

Our ref: STH20/00043/08  
Contact: Andrew Lissenden 0418 962 703  
Your ref: DA103/2021 (CNR-26866)

8 February 2022

Karinne Granger  
Upper Lachlan Shire Council  
BY EMAIL: council@upperlachlan.nsw.gov.au

## **DEVELOPMENT APPLICATION 103/2021 (CNR-26866) – LOTS 5 DP 255133 FEDERAL HIGHWAY, WOLLOGORANG – “ROSE LAGOON” FRIABLE GRANITE QUARRY EXTENSION**

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Dear Karinne

Transport for NSW (TfNSW) refers to the notification it received on 3 February 2022 regarding the above development application (DA).

TfNSW has completed an assessment of the additional information provided (letter from Motion Traffic Engineers Pty Ltd dated 31 January 2022), while focussing on the impact to the state/classified road network (i.e. the Federal Highway). TfNSW notes:

- it has previously provided its suggested conditions for the DA (refer to the TfNSW letter dated 16 September 2021);
- the conditions provided by TfNSW were based on information supplied by the applicant which included details that “*Truck arrivals and departures will be no more than two (2) trucks per day*” (as detailed in the Traffic and Parking Impact Report, N206370A Version 1c dated September 2020 prepared by Motion Traffic Engineers Pty Ltd);
- the applicant is requesting that the TfNSW suggested condition relating to maximum daily truck movements be amended to allow a maximum of five (5) truck movements per day. The increase in truck movements being requested to take into account periods where there is inclement weather which may prevent/limit quarry operations;
- the DA is still proposing a decrease in the per annum extraction rate from 30,000 tonnes per annum (as approved under development consent 2002/0156/DA) to 16,000 tonnes per annum and an associated decrease in vehicle movements;
- the DA is still proposing to undertake works within the Federal Highway road reserve (i.e. widening and bitumen sealing at the development sites connection with the Federal Highway and the central median crossing – refer to **Attachment 1**); and
- concurrence under Section 138 of the *Roads Act 1993* will still be required from TfNSW for the works that are within the Federal Highway road reserve.

Having regard to the above, TfNSW will not object to the DA and the proposed change in the maximum daily truck movement numbers subject to the amended conditions outlined in **Attachment 2** being included in any development consent issued.

TfNSW highlights that in determining the DA under Part 4 of the *Environmental Planning and Assessment Act 1979*, it is the consent authority's responsibility to consider the environmental impacts of any road works or other works within the Federal Highway road reserve which are ancillary to the development. This includes any works which form part of the proposal and/or any works which are deemed necessary to include as requirements in the conditions of development consent. Depending on the level of environmental assessment undertaken to date, the consent authority may require the developer to undertake further environmental assessment for any ancillary road works.

Upon determination of this DA, it would be appreciated if the Council could send a copy of the Notice of Determination to 'development.south@transport.nsw.gov.au'.

If you have any questions, please contact me on 0418 962 703.

Yours faithfully



Andrew Lissenden  
Development Case Officer  
Community and Place | South Region

Cc: [kgranger@upperlachlan.nsw.gov.au](mailto:kgranger@upperlachlan.nsw.gov.au); and  
[tina@laterals.com.au](mailto:tina@laterals.com.au)

See separate attachment titled **Attachment 1**

**1. Prior to the surrendering development consent 2002/0156/DA and commencing works under DA103/2021, the developer must:**

- a) Enter into a Works Authorisation Deed (WAD) with the TfNSW, or other suitable arrangement as agreed to by TfNSW, to progress the delivery of all works on the Federal Highway as generally shown in Attachment 1.

