.8m mesh fence if applicable.

Should you have any further enquiries with regard to this matter please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Teena Renés', is written over a light blue horizontal line.

Per

Teena Renés
Property Manager, Hunter Valley