*Notes:*

- A WAD is a legally binding contract between TfNSW and Council, authorising Council to undertake works on a state road.
- To progress the WAD, the developer needs to email a copy of the conditions of development consent to [development.southern@rms.nsw.gov.au](mailto:development.southern@rms.nsw.gov.au). TfNSW will then appoint a project manager who will coordinate TfNSW's involvement in the delivery of the works.
- All roadworks and traffic control facilities must be undertaken by a pre-qualified contractor. A copy of pre-qualified contractors can be found on the RMS website at: [www.rms.nsw.gov.au/business-industry/partners-suppliers/tenders-contracts/prequalified-contractors.html](http://www.rms.nsw.gov.au/business-industry/partners-suppliers/tenders-contracts/prequalified-contractors.html)
- Any new services or modifications to existing services associated with this development application that involve works on, over or under the Federal Highway must be incorporated into, and managed under, the Works Authorisation Deed for the project. It is the developer's responsibility to identify these works to the TfNSW project manager.
- More information on WADs can be found at: [www.rms.nsw.gov.au/documents/projects/factsheet-development-process.pdf](http://www.rms.nsw.gov.au/documents/projects/factsheet-development-process.pdf)

- b) Ensure the detailed design plans submitted as part of the WAD comply with the comments detailed in **Attachment 3**.

**2. Prior to commencing works within the Federal Highway road reserve, the developer must:**

- a) Obtain Section 138 consent under the *Roads Act 1993* from TfNSW for the works associated with the WAD.

*Notes:*

- TfNSW will be exercising its powers under Section 64 of the *Roads Act, 1993* to become the roads authority for works associated with the WAD and therefore responsible for issuing the Section 138 consent for those specific works.
- Preliminary comments to be addressed as part of the detailed design/Section 138 consent are contained in Attachment 3.

- b) Apply for, and obtain a Road Occupancy Licence (ROL) from the TfNSW Traffic Operations Unit (TOU) prior to commencing roadworks on the Federal Highway or any other works that impact a travel lane of the Federal Highway.

*Notes:*

- For information on the ROL process and to lodge an ROL application, please visit <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>
- The applicant will need to create an account (this may take a few days to register), prior to submitting the ROL application. The applicant must submit the ROL application 10 business days prior to commencing work. It should be noted that receiving an approval for the ROL within this 10 business day period is dependent upon TfNSW receiving an accurate and compliant TMP.
- The application will require a Traffic Management Plan (TMP) to be prepared by a person who is certified to prepare Traffic Control Plans. Should the TMP require a reduction of the speed limit, a Speed Zone Authorisation will also be required from the TOU.
- An approved ROL does not constitute an approval to commence works until an authorisation letter for the works has been issued by TfNSW Project Manager.

**3. Prior to commencing works under DA103/2021, the developer must:**

- a) Have completed the works within the Federal Highway road reserve to the satisfaction of TfNSW, generally in accordance with the plans approved as part of the Section 138 Consent issued, Austroads

Guide to Road Design and other relevant standards. Written confirmation must be obtained from TfNSW to confirm that above.

*Notes:*

- *All works need to be completed at no cost to TfNSW.*

- b) Formally execute a right of way arrangement over Lot 1 DP 255135 by way of a Section 88B Instrument under the *Conveyancing Act 1919* to legally benefit Lot 5 DP 255133 and burden Lot 1 DP 255135.
4. The operation of the quarry in terms of the maximum tonnage per annum and the number of truck movements must not exceed what is detailed in the submitted Environmental Impact Statement prepared by Laterals Planning, Ref No, 1938, dated July 2021 and supporting letter from Motion Traffic Engineers Pty Ltd dated 31 January 2022 (i.e. 16,000 tonnes per annum and no more than five trucks per day).
5. A record of daily truck movements to/from the site and their associated destination must be kept by the owner/operator and provided to either Council or TfNSW upon request.
6. All trucks travelling to the site must travel from the north/Goulburn direction all trucks leaving the site must depart to the north/Goulburn direction.

1. The pavement design for the works within the Federal Highway road reserve must be in accordance with Austroads standards.
2. The drainage design for the works shall ensure compliance with Austroads Guide to Road Design (Part 5B and Part 6). This including the ability to provide a traversable culvert end treatment.
3. A signs and lines plan is required. This must ensure all pavement marking and signage is in compliance with TfNSW delineation guidelines, other relevant standards and Technical Direction (TD) 2003/RS01.